

July 25, 2007

The Honorable Gerald G. Poindexter
Commonwealth Attorney
Surry County Commonwealth Attorney's Office
P.O. Box 65
Surry, VA 23883

2 pages via fax and e-mail: GPointexter@courts.state.va.us

Dear Mr. Poindexter:

You may remember me. Several years ago, we met and corresponded about a cruelty-to-animals case involving defendant Benjamin Butts, who had been accused of fighting dogs in your jurisdiction. Butts couldn't have found a better place to commit this felony crime. From start to finish, the case against him was mishandled: Until we stepped in, the dogs were scheduled to be returned to the property from which they were seized pending outcome of the trial. Once we won that battle, some dogs were stolen from area animal shelters; others died of untreated injuries and malnutrition while in "protective" custody. As part of a plea agreement, you allowed Butts to continue breeding and returned to him not only what was obviously the "prize" dog—the biggest, strongest, most aggressive male—but also Butts' dogfighting paraphernalia, including two treadmills, one of which is believed to have been found on Michael Vick's property last April.

Now, almost seven years later, all eyes are again on your office, your conduct, and your next (and first) move on the Vick case. It's been three months since the initial search of Vick's 1915 Moonlight Rd. property, which revealed dozens of pit bulls—some scarred and malnourished—apparently kept chained on the property for the purpose of fighting to the death, along with treadmills, a rape stand, a bloody fighting pit, and more. As you know, last Tuesday, an 18-page federal indictment was filed against Vick and three others, setting forth in gruesome detail allegations of a carefully crafted, well-thought-out plan to operate an underground, interstate dogfighting enterprise as well as the chilling, mostly felonious ways in which dogs who did not "perform well" were allegedly done away with: They were drowned, electrocuted, hanged, slammed to the ground, and/or shot.



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But so far, with exceptions of your office's implausible excuses for not moving forward with a warrant to unearth dead dogs (which was then executed by the federal government) and for not taking the case to the grand jury (which the federal government also beat you to), you've been silent. *And idle.* Your name and reputation have been smeared on national television for your failure to move on any of the evidence uncovered by a variety of agencies and offered to your office on a silver platter, to no avail.

The Vick case is not going away, and neither is America's outrage. Our office is being inundated with calls and e-mails from people all over the nation who are deeply upset by the allegations and wish to express their concerns to you, an elected official who has taken no action on the case despite evidence strong enough to prompt an indictment from a federal grand jury.

Code of Virginia § 3.1-796.122 and § 3.1-796.124 allow for the felony prosecution of cruelty to animals and dogfighting, respectively. On behalf of the tens of thousands of people who have visited our Web site and who wish to see justice served, we await your news.

Thank you for your time and consideration.

Sincerely,

Daphna Nachminovitch, Director
Domestic Animal and Wildlife Rescue & Information Department

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