

**HB**

**179**

<TARGET><BILL>HB 179</BILL><SUBJECT>HB  
179</SUBJECT><COMM>HJUD27</COMM></TARGET>

# Alaska State Legislature



**Chairman**  
State Affairs Committee

**Member**  
Judiciary Committee  
Energy Special Committee  
Joint Armed Services Special Committee  
Military and Veterans' Affairs Committee

**Finance Subcommittees**  
Administration  
Corrections  
Military and Veterans' Affairs

*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
**District 31 Anchorage**

**E-Mail:** Representative\_Bob\_Lynn@legis.state.ak.us  
"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

**Session:**  
Alaska State Capitol #108  
Juneau, AK 99801-1182

Phone: (907) 465-4931  
Fax: (907) 465-4316  
Toll Free: (800) 870-4391

**Interim:**  
716 W. 4<sup>th</sup> Ave., #650  
Anchorage, AK 99501-2133

Phone: (907) 269-0205  
Fax: (907) 269-0207

March 16, 2011

To: Representative Carl Gatto, Chairman

Fr: Representative Bob Lynn

Re: HB 179, "An Act relating to animal cruelty..."



---

I am requesting a hearing for HB 179, "*An Act relating to cruelty to animals and making failure to care for five or more animals in a single continuous episode a C felony*" at your earliest convenience.

I have attached supporting documentation.

House Judiciary is the first committee of referral.

Any questions or concerns can be directed to my staffer, Thomas Reiker, at 465-4965 or [thomas\\_reiker@legis.state.ak.us](mailto:thomas_reiker@legis.state.ak.us) .

Thank you in advance for your consideration.

# Alaska State Legislature

**Chairman**  
State Affairs Committee

**Member**  
Judiciary Committee  
Energy Special Committee  
Joint Armed Services Special Committee  
Military and Veterans Affairs Committee

**Finance Subcommittees**



*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
**District 31 Anchorage**

**E-Mail:** Representative\_Bob\_Lynn@legis.state.ak.us  
"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

**Session:**  
Alaska State Capitol #108  
Juneau, AK 99801-1182

Phone: (907) 465-4931  
Fax: (907) 465-4316  
Toll Free: (800) 870-4391

**Interim:**  
716 W. 4<sup>th</sup> Ave., #650  
Anchorage, AK 99501-2133

Phone: (907) 269-0205  
Fax: (907) 269-0207

## **Sponsor Statement**

### **HB 179**

### *"An Act relating to cruelty to animals..."*

Under current law, each neglected animal constitutes a separate offense, but these offenses are only misdemeanors. I would like the gravity of the charge to reflect the gravity of the situation. As such, HB 179 makes it a Class C felony to criminally neglect five or more animals at the same time.

We have seen several cases throughout the state where people take on tens, sometimes hundreds, of animals with no reasonable expectation that they can adequately care for them all. People should be allowed to have as many pets as they like, but they should also be expected to care for these animals. Each time our authorities have to remove multiple animals, it shocks our collective conscience and overwhelms our animal rescue capabilities. We must strengthen our laws to discourage this type of behavior. As such, I respectfully request your support for HB 179.

# FISCAL NOTE

**STATE OF ALASKA**  
**2011 LEGISLATIVE SESSION**

Fiscal Note Number \_\_\_\_\_  
 Bill Version                     HB179A                      
 () Publish Date \_\_\_\_\_

Identifier (file name) HB179-DOA-OPA-3-25-11 Dept. Affected Administration  
 Title An Act relating to cruelty to animals and making failure..... Appropriation Legal and Advocacy Services  
 Allocation Office of Public Advocacy  
 Sponsor Representatives Lynn, Guttenberg, Gardner  
 Requester House Judiciary OMB Component Number 43

