

## **Checklist: What New York Livestock Producers Should Do When a Peace Officer Asks To Investigate Their Property**

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Pursuant to the New York Agriculture & Markets Law, duly incorporated animal societies, principally the New York Society Preventing Animal Cruelty (“SPCA”), are able to obtain warrants from a magistrate upon showing reasonable cause that farm animals are being potentially abused. With this warrant an animal society can search and seize livestock as “peace officers” absent police presence.

Since “peace officers” can search and seize livestock with a valid warrant when they reasonably believe that livestock do not have necessary food, water, and sustenance (i.e., shelter and veterinary care) pursuant to N.Y. Agric. & Markets Law § 353, New York livestock producers are encouraged to take the following steps to protect their constitutional rights:

- Ask to look at the warrant;
- Take time to read the warrant;
- Pay special attention to the scope of the warrant;
- Ask for identification;
- Take notes during the livestock inspection;
- Call the sheriff if the peace officer is investigating outside the scope of the warrant; and
- Call your attorney.

New York livestock owners are encouraged to sit down with farm employees and family members to discuss a step-by-step-plan of what to do if a peace officer shows up to investigate the care of livestock on the property.