

To the Esteemed Ohio Agricultural Committee

Regarding HB24

March 10th, 2019

I write this testimony in full support of HB24 and am unable to attend the hearing. It is especially important for the Committee to include the oversight of Non-Prosecution Agreements by the Court. I have personal knowledge of an NPA being used as a defacto-letter of extortion with exceedingly high dollars being asked for to avoid prosecution. That particular NPA was never part of the formal court proceedings which ensued.

It is my personal belief that a handful of unscrupulous private attorneys, working on behalf of the State of Ohio, recognize the lack of oversight of NPAs and they routinely attempt to extort or frighten defendants into submission prior to formal court proceedings. The most susceptible are senior citizens and those of modest means which cannot afford adequate legal representation.

For your edification, I have attached a 14 year study which I helped to compile regarding the massive increase of animal owner seizures and prosecutions (Confiscation). Unfortunately, Ohio has the highest number of animal seizures and prosecutions than any other State in America.

I believe strongly that this is due to the exploitation of loosely written Ohio Codes that private attorneys have leveraged for their and their clients enrichment. Please hasten this Bill through the House of Representatives.

Sincerely,
Dave Distler
PO Box 24068
Mayfield Hts, OH 44124
acausachapter@gmail.com

Animal Caregivers Alliance

ORGANIZE - EDUCATE
ACT - PROTECT



A. David Distler

Chagrin Falls, Ohio USA

April 9th, 2018

Animal Confiscation: a 14 Year Study

The purpose of this paper is to present organized facts along with anecdotal, first-hand commentary related to incidents of the confiscation (more commonly referred to as seizures) of domesticated, farm or wild animals from their owners. These seizures are a growing trend over the past several years and have many similarities over more than a decade.

There were 139 individual cases studied encompassing the years 2004 through March 31st, 2018. The research was commissioned by the Animal Caregivers Alliance, a non-profit group founded in Ohio. The ACA began in November 2017 with a modest social media presence. As of this writing, there are several State and County Chapters organized across the United States. It became a non-profit organization on March 3rd, 2018.

The original researcher, an animal owner who lives on the West Coast of the United States, prefers to remain anonymous for fear of retaliation by Local, State or National Animal Welfare Organizations. The researcher's family and background is in Investigative Journalism spanning many decades. The facts gathered are from a variety of print and electronic media sources as well as direct contact with the victims of animal seizures.

While the vast majority of animal seizures studied took place in the USA, they also include cases in Australia and Canada. The graphical representation of the cases are in Figure 1. Each red dot represents at least one seizure per state or country. The total number of seizures per state or country are in Chart 1.

Of the 139 seizures, a grouping of their ages is presented in Chart 2.

Age Range of Animal Seizure Victims

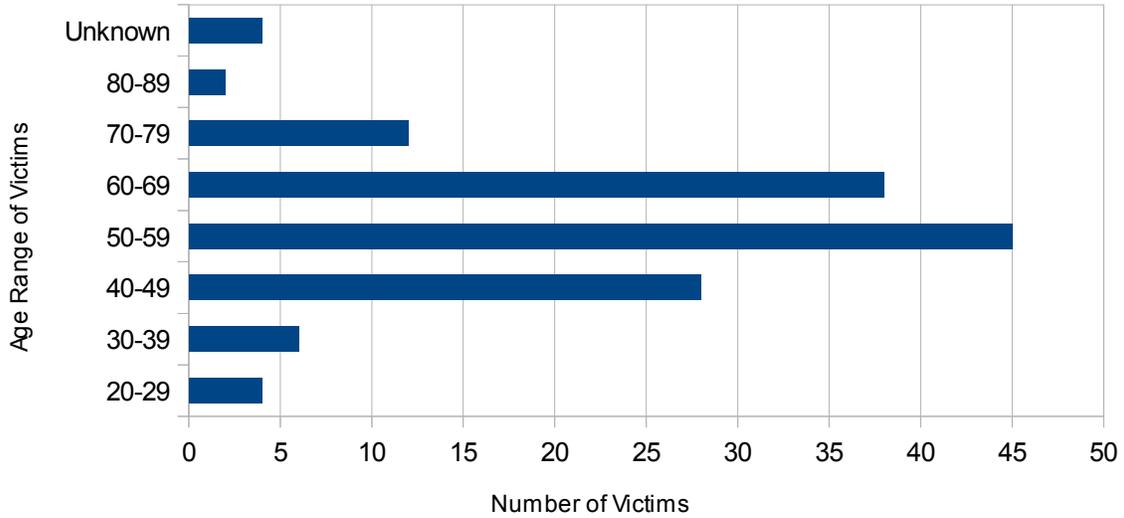


Chart 2

The type of operation the animals were seized from is recorded in Chart 3.

