

Full Testimony on H.578 - Forfeiture, Mandatory Timelines, and Systemic Barriers Facing Vermont's Resources

Submitted by Carly Lehrer, Representing Apocalypse Farm and Sanctuary Inc

My name is Carly Lehrer and I am a member of VAACA, former Shelter Manager of Addison County Humane Society and ACO for Leicester/Salisbury VT, and currently the Executive Director of Apocalypse Farm and Sanctuary in Whiting, VT.

The gaps in our system, as well as the vague, antiquated, and convoluted nature of current welfare law and resource allocation directly contribute to the failure in Vermont welfare enforcement to support correct execution of animal welfare crimes. I would like to focus on my experience working to coordinate Animal Control Law Enforcement to neglect and cruelty conditions in Addison and Rutland County Vermont.

Police and Animal Control are provided with no resources, monetary or physical, to seize animals when justifiable under the law. Animal Control in small towns are operating out of a town budget that hardly supports their hours, let alone the cost of care and custody. Most have no training in animal behavior, animal cruelty law, resource distribution or field forensic assessments. Moreover, Animal Control Officers are often expected to house seized or stray animals out of their homes or work out an agreed upon community location - which are suitable for any type of long term care. Police and Animal Control opt out of engaging in animal cases, actively avoiding properties and situations that perpetrate cruelty/neglect because there are no holding facilities, no department resources, and limited training/education surrounding proper case execution. The only hold options they have are temporary, which creates crisis rather than alleviating it.

On many occasions I have watched Animal Control or Law Enforcement return abused and neglected animals to the households that have harmed them for lack of options. County shelters in Addison and Rutland do not have the space, knowledge, or capacity to assist in humane investigation or criminal holding of seized animals; not only are they limited by space and lack of staff training, but our local Humane Societies are transporting animals from outside of state in order to bring necessary funding to the shelter. The cost of holding an animal for 6+ months is cost prohibitive to shelters that are already struggling to meet simple needs of an overburdened community. When shelters take in court case animals, that occupied space, along with vet and food costs, can be debilitating; meanwhile other county animals in need of humane supports are without option due to the size and limits of shelter capacity.

Failure of our state to allocate accessible and appropriate funding to welfare criminal cases has resulted in cycles of continued harm perpetrated upon animals. While animals are considered only property by Vermont state law, modern science has shown they are sentient and have emotional and physical responses that need to be accounted for in future laws. This is true for farm and domestic animals. While they may be classified property, we must redefine our laws to a modern sensibility. Our laws must reflect an intolerance for violence and neglect, as failure to do so punishes our communities and our vulnerable populations from multiple angles.

A common practice in law enforcement is to allow forfeiture of an animal to avoid legal seizure, which is an exceptionally harmful practice. This practice is born out of requirement due to a statewide failure to provide a pathway to successful execution of welfare law. In a recent VSP case, two horses that were near death were removed from a property in Leicester, VT under forfeiture. Charges were not pressed for those horses, despite evidence of multiple dead animals discarded improperly in the tree lines of the property, as well as incredible medical and physical evidence of animal abuse and neglect. In the time since the forfeiture to avoid criminal charge, that property has continued to accumulate animals. The intense hoarding and sanitation are unabated. The individual responsible continues her role in 4-H and suffered no consequences despite the critical harm that she and her family inflicted upon the animals in their care. By allowing guilty and chronically offending individuals to relinquish animals to avoid criminal charge, we are promoting cruelty and setting a harmfully low standard of human behavior.

Besides a lack of resources, there is confusion as to how to execute the laws effectively on scene. When executing a search warrant for cruelty, law enforcement is required to produce a vet to the crime site. This is an incredible challenge. In a 2024 case out of Brandon, VT we were granted a warrant for animal abandonment, cruelty and neglect within an unoccupied home. To execute this warrant, we had 12 hours to produce a veterinarian on site. The animals had been in the home for months without regular care. We had an officer stationed at the home all day in case the owner returned home. VAACA counterparts and I called veterinarians all over the local area, but none would come. We finally reached a vet out of Norwich who drove two hours so we could execute this warrant before our chance expired. To enter the home, we also needed support from an experienced canine behaviorist and animal handler as the Animal Control Officer had neither the physical skills or desire to assist the vet in handling an aggressive dog prohibiting entry.

