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April 22, 2011

## The trail to animal-neglect heartbreak

By JARED STRONG  
Times Herald Staff Writer

Friday, March 11, 2011

Tom Hall was under court-ordered mental-health treatment when a judge ordered an emergency rescue of Hall's 25 neglected horses from a pasture south of Glidden in November 2008.

District Judge Joel Swanson wrote a month later that Hall's mental incapacity made it unlikely that Hall could provide food, clothing and shelter for himself or make important life decisions.

Hall, who was 62 at the time, had lived among the horses on the 40-acre pasture, court documents show. He slept in a semi-truck and bathed in a creek.

Swanson assigned Hall's estranged wife to tend to Hall's affairs after the rescue — what is known as a conservatorship.

Five months later, the Halls asked for the horses to be returned.

Tom Hall was flush with money from a county-ordered land sale — after he neglected to pay property taxes for five years — that netted him more than \$200,000. He had paid court fees and about \$30,000 that he owed for the horses' removal and care. He put up a fence around the pasture to keep the animals from straying onto the road and other farm fields. He fixed his semi-truck and bought a car.

Swanson approved Hall's request. He ruled that when the conservatorship ended, the horses would go back.

But Carroll County Attorney John Werden warned:

"Merely returning the livestock ... is not sufficient for the protection of the animals," he wrote in April 2009 to the judge.

At the very least, Werden wanted Tom Hall to lay out a plan to care for the animals — which would be approved by a judge and the sheriff's office — to get the horses back.

Swanson didn't require the plan.

It's unclear why Hall was committed by court order to the Cherokee Mental Health Institute or how long he was there. But court documents show he was committed under a law that allows judges to detain someone if a judge finds that the person "has a serious mental impairment and is likely to injure" someone.

When Hall was released from Cherokee, his wife, Theodora Hall, looked after him.

Tom Hall lived in an apartment in Lake City, and Theodora, who lived in Sac City, checked on him each day.

She fed him, washed his clothes and drove him to doctor and dental appointments, court records show.

Theodora asked Swanson for permission to use some of her husband's money from the land sale to buy a home in Sac City. She said Tom Hall would live there.

In May 2009, Judge Swanson ended the conservatorship. In June, Theodora filed for divorce. Hall later gave the Sac City house to her, county records show.

The horses — which had been cared for by a farmer in the Glidden area — returned to Hall's pasture. And so did Hall.

Carroll County Sheriff's Chief Deputy Ken Pingrey drove by Hall's pasture almost every day on his way to work in Carroll.

Hall used some of the land-sale money to put up a fence around the pasture, but Pingrey said it appeared Hall's funds or motivation had dwindled in the process.

"Half of the fence was good," Pingrey said. "The other half, well, the posts were far apart and the wires were spliced."

The horses needed hay, and Hall traveled to Missouri to acquire the food. Farmers in the Glidden area were wary of doing business with Hall, Pingrey said.

Jerry Coffelt is a Missouri hay farmer who takes handshakes as down-payments.

He trusted Hall, who drove 150 miles from Glidden, agreed to buy 200 bales and shook his hand.



About 50 volunteers went to this pasture south of Glidden in November and December to rescue 39 neglected horses. It was the second time in about two years that horses were removed by court order from the property.



This is a 2010 jail photo of Tom Hall from Nodaway County, Mo., where he was extradited to face a felony charge for a hay theft.

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Hall claimed to be a hay supplier for three livestock feedyards, and he said one was in critical need of hay on that June 2009 day, Coffelt recalled.

Coffelt helped load 26 of the big round bales onto Hall's flatbed trailer on that Sunday. Hall had promised to return the next day with money.

But Hall didn't show.

Coffelt said he called Hall to no avail numerous times in the next month.

"I went into anger and denial. Why did he do that to me?" Coffelt lamented in a telephone interview.

Hall did the same thing to a Lucas County hay farmer in southern Iowa — another fellow who seals deals with handshakes — in December 2009.

"I've sold hay all my life, and when people say they're going to pay, they do," the farmer, Kenneth Storm, said. "I've never gotten stiffed in my life."

Arrest warrants for the thefts were issued in January and March 2010.

Hall was arrested in Greene County in March for the Missouri theft and was extradited across state lines to answer the charge.

In that same month, the Carroll County sheriff sent Hall a notice that said he would face criminal charges if his horses continued to escape the pasture, as they had numerous times before.

In a letter to Hall, the sheriff's office said it had responded to stray horses four times in the past three months — and a total of 20 times in the past three years.

Hall sometimes disconnected an electric fence to let the horses roam into adjoining ditches and farm fields to feed, Pingrey said, because there was no food for them on Hall's pasture.

The horses occasionally strayed onto roadways, but "by the grace of God nobody got killed" by hitting one with a car, Pingrey said.

In April, Hall pleaded guilty to the Missouri theft and spent 16 days in jail.

In May, Hall pleaded guilty to the Lucas County theft and got a suspended prison sentence.

In the meantime, above-average rainfall kept the pasture lush, and the horses were well-fed, Pingrey said. But the animals were allowed to co-mingle, and several mares became pregnant.

Pingrey knew it was only a matter of time before they'd have to rescue the horses again, but unfortunately, "we knew it had to be really bad for us to be able to do anything about it," he said.

The sheriff's office arranged for hay to be delivered for the horses while Hall was jailed in Missouri.

