



**VOTERS FOR
ANIMAL RIGHTS**

786 Jefferson Avenue
Brooklyn, NY 11221
vfar.org

2021 Manhattan District Attorney Endorsement Questionnaire

About Us

Launched in 2017, Voters For Animal Rights (VFAR) is a New York based 501c(4) grassroots multi-issue animal advocacy organization that is building political power for animals. In 2020, VFAR helped elect our former board member, Jabari Brisport, to the New York State Senate. In 2019, VFAR led the successful campaign to ban foie gras in NYC, to stop wild bird poaching and to establish an Office of Animal Welfare within the Mayor's Office. In 2017 we led the campaign to ban the use of wild animals in circuses in NYC. We look forward to working with you to win more victories for animals and make New York City a leader in compassionate public policy.

Our mission is to elect candidates who support animal protection, lobby for stronger laws to stop animal cruelty, and hold elected officials accountable to humane voters. VFAR mobilizes public concern for animals through the political process. We know that animal protection is not only a moral issue but a bi-partisan political issue as well. Over 90% of Americans believe that animals need protection from abuse and exploitation. To that end, we organize humane voters to support candidates that care about animals. If you support animals, then we want to support you!

There are over 60,000 humane voters throughout New York state, hundreds of which are volunteers for VFAR who are ready to knock on doors, make phone calls and get out the vote to elect people who will stand up for animals. We deliver the vote – for the animals and for you.

As an example, here is our [animal-friendly voter guide](#) from the 2020 NYS Primary Elections.

Endorsement Process

Candidates seeking VFAR's endorsement for the 2021 Manhattan District Attorney election are required to fill out this questionnaire, which will be posted on our website. Submit to woof@vfar.org by **November 27, 2020**. Please let us know if you need more time.

Questions

If you have any questions about the topics in our questionnaire, please don't hesitate to reach out to Allie Feldman Taylor, allie@vfar.org and David Karopkin, david@vfar.org. We are happy to help you better understand animal protection policy, and we're happy to advise your campaign.



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Candidate Contact Information & Campaign Information

Candidate Name	Pronouns	Cell Phone	Email
Eliza Orkins	She/Her/Hers	[REDACTED]	[REDACTED]

Campaign Manager	Pronouns	Cell Phone	Email
Daniel McNamara	He/Him/His	[REDACTED]	[REDACTED]

District # Borough
N/A Manhattan

Neighborhoods In Your District

Party Office Sought
Democrat Manhattan District Attorney

Name of Campaign Committee: Eliza Orkins for New York

Campaign Mailing Address: PO Box 953 - New York, NY 10113

Campaign Website: www.ElizaOrkins.com

Social Media Handles (Facebook/Twitter/Instagram):

Facebook: Eliza Orkins @ElizaOrkinsforNY

Twitter: @ElizaOrkins

Instagram: @EOrkins

Tik Tok: @ElizaOrkins

Occupation/Employer: Public Defender

Organizational Affiliations (if any): UAW Local 2325, ALAA since 2009, 5BD

Endorsements (if any): Alyssa Milano, Frederick Joseph, Charlotte Clymer, and a number of other activists have already endorsed our campaign. We've also received the endorsement of Operation Fredrick Douglass (PAC) and U.S. Outlook.



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Personal Initiatives

1. Do you feel that promoting the humane treatment of animals should be a priority for the Manhattan District Attorney's Office?

As Ingrid Newkirk once said, "we have to be aggressive when those we stick up for have no voice. I don't consider it radical to say cruelty is wrong and that animals should be respected." I am running for DA as an advocate for the voiceless -- be they animals or people -- against the entrenched, the powerful, and the cruel. That's why it will be my priority and my office's priority to aggressively hold accountable those who abuse animals, those who mistreat animals, and those who behave inhumanely toward animals.

The current Manhattan District Attorney's office lacks a specialized unit to handle animal abuse cases. Upon assuming office, I will establish an Animal Welfare Bureau. This office will be staffed by attorneys who have experience and interest in this type of work, and those we recruit to the position. I will personally see to it that we staff the office with outstanding attorneys and investigators with experience in the field who have served in a similar role in other jurisdictions. By establishing an Animal Welfare Bureau, my office will not only provide the skill that cases involving animals deserve, it will also signal to the community, and to the offices of other prosecutors across the country that look to the Manhattan District Attorney's office for guidance, that the humane treatment of animals should be a central focus of every criminal court system.

