SHOCKED AND SADDENED BY ANIMAL CRUELTY CASE
SPCA Demands Answers about NYSP Policy

April 21, 2011 – Schenectady, NY – A farm full of neglected animals remains in the hands of an alleged animal killer after a botched arrest by New York State Police. NYSP was called to the scene of Hidden View Farms in the Town of Seward on April 20, following a 911 call about a horse that had been shot by its owner. The officer who arrived at the scene arrested the man responsible, but failed to charge him accordingly or remove the remaining sick and dying animals.

According to NYS Agriculture and Markets Law (NYS AGM) Section 373 (4), any agent or police officer involved in an animal cruelty arrest has the authority to seize custody of those animals at the time of an arrest. In the case surrounding Hidden View Farms, the animals were not removed from the premises and the suspect was released, without bail, in a matter of hours. In addition, the arresting officer chose to charge the suspect with just two cases of animal cruelty, when it is believed he could have faced up to fifteen counts.

“The SPCA does not support the decision of a New York State Police sergeant who chose to keep the animals in the care of somebody accused of starving them when our agency was ready, willing and able to care for the animals once seized with the assistance of a farm sanctuary,” said SPCA Chief Mathew B. Tully. “This was a dire situation that should have been treated as a serious crime. Animals suffered and died a horrible death and the person responsible should be punished accordingly. The suspect was released within hours while the animals stayed and continued to remain in his possession. This is unacceptable,” added Tully.

Chief Tully notes that animal abusers are often repeat offenders. He points to the case of a Schenectady man, Wendell Smith, who was arrested last month for neglecting and ultimately starving his three animals, two of the animals died due to his neglect. Smith was no stranger to the law, and had been arrested in connection with a strikingly similar crime one year prior.

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