

HUMANE REVIEW

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The Newsletter of the New York State Humane Association



Trained and Ready to Go!

Hustling to get good seats, sheriff's deputies, state troopers, and others including a probation officer and an emergency management official, made their way into the training room at the Saratoga County Sheriff's Office on May 7, each of them eager to hone their animal cruelty investigation skills.

The capacity crowd came from as far away as Suffolk, Onondaga, and Kings Counties. Why all this interest? Because knowing how to effectively investigate animal cruelty is a hot topic, as cases appear to be on the upswing. Though it is not clear whether there is actually an increase in cases or whether it seems that way because of the importance animals have come to occupy in American culture. Regardless, people are demanding that something be done when they witness animals being abused or neglected – and they want it done now.

Concerned citizens reach out to local authorities for help, but because there is no comprehensive, hands-on police training provided by the Agriculture and Markets Department or municipal authorities, police are left puzzling out the cruelty laws to know what to do. And why is this so? Because police are trained on the Penal Law where the cruelty laws aren't -- and not on the Agriculture and Markets law where the cruelty laws actually are. Police want to help, but they are not sure how.

The Saratoga workshop was held to help fill that void, to give officers the tools they need. Retired State Police Investigator Sue McDonough has taught workshops across the state with NYSHA for over 25 years and spent over 20 years out in the field dealing with animal cruelty cases. She brings the laws to life by citing hands-on examples, ranging from cruel animal hoarding to dog fighting, the starving of horses, to the unjustified killing of wildlife; she has dealt with them all.

Bringing to bear the importance of veterinary expertise, Dr. Steve Naile, also experienced with animal cruelty cases, explained what to look for when investigating a complaint about neglected horses -- from observing and documenting their body condition to noting the environment in which they are kept. And he also points to what to look for: is there hay and grain, where are the feed receipts, is there potable water, are the hooves long and turned up? When is the last time the animal saw a vet or farrier? Both he and Sue advised officers to bring a veterinarian with them if possible when investigating to get a professional opinion and always to document with photos and witness statements, to provide evidence for police to request a search warrant.

Along with the hands-on instructors, Saratoga County ADAs, Terry Northrup and Rachel Phelan, brought their prosecution expertise in animal cruelty to the fore, informing attendees how to make the best case possible for them to take to court. They suggested that officers consider other charges in addition to cruelty, such as criminal mischief which would be relevant when a person damages the property of another, and yes, animals are considered property. They em-

phasized the importance of obtaining a court order at sentencing that prevents the convicted person from harboring or owning any animals for a long period of time as part of the person's sentence. They also pointed out that if there is an Order of Protection issued in the case, that animals be included, as it is well known that angry people often harm animals as a means to instill fear in others.

Sometime after the workshop, we contacted a sampling of attendees to see if they used what they had learned and were thrilled to hear the following from officers. From a Deputy, "The workshop sharpened and honed my knowledge base to investigate these cases. Make it a yearly event." From another, "Am considering adding Criminal Mischief to the animal cruelty charges and now will add animals to my Orders of Protection." And one of the best outcomes: "We've had success in several animal cases and other police have reached out to us." Officers helping officers — just great!

Conclusion: Yes, NYSHA's training workshops result in more animal cruelty being investigated and prosecuted and animals removed from horrid circumstances. Yes, our training is making a difference and that matters.

Please continue to support NYSHA and if you see cruelty occurring, do something! Call the police or SPCA and insist that something be done. If they need help, refer them to the NYSHA website where we have assembled comprehensive information to aid police, from an *Investigating Animal Cruelty in New York State* manual to a top notch video presentation on animal cruelty investigation. And they can also call NYSHA. We will help!



Saratoga Co. ADAs Mary Northrup, Esq. and Rachel Phelan, Esq. present valuable information at the workshop.

President's Message

At last. On the morning of July 7, in Orange County Court, justice was finally achieved for the racehorse Finish Line who had to be euthanized because of the brutal beating inflicted by horse trainer Frederick Bourgault.