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

|                               | Appropriation<br>Required | Information |         |         |         |         |         |         |
|-------------------------------|---------------------------|-------------|---------|---------|---------|---------|---------|---------|
|                               |                           | FY 2012     | FY 2012 | FY 2013 | FY 2014 | FY 2015 | FY 2016 | FY 2017 |
| <b>OPERATING EXPENDITURES</b> |                           |             |         |         |         |         |         |         |
| Personal Services             |                           |             |         |         |         |         |         |         |
| Travel                        |                           |             |         |         |         |         |         |         |
| Services                      |                           |             |         |         |         |         |         |         |
| Commodities                   |                           |             |         |         |         |         |         |         |
| Capital Outlay                |                           |             |         |         |         |         |         |         |
| Grants                        |                           |             |         |         |         |         |         |         |
| Miscellaneous                 |                           |             |         |         |         |         |         |         |
| <b>TOTAL OPERATING</b>        | ***                       |             | ***     | ***     | ***     | ***     | ***     | ***     |

|                             |  |  |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|--|--|

|                           |  |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|--|
| <b>CHANGE IN REVENUES</b> |  |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

|                          |     |  |     |     |     |     |     |     |
|--------------------------|-----|--|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts    |     |  |     |     |     |     |     |     |
| 1003 GF Match            |     |  |     |     |     |     |     |     |
| 1004 GF                  |     |  |     |     |     |     |     |     |
| 1005 GF/Program Receipts |     |  |     |     |     |     |     |     |
| 1037 GF/Mental Health    |     |  |     |     |     |     |     |     |
| Other (please identify)  |     |  |     |     |     |     |     |     |
| <b>TOTAL</b>             | *** |  | *** | *** | *** | *** | *** | *** |

Estimate of any current year (FY2011) cost \_\_\_\_\_

**POSITIONS**

|           |  |  |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |  |  |

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, first version.

Prepared by Rachel Levitt, Acting Director  
 Division Office of Public Advocacy  
 Approved by John Cramer, Deputy Commissioner  
Department of Administration

Phone 907 269-3504  
 Date/Time 3/25/11 1:30 PM  
 Date 3/25/2011

FISCAL NOTE

STATE OF ALASKA  
2011 LEGISLATIVE SESSION

BILL NO. HB179A

**Analysis**

This bill amends the crime of cruelty to animals to include failing to care for five or more animals and causing death, severe physical pain, or prolonged suffering to the animals. The Office of Public Advocacy cannot reliably predict how many new cases will be charged under this expanded definition, and therefore, the agency has submitted an indeterminate fiscal note.

# FISCAL NOTE

**STATE OF ALASKA**  
**2011 LEGISLATIVE SESSION**

Fiscal Note Number \_\_\_\_\_  
 Bill Version HB179A  
 () Publish Date \_\_\_\_\_

Identifier (file name) HB179-DOA-PDA-3-24-11 Dept. Affected Administration  
 Title An Act relating to cruelty to animals and making failure.... Appropriation Legal and Advocacy Services  
 Allocation Public Defender Agency  
 Sponsor Representatives Lynn, Guttenberg, Gardner  
 Requester House Judicial OMB Component Number 1631

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

|                               | Appropriation<br>Required | Information |         |         |         |         |         |         |
|-------------------------------|---------------------------|-------------|---------|---------|---------|---------|---------|---------|
|                               |                           | FY 2012     | FY 2012 | FY 2013 | FY 2014 | FY 2015 | FY 2016 | FY 2017 |
| <b>OPERATING EXPENDITURES</b> |                           |             |         |         |         |         |         |         |
| Personal Services             |                           |             |         |         |         |         |         |         |
| Travel                        |                           |             |         |         |         |         |         |         |
| Services                      |                           |             |         |         |         |         |         |         |
| Commodities                   |                           |             |         |         |         |         |         |         |
| Capital Outlay                |                           |             |         |         |         |         |         |         |
| Grants                        |                           |             |         |         |         |         |         |         |
| Miscellaneous                 |                           |             |         |         |         |         |         |         |
| <b>TOTAL OPERATING</b>        | ***                       | ***         | ***     | ***     | ***     | ***     | ***     | ***     |

|                             |  |  |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|--|--|

|                           |  |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|--|
| <b>CHANGE IN REVENUES</b> |  |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

|                          |     |     |     |     |     |     |     |     |
|--------------------------|-----|-----|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts    |     |     |     |     |     |     |     |     |
| 1003 GF Match            |     |     |     |     |     |     |     |     |
| 1004 GF                  |     |     |     |     |     |     |     |     |
| 1005 GF/Program Receipts |     |     |     |     |     |     |     |     |
| 1037 GF/Mental Health    |     |     |     |     |     |     |     |     |
| Other (please identify)  |     |     |     |     |     |     |     |     |
| <b>TOTAL</b>             | *** | *** | *** | *** | *** | *** | *** | *** |

Estimate of any current year (FY2011) cost \_\_\_\_\_

**POSITIONS**

|           |  |  |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |  |  |

Why this fiscal note differs from previous version (if initial version, please note as such)

Not applicable, initial version.