Animal Seizure Victim Type

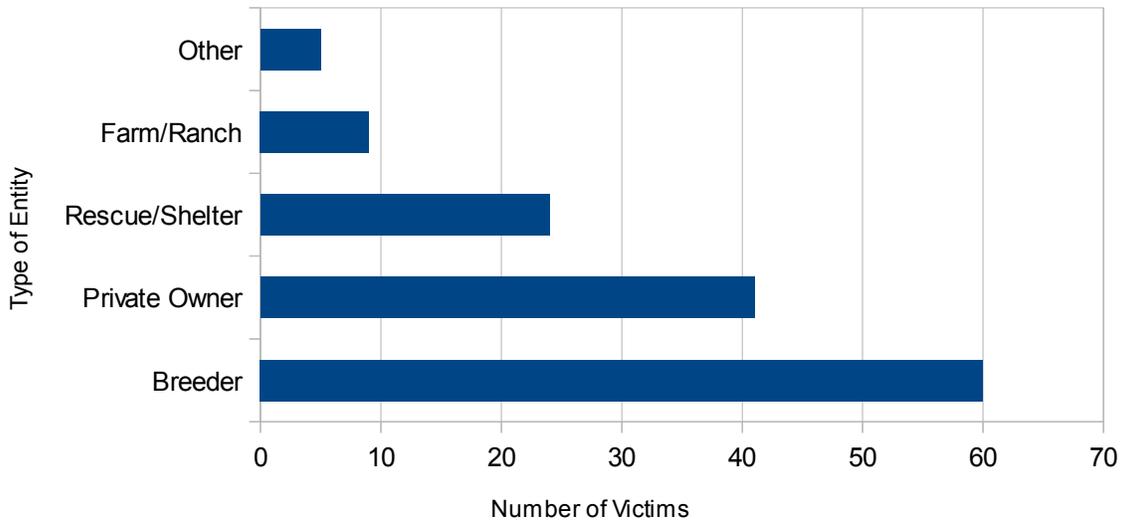


Chart 3

The entity which conducted the seizures is noted in Chart 4.

Animal Seizures Government Versus Private

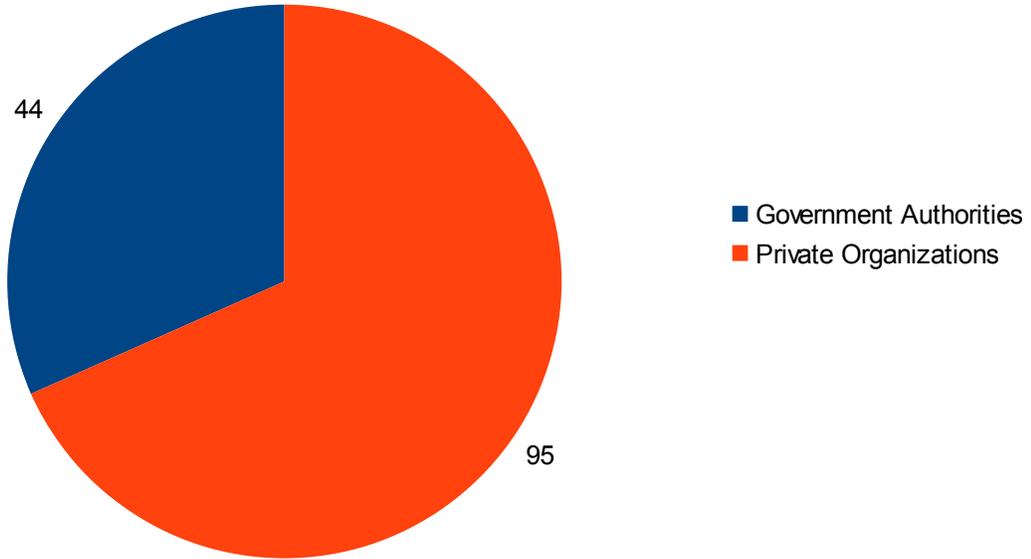


Chart 4

The primary organizers of the seizures are in Chart 5.

Animal Seizures by Organizer

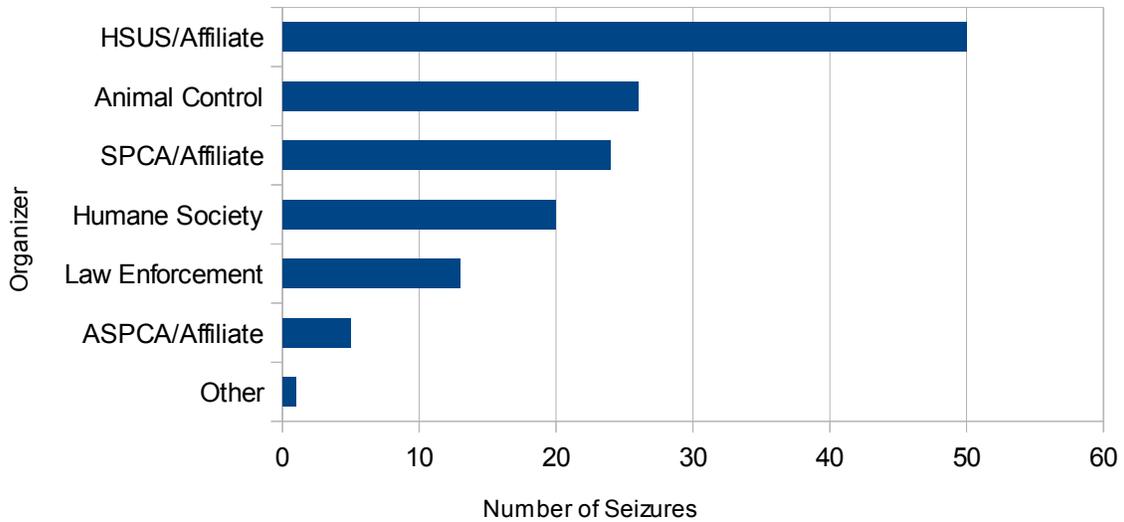


Chart 5

The types of animals seized are contained in Chart 6.

