

Dog left for dead has day in court

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Mike Thomas/Yukon News

Trooper plays with a rawhide bone in the yard of his new owner.

Dog-dragger Stanley Gostel has lost his buddy Trooper and will have to pay more than \$2,473 after abandoning the badly injured animal in Marwell.

Gostel accidentally dragged his dog from his truck's back bumper for almost 3.2 kilometres down Hamilton Boulevard.

Then he abandoned the injured and distressed animal in Whitehorse's industrial neighbourhood on a bitterly cold February night.

"Mr. Gostel has shown in this case that he cannot be trusted," prosecuting attorney Lori Lavoie told the court on Thursday.

"No animal should be in the care of Mr. Gostel."

Gostel's poor judgment earned him a two-year prohibition on owning another animal and a \$250 fine.

Gostel must also pay \$2,222.88 to the Mae Bachur Animal Shelter, which cared for the hideously skinned animal it named "Trooper."

The shelter paid for the animal's substantial and numerous vet treatments and surgeries.

Gostel stonily suggested a deadline of two months to make the payments. Justice of the peace Gary Burgess agreed.

Whitehorse charged Gostel under sections 117, 119 and 3(4) of the animal control bylaw for negligence in the care of his pet of two years. It dropped two of the charges for procedural reasons.

In the end, Whitehorse simply prosecuted the 28-year-old McIntyre resident under section 119 of the Animal Control Bylaw, which states everyone commits an offence who "abandons a domestic animal or bird in distress, or willfully neglects or fails to provide suitable and adequate food, water, shelter and care for any domestic animal or bird."

Gostel abandoned the badly injured animal outside the veterinary clinic sometime after 7:30 p.m. on Friday, February 9.

Passerby Stephanie Brown found the dog, which had gaping wounds on several parts of its body, wandering slowly just off Copper Road at 2:30 p.m. on Sunday, February 11.

"I'd never seen anything like that," she testified in court.

Though the dog was missing large patches of hair and was covered in torn skin and dried blood, it wagged its tail and walked over to Brown.

The dog's feet were oozing. Brown opened the door for the dog, and it happily jumped in out of the cold, soiling the car with its blood.

Assuming a car had hit the animal, Brown drove it to the nearby animal shelter at 126 Tlingit Street. There, administrator Amy Huska scanned the animal for an identity microchip and checked the PetReport system in hopes of finding an owner.

The shelter's director OK'd emergency vet treatment. The bills were to be paid by the Yukon Humane Society.

With the go-ahead, Brown took the dog to the Alpine Veterinary Medical Centre. Veterinarian Candace Marche was on call.

"There was a lot of oozing and leakage between the skin and the tissues underneath," she told the court.

Marche immediately put Trooper on a steady dose of morphine and antibiotics.

The dog had suffered road burn to its face, right shoulder, knees, penis area, and belly.

Trooper's injuries would have been even more severe had the road not been covered in ice.

"The skin that had been injured had started to die away," she said.

Trooper's old life had started to die away as well.

Gostel wasn't aware that he was dragging his dog, he told bylaw officer Mike Hardie in a statement made a week after Trooper was found on Copper Road.

"Drove my friend downtown. I was not aware my dog was tied to the bumper," he said in a statement dated February 19.

"I was shocked to find him there. I did not know what to do, so I dropped him off at the shelter and left him there," the constable said, reading his notes to the court.

The constable had asked him for the shelter's address, but Gostel couldn't provide it.

He asked Gostel about the condition of the dog: "Rough," Gostel had said.

Was he bleeding?

"Quite a bit," Hardie read back.

Why did you leave him?

"I thought he would be dead. He was in pretty rough shape when I left him."

Gostel spoke mainly through his statements made to Hardie.

For the most part, Gostel sat quietly in court, his left elbow on the table with the hand supporting his chin.

After he'd removed his black "Titan" ball cap, his hair was visible: close-shaved, with a circle of slightly longer hair on top.

He wore loose black jeans with a cigarette pack in a back pocket, white Nike runners, and white-collared cotton shirt with wide stripes of blue and red on the sleeves.

He'd sip water from a plastic cup, and swiveled incessantly — back-and-forth in small oscillations — in his chair.

