

## Judge: County \$290,000 dog care claim in cruelty case cruel too; care not jail for Riggieri

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KEENE — The man convicted of mistreating 52 Labrador retrievers living in squalor at his Marlborough home won't go to jail under the sentence imposed Friday.

Deputy County Attorney Kathleen O'Reilly wanted John Riggieri to spend time in jail, and repay the Monadnock Humane Society close to \$300,000 for the care of the dogs, but Judge James Gleason disagreed with her sentencing request, saying Riggieri is unlikely to ever be able to pay such a sum.

"We have laws to protect dogs, we have laws to protect animals in this state, but we also have a constitution in the United States," Gleason said. "I'm not going impose a cruel and unusual punishment."

Instead, Riggieri, 58, must undergo an immediate psychological evaluation and serve two years of probation as part of the sentence.

Riggieri has a 90-day suspended jail sentence hanging over his head for the next two years, during which he is to undergo whatever mental health treatment is recommended after the evaluation. Riggieri will have to pay \$78,000 in restitution to the Monadnock Humane Society.

Emily Kerylow, who heads up the shelter operations at the Monadnock Humane Society, testified the organization has spent more than \$250,000 from July 10 to the end of March, caring for the dogs.

"We've never experienced that kind of volume before," she said.

The organization has 22 kennels on site, and was quickly overwhelmed with the dogs when they were taken from Riggieri, said Kerylow. The animals are all now in foster care.

O'Reilly wanted Riggieri to pay the group about \$290,000.

Keith Matthews, Riggieri's attorney, said his client is currently living in his car and unemployed. Matthews said Riggieri needs to start taking care of himself and address his mental health.

"What are we judging Mr. Riggieri for? The mistake Mr. Riggieri is guilty of is pride. Mr Riggieri put his dogs before himself in this situation," Matthews said.

The dogs were taken from Riggieri's Marlborough home on July 10 when he was served with an eviction notice. Police say the animals were living in filth in the home and that puppies kept in a bathtub were injured, according to court records.

Riggieri tried to get help for the dogs months before they were taken, reaching out to the Monadnock Humane Society to see about giving animals up for adoption. But the shelter insisted on have the dogs spayed and neutered, Matthews said, something Riggieri philosophically disagreed with.

As part of the sentence handed down, Riggieri is not allowed to have any animals for a decade, after which he may have one dog or other animal, but the animal he keeps must be spayed or neutered.

Riggieri asked the court if he could instead keep a dog that had had a vasectomy, but Gleason declined to grant that request.

As for the dogs in foster care, they will remain in legal limbo as Riggieri appeals. The dogs cannot be adopted by their foster homes until the case is closed. Gleason also declined to require Riggieri post a \$100,000 bond in order to keep his interest in the animals while the appeal is pending in Cheshire Superior Court.