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'Patty's Angels' found guilty of 38 animal neglect counts

May 4, 2005 – The patience and persistence of concerned citizens in Ulster County finally paid off last week when a jury in the Town of Rochester Justice Court found Patty Aline Abezis guilty of 38 criminal counts of animal neglect, and an assistant guilty of six counts. Abezis and Tracey Ann Pennington will be sentenced July 6. The maximum allowable sentence is one year on each count. The animals remain in their custody pending sentencing.

"Now that a jury has convicted Ms. Abezis on all 38 counts of neglect, the Animal Legal Defense Fund (ALDF) will be watching to ensure the judge does the right thing at sentencing by prohibiting her from having any more animals, since she was found to have failed to provide even a minimum level of care for the precious creatures entrusted to her by the community," ALDF senior attorney Dana Campbell said.

Originally, back in November 2002, Ulster County sheriffs and the local SPCA had charged Abezis, doing business as "Patty's Angels," and two assistants with 119 misdemeanor counts of animal neglect for 92 dogs, 24 cats and several hens and rabbits without sufficient food or drinking water, in kennels full and contaminated with aging feces, urine and standing water. Thirty animals were seized and taken to the Ulster County SPCA facility in the town of Ulster, but an estimated 100 animals remained with Abezis as she and Pennington fought the charges in Rochester Town Court.

The proceedings were repeatedly postponed before finally being addressed last week, and during that time the court imposed severe restrictions regarding access to the property, which have hampered efforts to monitor the condition and movement of all of the remaining animals on the property.

About a year ago members of the local community contacted the Animal Legal Defense Fund (ALDF) for help in overcoming the continuing delays in getting the case to court, and about ongoing concerns about Abezis' possible violations of a court order governing the animals left behind on the property and in the residence, which was off limits to SPCA monitoring.

ALDF attorneys began meeting and talking with officials at the SPCA and the district attorney's office to provide legal research, strategy, practical advice, and even an offer to assist with organizing shelter and vet care should the DA win an order to remove the rest of the animals. In January of 2005, ALDF publicized the case's procedural delays in the media in an effort to pressure the court to do whatever was necessary to get the matter finally heard.

Trial of the case was set and postponed at least four times previously, in June and October of 2004, and January and March of 2005, before finally proceeding to its resolution the last week of April, 2005. Twice a trial began, only to end in mistrial due to an insufficient number of jurors being called to serve.

"Despite the unconscionable delays and difficulties of bringing this large-scale hoarding case to court," Campbell said, "ALDF thanks the District Attorney's office and the jurors for ensuring that justice was served in Ulster County with this guilty verdict. It sends an important message to New Yorkers that if you are going to put yourself out there as a sanctuary or refuge for animals, you had better take seriously that responsibility to provide proper care for them or there will be criminal consequences."

In the original complaint filed Nov. 7, 2002, by Ulster County SPCA Investigator Thomas LaBuda, the investigator reported that when he visited the property at 412 Whitfield Road in Accord (N.Y.) on Nov. 6, he found evidence of

animals receiving insufficient water and food and in some cases suffering from apparent intestinal parasites. Some of the most vivid evidence was in the main house, which is currently off limits to investigators.

“We observed eight mixed breed puppies in a small 2 ft. by 4 ft. screened cage who were standing in their own feces and urine,” LaBuda wrote. “No water or water dish was present in the cage. The puppies had to climb over each other and I observed one puppy urinating on another puppy while I was standing near the cage. The odor of urine and feces in the room was overpowering. We then entered a room across from the puppy room and observed 3 large size, loose dogs and 6 large dogs in cages so small that they could not turn around inside of their cages. No food or water was present for any of the animals. In two of the cages the dogs were standing in their own feces.”

ALDF is a non-profit national network of hundreds of attorneys and more than 100,000 members and supporters (8,900 of them in New York State) which uses its expertise and experience in animal law to work with local concerned citizens to ensure humane treatment and appropriate enforcement of animal protection laws. In the spring of 2004, for example, ALDF responded to a call for support from the Fulton County (New York) SPCA and Spring Farm CARES animal sanctuary when an animal neglect court case involving 230 farm animals and dogs was seriously delayed and the threatened return of animals to their owners appeared very possible. ALDF held heavily publicized press conferences in Clinton, N.Y.; helped find a lawyer to represent the local animal groups' interests; and pressured the district attorney to obtain guilty pleas, the surrender of all seized animals to the SPCA, and a condition of ongoing veterinary inspections.

More recently, ALDF was awarded custody of roughly 300 dogs in a successful animal hoarding case in Sanford, North Carolina in April after after being asked to investigate investigate the situation just last November. Those dogs are now in the care of veterinarians, foster homes and rescue workers.