The sentencing hour had arrived. Those of us present in court for Finish Line were hoping that the final entreaties made that morning on behalf of the convicted horse killer by his attorney would not sway Judge Guertin – they did not. In fact, the Judge seemed a bit miffed that the attorney had intimated that the Judge might have allowed himself to be swayed by the social media chatter about the case, in particular postings on Facebook. In fact, Judge Guertin said that not only was he not swayed by Facebook posts, he was not a subscriber to Facebook at all.

The Judge went on to issue a combined sentence of two to six years in state prison. In addition, Bourgault must pay \$5,000 in restitution. When he completes his sentence, prosecutors reminded Bourgault that based on an Orange County Local Law known as “Rocky’s Law,” he must register with the Animal Abuse Registry maintained by the Orange County Sheriff within five days of his release from custody.

In addition to having caused the death of Finish Line, Bourgault, around the same timeframe, attempted to cause physical injury to a woman and subsequently pleaded guilty to Attempted Assault in the

Second Degree. Bourgault is scheduled to be sentenced for that offense on October 2, 2025, and the prosecution is asking for a state prison sentence. So hopefully that sentence will run consecutively to the sentence on Finish Line.

This entire series of events is an excellent example of the recognized correlation between animal abuse and human violence. We can only hope he is in prison for a long time to prevent him from abusing more animals and people.

We again are thankful to the Orange County DA’s Office for the great job they did, along with the outstanding work of the State Police Investigators, without whom Finish Line would never have achieved this degree of justice. These committed people, including the tipster who brought the death to the attention of State Police, made all the difference.

We too can help animals in neglectful and abusive situations. As the saying goes, if you see something, say something -- to your local authorities, be that the SPCA or the police. When you call, be sure to note the facts: who, what, where and when and be specific. That is of most importance. Be specific, persevere, and you can help bring rescue and relief to an animal.

Please be kind to animals,

Pat Valusek

The Vet Is In: Fleas and Ticks, Oh My!

As the calendar moves from summer to fall and winter, we often see a surge in flea and tick populations. Eggs and immature forms of these pests wait for the right environment to complete their life cycles, and seasonal changes provide that opportunity. Failure to control them beforehand can result in illness for pets, ranging from allergic skin problems to infections such as Lyme disease, while also exposing humans to potential zoonotic diseases.

Another consequence of poor control is the “seeding” of a household with eggs and larvae. When heating season begins, indoor warmth can cause these dormant forms to hatch, unleashing a wave of hungry pests eager to mature and reproduce.

Fleas and ticks differ in their role as disease vectors. Tick-borne illnesses—Lyme disease, Anaplasmosis, and Ehrlichiosis—are widely recognized threats to humans. Fleas, however, transmit diseases such as Cat Scratch Fever, Plague, and tapeworms, which can also affect both people and pets but are often overlooked.

Why do ticks seem more abundant today? A major reason is human encroachment into their ecosystems. As we build homes and neighborhoods in what were once open fields, we bring ourselves closer to deer and mice that sustain the tick life cycle. Deer benefit from the protection of our gardens and plantings, while mice thrive on the food and shelter we provide. Those seemingly harmless mice that invade homes are, in fact, critical reservoirs for ticks and the diseases they spread.



Consult your vet for appropriate flea/tick medicine.

(Photo by Ayla Verschueren on Unsplash)

So, what can we do? The first flea and tick products of the late 1960s and early 1970s were only marginally effective, carried high risks of adverse reactions, and quickly faced resistance. Over time, newer products have been developed that are safer, more effective, and longer lasting. While earlier treatments required monthly applications, many modern preventives now remain active for weeks to months.

To protect pets—and ourselves—the best step is establishing a veterinarian-client-patient relationship with a trusted professional. A veterinarian can recommend the most appropriate preventive tailored to your pet’s needs. Avoid relying on “Dr. Google,” social media, or outdated remedies, as misuse of products can cause harm.

The risks fleas and ticks pose should never be underestimated. A dog or cat suffering from flea-bite allergies can be miserable, and the toll of Lyme disease or Anaplasmosis on pets or people can be devastating. In this area of pet care, an ounce of prevention is worth far more than a pound of cure.

