
STATE OF VERMONT
OFFICE OF THE CHITTENDEN COUNTY STATE'S ATTORNEY
32 CHERRY STREET
BURLINGTON, VERMONT
05401

Case # 11SB02320

APPLICATION FOR SEARCH WARRANT

NOW COMES Officer Anthony James, AND REQUESTS THE HONORABLE COURT TO ISSUE A WARRANT TO SEARCH the house rented by Matt Williams (DOB 11/25/71). The house is #52 Smith Road and is located on the east side of Smith Road. The house is located near the intersection of Smith Road and Hickory Lane. The residence is a gray/blue two story house with white trim. The house has a stone wall on the west side of it and a wooden split rail fence on the north side of it.



FOR THE FOLLOWING DESCRIBED PROPERTY OR OBJECT(S):

1. A Rottweiler dog named "Fred" "Fred" is dark black and brown dog and approximately 100 pounds. "Fred" is about 5 years old.
2. A Pug named, "Mike." "Mike" is dark gray with a shade darker on the face. "Mike" is about 20 pounds and about 7 months old.
3. A lacrosse stick.
4. "Purple Power" engine cleaner.

AND IF SUCH PROPERTY OR OBJECT(S) BE FOUND THERE TO SEIZE IT, PREPARE A WRITTEN INVENTORY OF IT, AND BRING IT BEFORE THE DISTRICT COURT OF VERMONT, UNIT NO. II.

THE APPLICANT HAS PROBABLE CAUSE TO BELIEVE THAT SUCH PROPERTY OR OBJECT(S) WILL BE FOUND AND WILL CONSTITUTE :

A violation of Title 13 VSA 352 Cruelty to Animals

FOR THE PURPOSE OF ESTABLISHING PROBABLE CAUSE FOR THE ISSUANCE OF THIS WARRANT, THERE ARE ATTACHED HERETO THE FOLLOWING AFFIDAVITS:

A. Affidavit of **Officer Anthony James**

THIS APPLICATION IS EXECUTED BY ME, THIS 19th DAY OF October, 2011.

_____ (Applicant/ Officer)

**SOUTH BURLINGTON POLICE DEPARTMENT
AFFIDAVIT OF PROBABLE CAUSE FOR ARREST**



**STATE OF VERMONT SS. .
COUNTY OF CHITTENDEN**

Now comes **Officer Anthony James**, affiant, being duly sworn and on oath, deposes and says he has probable cause to believe the following:

1. I am a Police Officer in the State of Vermont. I am presently assigned to the Patrol Services Division of the South Burlington Police Department
2. On October 18th 2011 at approximately 1449 hours I received the complaint of animal abuse. The complainant, Julie Palmer (DOB 02/23/65) advised her son, Paul Williams (DOB 01/09/95) recently divulged his father's maltreatment of their pet, "Fred."
3. Ms. Palmer advised "Fred" is a Rottweiler owned by her ex-husband, Matt Williams (DOB 11/25/71). Ms. Palmer advised her son described a recent event involving abuse of "Fred;" Mr. Williams sprayed him in the face with engine cleaner repeatedly after the dog growled at him.
4. Ms. Palmer advised this event was not the first time the dog had been abused. Ms. Palmer advised when "Fred" was a puppy Mr. Williams kicked him with steel toed boots. Ms. Palmer advised "Fred" was once struck with a lacrosse stick repeatedly. I asked Ms. Palmer why the dog was victimized and she advised it was because of Mr. Williams' temper.
5. Ms. Palmer stated, "Matt has abused 'Fred' since day one. 'Fred' is made to stay in a backroom of the house all by himself and only let out once or twice a day...he has lost a lot of weight."
6. Ms. Palmer advised she and her other son, Neil Williams (DOB 01/18/90) do not get along. Neil Williams lives with Matt Williams at 52 Smith Road and is witness to much of the abuse. Ms. Palmer advised her son, Paul was worried about coming forward about the abuse but feels it necessary considering the severity and escalation.
7. Ms. Palmer also added Matt Williams recently bought a puppy ("Mike"). Ms. Palmer advised "Mike" suffered a broken leg. When asked about how "Mike" suffered the broken leg Matt provided two different stories to family members. Considering the history of Mr. Williams' abuse of "Fred" Ms. Palmer found the puppy's broken leg to be suspicious. Ms. Palmer advised Matt had told his mother "Mike" broke it's leg attempting to jump from the backseat of a car to the front. Mr. Williams later told his son Neil "Mike" broke it's leg after "Fred" trampled it.
8. Ms. Palmer advised 6 or 7 people have been attacked by "Fred" since he has been in the care of Mr. Williams. I asked if any of the dog bites were reported to the South Burlington Police Department. Ms. Palmer advised they had not. Ms. Palmer advised Matt Williams and his wife, Sara Williams (DOB



01/25/77) because the children were friends with her, Neil Williams and Paul Williams.

9. I asked Mr. Palmer if she knew who the primary veterinarian for “Fred” was. She advised she did not know.
10. I asked Ms. Palmer if she would be able to accompany her son Paul to the Police Department in order to fill out a sworn written statement. At approximately 1800 hours Ms. Palmer arrived accompanied by Neil Williams (DOB 03/08/1997), Paul Williams and Shawn Williams.
11. Officer Tom Wainman obtained signed sworn statements from Paul and Neil. In a statement Paul Williams wrote;

- a. *“My Dad Matt Williams has a dog named Fred that he has abused and neglected since he has lived with us. I’ve seen most of the abusing, he has kicked the dog, punched the dog and sometimes wont feed it for days. Recently he has hit the dog with a lacrosse stick. The dog is corrently locked up in the back of the house and hardly ever gets to eat or go outside, there is poop and pee in the room with the dog because he doesn’t go outside to go to the bathroom. The dog was sprayed in the eyes with purple power which is a cleaning substance used on dirtbikes, fourwheelers, and cars, the dog was blinded for around a half hour.*

*lacrosse stick- within two months ago
Purple power- within two months ago*

Currently locked up in a room, doesn’t eat or go outside.