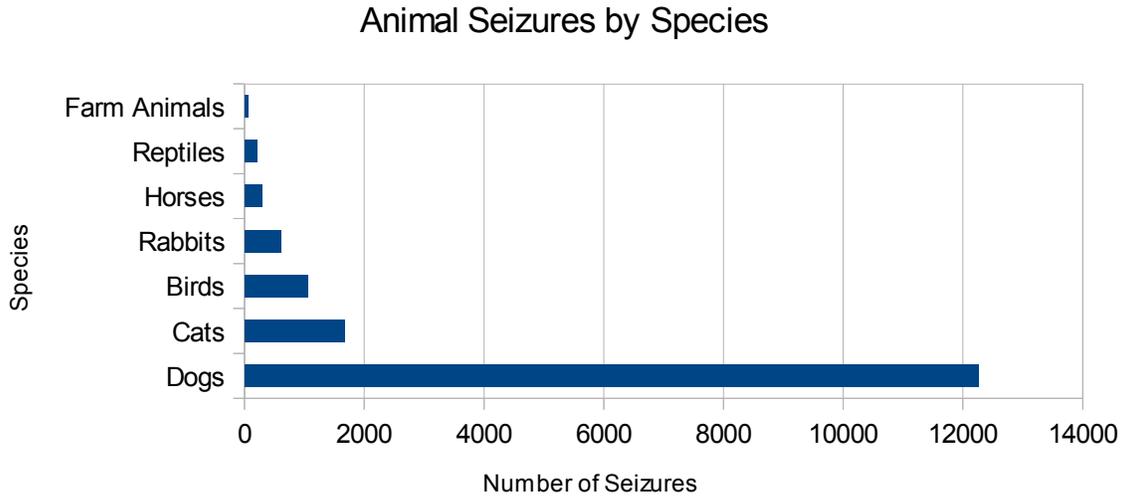


Chart 6

Chart 7 illustrates year the seizures occurred.

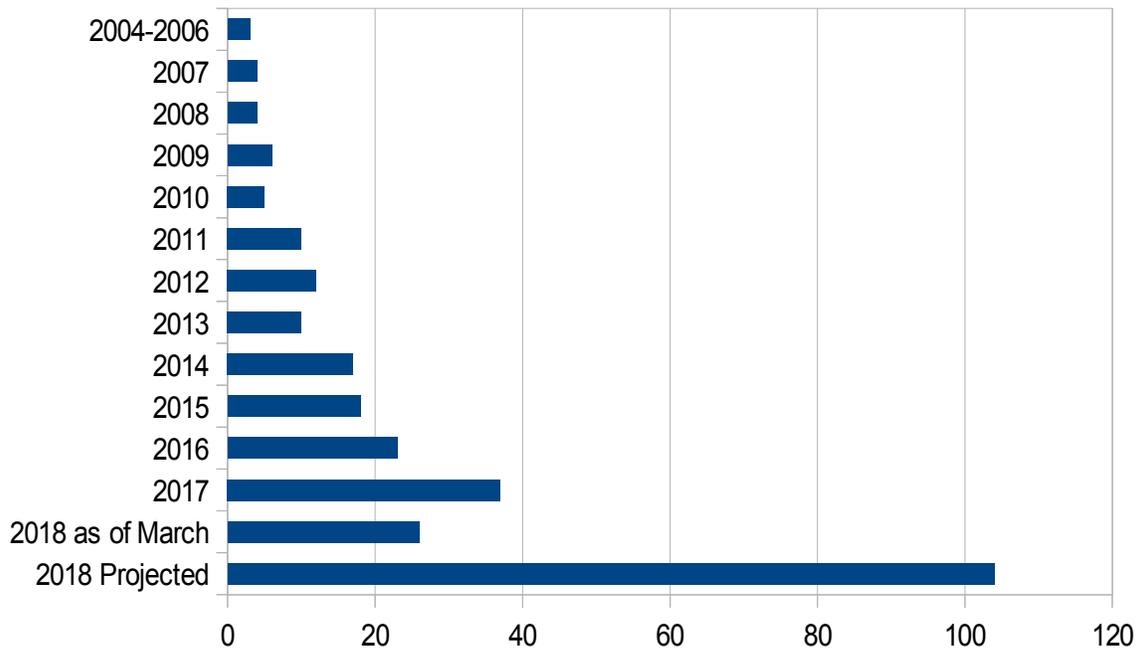


Chart 7

Chart 8 presents the number of seizures per month regardless of the year.

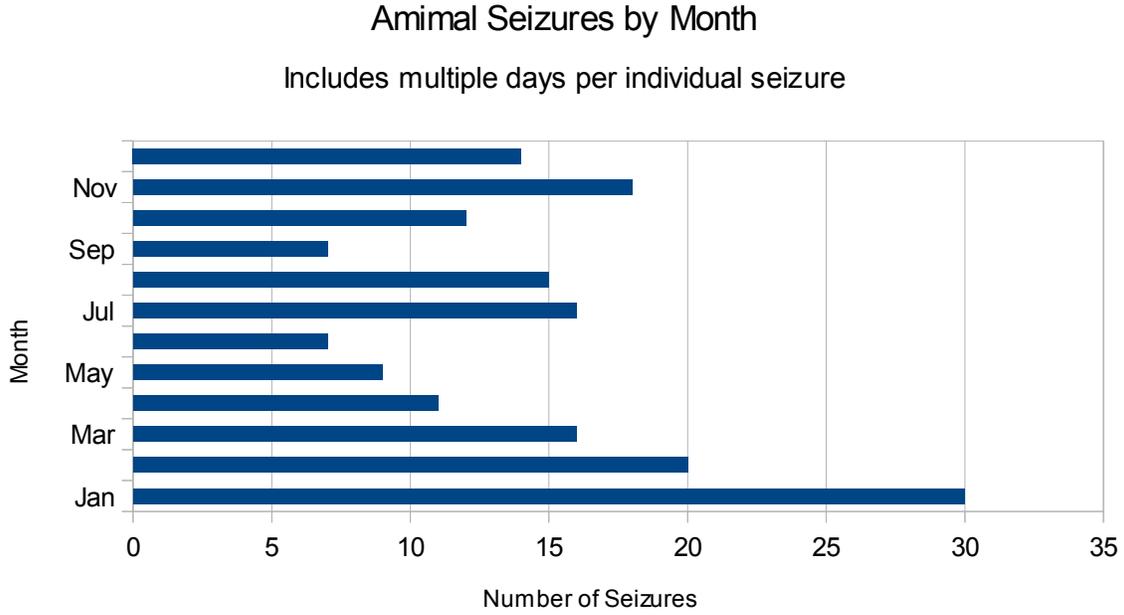


Chart 8

The gender of the seizure victims, including others named in the household is Chart 9.