(Note on horses: Currently, only one approved tick-control product exists for equids. It is generally safe but only moderately effective. Some

small animal products are used off-label in horses—consult your equine veterinarian before considering such options.)

By Dr. Steve Naile

Animal Cruelty Response Program

NYSHA has long been recognized for its expertise and assistance in addressing animal cruelty cases, working with humane organizations, the general public, or law-enforcement. We have regularly held workshops teaching the cruelty laws, veterinary aspects of investigations, cooperation with DAs and law-enforcement, and highlighting the connection between human violence and animal cruelty.

This year we were able to strengthen our outreach by creating a new initiative within NYSHA -- the Animal Cruelty Response Program. We have expanded our efforts with the goal of having field representatives -- retired law-enforcement officials -- throughout New York State to assist any police agency or individual faced with animal cruelty and not knowing what to do or how to do it.

We encourage individuals who encounter suspected cruelty or neglect to first contact their local police or SPCA to investigate the problem, as many counties have excellent humane law enforcement

resources. If they feel the situation needs further action or have questions, they can contact NYSHA. (www.nyshumane.org/contact or call 845-336-4514)

Although assisting in cruelty cases or leading the investigations is not new to NYSHA, the areas we are now impacting or plan to impact will make a big difference throughout New York.

Since January, we have improved the lives of hundreds of animals, including cats, dogs, goats, pigs, horses, and sheep, and several of those cases received a lot of media attention.

Watch this newsletter and our website for updates on this unique endeavor. And remember – if you see something that makes you uncomfortable, please call someone who can help. It is due to everyday observers that we can all make a big difference to alleviate animal suffering.

The World Around Us – Atlantic Flyway

It's that time of year again when the New York skies are filled with birds migrating into and out of our state in preparation for the upcoming winter. This busy season begins in mid-August and runs through December. With millions of birds taking to the skies, one might expect chaos — but once again, nature's brilliance shines.

The secret behind this seeming madness lies in the flyways. There are four major flyways in the U.S. : the Atlantic, Mississippi, Central, and Pacific.

The Atlantic Flyway runs north to south from Canada to the Gulf of Mexico and the Caribbean, and east to west from the East Coast to the Appalachian Mountains. More than 500 species of birds from New York and beyond travel along this corridor, which spans approximately 1.6 million square miles, with much of it over coastlines and open water. Birds use this route to seek warmer climates and better feeding grounds. Not all birds however travel the entire length of the flyway — some migrate only a few hundred miles, while others journey thousands.

To navigate these vast distances, birds rely on multiple tools, including sensing the Earth's magnetic fields, following landmarks like rivers and coastlines, using the sun and stars, and even their sense of smell.

This is a wonderful time of year for bird lovers to spot species



Migrating birds fill the skies this time of year.
(Photo by Maxim Shutov on Unsplash)

that are not typically seen in our area. As waterfowl, shorebirds, ducks, and songbirds fill the skies, keep an eye out for Snow Geese, Mallards, Eastern Bluebirds, Wood Thrushes, American Goldfinches, Red-winged Blackbirds, and Black-capped Chickadees, to name just a few. For a more detailed list, visit audubon.org.

To help these birds along their journey, New Yorkers are encouraged to:

- Turn off outdoor lights at night to avoid disorienting birds during nighttime flights.
- Place stickers or decals on windows to prevent collisions, especially for birds un-

familiar with the area.

- Keep water available.
- Avoid feeding ducks and birds bread or crackers, which are harmful to their health. Instead, visit your local bird supply store and choose natural seeds that provide proper nourishment and energy for migration.
- Protect natural habitats — such as wetlands, coastal areas, and forests — that serve as critical stopovers along their routes.

By taking these small steps, we can make a big difference in helping our feathered travelers complete their incredible journeys safely.

Our Voices in Albany

No animal bills NYSHA supported were passed by the NY Legislature this year. In the next session, we will continue to lobby for some excellent bills that died in committees or only passed the Senate. The new session starting in January will be upon us in no time.

