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Pet Talk: Does the time fit animal-abuse crime?

Rec

Updated Feb 15, 2011 5:50 PM | **32** | **3** **Share**

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Reaction was immediate and intense. When Samuel Walker was sentenced last week to 90 days in jail for felony animal abuse (plus probation, court costs and community service), animal lovers had plenty to say. Most wasn't pretty.

Walker gained national notoriety two years ago after 99 sled dogs, most starving, many ailing, were rescued (several corpses of starved-to-death dogs also were found) from his Pawsatrak operation near [Hartsel](#), Colo.

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The animals were distributed to several shelters for care and rehabilitation, a year-long process for some.

It was a painful chapter in this dog-loving state, and interest in Walker's sentencing was huge.

"Not enough," raged hundreds of people online and on radio call-in shows last week. But as long as Walker was to be confined (even if not nearly long enough), as his dogs had been (though under far better conditions), many suggested he receive the same treatment the dogs got — insufficient food and water, and no treatment if he gets ill or develops an abscessed tooth or cancer.

I had some personal interest in this case. I saw first-hand the condition of many of those dogs, ribs and hip bones protruding, weak and sickly, some so unaccustomed to human interaction they cowered when a hand was outstretched in friendship.

In fact, I fostered one for 10 months: an American Eskimo dog mix, probably 7 years old. She was rail thin when she arrived at the shelter where I volunteer, crippled, in horrid pain, unable to walk more than a few steps because her rear kneecaps had slipped when she was very young (according to the orthopedic vet who later examined her), causing ligaments to grow crosswise and her legs to become deformed and atrophied. Moreover, we later discovered, she had several rotten, infected teeth (extracted once she was healthy enough to survive

surgery), some malformed teeth (the sign of desperate chewing, month after month, to escape confinement), as well as cancerous mammary tumors (removed, and the prognosis is excellent).

Somehow Indira, as the shelter named her, was able to recover from all this, build enough muscle through gradual exercise that she can walk again (though she's still deformed), and believe in the good intentions of people. She was adopted by a wonderful couple determined to make up for the horrors of the first half of her life.

So let's just say I can definitely understand the outrage people felt.

By Connie Miller

Indira, who had no known name for the first eight years of her life, was part of a rescue of 99 dogs from a breeder in Colorado.

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Bark at us

Sharon L. Peters is an award-winning pet journalist who lives in Colorado. E-mail her at pets@usatoday.com.

But was the Walker sentence out of line, contextually speaking?

I contacted Joyce Tischler, founder of the [Animal Legal Defense Fund](#), which monitors these kinds of matters.

She searched the database the ALDF keeps and shared sentencing details of some multiple-dog starvation cases, including these:

- Danielle Assante of Pike County, Pa., left her pets alone and without food for three weeks. A border collie, three pitbulls, three cats, a rabbit and a cockatiel were found dead after a neighbor called authorities; three severely emaciated dogs were still alive. Assante, a professional show-dog trainer, got 90 days in jail and a \$600 fine.
- Dawn Postma of Kent County, Mich., was found guilty of four misdemeanor animal cruelty charges after authorities found a dead German shepherd frozen to the ground and two live but emaciated dogs (euthanized because they were too weak to fight a virus). A fourth dog had been taken from her yard to the shelter by a delivery person alarmed at its condition. Postma was sentenced to 93 days in jail and two years of probation, during which she couldn't own animals.
- Marion Key of Limestone County, Ala., pleaded guilty to one count of misdemeanor animal cruelty after authorities discovered the bodies of several dead greyhounds in cages, and four almost-dead dogs (one died on the way to the dog pound, a second the next day — both were one-third of normal body weight). His sentence: 90 days in jail, which was suspended; two years of probation, during which he couldn't have animals; and \$1,570.71 in restitution.

Tischler understands the outrage over the Walker plea-agreement sentence. She's always cheered by public sentiment that could ultimately lead to stronger law.

Yet, the fact is, "in comparison to others," Walker's sentence is "not unreasonably mild," and it had "some important elements," she says.