Inside the home we found several animals that had eaten each other, finding body parts strewn around the home. One dog was euthanized, at least 2 were found deceased, while

three other animals were successfully removed and funneled through rescues for holding. The one dog we did not have rescue placement for was euthanized within 72 hours due to lack of town holding space. The Animal Control Officer put him in the state police barracks until he was out of time and then he was promptly euthanized.

When we as a community fail to protect our vulnerable, we send a message that we accept brutal treatment and neglect of animals as a part of our Vermont culture. Statistically, there is a direct link between animal abuse and other serious crimes - including domestic, sexual and substance abuse; this case involved all those factors. Residents had been reporting the situation for months to Animal Control, but no action was taken until Rescue got involved. These operations require coordination, knowledge and resources. It is time to modernize our systems to meet the needs of our population and law enforcement.

Currently I am working on two cases in Addison and Rutland County that have been so far mishandled due to lack of education and training for Animal Control and local police departments. Two abandoned dogs have yet to see police engagement despite a multitude of present evidence as to the perpetrators of the crimes inflicted on these animals. Instead, these dogs were handed out by animal control to townspeople willing to take them in and no forensic work was done due to lack of training and monetary investment on the part of the local police department.

In a separate and current case a northern VT Animal Control Officer became so overwhelmed with an eight-dog seizure required of him by Fish and Wildlife (with no planning or operation coordinated provided) that he attempted to hand the seized dogs out to anyone who would take them, despite significant behavioral safety issues present in the dogs. No charges have been pressed on the humans responsible. Three of these eight dogs were euthanized due to neglect stemming from low socialization and isolation. The owner has a breeding operation, with close to a dozen more dogs that will likely meet the same end. Despite a clear and present need to remove these animals and prosecute this man, nothing has been done. This is not a case Fish and Wildlife nor Animal Control want to deal with – and that has been directly stated. There are failures across the board at law enforcement level. My organization is currently working to rehabilitate one of the dogs pulled from this case and law enforcement has simply wiped their hands, eager to be done with the challenges this situation presents.

Many towns assign the role of Animal Control with no requirements as to their abilities, knowledge or background. Fish and Wildlife cannot handle the quantity of cases with domestic animals that require dedication, preparation and resources. The average person trying to report cruelty or neglect is often met with confusion and the simple response that there is nothing that can be done. Each responsible entity instead puts the burden on

another responsible entity, with the result being a breakdown of custody and disorganization. These are crippling factors in any potential active investigation and because the victims are not humans, importance is not placed on the crimes committed.

In a previous case out of Richford, VT this year, the ACO and Vermont State Police allowed a dog to live abandoned in a car in the dead of winter. They did not attempt to remove it, claiming it was dangerous. This dog was in the car for weeks. No one stepped up and took responsibility; no assigned entity had a place to take the dog. No charges were pressed on the owner. Communications with the Animal Control Officer showed that there was acute awareness that the dog could die in that current condition, yet there was still no action taken. This is cruel and neglectful in itself – the irony of which is not lost on those of us that worked to help this dog. Through united rescue effort we got him out and into crisis housing with us; yet it should not require volunteerism to solve these scenarios. There should be understood systems. The list of failures during what could have been a successful active criminal investigation is too long to fully encompass, but our state's process continues to demonstrate the broad spectrum of debilitating challenges faced in conducting animal cruelty investigations.

Responsibility for the welfare of animals in our state cannot fall to untrained and resourceless people. Our Vermont community doesn't understand the barriers; they cannot comprehend that animals have such a lack of options or support. In each of the listed cases above, Rescue has volunteered their time and resources to mitigate the fallout and find safe harbor for these dogs. The need for detailed law, dedicated resources and education in the animal welfare landscape is an urgent one.

Those of us seeking safer communities, healthier families, and more honest and correct systems are crying out for help daily. We have forged relationships with advocates where we can, but we are dependent on law to be effective. Without course correction, Vermont communities and animals will continue to suffer.

Laws should be enforceable. Animal welfare should be clear and accessible to the public. Funds should be made available to support critical cases. Policies should exist to protect victims of any crime, and our first responders should receive proper training, supports and education.