2. What achievements or advocacy for animals are you most proud of, e.g. supporting humane legislation, adopting a shelter pet, volunteering with an animal rescue organization, supporting any national or local animal protection organizations, living a plant-based (vegan or vegetarian) lifestyle, etc.?

As my friends and family (and anyone who follows me on social media...) know, the light of my life at home is my dog named Oscar who's been my animal companion for 14 years. As Oscar reaches advanced age, he's become mostly blind and deaf and spends most of his day by my side. Throughout my entire career as a public defender, fighting against a criminal punishment bureaucracy that destroys and devalues the lives of so many, Oscar has been by my side every day, reinforcing the compassion, care, and empathy it takes to do my job well. He is not just a "pet," but is truly my family. I also grew up with rescue dogs my whole life. Our beagle, basset hound mix named Casey lived to be seventeen years old.

As a public defender, I witness the devastating impact of our criminal legal system every day: Not just for my clients, but in the lives of the people and non-human animals around them as well -- including the trauma and upheaval that the cash bail system inflicts on the family members, children, and non-human animals who love, live with, and depend on people who are arrested and jailed pending trial, simply because they can't afford to make bail.



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All too often I've met with clients who love their non-human animal companions just as much as I love Oscar, who would never willingly abandon them and are desperately worried about who will care for their loved ones and what will happen to them while they're incarcerated. Helping my clients find solutions in this devastating circumstance has always been a part of my work and advocacy as a public defender.

I remember a client I represented a handful of years ago. I walked into arraignments and met him in the pens and in spite of the fact that he was facing criminal charges, he was not worried at all about his own plight, but as soon as I met him gave me every phone number he could remember to call his friends and family to make sure they could go to his apartment to feed his pup.

3. What animal issues will you prioritize and lead on as District Attorney? How would you work to empower the animal advocacy community to reach new success and growth into the 2022-2025 term, and ensure that New York is on the forefront of animal protection?

First, I will instruct every member of my team to make it a priority to deter and prevent the mistreatment of animals (and humans) alike.

Second, a central tenet of my campaign has been the decarceration of New York City. From radically overhauling bail procedures to making our first priority seeking non-prison sentences in every case, I will work to dramatically reduce the number of New Yorkers who are incarcerated. Instead of defaulting to incarceration as punishment, I will seek to work with each person who comes before the court to provide the treatment or services necessary to ensure they are in a place to be healthy, and successful and avoid rearrest. Cases involving animal abuse will be no different. Rather than simply ensuring a conviction and securing a jail sentence, my office will work to address the underlying issue that led to the act of abuse. Animal abuse is frequently an indicator of a propensity for future abuse of animals or humans, and animal neglect is often an indicator of a distressed household. The goal of my office in such cases, using the best available research and resources from across the fields of social work and psychology, will be to address the underlying issue that led to the abuse or neglect, and ensure that no future animal, or person, is harmed.

Third I will use the bully pulpit of my office to advocate for continued legal protections for animals, including working towards a comprehensive framework of codified, affirmative animal rights.

4. Do you have, or would you consider developing, a platform on animal protection issues and posting the information onto your campaign website to outline your positions? If you receive an endorsement from VFAR, will you promote our endorsement on your website and social media pages?



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My team and I are rapidly developing a comprehensive policy platform, and over the next several weeks will release a detailed set of plans, procedures, and goals covering over a dozen areas of law and reform. This will include the creation of our Animal Welfare Bureau. All of our plans and policies will be publicly available on our webpage. In addition, I welcome the opportunity to further develop my animal protection platform in collaboration with your organization or any affiliates with whom you work closely. I've always used my social media platforms for activism and have over 150,000 followers across my platforms. If I were to receive the endorsement of Voters for Animal Rights, I will proudly promote it on my social media platforms, website, and through an official campaign press release.

