



**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 |
|------------------|--------------|------------|------------|
| Alvin Bragg | He/Him/His | [REDACTED] | [REDACTED] |
| Campaign Manager | Pronouns | Cell Phone | Email |
| [REDACTED] | She/her/hers | [REDACTED] | |

District # N/A Borough Manhattan

Neighborhoods In Your District N/A

Party Democratic Office Sought District Attorney

Name of Campaign Committee: Alvin Bragg for DA

Campaign Field Office Address: PO Box 1584, New York, NY 10026

Campaign Website: alvinbragg.com

Social Media Handles (Facebook/Twitter/Instagram): <https://twitter.com/AlvinBraggNYC>;
<https://www.instagram.com/AlvinBraggNYC/>; <https://www.facebook.com/AlvinBraggNYC>

Occupation/Employer: Visiting Professor of Law and Co-Director of the Racial Justice Project at New York Law School where his research and coursework focus on the intersection of criminal law and civil rights, prosecutorial discretion and accountability, and the functions of state Attorneys General.

Organizational Affiliations (if any): member of the Board of Directors of The Legal Aid Society, a former member of the Board of Directors of the New York Urban League, and a Sunday School teacher at the Abyssinian Baptist Church.

Endorsements (if any): Preet Bharara, State Senator Robert Jackson, Assembly members Inez E. Dickens and Al Taylor, former Congressman Charles Rangel, former Manhattan Borough President C. Virginia Fields, civil rights icon Hazel Dukes, District Leader Keith Lilly, State Committee members Yasmin Cornelius and Londel Davis, and activists Dominique and Ashley Sharpton, The Arena, House Impeachment Inquiry Lead Counsel Dan Goldman, widow of Brooklyn District Attorney Ken Thompson Lu-Shawn Thompson, CNN legal commentator Elie Honig, and more.



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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?

Yes.

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 the Chief Deputy Attorney General in New York State, we executed the largest – at that time and maybe still - cockfighting takedown in New York State history, and among the largest in United States history. This was the first known investigation in which the crime of Prohibition of Animal Fighting was enforced in three separate New York counties simultaneously, in Queens, Kings and Ulster counties. I also oversaw an Animal Rights Hotline through which we received a number of important calls reporting issues of animal abuse and related animal-based issues. We pursued some of these issues at the Attorney General's office but many were referred to local prosecutors, who under the state constitution and state law have primary criminal jurisdiction over animal rights crimes – including all crimes related to animal abuse – within their jurisdiction. As Manhattan District Attorney I would welcome prosecuting those cases.

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?

The most critical issue is ensuring a continuous line of communication between the Manhattan District Attorney and not only the NYPD's Animal Cruelty Investigation Squad, but also the ASPCA and other organizations who can report incidents for investigation and/or prosecution. The current Manhattan District Attorney's Office has an animal cruelty "program," but it is not clear whether this is a robust operation is the Animal Cruelty units at the District Attorney's Offices in Brooklyn and in Queens. My first priority will be to ensure there are direct connections to the ASPCA other advocacy organizations, streamline these processes, empower the advocacy community, and ensure that instances of abuse are properly reported to the District Attorney. Using these lines of communication, I will evaluate whether the existing "program" is sufficiently staffed and capable of performing the duties of the "units" in Brooklyn and Queens.

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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As we develop our position papers, we welcome input from the advocacy community and would love to have your input on animal protection - and would welcome a VFAR endorsement and promote it on our website and other promotional materials.

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

I am seeking to become Manhattan District Attorney because I believe that for too long there have been two systems of justice, one for the rich and white and another for everyone else. Fixing the problems of mass incarceration and racial disparities is fundamentally about empowering the historically disempowered, and speaking for those with no voice. These principles apply to animals as well as humans.

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?

Yes, see my answer to question 3 above.



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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?

The force feeding of ducks to produce foie gras is a prominent example of animal abuse performed outside Manhattan but distributed here. While New York City has already banned the sale of foie gras (to take effect in 2022, when I would take office), I would be interested in exploring similar instances of animal abuse for possible criminal prosecution.

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 with the abuse of persons, the abuse of animals should be analyzed on a case by case basis. To take one extreme example, in the Bronx a man [accidentally left his twin one-year olds in a car](#) while he went to work, and even though both children died the man was given a plea to a misdemeanor with no jail time. Given the totality of unique circumstances in that case, particularly that it appears from [media reports](#) that this man has been extremely remorseful and that his actions were entirely out of character, this non-jail plea deal appears to have been the appropriate disposition. However, in



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myriad other cases in which the harms caused do not rise to the level of death, lengthy prison sentences may be appropriate. This illustrates that there is no “one size fits all” approach to the killing or harm – negligent, reckless, or intentional – of persons, and equally there should be no “one size fits all” approach to the death or harming of animals. A person who intentionally kills an animal for profit, as in a dog fighting ring, should be treated differently than a person who accidentally leaves a pet in a car, even if the end result is the same. My guiding principles are to ensure that someone speaks for the voiceless, and that applies to both animal and person crime victims.

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?

I need to research this issue more and am open to this possibility.

- 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?

I am open to using any legal tools at my disposal to achieve just outcomes.

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)?

I would welcome any information on such practices that occur in Manhattan and prosecute any instances of animal cruelty where the law permits.

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?

I do not believe any of the practices listed here occur in Manhattan, but for the boiling of lobsters and other crustaceans while alive, and I would need to research more whether this method of killing such animals causes more "unjustifiable pain or suffering" than other such methods. I am open to researching this and related issues further.

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?

As I stated above, I am seeking to become Manhattan District Attorney in part to help fix the problems of mass incarceration and racial disparities in our criminal justice system, and restorative justice programming is a critical component in achieving just outcomes in violent felony cases. Not only can restorative justice be an appropriately proportional penalty for certain offenses, by focusing on future behavior instead of the kneejerk reaction of incarceration, restorative justice programming actually makes Manhattan safer. I believe these principles apply to animals as well as humans. The apparatuses for restorative justice programming are already in place and have already proved effective in reducing recidivism for a wide variety of offenses, and I would welcome the opportunity to use such programming in instances of animal violence. These programs can make our borough safer for animals and humans alike.



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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?

There is no doubt that nonhuman animals have legal rights under state law, and like the legal rights of many persons who have been the victims of violent crime, I view my duty as District Attorney as speaking for those with no voice and ensuring their rights are upheld.

Additional Comments (if any):

CANDIDATE SIGNATURE

11/27/20
DATE