Prepared by Quinlan Steiner  
 Division Public Defender Agency  
 Approved by John Cramer, Deputy Commissioner  
Department of Administration

Phone 907 334-4414  
 Date/Time 3/24/11 3:30 PM  
 Date 3/25/2011

FISCAL NOTE

STATE OF ALASKA  
2011 LEGISLATIVE SESSION

BILL NO. HB179A

**Analysis**

This bill amends the crime of cruelty to animals to include failing to care for five or more animals and causing death, severe physical pain, or prolonged suffering to the animals. The Agency can not reliably predict how many new cases will be charged under this expanded definition and, therefore, submits an indeterminate fiscal note.

# FISCAL NOTE

**STATE OF ALASKA**  
**2011 LEGISLATIVE SESSION**

Fiscal Note Number \_\_\_\_\_  
 Bill Version HB 179  
 ( ) Publish Date 3/9/2011

Identifier (file name) HB179-DOC-OC-03-28-11 Dept. Affected DOC  
 Title "An Act relating to cruelty to animals and making failure to care Appropriation Admin & Support  
 Allocation Commissioner's Office  
 Sponsor Representative Lynn  
 Requester House Judiciary Committee OMB Component Number 694

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

|                               | Appropriation<br>Required | Information |           |           |           |           |           |           |
|-------------------------------|---------------------------|-------------|-----------|-----------|-----------|-----------|-----------|-----------|
|                               |                           | FY 2012     | FY 2012   | FY 2013   | FY 2014   | FY 2015   | FY 2016   | FY 2017   |
| <b>OPERATING EXPENDITURES</b> |                           |             |           |           |           |           |           |           |
| Personal Services             |                           |             |           |           |           |           |           |           |
| Travel                        |                           |             |           |           |           |           |           |           |
| Services                      |                           |             |           |           |           |           |           |           |
| Commodities                   |                           |             |           |           |           |           |           |           |
| Capital Outlay                |                           |             |           |           |           |           |           |           |
| Grants                        |                           |             |           |           |           |           |           |           |
| Miscellaneous                 |                           |             |           |           |           |           |           |           |
| <b>TOTAL OPERATING</b>        | <b>**</b>                 | <b>**</b>   | <b>**</b> | <b>**</b> | <b>**</b> | <b>**</b> | <b>**</b> | <b>**</b> |

|                             |            |            |            |            |            |            |            |
|-----------------------------|------------|------------|------------|------------|------------|------------|------------|
| <b>CAPITAL EXPENDITURES</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> | <b>0.0</b> |
|-----------------------------|------------|------------|------------|------------|------------|------------|------------|

|                           |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|
| <b>CHANGE IN REVENUES</b> |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

|                          |           |           |           |           |           |           |           |
|--------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 1002 Federal Receipts    |           |           |           |           |           |           |           |
| 1003 GF Match            |           |           |           |           |           |           |           |
| 1004 GF                  |           |           |           |           |           |           |           |
| 1005 GF/Program Receipts |           |           |           |           |           |           |           |
| 1037 GF/Mental Health    |           |           |           |           |           |           |           |
| Other (please identify)  |           |           |           |           |           |           |           |
| <b>TOTAL</b>             | <b>**</b> | <b>**</b> | <b>**</b> | <b>**</b> | <b>**</b> | <b>**</b> | <b>**</b> |

Estimate of any current year (FY2011) cost 0.0

**POSITIONS**

|           |  |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |  |

Why this fiscal note differs from previous version (if initial version, please note as such)

This is the first version of the bill.

Prepared by Leslie Houston, Director  
 Division Dept. of Corrections - Administrative Services  
 Approved by Joseph D. Schmidt, Commissioner  
Dept. of Corrections

Phone 465-3339  
 Date/Time 03/28/2011 1:00 p.m.  
 Date 3/28/2011



FISCAL NOTE

STATE OF ALASKA  
2011 LEGISLATIVE SESSION

BILL NO. HB 179

**Analysis**

HB 179 amends existing animal cruelty law to include failing to care for five or more animals and causing death, severe physical pain, or prolonged suffering to the animals.

Department of Corrections is unable to determine the fiscal impacts of the passage of this legislation, as we cannot estimate the total number of actual violations that will occur.