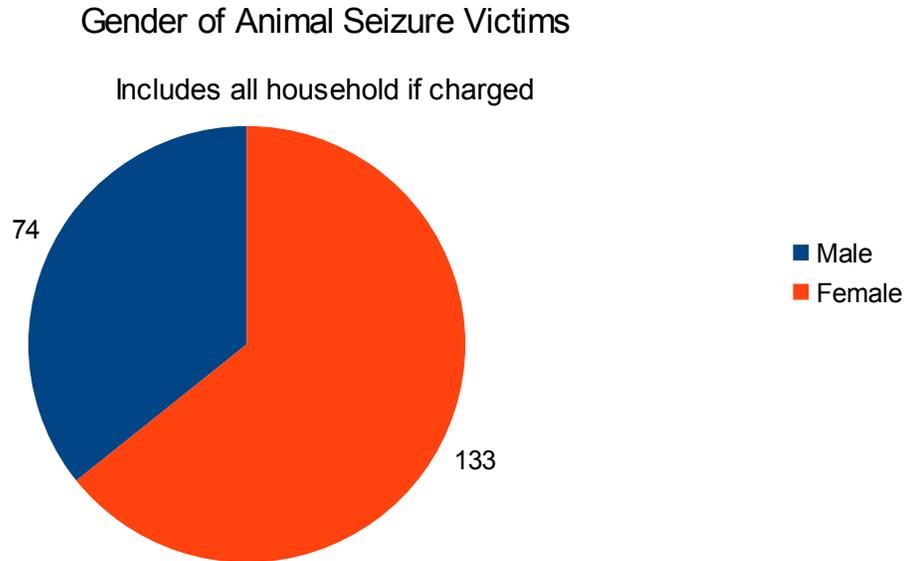


Chart 9

Conclusions:

1. By a margin of almost 2 to 1, the victims of animal seizures are female.
2. The majority of the victims of animal seizures are 50 to 69 years old.
3. Animal Seizures are more frequent in the U.S. Midwest and North East.
4. The majority of animal seizures are not conducted by a government authority nor law enforcement, but by private animal welfare organizations.
5. By a wide margin, dogs are the most likely animal to be seized from their owners.
6. Those involved in breeding dogs are the most likely victims of animal seizures.
7. The Humane Society of the United States, HSUS, and/or their local affiliates are the leading organizers of animal seizures according to the data studied.
8. 2018 is expected to have the highest number of animal seizures in the past 14 years.

Attachments:

1. Attachment A is a portion of my testimony before the Ohio House of Representatives Civil Justice Committee on May 31st, 2017 in support of HB 147. It deals with my own independent national research on animal seizures once my own family had fallen victim.
2. Attachment B is a Facebook Poll conducted in the 1st Quarter of 2018 by the Animal Caregiver's Alliance. The poll listed each one of the aforementioned steps and asked the public to comment on their personal experiences. The actual commentary is abbreviated but not corrected for typos, etc.,
3. Attachment C is the first ten amendments to the Constitution, otherwise known as your Bill of Rights.

Attachment A

The Animal Seizure Racket in Ten Steps

Step #1 Identify High Value Acquisitions – Horses, pure-bred dogs and other livestock or domesticated animals are valuable as "flips" for publicity, sale or re-adoption. For lesser-value animals, volume is the key. Individual animal seizures provide some Goodwill, but results in lower cash flow. The better the overall health of the animals are, the higher the Value to the welfare group.

Step #2 Initiate or Wait for a Formal Complaint of Animal Abuse – In this critical step, it may only require a phone call or message left with the animal welfare agency. There are no national standards for animal abuse, so a person could drive by a residence, see a dog shivering on the front porch, and lodge a formal complaint by voicemail or text.

Step #3 Investigate the Complaint – Upon receipt of the complaint, the Humane Officer of the animal welfare agency, often an employee, will start an investigation. This is done by driving to the address, then entering the property with or without the owner being present. If the owner is there and he/she agrees to let this person in, he/she have immediately surrendered his/her private property rights.

Step #4 Obtain a Warrant – The humane official will then leave the property and go to a local judge or magistrate and present the affidavit or complaint to obtain a signed warrant. These elected officials are typically unwilling to deny a warrant for a variety of reasons, political and social.

Step #5 Begin Seizures – With a signed warrant in hand, there is nothing the owner can do at this stage to prevent the seizure. Often, local official law enforcement is called in as a backup. Being planned in advance, trucks and vans arrive with welfare workers and volunteers to begin extracting the animals.

Step #6 Publicity Announcements – Local TV and Newspapers will be quickly advised of the entity seizing the animals and begin the process of public humiliation of the owner. Without Journalistic integrity questioning the condition of the animals, the media usually takes the word of the benevolent sounding animal welfare group and repeats verbatim what the group says about the raid. It is almost guaranteed that the end of the article will contain an emergency call for public donations to benefit the animal welfare group that conducted the raid and seizure.