My dad has kicked him and threw things at him for the past five years.”

11. Dustin Williams provided Officer Wainman with a sworn written statement writing;

- a. *“My dad Matt Williams has a Rottweiler named Fred that has been abused since he was a puppy. I have seen him been abused many times. he has been beaten with a lacrosse stick and sprayed in the face with purple power. They don’t feed him and they lock him in the back room of the house. My dad has tried to shot him with a bow and do many things to him. the dog has gotten really skinny because they don’t feed him. you can see his ribs and hip bones. they dont give the dog baths so hes dirty and has fleas”*

12. Dustin Williams and Paul Williams’ statements are incorporated by reference as if fully set forth herein.

13. According to Purple Power’s website; the chemical is an industrial strength cleaner and degreaser which when contacts the eyes *“can cause burns or irritation. Severe irritant. Can cause redness or tearing.”*

http://www.clean-rite.com/purplepower_industrial_strength_cleaner_degreaser.html



14. On October 19th 2011 I followed up with Ms. Palmer at her home. Ms. Palmer described the dogs as follows: “Fred” is a dark black and brown dog and approximately 100 pounds. “Fred” is about 5 years old. “Mike” is dark gray with a shade darker on the face. “Mike” is about 20 pounds and about 7 months old.
15. At approximately 0840 hours I called Happy Dog Veterinary Hospital and spoke to employee, Jessica Reed (DOB 06/19/84). Ms. Reed advised “Mike” was seen by Dr. Joel Brown on September 17th 2011. Ms. Reed advised “Mike” suffered an avulsion fracture to the *tibial tuberosity*. Ms. Reed advised an x-ray confirmed the bone fracture and Mr. Williams was referred to The Veterinary Clinic in Montpelier, VT for further treatment.
16. At about 0850 hours I received a facsimile from the Happy Dog Veterinary Hospital confirming “Mike” was seen after suffering a tibial tuberosity and was referred to The Veterinary Clinic.
17. I called The Veterinary Clinic at about 0900 hours. Dr. Karl Rogers advised his center has not treated or seen “Mike.” Dr. Rogers explained the fracture to me. He advised the severity of the avulsion is dependant upon how far the displacement of the tibia is from the patella. He also advised an avulsion fracture occurs when a bone breaks and a fragment of the bone is separated by the pull of an attaching muscle, tendon or ligament. Dr. Rogers advised a puppy being trampled by a bigger dog or a puppy getting it’s leg stuck in between a center console and car seat is consistent with this type of injury. He also stated the injury could also be a result of abuse, as it does not take significant trauma to cause the injury; pulling on a puppy’s leg could result in the injury. Dr. Rogers advised the surgery to repair this injury would cost about \$1,500.00 at his center. He provided me with a list of other veterinary clinics which perform these surgeries; Bing’s Emergency Clinic, Dr. Henry of the Vermont Small Animal Surgical Center, Dr. Knight of Houlihan’s Animal Hospital and The Chittenden County Animal Clinic. After speaking to Dr. Rogers I called all the surgical veterinary clinics provided and determined “Mike” was not seen at any of them.
18. Based upon the sworn written statements provided by family members who have witnessed the animal cruelty as well as the information pertaining to “Mike’s” leg fracture, corroborated by a veterinary clinic, I believe both dogs are placed in jeopardy if they are to remain in the care and supervision of Mr. Matt Williams

Subscribed and Sworn Before Me

this _____ day of _____, 20_____

_____ Affiant

_____ Notary Public

_____ Date



STATE OF VERMONT
COUNTY OF CHITTENDEN, SS.
SEARCH WARRANT

TO: Officer Anthony James, SOUTH BURLINGTON POLICE

YOU ARE HEREBY COMMANDED TO SEARCH:

the house rented by Matt Williams (DOB 11/25/71). The house is #52 Smith Road and is located on the east side of Smith Road. The house is located near the intersection of Smith Road and Hickory Lane. The residence is a gray/blue two story house with white trim. The house has a stone wall on the west side of it and a wooden split rail fence on the north side of it.

FOR THE FOLLOWING DESCRIBED PROPERTY OR OBJECT(S):

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SERVING THIS WARRANT AND MAKING THE SEARCH BETWEEN THE HOURS OF 6:00 AM AND 10:00PM WITHIN 10 DAYS FROM THE DATE HEREOF, AND IF THE PROPERTY OR OBJECT(S) BE FOUND THERE, TO SEIZE IT, PREPARE A WRITTEN INVENTORY OF IT, AND BRING SUCH PROPERTY OR OBJECT(S) BEFORE THE DISTRICT COURT OF VERMONT, UNIT NO. II.

THIS WARRANT IS ISSUED UPON THE BASIS OF AN AFFIDAVIT AND FINDING OF PROBABLE CASE BY ME, FILED WITH THE CLERK OF THAT UNIT.

DATED AT BURLINGTON, COUNTY OF CHITTENDEN, ON THIS _____ DAY OF October, 2011.

Judicial Officer

