

April 7, 2014

To: House Judiciary
From: Richard Gauthier, Executive Director, VCJTC
Re: S. 237

In July, 2006, I was the Chief of Police for the Bennington Police Department. Officers from BPD responded to a call from patrons at the Top Notch Diner regarding a school bus full of German Shepherds in the diner parking lot. Callers were very concerned because the day was hot and humid, the dogs were confined to crates in the bus, and liquid (later identified as urine) could be seen dripping from the bottom of the bus.

Upon arrival, officers found 32 dogs in the bus, most in crates stacked on top of each other, and some running freely inside the bus. The owner of the bus, Larry Mason, also admitted to being the owner of the dogs.

The dogs were in varying degrees of health, some of them clearly emaciated most of them with matted, dirty fur. I ran my hand down the back of one dog and could have gripped the spine. Conditions inside the bus were horrific and the stench appalling.

The Bennington Animal Control officer arrived shortly and moved the dogs from inside the bus to outside, in the shade, and they were provided with water. Many of them were so fearful that they would begin barking aggressively if a stranger approached. The ACO worked very hard finding placement for the dogs, which, obviously was a challenge considering the numbers involved. She was able to place them in different kennels, and also make arrangements for them to receive veterinary care. Different dogs suffered from emaciation, malnutrition, parasite infections, open wounds, and broken bones, but nearly all of them required immediate care of one sort or another. The bus was impounded as evidence and Mason charged with numerous counts of animal cruelty.

From that point forward, until February of 2007, the Town of Bennington accrued expenses for boarding and medical expenses, the final total coming in at approximately \$45,000. Had the kennels and the vets not discounted their fees, this would likely have been 20-30% higher. We were fortunate in that the Town had the resources to absorb this; if the bus had been confiscated one mile further east, it would have been in the Town of Woodford, a very small community that



would have clearly been unable to pay the sort of expense associated with an animal cruelty case of that magnitude. My understanding after speaking with individuals from German Shepherd Rescue New England was that a couple of small towns in New Hampshire, where Mason was from, opted to let him leave with the dogs because they would not have been able to pay the costs associated with rescuing them.

The sole reason the costs to Bennington were so high was because the dogs had to be kept in the Town's custody while the court process went on. The dogs could have been adopted out right away; there was no shortage of people who wanted to give them good homes and assume any ongoing medical expenses from the point of adoption forward. In fact, once the case was resolved, most of the dogs were all successfully placed in good homes right away (several had to be euthanized because of issues with aggression that might have been resolved had the dogs had the opportunity to be socialized rather than kenneled for months).

The Bennington County State's Attorney attempted to fast track the process, but Mason would not agree to anything that meant he would have to give up the dogs. It was only after the jury conviction that we were able to place the dogs. A civil forfeiture option would have allowed the Town to move quickly to get placement for the dogs and avoid the expenses associated with long-term custody, but equally as important, in my opinion, is the fact that the dogs would not have been subjected to the negative repercussions associated with being kenneled for months on end.

Based on the above, and on other similar cases of which I'm aware, S. 237 has my full support.

Respectfully submitted,

Richard B. Gauthier
Executive Director, VCJTC