By October, many of the horses looked underfed, so the sheriff's office had two big, round bales of hay delivered every few days.

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"These horses show obvious signs of prolonged, severe malnutrition and are suffering," wrote Carroll veterinarian Mitch Hiscocks in October 2010.

Hiscocks' testimony was part of a move by John Werden, the Carroll County attorney, to take Hall's horses again.

Here's what Pingrey saw earlier that month when he was called to the pasture after three horses escaped the fence:

There was no grass — just dirt and weeds. Ribs, backbones, hips and shoulders protruded from the horses' skin. Some had untreated, open wounds.

One young horse was dead.

"In short, the horses had NO food," Pingrey wrote to a judge.

Hall had disabled the electric fence, and while Pingrey worked to enable it, Hall arrived. Hall claimed that he forgot to put the electric fence back up, Pingrey said.

Sheriff Doug Bass pointed out that the horses had no food, and Hall responded: "I know they're starving, but my truck is broke down, and I can't get feed to them," Pingrey wrote.

Later that month in a court hearing to decide whether the horses would be removed, Hall gave many excuses for the trouble on his pasture:

Dogs were chasing the horses. Other horses had sneaked onto the property to mate.

And the dead young horse?

"Your honor, I think this colt was choked to death," Hall said.

Judge Swanson ordered the horses removed — for the second time in two years.

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A convoy of trucks and trailers descended on the Glidden pasture on Nov. 27.

"It almost looked like a funeral procession," said Genea Stoops, who runs the state's only no-kill horse shelter near Glenwood, Hooves & Paws Rescue.

Stoops and about 50 volunteers — including those from the Animal Rescue League of Iowa — braved the cold, blustery day to save the 39 horses that still wandered the pasture.

Stoops found two young horses dead. She euthanized two others on the pasture: One was born with backwards hooves. The other had been kicked in the head by another horse.

The scene put a knot in her stomach and tears in her eyes.

At one point, Tom Hall drove by and shook his fist at the volunteers, Stoops said.

The group gradually corralled the still-living animals into trailers over the course of two days.

Stoops found homes for most of the horses in Iowa, Kansas and Nebraska, but she took the horses that were in the worst shape to her Glenwood acreage.

One of the foster horses was euthanized recently after it "just went crazy," Stoops said.

"Horses don't recover very easy from something like this," she said.

Carroll County Attorney John Werden did not file criminal charges against Hall for the 2008 or the 2010 incidents, despite considerable evidence that showed Hall neglected the horses.

"We have no plans to pursue criminal charges, but the option is still there," Werden said.

Werden declined to comment specifically about why he didn't charge Hall, but he alluded to Hall's mental-health problems.

Stoops said mental illness is a poor excuse: "I'm not going to feel sorry for this man."



"Put him away. He's a danger to society and animals. He should pay for this. ... The court system should not have allowed him to have horses again."

Tom Colvin, director of the Animal Rescue League of Iowa, agreed.

"I don't think it's right," Colvin said. "They need to demonstrate to Mr. Hall how animals should be treated in the state of Iowa."

The Sac County Sheriff's office filed two animal neglect charges last month against a 52-year-old Early woman — who also reportedly suffers from mental illness — after deputies removed six starving horses and one dead horse from her property on Feb. 2.

Shirley Eileen Schmitt faces the criminal charges even though her father and defense attorney told a judge in October that Schmitt is "out of touch with reality" and, like Hall, is convinced that law-enforcement officers are out to get her, according to court documents.

Sac Sheriff Ken McClure said he was unaware of Schmitt's alleged mental illness, but Sac County Attorney Ben Smith said it won't affect the charges.

"There's got to be some sort of legal consequence," Smith said.

Even though Hall does not face a criminal charge, Werden said Hall will face punishment: his remaining land — the 40-acre pasture — could be sold to pay for the horse rescue.

Hall owes Carroll County about \$10,000 for the rescue.

The county could sell the pasture if Hall "doesn't pay in a timely fashion," Werden said, but he declined to speculate on how soon that could be.

Hall has said that he still lives on the Glidden pasture. He put an advertisement this month in a Webster County newspaper for hay.

"Hay 4-sale," it said. "Free semi delivery."

Stoops, in her Glenwood home on a recent winter day, leaned back in her office chair after recounting the rescue. She rubbed her eyes and sighed.

Stoops still gets calls most days from the foster families, a continual reminder of the pain and suffering of those horses on the Glidden pasture.

She knows that the man at the heart of the trouble — Tom Hall — bears most of the responsibility, but her emotions toward him waver.

"Yeah, I'm angry," Stoops said, "but I don't know what life has brought him."

### Reader Comments

*Posted: Friday, March 18, 2011*

Article comment by: **Courtney Malloy**

I don't understand how a grown individual can subject an animal to this kind of life. I don't really know what kind of punishment would be appropriate for this since he was the main cause of the horses deaths and maltreatments. Being a horse owner entails a lot of responsibility and that's not something that should be taken lightly. They have no choice but to depend on their CARING owners to ensure that they are kept fed, watered, sheltered, healthy and most importantly safe. I myself being a horse owner for many years know that you can't just put a horse in a pen or tie them to a trailer and forget about them for a week or so. Horses are one of the most loyal animals and they should be treated so. They along with any other "pet" should be treated as family. Any animal lover would agree.

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