When he stood, he hooked his thumbs in the front eyelets of his jeans.

Originally, Gostel pleaded not guilty to the three charges of animal cruelty and negligence put forth by Whitehorse.

But he did not dispute the evidence given against him for two hours in court Thursday morning.

For the most part, he didn't even question the seven witnesses.

He did ask veterinary surgeon Richard Brown if Trooper showed any signs of abuse, other than the dragging wounds.

The surgeon said he couldn't comment on whether there had been abuse or not.

Gostel also asked two people who witnessed the dragging about the state of his truck's windows and

side-view mirrors.

They were frosted up, said witness Tim MacLelland.

They were fogged up and I couldn't see in, said Patricia Nowell, another driver.

Ostensibly, Gostel had had no visual cue that he was dragging anything.

It was a different story for MacLelland.

Though it was dark on the road to the Canada Games Centre, MacLelland spotted something being dragged from the back of another vehicle.

His son started wailing and crying: "Dad, that's a dog being dragged!"

Nowell was also on the road.

She had sped up from the speed limit to keep up with the truck once she realized it was dragging a dog. She honked her horn and flashed her lights.

MacLelland also began honking, and tried to get the truck's driver to pull over, which it did before the intersection at the Alaska Highway.

"Buddy, you're dragging your dog," he told the driver through the cracked-open side window.

"Oh fuck," the driver exclaimed as he got out.

The driver called the dog's name. The dog lifted his head.

"His whole right side looked like it had been basically torn right off," MacLelland told the court.

The driver picked up the animal and placed it in the back of the truck, without showing any compassion or consoling it at all, said MacLelland.

"I assumed — I hoped— he was taking the dog to the vet," said MacLelland.

But he had a bad feeling.

"His whole response was like it was a big inconvenience," he said.

So MacLelland recorded the license plate number and reported the incident through 911.

Gostel had chosen to represent himself.

"It would be nice, but that's OK," he said when the judge asked him if he had wanted a lawyer.

He'd been working out of town, and hadn't had time to meet with legal aid, he said.

His prosecutor noted that Gostel had turned down legal counsel three times since February.

The judge decided to proceed.

Having received an e-mail from Pat Banks of the humane society about an abandoned dog, Hardie began investigating.

After Trooper's tale of being found abandoned had been published in local papers, MacLelland and Nowell phoned in with their tips.

Using the licence plate number MacLelland had reported, Hardie tracked down the truck's driver.

He found Gostel on February 16 on Hanna Crescent and would have taken a statement that day, but judged Gostel to be intoxicated.

John Weyland was the passenger in the truck while it dragged Trooper down Hamilton Boulevard and when Gostel abandoned the animal, Hardie reported.

Weyland did not appear in court as a witness.

Gostel called no witnesses on his behalf.

He couldn't provide the phone number of the gentleman who had actually tied Trooper — then called "Buddy" — to the truck.

Burgess ordered that Gostel pay back the humane society for the direct medical costs it incurred in treating Trooper through the early stage of recovery.

Gostel will have to pay \$2,222.88 within two months.

That's \$638.43 less than the actual costs of Trooper's initial surgeries and drugs. The Alpine Veterinary Medical Centre gives discounts to the humane society.

The humane society is pleased with the court's decisions and grateful to Whitehorse bylaw department for taking the matter seriously and performing a full investigation, said its spokesperson Pat Banks.

The humane society, which runs the Mae Bachur Animal Shelter that cared for Trooper, plans to funnel Gostel's repayment into their "Bella" fund for special-needs animals.

Gostel refused to comment after the judgment.

He gathered his papers, slipped on his shiny blue sunglasses and walked steadily from the courthouse.

He was probably a dog Gostel loved very much, Lavoie had told the court in closing arguments.

But today, Trooper is free to be adopted.

"It almost seems that he's conveniently forgotten his old life and he responds well to 'Trooper,'" his foster owner said.

Today, the dog's lost the ability to raise one of his ears, he's stiff in the morning and remains wary of cars, but he's doing well, they added.

They hope to adopt the animal.

He's friendly, playful and "a big suck," his hopeful owner-to-be said.

"I would be devastated if I lost him."