Furthermore, I will continue to welcome input and ongoing dialogue as DA and will be constantly looking for ways my office can improve upon our policies and do better.

5. Do you believe that the pursuit of animal rights is part of a broader vision of social justice? Please explain your answer.

Yes. Completely. As Martin Luther King Jr. said, "we are caught in an inescapable network of mutuality, tied in a single garment of destiny." A society can not truly be said to be a just society if it allows the systematic torture and mistreatment of any of its creatures. The fact of the matter is that violence against animals is not only a moral stain on our social fabric, it has a direct impact on us all.

We have to face facts that violence against animals often escalates to violence against humans -- and vice versa. Prosecuting the mistreatment of animals can be a critical intervention that might, in many cases, prevent future harm to human beings. Likewise, caring and preventing mistreatment of human beings makes animals safer. It's all connected: defending the voiceless is a key to keeping everyone in the community safe.

When it comes to the future direction of our borough, our City and our country, we have a choice to make. We can continue to give a free pass to the powerful, the privileged, and, the well protected or we can finally take a stand for the vulnerable, the voiceless, and victims of systemic injustice.

Staffing

6. Will you commit to creating an [Animal Cruelty Prosecutions Unit](#) (like that of the Queen's County District Attorney's Office)? Will you appoint animal rights advocates as Assistant District Attorneys in your office to carry out your agenda and policies relating to law enforcement of crimes against animals?

Upon assuming office, I will establish an Animal Welfare Bureau within the Manhattan District Attorney's office. The Bureau will be staffed with attorneys, social workers, investigators, and



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support staff trained and have experience in handling animal abuse and neglect cases, and in seeking the appropriate non-incarceratory sentences to ensure that the offending behavior is not repeated by addressing the underlying issues and conditions that led to the conduct. Please see the answer to question 1 for additional details.

Policy Positions

The Manhattan District Attorney is uniquely positioned to advance animal welfare across the country and restore New York City's legacy as the epicenter of animal protection in the United States. In the nineteenth century, prosecutions targeting cruel *business practices* inflicted on *farm animals* in New York City established the modern field of animal cruelty law that is now a fundamental component of legal systems around the world. However, in recent years, animal cruelty prosecutions in New York have almost exclusively targeted *individual acts* of cruelty to *companion animals*, while allowing well-funded corporations and executives to get away with systematic animal abuse on an industrial scale. VFAR believes that the Manhattan District Attorney's Office needs to return to New York City's roots and prioritize combating the systemic causes of animal cruelty over the incarceration of individual perpetrators (who are often themselves victims of poverty or mental illness). Companies and corporate executives that cause or permit acts of animal cruelty in their operations or supply chains can be held accountable by Manhattan prosecutors, even if that cruelty occurs outside of Manhattan. It is time for New York City prosecutors to once again use the full extent of their law enforcement authority to change the world for animals.

Question 1

What are examples of animal abuse which you believe should be a focus for the attention of the task force and your office?

From my decade of experience as a public defender in Manhattan criminal courtrooms, I know that law enforcement frequently process and prosecute standard cases of animal abuse and neglect. I will focus our investigations and work on local pet stores that participate in "puppy mill" supply chains for abuse and neglect, incidents and rings of dog fighting, and local businesses and restaurants that receive meat and other animal products from agribusiness ventures that engage in cruel and abusive farming practices, using criminal conspiracy charges when necessary. As noted in answers 3 A and B below, I will not hesitate to pursue cases where businesses engage in false advertising and deceptive marketing practices to deceive their customers about the treatment of the animals whose meat, eggs, and dairy they offer.



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Question 2

What is the appropriate law enforcement and punitive response to cruelty to companion animals such as domestic torture or violence, dog fighting, tethering, abandonment of dogs in hot cars and cold weather, and other neglect?

As noted above, those cases involving animal abuse will be taken seriously, but continue to be prosecuted and addressed in a manner that seeks to address the behavior and the problem rather than just assessing a jail or prison sentence. Animal abuse is frequently an indicator of a propensity for future abuse of animals or humans, and animal neglect is often an indicator of a distressed household. The goal of my office in such cases, using the best available research and resources from across the fields of social work and psychology, will be to address the underlying issue that led to the abuse or neglect, and ensure that no future animal, or person, is harmed.