The Department of Corrections will closely monitor potential future fiscal impacts of this legislation.

# FISCAL NOTE

**STATE OF ALASKA**  
**2011 LEGISLATIVE SESSION**

Fiscal Note Number \_\_\_\_\_  
 Bill Version HB179 1A  
 ( ) Publish Date \_\_\_\_\_

Identifier (file name): HB179-LAW-CRIM-03-25-11 Dept. Affected Law  
 Title An Act relating to cruelty to animals and making failure to care for five or more animals in a single continuous episode a class C felony. Appropriation Criminal  
 Allocation Criminal Justice Litigation  
 Sponsor REPRESENTATIVE(S) LYNN  
 Requester (H) JUD OMB Component Number 2202

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

|                               | Appropriation Required | Information |            |            |            |            |            |            |
|-------------------------------|------------------------|-------------|------------|------------|------------|------------|------------|------------|
|                               |                        | FY 2012     | FY 2012    | FY 2013    | FY 2014    | FY 2015    | FY 2016    | FY 2017    |
| <b>OPERATING EXPENDITURES</b> |                        |             |            |            |            |            |            |            |
| Personal Services             |                        |             |            |            |            |            |            |            |
| Travel                        |                        |             |            |            |            |            |            |            |
| Services                      |                        |             |            |            |            |            |            |            |
| Commodities                   |                        |             |            |            |            |            |            |            |
| Capital Outlay                |                        |             |            |            |            |            |            |            |
| Grants                        |                        |             |            |            |            |            |            |            |
| Miscellaneous                 |                        |             |            |            |            |            |            |            |
| <b>TOTAL OPERATING</b>        | <b>***</b>             | <b>***</b>  | <b>***</b> | <b>***</b> | <b>***</b> | <b>***</b> | <b>***</b> | <b>***</b> |

|                             |  |  |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|--|--|
| <b>CAPITAL EXPENDITURES</b> |  |  |  |  |  |  |  |  |
|-----------------------------|--|--|--|--|--|--|--|--|

|                           |  |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|--|
| <b>CHANGE IN REVENUES</b> |  |  |  |  |  |  |  |  |
|---------------------------|--|--|--|--|--|--|--|--|

**FUND SOURCE** (Thousands of Dollars)

|                          |            |            |            |            |            |            |            |            |
|--------------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts    |            |            |            |            |            |            |            |            |
| 1003 GF Match            |            |            |            |            |            |            |            |            |
| 1004 GF                  |            |            |            |            |            |            |            |            |
| 1005 GF/Program Receipts |            |            |            |            |            |            |            |            |
| 1037 GF/Mental Health    |            |            |            |            |            |            |            |            |
| Other (please identify)  |            |            |            |            |            |            |            |            |
| <b>TOTAL</b>             | <b>***</b> | <b>***</b> | <b>***</b> | <b>***</b> | <b>***</b> | <b>***</b> | <b>***</b> | <b>***</b> |

Estimate of any current year (FY2011) cost \*\*\*

**POSITIONS**

|           |  |  |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|--|--|
| Full-time |  |  |  |  |  |  |  |  |
| Part-time |  |  |  |  |  |  |  |  |
| Temporary |  |  |  |  |  |  |  |  |

**Why this fiscal note differs from previous version (if initial version, please note as such)**

Not applicable, initial version.

Prepared by Eileen Donahue, Division Operations Manager  
 Division Administrative Services  
 Approved by John J. Burns, Attorney General  
Department of Law

Phone 465-5427  
 Date/Time 3/25/11 10:00 AM  
 Date 3/25/2011

FISCAL NOTE

STATE OF ALASKA  
2011 LEGISLATIVE SESSION

BILL NO. HB179 1A

**Analysis**

HB 179 would adopt a class C felony for animal cruelty if a person, acting with criminal negligence, contemporaneously fails to care for five or more animals, and causes the death or severe pain or prolonged suffering to five or more animals.

This bill would have an indeterminate fiscal impact to the Department of Law.

**adn.com**

Anchorage Daily News

Print Page

Close Window

## **Mat-Su dog breeder faces 50 counts of animal cruelty**

**WILLOW: Officials pick up 110 animals, but also find 22 that died.**

Anchorage Daily News/adn.com

(01/11/11 07:46:29)

A Mat-Su man faces 50 counts of cruelty to animals after state troopers and borough officials found 22 dead dogs and 110 other dogs that were ailing, troopers said.

