

**SHELTER REFORM ACTION COMMITTEE**

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FOR IMMEDIATE RELEASE

**CITIZENS GROUP TO SUE CITY OVER ANIMAL  
SHELTER BOARD**

New York City, April 23, 2004 - We are troubled by both the tone and substance of DOH Commissioner Frieden's remarks on Monday's animal shelter board meeting that he would lose no sleep over the destruction of animals that his department deems dangerous to public health, which sounds like the kind of antiquated thinking from the unenlightened days when NYC drowned stray animals in the East River. There are humane ways to deal with dangerous animals other than killing them.

Such remark alarmingly demonstrates the goals of the Health Commissioner are at odds with the City's own stated goals of going "no-kill" with its animal care and control agency.

It is further troubling that no one is defining who decides what is a dangerous dog and by what standards such determination is made. We fear that the term "dangerous dog" is a euphemism for breed specific extermination by City bureaucrats who do not have a modern and compassionate attitude towards animals.

The Health Commissioner has further tightened his grip by demanding that all public statements by Animal Care and Control's management be cleared through his office, strongly suggesting that this arrangement is an unhealthy one for the First Amendment rights of animal advocates, and more importantly, that AC&C is being treated by the DOH as if it is part of a City agency and not the independent charitable contractor that it is.

We believe due to the composition of AC&C's board of directors, headed by Dr. Frieden, the relationship of the City and its not-for-profit contractor is illegal. Therefore, the Shelter Reform Action Committee (SRAC) has committed to filing a lawsuit against the City and the AC&C, as third party beneficiaries of this municipal contract, to overturn this board of directors and seek a court order to change AC&C's bylaws to protect the public interest.

SRAC is a coalition of humane organizations and animal advocates that has been closely monitoring municipal animal management since AC&C's creation in 1994 (formerly called CACC). SRAC successfully sued the City over Freedom of Information and Open Meetings Law requirements in 1998 when the shelter was run by a former DOH employee. "They were wrong then, and they're wrong now," said Gary Kaskel, SRAC's co-chair, "and the citizens of New York demand a higher humane standard than City bureaucrats are willing to give."

"Mayors and Health Commissioners come and go," Kaskel added, "but we are here to stay. We will continue to fight for those with no voices as long as it takes to make things right."

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