

Man to Face Grand Jury for Animal Cruelty Charge

Suspect in New York puppy-toss case evaded investigators for a year.

Posted: September 30, 2008, 5 a.m. EDT

After a year of evading special agents with American Society for the Prevention of Cruelty to Animals, a man has been charged with aggravated animal cruelty for allegedly throwing his ex-girlfriend's Shi Tzu, Zahara, off a three-story balcony to her death, according to Joseph Pentangelo, assistant director of ASPCA Humane Law Enforcement.

Sherman Haynes, 27, fled from the Brooklyn apartment where the incident took place Sept. 14, 2007, Pentangelo said. On that day, Farah Benoit returned to the apartment she had shared with Haynes, her former boyfriend, to get her belongings, including her 3-year-old dog.

Haynes would not allow Benoit into the building and began tossing her possessions – including clothing and a heavy cabinet – out of the third-floor balcony, according to the ASPCA.

No telephone number can be found for Haynes, who was released on \$5,000 bail. According to the office of the Brooklyn district attorney, an indictment was filed and the case will go through a grand jury.

Witnesses stated that Haynes grabbed the dog by the throat and let her drop to the sidewalk below. Benoit took Zahara to Manhattan's Animal Medical Center, but with broken legs, collapsed lungs, and internal bleeding from the impact, the 15-pound dog died.

The ASPCA was notified and a search began for Haynes. For a year he avoided the New York Police Department and the ASPCA. However, investigators continued to work the case and used information from the U.S. Postal Inspection Service and the New York State Department of Motor Vehicles until Haynes was arrested Sept. 5 at his new Manhattan apartment.

He was charged with aggravated animal cruelty, a felony. He also was charged with reckless endangerment, reckless endangerment of property, menacing, criminal possession of a weapon, and criminal mischief. Haynes faces up to seven years in prison for the combined charges.

"This case is another sad example of a pet being used as a pawn for revenge in a domestic violence situation," Pentangelo said. "We see this all too often. I urge anyone leaving an abusive relationship to take their pets with them or place them, at least temporarily, with family or friends. Do not leave them behind, where they become easy targets."

In an effort to address the incidence of pets being harmed in domestic violence disputes, nearly a dozen states – including New York – have passed laws allowing pets to be included in orders of protection.