Question 3

Many meat, dairy, and egg products are marketed as “natural” and “humane” despite being produced through cruel industrial farming practices including the life-long indoor confinement of animals; mutilations (e.g., castration, debeaking, dehorning etc.); and the widespread use of antibiotics and other pharmaceuticals.

- A. Do you believe that reasonable consumers are likely to be misled by the marketing of products produced through industrial farming practices? If so, will you prosecute companies that falsely market their products in violation of statutes that prohibit false and misleading advertising? If not, why not?

The misinformation and marketing campaigns of industrially sourced products and foods comes as no surprise when it's taken into account that the conglomerates responsible for these misleading advertisements profit massively off of a popular culture that (rightly) wants to change their consumer behavior in a way that reflects their values. As District Attorney, my office will fully investigate incidents of animal abuse and prosecute appropriately, as well as violations of hygiene, health, and safety standards -- for both animal welfare as well as the workers in that industry (we know there are many labor abuses that also occur). I would prioritize holding these industrial producers accountable, not only for their false advertising, but for the litany of animal cruelty law violations they have skirted responsibility for time and time again.



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- B. If you were District Attorney, how would your office utilize false advertising or securities fraud laws to address animal cruelty, whether within New York or beyond its borders? Are there other legal tools you would seek to utilize?

Consumers are often willing to pay more for “humanely” produced goods, so companies are willing to go to great lengths to convince consumers that their products are humanely sourced. Oftentimes this labeling is false or deceptive. False advertising laws exist to make sure that consumers are getting the information they need to make their own choices, and New York law would allow a prosecution to protect customers under Penal Law S 190.20. If my office is presented with a case alleging that a business has engaged in false advertising as it relates to animal products, I will not hesitate to prosecute.

If a company has an office or facility or headquarters in New York County, they would fall within my jurisdiction. We can also work with local retail to reduce the supply chain. Holding corporations accountable for deceptive practices that can have not only local, but national and international impact, will be a major priority of mine.

Question 4

How would you seek to enforce animal cruelty laws that pertain to enterprises within Manhattan, which use and/or commoditize animals or products derived from animals kept within Manhattan, such as failing to provide animals food and water, adequate space, tethering, or leaving animals outside in extreme weather (i.e. heat or freezing weather)?

A central tenet of my campaign is that we must dismantle the structure of the criminal legal system as it is presently constituted, with one for the rich, powerful, and connected, and another for everyone else, with more favorable outcomes for the former. The lack of laws prohibiting this behavior, or the lack of enforcement, stems from the fact that these are cost-effective measures for the agribusiness, without regard for the wellbeing of the animals. Within Manhattan, ending this favorable treatment for companies, which leads to the deplorable treatment of living beings, will be a priority of my office.

Question 5

New York State’s Animal Cruelty Statute (Article 26 of the New York Agriculture and Markets Law) prohibits acts that cause “unjustifiable physical pain, suffering or death” to animals. Yet, New York’s



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animal cruelty laws have rarely been enforced in cases beyond abuse of domestic and companion animals.

VFAR believes the cruel practices listed below may be considered unlawful under New York's animal cruelty laws and can be prosecuted, however, rarely are these violations of the animal cruelty statutes taken into consideration by District Attorneys. Please place a checkmark next to any of the practices you believe are prohibited and would seek to investigate or prosecute under current New York Law:

- [Castration of pigs, cows, and other mammals without painkillers](#)
- ["Debeaking" or "beak cutting" of chickens and turkeys without painkillers](#)
- [Confinement of egg-laying hens in battery cages](#)
- [Confinement of baby cows in veal crates](#)
- [Force-feeding of ducks or geese for foie gras production](#)
- [Boiling lobsters and other crustaceans while alive](#)
- [Confinement of pigs in gestation crates](#)

For any of the practices you identified as prohibited in your answer in Part A, above, will you seek to enforce animal cruelty laws against and prosecute companies and executives that cause such cruelty to occur? If not, why not?

