

1. Abandoned Horse Case (Case No: D0122019CR000033)

Colorado Humane Society (CHS) was called about a dead horse in Costilla County. When the agent visited the site, he found a horse that had been tied to a tree and left for dead for several months. Upon questioning the owner, the owner admitted to leaving the horse for dead in the snow. The owner had been riding the neglected and emaciated horse in chest-deep snow down from the high country. When the horse was unable to go further, the owner tried to pull and prod the horse down the mountain. The horse was still unable to move, so the owner tied the horse to a tree and left the horse on the mountain to die. That is where the CHS agent found the horse next Spring, still tied to the tree.

This was not the owner's first experience with animal neglect. The owner had previously received a visit from the County sheriff about a malnourished mule on his property. He was provided with education about how to care for the mule, but sadly, the same mule was following the horse and owner in the snowstorm and has been missing since the previous fall.

The Costilla County sheriff's office wanted to press animal cruelty and neglect charges and prior to the election of DA Payne, the DA was pursuing the charges. However, when Payne was elected and the case became his, he dropped all charges.



2. Casper the Dog (Case No: 2020M38)

The Conejos County sheriff contacted CHS after receiving a call that a boxer-mix had been caught in a snare trap. The sheriff responded to the report and found the mutilated dog whose body had been nearly severed in half. He instructed the owner to seek veterinary treatment immediately. The owner neglected to obtain medical treatment, despite then driving into town a few minutes from the veterinary hospital. The owner then later called CHS and asked them to find medical care for the dog. CHS visited the property twice, once in the afternoon and again in the evening, but the dog was nowhere to be found.



The next day, the owner found the dog and shut him in her bathroom, but was troubled by the amount of blood and moved him to her garage, where she left him and again called CHS. The CHS agent returned for a third time to the property to find the dog in horrible condition with the snare still embedded around his stomach.

Despite that, the very sweet and gentle boxer was transported by CHS to Denver where he his injuries were so severe, the most humane outcome was euthanasia.

The sheriff's office recommended filing cruelty and neglect charges against the owner for her refusal to seek veterinary care for her suffering dog, but DA Payne declined to file charges against the owner.

3. The Hershey Case (Case No: 2020 CR 000039)

After receiving a disturbing report about a puppy mill with neglected, fighting dogs in Costilla County, the sheriff and a CHS agent visited the offending property. They were met at the gate by the belligerent owner, who stated he had more dogs on the property than allowed and they could come back next time with a warrant.

CHS then received another call from the Humane Society in Oregon where the same man was facing animal cruelty and neglect charges for an online puppy mill scam. This prompted the CHS agent and the sheriff to return to the property, attempting to verify the report.

When they arrived, the gate was open and the agent and sheriff attempted to contact with the owner. While on the property, the sheriff and agent could see several injured and neglected dogs. Using video footage, the agent and sheriff captured the abysmal conditions in which dozens of dogs were living, including a newly-born litter stuck under a tractor to which their mom was chained.

The sheriff's office, CHS and several partners organized a large-scale seizure of the dogs on the



property. For seven intense hours, teams rescued starving dogs, injured and sick dogs, aggressive dogs, dogs with no socialization and dogs in filthy metal cages that were too small in the hot summer heat. They also found two deceased dogs on the property. Altogether, they rescued 103 dogs, including five litters of puppies, suffering in unimaginable conditions.

The owner was charged with 107 felony counts and one misdemeanor, including 104 aggravated counts of animal cruelty, one felony count of theft, one felony count for cybercrimes, one felony count for violation of probation and one misdemeanor. However, after the initial hearing began with an aggressive attack from the defendant's attorney, DA Payne shockingly decided to drop all charge without explanation and the case was dismissed. All evidence and testimony provided by Gerald Garcia, our Bureau of Animal Protection Agent, was ignored.