Frank Rich, 53, of Willow was arrested and taken to the Mat-Su Pretrial Facility, troopers said.

Animal-care staff with the Matanuska-Susitna Borough were working late into Monday evening to remove about 110 dogs from Rich's property in the Montana Creek area, the borough said.

Most of the dogs being rescued are malnourished and dehydrated, troopers said.

Another 22 dogs already had died from exposure, starvation and dehydration, troopers said.

Richard Stockdale, the borough's Animal Care & Regulation manager, said most of the dogs are huskies, a few are malamutes.

The borough said Rich is a dog breeder.

Print Page

Close Window

Copyright © Wed Mar 16 14:49:11 UTC-0800 20111900 The Anchorage Daily News (www.adn.com)

Advertisement



**Fly 5 Get 1 Free**

**Earn Free Travel Fast -  
Rewards Never Expire!  
Enroll Today!**



**KTUU.COM | ARTICLE COLLECTIONS**

YOU ARE HERE: [KTUU Home](#) → [Collections](#) → [Alaska State Troopers](#)

Ads by Google

TOMS

for Weddings



SHOP NOW

- FIND MORE STORIES ABOUT
- [Alaska State Troopers](#)
  - [Animals](#)

**RELATED LINKS**

- VIDEO: [150 dogs seized from breeder's home](#)
- [How You Can Help](#)
- [Mat-Su Borough Animal Adoption Page](#)
- PHOTO: [Dogs seized after alleged neglect](#)

## 150 dogs seized from breeder's home

January 11, 2011 | by Jackie Bartz and Channel 2 News staff



Jackie Bartz/KTUU.com

MONTANA CREEK, Alaska — Animal care staff in the Mat-Su Valley worked through the night Monday to remove more than 150 dogs from a breeder's home.

Alaska State Troopers arrived Monday evening at the Montana Creek home of 53-year-old Frank Rich of Willow, near Mile 92 of the Parks Highway, to investigate a report of animal neglect.

Troopers say when they arrived at the house on Kashwitna Drive, there was no food or water for the dogs. There were about 150 dogs on the property.

Troopers say nearly all the dogs were malnourished and dehydrated. The animals were shivering and eating snow and their own feces. An additional 22 dogs that had already died were found on the property, apparently dead from exposure, starvation and dehydration. They say there could be more dead dogs on the property.

About 30 of the dogs are puppies. Some are just a few weeks old.

Ads by Google

**VPI Pet Insurance**

Official site of VPI, America's Trusted Choice in Pet Insurance  
[www.PetInsurance.com](http://www.PetInsurance.com)

Troopers arrested Rich for 50 counts of cruelty to animals and remanded him to to the Mat-Su Pretrial Facility. He was arraigned Tuesday morning on the Class A misdemeanors, and a judge entered a plea of not guilty.

Ads by Google

**Local Coupons**

1 ridiculously huge coupon a day. Get 50-90% off your city's best!  
[www.Groupon.com](http://www.Groupon.com)

Rich is held on \$5,000 bail. If he posts bail, he cannot own dogs.

Rich told troopers he lost his job in October and was having a tough time supporting the dogs for his breeding operation.

Mat-Su Borough Animal Care & Regulation Manager Richard Stockdale said Animal Care removed the dogs from Rich because of the lack of care. There were 157 of his dogs at the shelter Tuesday morning.




Content blocked by

Advertisement

1 Tip for a tiny belly :

---



Cut down a bit of your belly everyday by following this 1 weird old tip

Tip ▶



Copyright 2011 KTUU-TV | Terms of Service

"It is huge, I mean right now we are at full capacity, you see we're closed today just so we can process them through," Stockdale said.

He said most of the dogs were huskies. "Most animals are emaciated and dehydrated," Stockdale said.

Animal Care is asking the community for donations of money and the dogs' current brand of food, Hills Science Diet Advanced Fitness. The shelter needs the specific brand of dog food, money, zip ties, tarps, outside kennels, blankets and metal food bowls to help with the influx of dogs.

Supplies to help out can be dropped off at the Willow Fire Station and the Anchorage Animal Shelter.

Officials are also asking the public to come in and adopt other dogs -- not the dogs removed from Rich's house -- to alleviate pressure on the facility and let workers treat the incoming dogs. The facility is offering a discount on adopting the dogs that were already there.