Step #7 Non-Prosecution Agreements and Threats – Animals owners have now been publicly shamed coupled with the emotional distress of the raid. They have been conditioned to look for any way to turn the situation around, stop any prosecution and get their animals back. It is at this stage that the verbal offers of NPAs are given by the welfare group's Attorneys. This can involve tens of thousands of dollars and in some cases, hundreds of thousands of dollars. It is important to note that this is seldom done in writing, so it can be later denied if needed.

Step #8 Money Collection – Money begins to flow in both from the donating public convinced the welfare group did the right thing and from the hapless animal owner, who in effect, is paying extortion funds. Welfare groups often call this Restitution for animal care. Grants from state, local or national groups such as the ASPCA are often sought out and received

for the "emergency care" needed for the seized animals. The granting authority becomes an accomplice in the Racket whether they recognize it or not.

Step #9 Resell Seized Animals – Beyond owner money and public donations, the animals can be resold shortly after seizure depending on their overall condition.

Step #10 Prosecution of Animal Owner – NPAs are seldom in writing and oral offers can be denied by lawyers. The lawyers are all the more believable because of the owner's diminished credibility due to media publicity. Criminal prosecution is almost a guarantee by the welfare group and their attorneys. Misdemeanor or felony charges can be sought, but it is more often misdemeanor charges as their lawyers are usually not authorized to seek felony prosecution on behalf of the animal welfare group. The animal owner seldom wins in local court, can be heavily fined, banned for life from living with animals, surrender their Fourth Amendment constitutional rights, and agree to unlimited private property searches for years. Jail time is imposed in only the most severe situations but is valued publicity for the animal welfare group and their lawyers.

Attachment B

#1 Identify High Value Acquisitions

| | | |
|------------|--------------|---|
| Bethany D. | Ohio | I was robbed of akc tiny Yorkshire Terriers. Very valuable and sought after plus English Bulldogs and the highly popular 3/4 hybrids. |
| Cathie W. | Montana | Yes, the most valuable Service/Working/Conformation/Genetic Health Poodles in the World, those 40+dogs were all under 4 years of age |
| Jane S. | Ohio | Took highly adoptable small dogs that were fully vetted. Watched my Petfinder site to see what I had. Many purebred and some rare such as Skye terrier. |
| Missy M. | North Dakota | Stole a mare and foal (the best bred horses on the property), almost a month later they attempted illegal removal of cattle who were healthy enough to go directly to market and horses who were "sold" to a rescue. |
| Cynthia D. | New York | Took horses a couple of horses were trained track pony horses. Resold and working at different track in a couple of weeks after and chickens peacocks. |
| Penny G. | Colorado | Had large herd 63 horses seized, assorted breed & ages from Arab, quarters and drafts. |
| Rita C. | Ohio | I had 9 dogs seized. My purebred Toy Fox Terrier and her five puppies (6 1/2 weeks old). My other toy fox terrier (mixed but they couldn't take her without raising suspicion of the purebred seizure) and her two pups (4 weeks and 6 months old). |
| Laura B. | Nevada | We had a blackmail attempt perpetrated on us first regarding our attackers wanting to "cherry pick" through our approx 50 horses that were in fine, healthy condition. |
| Patti N. | Illinois | Chicago Animal Control ... confiscated my van containing 45 registered puppies en route to pet stores. |
| Dorothy R. | Nevada | 34 registered American Quarter Horses and American Paint Horses, all bred for the events of cutting, reining and reined cowhorse. |

#2 Initiate or Wait for a Formal Complaint of Animal Abuse

| | | |
|--------------|----------------|--|
| Tracy D. | Connecticut | ACO was able to get a search warrant based on an a ... puppy buyer who complained that she "heard a lot of dogs barking" |
| Rachel G. | Rhode Island | Lady across the street from me called in an "anonymous" complaint. |
| Heather W. | North Carolina | Yes. I had a colt sleeping in the front pasture. I was turned into AC for having a "dead" horse. for tying a cow and lama out to graze by the road. Wanted to mow the grass. For a horse sleeping got called in for a dead horse. |
| Cynthia D. | New York | I had the SPCA show up on my doorstep. Reports of horses wearing blindfolds tied to trees..... 1. Not my horses, 2. They were wearing fly screens 3. They were standing in the shade of the trees. |
| Shannon D. | Canada | neighbors made a call to ? and next thing i know the ARC bregade was coming to my house. |
| Adam R. | Mississippi | Somebody drove by, saw two semi-trailers parked on the property, and testified that they saw "animal transports." Plus, they got a (non-sworn and anonymous) complaint from a teenagera mile away, claiming she heard the roars of a non-existent lion |
| Fred L. | Oklahoma | In our case, calls were put in to law enforcement for ahorse that was 36 years old, grazing near the road, and was on the thin side. |
| Laura B. | Nevada | A burglar from over 90 miles away said he was looking for his lost dog. He said he thought I might have it in my rescue. ..Posted No Trespassing. He went to the local Humane Society and said he smelled bleach and skunk. |
| Jane S. | Ohio | Several calls to AC because Borzoi/ Russian Wolfhounds laying outside in snow or rain. Ergo...no housing. |
| Catherine G. | Canada | |