When evidence of these types of cruel treatment are presented to my office, I will investigate them as violations of New York law. The same or similar practices are banned in many countries, and in several other states. Preserving this maltreatment is not only morally objectionable, it presents New York City and State in a bad light. As noted above, my campaign, and my office, will be focused on ending the favorable treatment, and lack of investigation and prosecution for connected, wealthy businesses and individuals. This certainly applies to food suppliers that purposefully mistreat their animals to keep their costs down and their profits up.

Question 6

What is your position on the intersection of animal cruelty and justice reform? What is your vision for a restorative justice approach to animal cruelty?

A central theme of my campaign is that every part of our criminal legal system is infected by an attitude that punishment must be punitive and not therapeutic; that jail and prison continue to be nearly the only answer to any problem even though we have decades of evidence to the contrary; that each case is simply a set of facts and docket number to be processed without regard to the human beings involved on both side of the complaint, and their unique stores,



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circumstances, and futures. The prosecution of animal abuse cases is no different. Rather, because of the unique link between animal mistreatment and a propensity for future acts of violence or abuse, there is an even stronger incentive than in many other types of cases to address the underlying causes of the behavior and seek to correct it. Sitting in jail or prison will not correct the issue for a person who has tortured a pet, but setting the case on a course towards therapy and treatment may, with the added benefit of removing the nearly endless list of consequences that an individual suffers when in prison and upon release which lead to recidivism. Addressing particularly the practice of restorative justice, this area is complicated because traditional restorative justice brings the victim and the accused face-to-face for conversation and reconciliation, which is obviously not possible when an animal is involved. That said, our office will favor restorative justice practices, and will be used when members of the Animal Welfare Unit suggest it is appropriate.

Question 7

In 2018, in a decision denying a habeas corpus claim brought on behalf of [two chimpanzees who had been kept for decades in small cages in a warehouse](#), Justice Eugene M. Fahey of the New York Court of Appeals issued a concurring opinion stating the following:

“To treat a chimpanzee as if he or she had no right to liberty protected by habeas corpus is to regard the chimpanzee as entirely lacking independent worth, as a mere resource for human use, a thing the value of which consists exclusively in its usefulness to others.... While it may be arguable that a chimpanzee is not a “person,” there is no doubt that it is not merely a thing.”

Do you believe that nonhuman animals have legal rights? How would your office vindicate or advance the legal rights of animals?

I absolutely believe animals have legal rights and as District Attorney my office would advance the legal rights of animals. My philosophy on animal rights has been influenced by the work, among others, of Peter Singer and Charles Patterson. I believe that all animals have inherent worth, that they do not exist primarily to be subjected to and used by humans. I support the ground-breaking litigation in recent years seeking legal rights and protections for animals, such as the case cited above that rose through the New York courts.

The body of science that shows definitively that animals can feel, reason, think, and suffer, continues to grow. As a basic premise, animals do not exist to allow humans to exploit them, and are entitled to their own inherent dignity. This must be recognized in our laws, by explicitly codifying laws that provide for a range of rights for animals, and ensure that cruel and abusive treatment of animals for human consumption is terminated as soon as possible.



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Additional Comments (if any):

As I mentioned above, our campaign is premised on the fact that every part of our criminal legal system is infected by an attitude that punishment must be punitive and not therapeutic; that jail and prison continue to be nearly the only answer to any problem even though we have decades of evidence to the contrary; that each case is simply a set of facts and docket number to be processed without regard to the human beings involved on both side of the complaint, and their unique stores, circumstances, and futures.

Finally, I just want to say that my pup, Oscar, is my whole life. We are a household of just me and him; I have gone through some very scary experiences in the last few years of my life and Oscar has been by my side for not only that but all of the ups and downs over the last fourteen years. I know I'm not the only one who feels that way. Animal companions can play a role in rehabilitation for folks who are currently or previously have been incarcerated. They can also help people living with various mental illnesses or other health conditions. Basically, animals contribute to the well-being of our entire social fabric. We must treat animals with the respect and legal protection they deserve.

12/3/20

CANDIDATE SIGNATURE

DATE