Officials say Rich's dogs will not be up for adoption any time soon -- it depends on the outcome of the trial, or if Rich signs over control.

Ads by Google

**Pure Natural Raw Dog Food**

Free range meat & organic veggies. No grains, fillers or additives.

[www.DarwinsPet.com/Raw-Dog-Food](http://www.DarwinsPet.com/Raw-Dog-Food)

## Seized dogs finding new homes

PALMER — In the wake of a ruling ordering dozens of abused dogs be turned over to the Mat-Su Borough, some of the more than 150 animals seized early this year have started to find homes.

But if you're looking to adopt a husky mix, be patient.

"We have a few that are out for adoption just because of their health," said Animal Care and Regulation Manager Richard Stockdale. But most dogs still have a way to go, he said. "They're doing OK, but they're not quite ready to do the adoption thing."

Some of the dogs are headed to the correctional farm at Point MacKenzie, where inmates will care for them. Stockdale said he likes that arrangement because the farm has more manpower than he does and the dogs will get more attention.

But while having the dogs at the farm will relieve some of the burden on his staff, some of the challenges are going to get worse. One dog has already had a litter of puppies. Another is very close. Stockdale said several of the female dogs arrived at the shelter pregnant.

The dogs, most of which were emaciated and dehydrated — and some of which had already died — were seized Jan. 10 from the Willow-area home of Frank Rich. As in most dog seizure cases, the borough said it could not adopt the dogs out immediately. The borough set to work on seizing the dogs permanently. Rich appealed a forfeiture notice the borough filed, which sent the case to borough administrative hearing officer, Karen Jennings. On Feb. 10, Jennings ruled in the borough's favor.

However, that might not be the final word on who owns the dogs. Rich has 30 days to appeal and send the case to state Superior Court. Borough Attorney Lisa Thomas said Thursday that she has received no notice that Rich has taken this route.

But while that uncertainty remains, Stockdale said he's proceeding with the process of rehabilitating the dogs and getting them adopted. He said that is the right move.

"The forfeiture was upheld," he said. "They're now the borough's dogs."

Thomas backed him up on that point. The case's status, she said, is that right now the dogs are the borough's property.

Running parallel to the borough's process is a criminal case filed at the Palmer Courthouse — set for a hearing today — in which Rich is charged with 50 counts of animal cruelty.

Jennings' ruling contains hints of what a potential jury in Rich's criminal trial might see.

According to borough staff, Rich first showed up on their radar in October 2002 when he applied for and received a kennel license, which subsequently expired in 2005.

In April 2006, the borough received a complaint of 20 puppies running loose on Kashwitna Road. Rich was warned about the loose dogs and told to apply to renew his kennel license. In 2007, the borough got another complaint, this time about aggressive dogs getting loose from his property. An animal control officer sent to investigate "observed unsanitary conditions in the dog lot," a borough report says. Rich was cited for those unsanitary conditions and for having an unlicensed kennel in August

2007.

A week later, Rich applied for a license. The borough agreed to put down 24 of his dogs to reduce the numbers in the kennel. Even with the reduced numbers, Rich failed the inspection necessary for the license. His kennel was inspected again in September 2007.

“While the dogs were no longer standing in mud and water, the conditions were still unsanitary,” Jennings wrote.

Finally, in October 2007, Rich passed an inspection and got a license, which expired in October 2010. He didn’t stay on the right side of the law for more than a year, though. In late 2009, the number of dogs on his lot had swelled to 155, which was above the 127 allowed by his license. He was issued a warning.

In April of last year he applied to renew his license. The borough hasn’t ruled on that application yet.

The ruling also contains a few snippets of how Rich tried to explain himself when animal care officers came to seize his dogs. He told them that the dead dogs had looked healthy and “suddenly died.” He said he’d quit his job two months prior to their arrival and that money had been tight. He’d sold a vehicle and other things to pay for dog food. He said he prioritized feeding the puppies because he could sell them and use the money to feed the adults. He said there was no water for the dogs because it would freeze when he put it out, “so the dogs eat snow.” He said he didn’t call the borough because he worried all his dogs would be put down, and anyway he said he “did not want to burden the borough.”

Jennings takes particular notice of testimony that Rich could have gotten water for the dogs at a nearby spring and that some of the dogs were found in a heated cabin on the property.