#3 Investigate the Complaint

| | | |
|------------|----------------|---|
| Tammy C. | Ohio | ...the humane officer at the time ...came on my farm without anyone home and taped a notice on my barn window saying she wanted all vet records for my horses. |
| Rita C. | Ohio | They told me I HAD to let them in there was no warrant, no charges, but they sat there until I signed over my dogs. |
| Pamela B. | Pennsylvania | I went away for a few days and hired a sitter to come and take care of my ducks and geese... A week or so later SPCA and a local cop show up with a warrant to search the property...after almost 6 months I still have never got a report from anyone stating what was wrong with any of the animals. |
| Heather W. | North Carolina | HSUS volunteer crossed my fences while no one was at home..videotaped and aired video on the news accusing of neglect. |
| Joseph M. | Pennsylvania | They did not have my permission to enter, passing no trespassing signs. They did not have permission to treat my horse and that vet had no history of the disease she treated. They charged me with abuse, seized the horse and immediately euthanized her. |
| Dorothy R. | Nevada | Five weeks after moving onto property that had been vacant for a couple years and vandalized and trash dumped, I was inside the house when a deputy drove in. I went out and met him. He said a complaint had been made that my animals weren't being cared for as no one saw me outside. |
| Penny G. | Colorado | In my case had contact with sheriff dept sat pm then came back Monday am with horse rescue. Other than that they just drove by, didn't really investigate or talk to neighbors just the one complaining |
| Bethany D. | Ohio | ...they came into my home. My barn and my kennels. They took pictures in a way that made it look horrible..a pile of horse blankets in my laundry room I had brought from the barn to wash... They did not take pictures of the clean washdowns only the two uncleaned ones... |
| Rachel G. | Rhode Island | No warrants to seize my pets. I did not invite AC into my home... They condemned my home with out warning or dew process and took all of my pets with out any warning with out a warrant without bothering to find out I had a place to go... |
| Lora J. | New York | Never had an investigation by the Humane Officer(s). They came to the property the day of the seizure, accompanied by the horse rescue...their volunteers, law enforcement and a veterinarian (fresh out of college), with all of the horse trailers they needed to load all of the horses and farm animals |

#4 Obtain a Warrant

| | | |
|------------|--------------|--|
| Tammy C. | Ohio | Medina County Spca never obtained nor presented a warrant. |
| Dorothy R. | Nevada | No search warrant on 9/6/12 when deputies climbed over posted, padlocked gate/fence in response to reported "anonymous call" claiming a horse was down and dying. |
| Rachel G. | Rhode Island | No warrants in my case just stole my pets away |
| Shannon D. | Canada | No warrant, Anonymous tip. |
| Fred L. | Oklahoma | After 3 days of prowling despite being asked to leave due to no warrant, and after the humane society president and her vet were denied entry into our home. |
| Barbara H. | Oklahoma | After 3 days warrantless search including amob of officials (and the DA) on day two for digging up a long dead animal (wtf) they got a blanket warrant that lacked probable cause... |
| Bethany D. | Ohio | They got a search warrant from now deceased judge Jane Irving. Funny that in my discovery a complaint was lodged against me from her bailiff concerning the fact I was raising and selling puppies on the internet. |
| Jane S. | Ohio | The HS director testified he and the magistrate didn't even talk, that the Judge just signed it! I never realized it is that easy to get a warrant and invade someone's property and life without proof and truthful facts. |
| Joseph M. | Pennsylvania | Lies. When the officer writes up his request it is totally one sided. He uses the same terms for every complaint. For dogs it's matted fur, feces, lack of water, uncleanliness, toenails. |
| Cathie W. | Montana | No Search Warrant in April, 2016, response to annon complaint of dog barking, even though it is lawful for barking dogs in Lincoln County Montana, when Rural and have livestock |
| Sherrie F. | Kentucky | They searched my property with no one home took pictures and then tried to get a search warrant with their pictures. The judge said no. They went and got the...prosecuting attorney and came back and searched my property the second time and staged pictures. |

#5 Begin Seizures

| | | |
|------------|----------------|--|
| Heather W. | North Carolina | Animals taken with no warrant and no one home |
| Barbara H. | Oklahoma | After 3 days of searching they showed up as a caravan while the helicopters buzzed our property circling before landing a mile down the road. Shortly after we were mobbed and slapped with a blanket illegal unconstitutional warrant. The media in tow. |
| Jane S. | Ohio | It was absolutely horrible. They broke contents of my home after breaking in, scattered trash and overturned everything. Only then was I phoned to come home. I |
| Adam R. | North Carolina | 4 personal friends i witness first hand the devastation, twisted stories, and I almost committed suicide. it has taken her 10 yrs to finally be able to talk about it. I got gravely ill afterwards and died, I moved out of state, |
| Rachel G. | Rhode Island | They came in I was told by the aco he was taking everything with out a rabies certificate. I was arrested to get me out of the way. My daughter was literally dragged out of the house then my husband was in shock and was terrorized as they took each of our pets one by one. |
| Jo. H | California | Could do nothing but watch and listen to the animals crying as they were taken out of the house and taken to the vehicles. Just pulled the horses into the trailer making them fall on their knees.. Definitely the worst day of my life. |
| KM C. | Oregon | I wasn't home, they came without a warrant. Currently fighting it.. |
| Rita C. | Ohio | They took mine without a warrant, no charges, took them made promises and then broke those promises and sold them a week and a half later. |
| Bethany D. | Ohio | They waited until I left to come in and take my property. My dogs and my equipment. They did not leave the warrant or a copy of it. |
| Missy M. | North Dakota | ...they never got a warrant but did petition a judge for a seizure off an inaccurate report. |