A way to keep yourselves informed as to where bills are in the process and when you should call your own legislators is through our legisla-

tive alerts email blasts. If you are not already getting them, you can add your email address to the enclosed reply card and return it to us.

Although we certainly appreciate donations, it is not necessary in order to be on our email list. And, we promise not to inundate your inbox!

Spotlight – Kelly DeVall

Saratoga -- mostly known for horses and the high life – is fortunate to have a top notch county animal shelter that serves the community's animals. Kelly DeVall began work in the newly-built shelter in 2010 as a contract Veterinary Technician, was hired full time in 2014, became the Deputy Director in 2015 and Director in 2023. Through her tenacity, the Saratoga County Animal Shelter has become a leading voice and advocate fighting cruelty cases.

The facility has housed all types of small animals and even a few scary tarantulas. Although there are no facilities for farm animals, they have taken in a couple of roosters and two potbellied pigs who were housed in dog quarters. During a recent cruelty case, various fowl were held in outdoor dog kennels until a foster group could pick them up.

Unfortunately, according to Kelly, the majority of the current dog population at the shelter is made up of cruelty cases. As she explained, "We always ask for a surrender of animals in these cases and sometimes get lucky, but when they aren't surrendered, the animals pay the price. These court cases take forever, causing the animals to remain in the shelter for up to a year or longer. We take very good care of them, but shelters were built for temporary housing and are no replacement for a home. It is important to sever the ties between the animals and the court case itself as soon as possible."

Kelly believes that though they are handling more cases, she doesn't think cruelty is more prevalent, but that people are more aware and law enforcement is becoming educated and learning how to handle these cases. She said she believes hoarding cases are a result of people becoming overwhelmed and there is most likely a mental health component as well. Other cases result from ignorance, and sometimes injuries occur from bursts of anger.

One has to think about the correlation between animal cruelty and human violence. In Kelly's own words, "If you can throw a dog out of a truck window for defecating on your truck seat, what would you do to your child or spouse. We have had cases where there was clear intent to cause the animal



Kelly with a lap full of Calea in front of Saratoga Co. Animal Shelter.

harm, but unfortunately the courts did not see it that way. We need stronger penalties in a lot of these cases. A misdemeanor is a slap on the wrist. It's not enough."

According to Kelly, space, staffing and money are continual problems. More medical staff is needed to provide the level of care required on a daily basis. Cruelty cases can incur much expense. She is grateful to Friends of the Saratoga County Animal Shelter, a group that provides items for the animals at the shelter above and beyond the County budget. With cruelty cases, they aid the rescue groups and fosters who hold some of the animals while cases are pending.

Practicing Shelter Medicine is probably the most rewarding job ever, although at times it can take its toll. She sees more miracles happen in Shelter Medicine than she did in veterinary private practice. "Our small staff and volunteers have been a lifesaver to me and for the animals."

When asked her proudest achievement, she replied it will be helping to form a cruelty/neglect task force in Saratoga County. "I have gotten to meet some incredible people over the past 15 years. I have formed a great working relationship with the Sheriff's Office K9 Unit early in my employment with the Shelter and now the Shelter provides all of the basic medical care and referrals for the Unit. Additionally, the Unit has taken over the majority of responsibility for cruelty/ neglect cases. It's a win-win for everyone. I feel very blessed."

As most of us know, it's difficult to be in a shelter and not want to take everyone home, but Kelly has managed to limit her animal family to two dogs, three cats and a parrot. Thus, even her time at home involves caregiving. She added, "I do find peace in the simple things. I love to garden and hope to do more when I retire, I enjoy seeing the sunrise every morning and watching the birds at the feeders on my deck while drinking coffee every Sunday morning."

Kelly recently assisted NYSHA's Animal Cruelty Response team with a case -- for that and all she does, her community is truly blessed as well. Thank you, Kelly!



At home with her dogs, Kelly snuggles with Amara, as Lola waits her turn.

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Vol. XLVI, Fall, 2025. Published by the New York State Humane Association, Inc., PO Box 3068, Kingston, NY 12402

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