

Cruelty case deal: NHSPCA can finally put 28 German shepherds up for adoption

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STRATHAM — A Bristol woman has agreed to surrender 28 German shepherds dogs that have been in the custody of the New Hampshire SPCA while she has been awaiting to be tried and retried on animal cruelty charges.

Jennifer Choate, 50, is scheduled to plead no contest to two misdemeanor counts of animal cruelty Oct. 11 in Grafton County Superior Court as part of a negotiated plea deal. As part of the deal, Choate will be banned from kenneling or breeding dogs for five years and must surrender the dogs to the SPCA in Stratham.

“This is the day that we have been waiting on for far too long,” said SPCA Executive Director Lisa Dennison. “We took some of these dogs into custody in December of 2017 and the rest on Jan. 2, 2018. The system has failed them at every turn, but today we can finally celebrate that they are ours and soon they will be able to be adopted into loving, forever homes. And finally, we will be able to breathe again.”

The dogs have been held in the protective custody of the SPCA for 22 months. The SPCA is required by law to keep the animals, held as evidence until the court decides their fate.

Choate was charged with 24 counts of animal cruelty in 2018 after police discovered the dogs in a barn with no heat or fresh water in subzero temperatures. Choate was originally found guilty on 22 animal cruelty charges in July 2018 but appealed the verdict to Superior Court, seeking a jury trial. During that trial in April, Choate was found not guilty of two of the charges but a jury was unable to reach a verdict on the remaining charges. She was scheduled to be retried until the deal was reached between prosecutors and her defense attorney.

As part of the deal if accepted by the judge, she will receive a 12-month sentence on each count, suspended on the condition she surrenders the dogs and remains on good behavior for five years. The SPCA agreed to waive a \$616,908 in restitution for caring for the animals as part of the deal.

Dennison said getting the dogs released was their highest priority. “We know by experience that typically a very small percentage of restitution is ever actually paid,” she said.

“It was a difficult decision to agree to waiving restitution. This case has cost our agency a great deal,” said attorney Josh Scott, president of the SPCA board of directors. “But our board agreed that, as always, the most important thing is the animals, not the money. Under the circumstances, I think this is a great result.”

The SPCA will now begin getting the dogs ready for adoption. All the dogs will be sprayed and neutered, which the SPCA was unable to do while the dogs were in protective custody.

Dennison said they have received more than a hundred adoption applications. Volunteers that helped to care for the shepherds will have the first opportunity to adopt them.

“Then we will begin the long process of matching the characteristics of the dogs with potential adopters,” Dennison said. “If all goes well, by Thanksgiving these dogs will be home for the holiday.”

Dennison said the case left the SPCA’s SOS Fund in dire straits. The fund provides emergency money to cover the cost of caring for rescue animals.

“Our community has been supportive and generous through this process, but we need to rebuild our SOS Fund to be able to continue to care for these dogs and prepare for other animals that may need us,” she said.

Tax-deductible contributions can be made to the [SOS FUND](#) at nhspca.org. Gifts also can be made by phone at (603) 772-2921 ext. 106 or by mail to New Hampshire SPCA, PO Box 196, Stratham, NH 03885.