#6 Publicity Announcements

| | | |
|------------|--------------|--|
| Bethany D. | Ohio | I'm not sure why but my case was kept very hush hush. The reporter who usually comes to hearings never came. Nothing was in the local paper. My theory is they knew they had made a mistake... they thought I wouldnt fight. That forced them to alter records and fabricate the complaint. Looking back I should have contacted the media. |
| Cynthia D. | New York | ...all over the news. Fund drives to feed 15 birds, the place who got horses started loud but strangely in a week not a word from them but my friends kept a watch on them. They got skinnier by the weeks. |
| Missy M. | North Dakota | I contacted the reporter who published the slanderous articles and even told her we were more than willing to have her come out to the property; she said she "never got my email" yet I have the sent email to prove it. |
| Dave D. | Ohio | It was obvious to me that this was a well planned coordination with the media. After the reporters comments, the anchors said how the viewers could "help" these cats...aka this piece was part a fundraiser scheme additional articles ran in the local paper and the LHS ran their own fundraising calls on Social Media. In court, they reported about \$50,000 raised as well as a grant specifically for this raid received from the ASPCA. |
| Patti N. | Illinois | My case was highly publicized in the Chicago area, with promises that the puppies would all be up for adoption. Word also "spread" to our local Mason City, Iowa tv station and newspaper, who both tried to contact me for an interview. I have copies of the articles filed somewhere, but if memory serves me correctly. there was a request for donations involved |
| Penny G. | Colorado | The media is terrible... Never talked with me just authorities. Showed pictures of abused, starved even dead horses with my story that weren't mine! |
| Laura B. | Nevada | our story went to 57 media outlets, clear up to Canada. We were also falsely featured on MANY online forums. To this day, over 4 1/2 years later, we are still trashed and attacked even though we were criminally investigated for over 5 months (living in fear) entirely exonerated, not charged, not prosecuted, not convicted, no animals seized. We are also still stalked too. |
| Tammy C. | Ohio | I had phone conversations and one sit down with the following: Medina Gazette, The Post, The Plain Dealer, and channel 8. No interest from any of them. |
| Barbara H. | Oklahoma | Went International and took me further down the rabbit hole...the agony and duress continues 8 years later...much of the media now removed but on many websites still to collect \$\$ or an attempt to shame me-Shame on them for having done it. |
| Jane S. | Ohio | The editor of the local paper was on the Board of the HS. The articles were all slanted against me. They refused to publish Letters to the Editor in favor of me. In addition, the local HS put out pleas for money |

#7 Non-Prosecution Agreements and Threats

| | | |
|------------|----------|--|
| Cynthia D. | New York | he threatened her I received a visit from a friend who told me my daughter called her. She was kicked off the track she was riding at because of this case. A officer called the stewards and implied she was a suspect. |
| Sherrie F. | Kentucky | They told me if I would plead guilty to animal cruelty they would give my dogs back if I fought them I would never get them back. |
| Bethany D. | Ohio | My attorney went to the pretrial discussion.... He came in and announced that I HAD to take this unbelievable offer. The judge hated me and him..vowed he'd see me jail for 3 months...I'm almost out of money. Attorney says the trial will be a lot more money. |
| Dorothy R. | Nevada | I agreed and attached the pleas to animals that didn't exist or were safely out of the state or rescues hands. Was told by attorney that this was something I could appeal but I'd be out of local hands. Turns out that was a lie...was told, long afterward, that by accepting a plea I gave up right to appeal. |
| Tammy C. | Ohio | I was arrested. Medina County Humane Society and their "special" prosecutor offered me 2 different plea bargains. I said no to each of the offers. I told my attorney that if I took any of the plea bargains, I would be sending my son the worst message about our rights. So the prosecuted me for animal neglect. They lost. |
| Cathie W. | Montana | No, offer of money, if I signed over all animals, I would still face 1 year in prison and court costs, and costs of care of animals until the day I sign guilty plea... punishment for continuing to hold to innocent...pay 70+ to the State...under probation, until I win my Appeal |
| Barbara H. | Oklahoma | We were held in jail on a high bond without consideration for PR Bond. There were several attempts to get me to agree to lesser charges but they hadn't actually charged us with anything at that point |
| Rita C. | Ohio | I was not charged or arrested. They told me I had to sign over my two mama dogs and their 7 babies, or they would take me to court and take all my animals. |
| Katie D | | Humane agent gave one of my dogs away to the prosecutor's mother as 'payment' for prosecuting me. |

#8 Money Collection

| | | |
|------------|------------|--|
| Penny G. | Colorado | Yes, the care bond (or extortion, blackmail, call it whatever you want)! When they seized my 63 animals was given 10 days to come up with money. 63 horses 360 for each horse to retain ownership for every month while in court. |
| Laura B. | Nevada | they ramped-up a social media mob attack and ran a fundraiser to "save" our horses that net them several thousand dollars they kept and used on themselves. |
| Barbara H. | Oklahoma | We had to pay an appeal bond-I refused to pay anything further considering they kept the animals yet no cr conviction. The vet went bankrupt and blamed her crazy failed business on me |
| Linda M. | Oregon | Don't forget to include the money the rescue charges and keeps for adoptions. |
| Angela M. | Washington | the second you say anything against the rescues, people look at you like you're pro animal abuse. The PR/propaganda machine has done a very good job... rescues and sanctuaries can do no wrong. |
| Don A. | Ohio | Don't forget that many of these rescues/shelters have contracts with cities/counties to care for the animals for these taken or brought to them! |
| Cathie W. | Montana | My Kennel had been licenced with Lincoln County for years 2013, 2014, 2015, and told on June 30, 2016 licenced again, then raided by HSUS lead County Officials just 4 weeks later on August 2, 2016... in that time all Adonai Poodles had left with Certified Health Certificates to fulfill their Purpose of selective breeding to be Service and Therapy dogs...those facts did not halt the HSUS with their planned destruction of my life... |
| Rick H. | Utah | I wish the general public was informed about the scam hsus and some of the other large AR activist corporations run |
| Lisa S. | California | or charges not for adoptions but for application fees |
| Mary D. | Michigan | These "Animal confiscations" are a racket, illegal, in violation of our constitutionally protected rights. We animal OWNERS & Animal Caregivers MUST band together to reclaim our constitutionally protected rights. For us to unite, we MUST stop using the language of anthropomorphizing animals, STOP JUDGING other animal owners, and focus on protecting our PROPERTY RIGHTS!!! |

