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COMMITTEE ON ANIMALS AND THE LAW
Memorandum in Support

Animals # 33

May 26, 2026

S.9231
A.6722

By: Senator Scarcella-Spanton
By: M. of A. Kay
Senate Committee: Codes
Assembly Committee: Codes
Effective Date: Immediately

AN ACT to amend the criminal procedure law, in relation to authorizing bail for principals charged with aggravated cruelty to animals

LAW AND SECTIONS REFERRED TO: Paragraph (u) of subdivision 4 of section 510.10 of the Criminal Procedure Law is amended and a new subparagraph (v) is added. Subparagraph (xxi) of paragraph (b) of subdivision 1 of section 530.20 of the Criminal Procedure Law is amended and a new subparagraph (xxii) is added. Paragraph (u) of subdivision 4 of section 530.40 of the Criminal Procedure Law is amended and a new paragraph (v) is added.

THE COMMITTEE ON ANIMALS AND THE LAW SUPPORTS THIS LEGISLATION

This bill would provide the judiciary with discretion to consider monetary bail in cases of aggravated cruelty to animals, which is defined as conduct towards an animal that is (i) intended to cause extreme physical pain; or (ii) is done or carried out in an especially depraved or sadistic manner.[1] Because aggravated cruelty to animals is not currently a bail eligible offense, there is little or no way to prevent an individual who has already demonstrated the potential to cause serious physical harm or pain to an animal from committing further acts of violence between their arrest and possible conviction. Judges already have discretion to set bail for other violent felonies, and it is critical to extend this discretion to cases of aggravated cruelty to animals.[2]

This amendment protects both animals and humans. Extensive research has shown that violence towards animals is a strong predictor of violence towards people,[3] including crimes of assault, rape, murder, arson, domestic violence, and sexual abuse of children.[4] Additionally, in

[1] N.Y. Agriculture & Markets Law § 353 (a).
[2] N.Y. Criminal Procedure Law § 510.10.
[3] Jegatheesan B, Enders-Slegers MJ, Ormerod E, Boyden P. Understanding the Link between Animal Cruelty and Family Violence: The Bioecological Systems Model. Int J Environ Res Public Health. 2020 Apr 30;17(9):3116. doi: 10.3390/ijerph17093116. PMID: 32365760; PMCID: PMC7246522. Accessed on May 15,2026.
[4] Robinson, Charlie M.A., M.S. and Victoria Clausen, M.A. *The Link between Animal Cruelty and Human Violence.* August 10, 2021. https://leb.fbi.gov/articles/featured-articles/the-link-between-animal-cruelty-and-human-violence. Accessed May 15, 2026.

the case of domestic violence, an abuser may use threats or acts of violence against a companion animal as a way of keeping their human victims under their control. According to research by the Urban Research Institute (URI) and the National Domestic Violence Hotline, "fear for the welfare of pets is a barrier that keeps survivors from leaving abusive situations to find safety and healing."[5] Furthermore, 37% of the participants in the URI survey indicated that their companion animals had already been harmed by their abusers.[6] Giving the judiciary the ability to set bail or remand to custody in response to charges of aggravated cruelty to animals can prevent further violence towards animals and further physical and emotional harm to the humans impacted by that violence.

The bill does not require that a judge set bail in an animal offender case. Rather, it provides the judiciary with the opportunity to weigh the facts and circumstances of a particular case, protect the presumption of innocence until proven guilty, and still prevent an individual from committing further violence towards animals (and, in many cases, the people who care for them) while a trial is pending. It strikes an appropriate balance between addressing the current lack of safeguards and a more drastic approach that would ignore the foundational principle of innocence until proven guilty.

The Committee on Animals and the Law agrees with the sponsors' message in their Memorandum in Support. "Aggravated cruelty to animals … is a heinous crime against an innocent creature that is unlikely or unable to defend itself."[7] This legislation would prevent individuals suspected of aggravated cruelty to animals from having access to other innocent animals, or people, while their trial is pending.

For the foregoing reasons, the Committee on Animals and the Law **SUPPORTS** the passage and enactment of this legislation.

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[5] Urban Resource Institute, & National Domestic Violence Hotline. (2021). *PALS report and survey on domestic violence and pets: Breaking barriers to safety and healing.* Retrieved from https://urinyc.org/palsreport/. Accessed on May 15, 2026.

[6] Ibid.

[7] New York Senate Introducer's Memorandum in Support. Sponsor: Scarcella-Sparton Bill Number S9231, 2025.