



**PEMBROKE PINES
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**INTER-OFFICE CORRESPONDENCE
MEMORANDUM NO. 2019-249**

TO: Charles F. Dodge, City Manager

CC: Aner Gonzalez, Assistant City Manager
Michael Stamm, Jr., Director,
Planning & Economic Development

FROM: Samuel S. Goren, City Attorney *SSG*
Jacob G. Horowitz, Assistant City Attorney *JGH*
Heather Needelman, Assistant City Attorney *HN*

DATE: December 11, 2019

RE: City of Pembroke Pines ("City") / The Preventing Animal Cruelty and Torture Act

On November 25, 2019, President Trump signed the Preventing Animal Cruelty and Torture Act ("Act") (HR 724). Pursuant to your request, the City Attorney's Office has reviewed the Federal legislation to determine if it is in conflict with the City's recently adopted ordinance ("Ordinance") regarding the prohibition on the use of a bullhook, ankus, whip, electrical prod or other implement or tool that causes unjustifiable pain or suffering to a wild or exotic animal as considered in the City's Ordinance No. 2019-22. In short, the Act is not in conflict with the Ordinance.

The Act provides that it shall be unlawful for any person to purposely engage in animal crushing. The Act defines animal crushing as actual conduct, in which one or more living non-human mammals, birds, reptiles, or amphibians is purposely crushed, burned, drowned, suffocated, impaled, or otherwise subjected to serious bodily injury as defined in 18 USC §1365 (h)(3). 18 USC §1365(h)(3) defines serious bodily injury as a substantial risk of death; extreme physical pain, protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty; or any other injury to the body, no matter how temporary.

Based on the aforementioned, both pieces of legislation aim to protect animals and compliment one another.

Please contact out office if there is any additional information that we can provide.