

Statement of State Attorney Steve Russell on Animal Abuse

As with our law enforcement partners and concerned citizens, I and my prosecution staff are outraged when the abuse and torture of animals comes to our attention. While the viewing of such animal abuse creates sometimes gut-wrenching and blinding emotional reaction, every prosecutor takes an oath to uphold the Constitution and the laws of Florida.

Information, including audiovisual recordings, independently gathered by Animal Recovery Mission (ARM) was submitted in part to the Lee County Sheriff's Office (LCSO) investigators and later to my prosecutors over the last two years. After careful review of the materials, legal research, consultation with other relevant government agencies and experts on the issues, and multiple discussions with ARM representatives and LCSO investigators, my office concluded that there were various legal and factual deficiencies prohibiting prosecution in these particular matters.

These problems were shared with ARM representatives in the hope that their organization might work directly with law enforcement, abide by laws authorizing and ensuring the admissibility of surreptitious recordings, and follow the legal requirements of citizen informants used by law enforcement which are designed to ensure the safety of those involved and the integrity of the investigation. As prosecutors, we must continue to uphold the rule of law, the cornerstone of our democracy for well over 200 hundred years, even where its application may be frustrating and unpopular for some.

My office has been and always will be dedicated to vigorously prosecute animal abuse cases when supported by sufficient, legally admissible evidence and the law. We look forward to working with law enforcement, concerned citizens, ARM, or anyone else to hold animal abusers criminally accountable.

**Steve Russell
State Attorney – 20th Judicial Circuit**