

**This letter of complaint is not an uncommon example of the treatment of animals and the public by CACC. Those who wish to contact the writer can email him at SRAC and we will forward the message [info@shelterreform.org](mailto:info@shelterreform.org)**

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Joseph and Avigyle Gorodischer  
New York, New York 10025

Honorable Rudolph W. Giuliani  
Mayor - City of New York  
City Hall  
New York, NY 10007

January 31, 2001

Dear Mayor Giuliani:

I am writing this letter to complain about the treatment of my dog by the Center for Animal Care and Control's Manhattan Shelter located at 326 East 110th Street, New York, NY 10128, and, specifically, the callous attitude and reprehensible actions taken by Douglas M. Mansfield, the CACC's secretary and general counsel.

On the morning of January 21, 2001, our dog, Oliver, a four month old Great Pyrenees, disappeared from our apartment. We searched our entire neighborhood for the better part of the day, but could not locate him. We called every police precinct, every veterinarian, and the animal shelters in our community, all to no avail.

On the morning of January 22, 2001, we received a call from the CACC shelter in Manhattan that a dog fitting Oliver's description was at the shelter. We immediately ran to the shelter, identified Oliver and presented the documentation certifying that he was our dog.

The CACC's shelter personnel told us that a woman brought Oliver to the shelter the previous day, but the specific circumstances surrounding his disappearance and arrival at the shelter remain unclear. Nevertheless, we expected to take Oliver home with us but were told that, pursuant to a newly enacted New York City administrative law, Oliver would have to be sterilized prior to his release from the shelter and that the sterilization procedure would take place on Thursday afternoon on January 25, 2001, almost five days after Oliver's arrival at the shelter. We were told that in the interim period Oliver would have to remain at the shelter.

We were disappointed by this news and asked that Oliver be returned to us, despite the administrative law, on the grounds that we were contractually obligated to sterilize Oliver pursuant to our contract with his breeder. When this request was denied we promptly called our licensed veterinarian and asked him to call the CACC shelter on our behalf. He called and explained, in no uncertain terms, that in his professional opinion Oliver should not be sterilized until he was six months old and certified that Oliver was scheduled for sterilization in March.

The veterinarian even proposed that Oliver be released against a guaranteeing bond refundable to us at such time upon our satisfactorily demonstrating that Oliver was sterilized. His suggestions were categorically denied.

Our main objective was to get Oliver out of the shelter and its sub-par conditions because we worried for his health and were concerned that the poor care he would receive would traumatize him at this early stage of his development. The CACC staff informed us that they do not care about our concerns and that if we disagreed with their intended procedures we would have to contact Douglas Mansfield, the general counsel.

I spoke with Mansfield on January 23rd, 2001 and he insisted that the new city law required our puppy to be sterilized prior to his release. I was skeptical of his interpretation of this law since I could not believe that the legislature would force a procedure to an animal that ignores the best interest of his health and welfare. Mansfield refused to yield and I indicated that I would consult with an attorney to determine whether, in fact, the law required such an insensible result in this case.

My skepticism regarding Mansfield's improper application of the law to our puppy was confirmed by my attorney who determined that sterilizing Oliver is not consistent with the legislative intent of the law and that the statute should be read in a manner that allows for Oliver's release without sterilizing him. The law's sterilization requirement was intended to apply to the adoption of stray, unwanted and abandoned dogs in order to curb the health and safety hazards associated with the overpopulation of such dogs. The legislature certainly did not intend to force owners to sterilize their beloved pets against their will merely because the dog fortuitously arrived at a CACC shelter. This is certainly the case where sterilization is against the better judgement of a licensed veterinary professional.

My attorney contacted Mansfield, but Mansfield refused to accept any reasonable or plausible position that would obviate the need to sterilize our puppy and stated that only a court order would enjoin him from sterilizing Oliver. Mansfield further stated that since he drafted the new law, he is the final arbiter in deciding its determination and application. Mansfield's callousness is reprehensible because he knew that we wanted Oliver to be released from the shelter as soon as possible and that our obtaining a court order was not feasible as it would further delay Oliver's release. In this coercive manner, Mansfield was able to impose his unreasonable actions against our puppy.

At this point, realizing that Mansfield would not release Oliver and that a court action would take a significant amount of additional time, we reluctantly agreed to the sterilization procedure. However, to expedite the process and to ascertain that a licensed and competent veterinarian would be engaged, we asked that our veterinarian be permitted to perform the procedure. This is expressly allowed under the law, as the statute requires that the dog must be "sterilized by a licensed veterinarian." Knowing that his actions were beyond recourse at the time, Mansfield categorically declined our request stating that the CACC retains veterinarians that do the job. Indeed, Mansfield imposed his unfettered mandates and protocol because he knew we were pressed for time and we could not challenge his unreasonable determinations.

However, Mansfield perpetrated his most egregious abuse of authority in this case by his vindictively denying my wife and three young children the opportunity of seeing Oliver while he was at the shelter, thereby further exacerbating their trauma surrounding his disappearance and sterilization. Mansfield implemented his arbitrary decision in a surreptitious manner by calling the shelter in advance of my family's arrival and instructing the shelter's personnel to refuse to allow my family to see Oliver. Moreover, when questioned by my attorney regarding this action, Mansfield stated that he denied access to my family "based solely on his discretion." Mansfield's action was without any legal authority and constituted a reprehensible violation of his position of power.

Finally, on the evening of January 25, 2001, after undergoing the prematurely unnecessary sterilization procedure, Oliver was released. Our concerns regarding the conditions at the shelter were confirmed as Oliver returned emaciated, scared and anemic. His hair was matted from his own urine, he had no appetite and has none to this date, and he had projectile diarrhea which prompted an unscheduled veterinary visit that cost us \$170.00 in care and medications. Absent Mansfield's arrogance and the CACC shelter's indifference, this result would have been avoided.

In sum, the CACC's indifference proves that the agency is not maintaining its mandate of caring for the animals in its domain. Further, Mansfield's repugnant actions and abuse of power prove that he lacks the judgement required to maintain his position of authority. More importantly, Mansfield's wanton disregard of the animals' best interests and officious actions in this case prove that he lacks the requisite qualifications to be an advocate for the CACC, an organization that should be focused on the well-being of the animals in its care. In the instant case, Mansfield placed his insolent pride in authoring the new legislation and in his ability to flex his authority above and beyond the best interest of our puppy.

Accordingly, I hereby respectfully request that, prior to its obtaining another city contract to provide care for abandoned or unwanted dogs and cats, the CACC is investigated to ascertain that it is providing the best care possible to such animals. Further, I recommend that Mansfield be strongly reprimanded for his actions and possibly removed from his position as the general counsel for the CACC.

I thank you in advance for your prompt attention regarding this matter.

Sincerely,

/s/ Joseph Gorodischer

cc: Peter Vallone - Speaker New York City Council  
Linda Vassall - Director, DOH Bureau of Veterinary Public Health Services  
Edward Boyce - Assistant Director, DOH Bureau of Veterinary Public Health Services  
Neal Cohen, MD - Commissioner, NYC Department of Health  
Kathryn E. Freed - Chair, New York City Council Contracts Committee  
Victor Robles - Chair, New York City Council Health Committee  
Mark Green - NYC Public Advocate  
Bill Perkins - Councilmember - District 9  
Marilyn Haggarty-Blohm - Executive Director - Center for Animal Care and Control, Inc.

Douglas M. Mansfield - General Counsel - Center for Animal Care and Control, Inc.  
Edward Markovich, Esq.

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