Not only does it include jail time, but also it's a felony conviction and all that implies. And the two-year probation is "supervised, not just the honor system, and that's an important distinction," she says.

Moreover, Walker's prohibition from having more animals or engaging in animal-related business during probation "is also very important."

There's also, for the record, 48 hours of community service, \$6,219.50 in court fines and an additional \$6,224 in restitution (the latter left open by the judge, allowing Walker to

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Colorado is "in the top tier (No. 15) when we look at animal-protection laws that currently exist," says Tischler. "We always want to see as many tools as possible on the state level." And it appears that they were used reasonably in this case.

So now we know.

As for Walker, he was instantly remanded, so he's already behind bars.

Oh, and the judge granted Walker's request that he be released briefly from jail to attend his daughter's wedding.

No doubt a very proud moment for the bride.

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
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			Report Abuse
	Animal abusers should be summarily executed !!!!!!!		
	<p>Revolennon</p> <p>7:09 PM on February 15, 2011</p> <p>I have absolutely zero sympathy for animal abusers. I say at least five years per animal. 99 dogs? That would put him away for life. Sounds about right to me. As I said, zero sympathy. They are they scum of the earth in my opinion and I hope they all rot in hell.</p>	Score: 32	Report Abuse
	<p>Patrick Henry</p> <p>8:11 PM on February 15, 2011</p> <p>Animal abusers will abuse kids... Need I say more?</p>	Score: 15	Report Abuse
	<p>chuckb</p> <p>8:52 PM on February 15, 2011</p> <p>Reading this article just outrages me even more. The problem is too many people see pets, companions, as just animals. That in some twisted way they don't feel pain, don't suffer. Just because they can't talk to us and tell us how much they are suffering, 90 days in jail or whatever is ok. Honestly the human race makes me sick. We abuse animals, we abuse our children, the elderly, on and on. We think we are so superior but they way we treat other beings on this planet is just tragic. I say a prayer every night to all those that have no voice.</p> <p> 1 reply</p>	Score: 23	Report Abuse
	<p>bkw2699</p> <p>10:21 PM on February 15, 2011</p> <p>the human race. the cruelest species on earth.</p>	Score: 21	Report Abuse
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If it's only going to be 90 days in jail, make it in Marrion (sp?) or Chino. Make it a 90 days worth remembering. And, they should have to pay for their own stay. Why are my tax dollars being used for their well being? If they don't have the money, let them work for it in jail... work for the other inmates, that is.



CDA

Score: 5

11:16 PM on February 15, 2011

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I don't go along with the rationale that animal abusers will abuse children, but whatever.

As an ardent animal rights supporter and a person who has a couple cats and a couple dogs, I ache when I read stories like this. And, it never ends and never will.

We are easy on practically everyone in society, and the people who are mentioned above got treated very nicely. Thanks, justice system, thanks weak laws, thanks, thanks and more thanks. I imagine that if just a few of us who value the lives of our animals over a lot of people, like the trash mentioned in the article for instance...if we had just a few minutes with these folks it would be clear how supportive we are of animals. Just a few precious minutes.

1 reply



cr

Score: -12

12:14 AM on February 16, 2011

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I take minnows, run a hook thru them is such away as to injure them making them more attractive bait. They either get eaten by a fish or die slowly. Pretty cruel if you think about it, but I don't. I also use glue traps to catch mice if they invade. Nasty.

Not many people dote on mice and minnows, treating them as erzat children, so I guess I'll stay out of prison....for now, until Peta wins and mid-rare T bones will be a black market item.

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The Bard

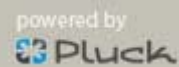
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1:12 AM on February 16, 2011

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I think animal lovers have their heads in their posteriors. Their have been 25-30 million babies murdered in this country since 1973 when Roe vs Wade was decided. Not one peep out of them about that. I think that the owners of dogs ought to get hard time when a child is killed by a dog . And it is happening more frequently these days. Wake up animal lovers, ther are just dogs and cats and whatever weird animal that you keep in your house.

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