“Rich had a free source of water available and in addition, since the cabin was heated, could have kept the water from freezing so it could be provided to the dogs in his lot. Rich’s failure to provide the most basic of needs, water, when he had the capacity to do so is evidence that he cannot be relied on to care for the dogs if they are returned to him,” Jennings wrote.

Contact Andrew Wellner at [andrew.wellner@frontiersman.com](mailto:andrew.wellner@frontiersman.com) or 352-2270.



## Woman sentenced to probation in animal-cruelty case

September 24, 2010|by Ashton Goodell

ANCHORAGE, Alaska — She's been called a cat hoarder, but an Anchorage woman convicted on several counts of animal cruelty says she tried to give stray animals a better life. District Court Judge Alex Swiderski sentenced 54-year-old Deborah Allen Thursday for mistreating several dozen cats and dogs.

Allen won't be spending any time in jail, but will be on probation for 10 years. Animal-rights activists say Allen's good intentions to adopt strays almost killed her animals.

The city removed 32 animals from Allen's home last October. On Thursday, Swiderski ordered at least another 50 pets to be turned over to Animal Control as part of her sentencing.

The prosecutor, Herbert Viergutz, says Allen took on too many animals and couldn't take care of those she was trying to save. Several of them were skinny and sick, with lung congestion and coughs.

The animals have been kept as evidence for nearly a year at Animal Control -- but Allen claims the animals were in better condition under her care than they are now.

Both sides want the animals to find health, happy homes.

"Ms. Allen's rights to all of her animal victims should be forfeited immediately, thereby allowing all the animals at Animal Control a chance to find a new and loving home," Viergutz said.

"I tell you, Judge, if nothing else, if you don't have any respect for me or if you are going to give me jail time fine -- but please, please, please do not send my animals to Animal Control," Allen said.

Swiderski told Allen she could no longer care for or own animals. He said with a mental evaluation and a recommendation from a psychologist, he might consider allowing Allen a few personal pets.

Contact Ashton Goodell at [agoodell@ktuu.com](mailto:agoodell@ktuu.com)

## Homes sought for animals from cruelty case

October 01, 2010|by Ashton Goodell

ANCHORAGE, Alaska — Anchorage Animal Care and Control plans to remove dozens of animals from an Anchorage woman's home and animal shelter this weekend. A judge ordered Deborah Allen to turn over all of her animals after she was found guilty of animal cruelty.

At least 50 cats are waiting to be removed from Allen's home -- more than Animal Control can usually take on at once. Several shelters have stepped forward to help adopt out the animals, but even with the extra help, 50 cats and a handful of dogs is a lot to handle.

When Vickie Young with Polar Pug Rescue and Friends first saw her dog, Nym, she didn't even know she was a poodle. Her hair was matted down and covered in feces. Young adopted all the dogs removed from Allen's home.

"A far cry from when we first got them -- they were scared to death of people," Young said.

Several of the dogs had skin infections and eye problems from poor living conditions and a lack of medical care.

"They were in pretty rough shape: they had several inches of matting, which then causes them to have bacteria on the skin, and then the skin starts rotting away," Young said.

The dogs are doing a lot better now; most are healthy and ready to adopt, and Young has no doubt they'll find homes quickly. The problem is the cats -- Animal Control already has 11, and is expecting at least 50 more.

"We've had multiple calls about the dogs, but we have yet to receive a single phone call about the cats," said Animal Control's Brooke Taylor.

"We are very, very up-front with people when we have special-needs animals, and we have a lot," said Sally Clampitt with the Alaska Society for the Prevention of Cruelty to Animals. "Really healthy, talented, fabulous animals don't always end up in Animal Control."

Animal Control removed more than 23 cats from Allen's house last year, but didn't have the space to take in all the animals. It's still trying to make room and find other organizations to take on the rest of the animals staying at Allen's animal shelter, Chateau Pampered Purr.

Allen didn't want to talk on camera, but it's still possible she might pursue a civil case against Animal Control. She claimed in court that the shelter didn't adequately take care of the animals they took away from her, and she wants a third party to adopt the animals out.

Animal Control is ready to start adopting out the healthier animals, and will keep a waiting list of those interested in any of the animals still recovering.

Contact Ashton Goodell at [agoodell@ktuu.com](mailto:agoodell@ktuu.com)