#9 Resell Seized Animals

| | | |
|------------|--------------|---|
| Cynthia D. | New York | Saw my pony horse working at a different track. He's very noticeable less than a month later |
| Linda M. | Oregon | Seized and sold as healthy within days.. seen it too many times to count |
| Missy M. | North Dakota | We were able to stop the seizure but they were adopting horses right out of the vet clinic to anyone who made a donation to the rescue they gave the bill of sale to. |
| Dorothy R. | Nevada | State transferred ownership by brand inspection to sheriff's office less than 24 hours after seizure. Sheriff's office informed sales yard manager he could sell at next sale...5 days post seizure. |
| Fred L. | Oklahoma | Most of ours were allegedly "given" to various "rescues" and/or sanctuaries. Of our big cats, the cousin of the girl they got to file the initial "anonymous complaint," and who had himself complained, was given first choice, for his "rescue" |
| Jane S. | Ohio | My animals were held at the shelter as long as I paid bond of \$17,400 per month. They were healthy at the time of seizure, but deteriorated at the shelter over the many months. |
| Bethany D. | Ohio | my dogs were all over Ohio at different rescues within a week ..one even was featured on tv...beautiful hybrid Bulldog. None of my dogs were out of condition or needed any vet work .. not one. They were highly sought after breeding and valuable. |
| Donna S. | California | This is a huge civil rights violation... why isn't someone doing something...not to mention the authority being delegated to a private agency with police powers. |
| Cathie W. | Montana | Needs to be investigated...not sure where all of my animals went.. |
| Tara B. | Kentucky | ...this organization that I have had issues with...till I seen the dirty works of wanting only breeder dogs rescued. Not puppy mills or neglected ones. |

#10 Prosecution of Animal Owner

| | | |
|------------|--------------|--|
| Cathie W. | Montana | ...the Probation Officer, refused to meet with me and the PD to go over the Pre Sentencing Investigation...that Officer is the one who decided the Cost I would pay, 70+ thousand and how many years of Probation 16... |
| Jane S. | Ohio | 5 years probation, 44 days house arrest, \$99,900 in bond and additional costs, and a mental health assessment. Didn't even get our family pets back or the animals in which no charges were ever filed. |
| Tammy C. | Ohio | I was told if I plead I would have to follow what the Medina County Spca's "special" prosecutor Jeff Holland's suggestions for my punishment. And after completing my "punishment" I would be?...I was found not guilty in a bench trial. |
| Dorothy R. | Nevada | I received death threat by phone approximately an hour after leaving the courtroom on this agreement. Eleven months later, after doing all the jail time (some of it sleeping on the concrete floor if the jail was overfilled), most of the community service time and paying most of the fines, I had a massive pulmonary embolis... |
| Bethany D. | Ohio | 6 days after this the judge slapped me with sanctions. I couldn't own dogs..I couldn't board or have contact with dogs and ultimately he said my grooming business of over 35 years would cease. My only income...I about starved to death though these times. I had no income at all. How can they take a person's total livelihood? I was ordered to pay \$300 monthly to the court. How do you do that with no income because they just closed your two businesses. |
| Fred L. | Oklahoma | Terms of the signed agreement were almost immediately broken by them, and appeals court couldn't care less. The agreement, signed by the DA, also was never presented to the judge for approval, which is required by law. |
| Penny G. | Colorado | Was offered plea deal but didn't take it. Didn't see why plea guilty and have future random inspections when didn't do anything wrong. Took it to trial and was found not guilty. |
| Lora J. | New York | Restitution ordered by the court totaled up to \$88,000 |
| Patti N. | Illinois | There never were any charges against me personally or against my business, but my name & business name were all over the media. The whole mess only cost me around \$15,000.00 for attorney's fees, bailing my drivers out of the horrible Cook County Jail, trips to attend court in Chicago from Iowa |
| Missy M. | North Dakota | We opted to stop hemorrhagic get money in legal costs and move on. It has cost us over \$25K so far and that isn't the final balance. But, a trial would have cost us another \$50-80K minimum and with the system the way it is, it was too big of a gamble. |

Disclosure:

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Disclaimer:

This is a working paper, and hence it represents research in progress. This paper represents the opinions of the authors, and is a product of professional research. It is not meant to represent the position or opinions of the Animal Caregivers Alliance or its members, nor the official position of anyone except the authors. All respondents names were abbreviated to alleviate the concern of possible retribution.

Contact:

Animal Caregivers Alliance

PO Box 24068

Mayfield Hts, OH 44124

acausachapter@gmail.com

<https://www.facebook.com/groups/acausa/>

Attachment C

Congress of the United States

**begun and held at the City of New-York, on Wednesday the fourth of March,
one thousand seven hundred and eighty nine.**

THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz.

ARTICLES in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

Note: The following text is a transcription of the first ten amendments to the Constitution in their original form. These amendments were ratified December 15, 1791, and form what is known as the "Bill of Rights."

AMENDMENT I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

AMENDMENT II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

AMENDMENT III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

AMENDMENT IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

AMENDMENT V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property,

without due process of law; nor shall private property be taken for public use, without just compensation.

AMENDMENT VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

AMENDMENT VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

AMENDMENT VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

AMENDMENT IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

AMENDMENT X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.