

## ANIMAL ABUSER RECEIVES 2 YEARS

Posted: December 7, 2013

By **MELISSA BOUGHTON**

*The Winchester Star*

**WINCHESTER** — Russell L. Ebersole was taken to jail on Friday after an extended sentencing hearing regarding his October convictions on four counts of animal cruelty.

After hearing testimony from the 53-year-old Aberdeen Acres Pet Care Center owner, Judge Clifford “Clay” Athey sentenced him to four years, with two years suspended, four years of unsupervised probation and a \$10,000 fine.

The sentence and probation will be served consecutively.

Ebersole is also prohibited from owning or possessing any companion animals for four years after his release from jail.

Seven other animal-cruelty charges were not prosecuted as part of the plea agreement Ebersole accepted on Oct. 4, when he abruptly ended his bench trial.

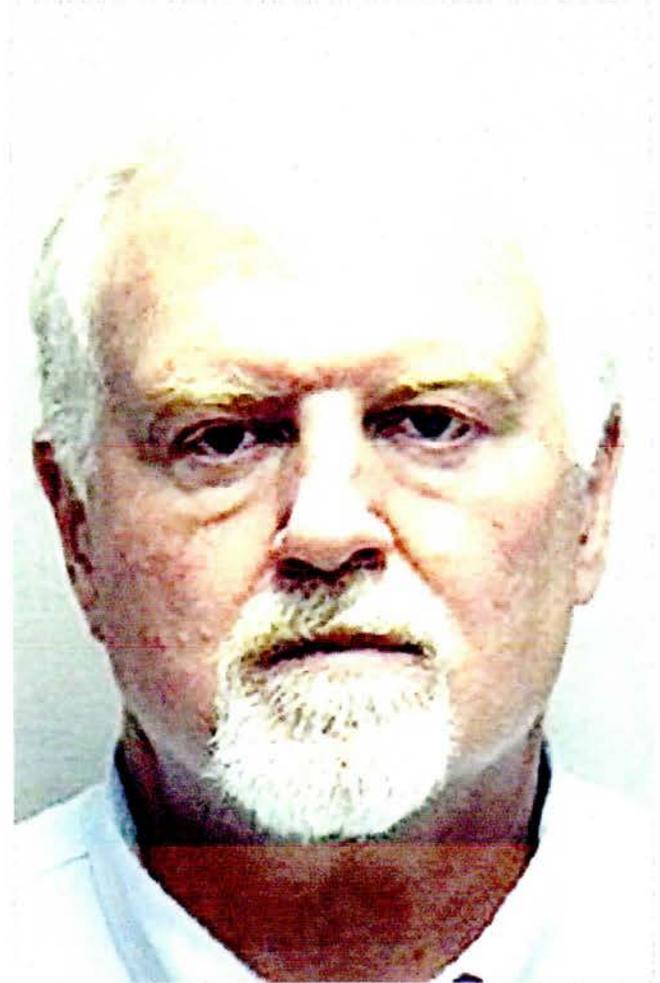
His attorney Roger Inger asked that Ebersole be allowed to delay reporting to the Northwestern Regional Adult Detention Center to put his Stephenson-based kennel business in order, but Athey denied the request.

Assistant Commonwealth’s Attorney Andrew Robbins was reluctant to say he was pleased with the sentence, but added that he thought it was fair. “I think [Athey] strove for justice for the victims and the families of the victims.”

Ebersole was found guilty for cases involving:

Flash, a bloodhound kicked by Ebersole until the dog defecated on himself.

Abby, a poodle that Ebersole shocked numerous times, threw and jabbed with a wooden agility pole.



*Russell Ebersole*

Achilles, an Italian mastiff that Ebersole choked until the blood vessels in his eyes burst.

And Owen, a Labrador retriever puppy that Ebersole suspended off the ground by a choke collar so many times that the animal defecated on himself.

Robbins said that because of the good-credit system — in which a defendant can receive one day off a sentence for every day he serves with good behavior — Ebersole would likely serve one year in jail.

Still, that gives prosecutors time to focus on other aspects of the case, such as working with state agencies to determine what can be done about Ebersole's continued operation of Aberdeen Acres.

Athey made it clear on Friday that he did not believe the justice system allowed him to extend the prohibition of possession of companion animals to Ebersole's business, which he said has boarded about 14,000 cats and dogs.

He also said he did not believe he could order Ebersole, who has owned Aberdeen Acres since 1996, to divest his interest in the organization.

According to Friday's testimony, seven employees work at the kennel and 30 animals are being boarded there.

What remains unclear is if Ebersole's presence at the kennel will constitute possession of companion animals if they are being boarded there.

Robbins said he believes it does, and that Ebersole will not be able to train dogs during the duration of the sentence.

"There's lots of different ways to possess something other than holding a leash," he added.

During the hearing — which drew at least 50 people — the defense and prosecution argued about a number of videos and the questionable training methods they depicted.

Ebersole defended his techniques and said he has never permanently injured a dog.

When asked by Robbins if he ever thought about the psychological effects abuse could have on the animals, or if dogs could suffer from post-traumatic stress disorder, Ebersole — who has 38 years of experience training dogs — said he was not a dog psychologist and "wouldn't know."

"These are not humans, these are pack animals," he testified. "You can love your dog with all your heart, I love my dogs with all of my heart ..., but in their world, love is not an emotion they experience."

In closing statements, Robbins disputed that belief.

"Dogs understand pain and pleasure, they understand love and hate," he said. "We care for them, they care for us and I take serious issue with Mr. Ebersole's comment that dogs don't experience love."

He told Athey that many people view and love dogs as family members and that the sentence should reflect the way Ebersole treated each pet.

He added that his most important request, by far, was that Ebersole be prohibited from possessing companion animals, and that he also deserved jail time.

“I do feel that active jail time is a must,” he said. “Jail time would send a strong message to him — he obviously doesn’t understand that what he’s doing is wrong ... and perhaps a jail sentence would help him do that.”

Inger argued that Ebersole’s training methods are accepted in the field, and that anything more than simply preventing him from training dogs in the future would be an unreasonable sentence.

“Mr. Ebersole has done a lot of good in his career,” Inger said, referring to service dogs he has trained. “I don’t think putting him in jail is going to solve anything.”

Robbins rebutted that Ebersole could not be trusted with other people’s animals — boarding or training.

Ebersole, just before sentencing, said he did his best to train the dogs people brought to him. “I would offer my contrition and apology if any of these dogs were injured — it was not what I set out to do.”

Inger declined to comment on behalf of Ebersole after the hearing.

Robbins pointed out the number of people present for the hearing and said the court received many emails and responses in reference to the case.

“This is something the community felt very, very strongly about,” he said, “and we’re glad we could do something about it.”

He said area citizens are passionate about cases involving children and animals, and noted that he wished they would become involved in other cases, too.

“It was great to see so many people here, and I think it did have an effect on the court,” he said.

— Contact Melissa Boughton at [mboughton@winchesterstar.com](mailto:mboughton@winchesterstar.com)