

From: B. Medal - *The Chronicle Herald*

DIGBY — Gail Benoit, the woman accused of selling sick and dying puppies, was sent to jail Thursday for 21 days.

The jail term was for resisting arrest. She received a suspended sentence on another charge of assaulting an SPCA special constable.

During the fall of 2007, a search warrant was executed and 10 puppies were seized from the home near Digby that Ms. Benoit shares with her husband Dana Bailey.

Ms. Benoit was convicted on Jan. 29 of animal cruelty and assaulting a peace officer. She was fined \$1,500 for the animal cruelty conviction.

Mr. Bailey was convicted of animal cruelty on Jan. 29, and was also fined \$1,500 on Thursday.

After learning from Judge Jean-Louis Batiot that she was headed for jail, Ms. Benoit glanced quickly to her right then fell, rather slowly, to the floor.

Some in the audience laughed out loud while others smiled as they watched two sheriff's deputies try to assist the stricken woman.

The court recessed and as Judge Batiot left the bench, Mr. Bailey began to shout profanities and threatened the court because his wife sometimes chokes, he said.

"If my wife chokes in that jail you fellas are going to be held responsible," he hollered, at one point addressing his remarks to "Mr. Batiot."

"How could you do that. This is not fair," he yelled at the bench.

Mr. Bailey was tossed from the courtroom and hustled downstairs by a group of police officers and sheriff's deputies.

Mr. Bailey was pushed out through the front door of the Digby courthouse and told to move along.

The couple, who during their 2008 trial called themselves puppy brokers, faced charges of animal cruelty stemming from the seizure of 10 pups from their home near Digby in October of 2007.

Some people had complained to the provincial SPCA about puppies they had purchased from Ms. Benoit. Some of the young dogs died soon afterward.

Crown Attorney Rosalind Michie said Thursday that Ms. Benoit and Mr. Bailey have sold as many as 30,000 dogs in the past 13 years, sometimes selling 200 in a month.

Ms. Michie also told the court that this is Ms. Benoit's third conviction since 1994 for assaulting a peace officer.

"The Crown takes that very seriously," she told Judge Batiot.

The convicted puppy brokers have flatly refused to take responsibility for their actions, she said.

"All along, nothing has ever been their fault There is no expression of any remorse," she said.

Defence lawyer Michael Power said the level of neglect was rather low.

The charges deal with 10 dogs, although there's evidence that hundreds of dogs have passed through his clients' care, the majority without complaint, he said.

Mr. Bailey, who turns 47 next week, is disabled, according to his lawyer, and receives \$869 a month from the Workers Compensation Board.

Ms. Benoit is 39 and, "she too is disabled," said Mr. Power. He said she gets \$830 a month.

They also operate a puppy brokerage, he said.

"They are not bad people. They are businesspeople," Mr. Power said, adding that their puppy brokerage has been affected by negative publicity.

"The business is basically in limbo now."

He also told the court how his clients sometimes speak their minds too freely in public.

"They blurt things out," he said.

"I've admonished them ... I've told them to quiet down those emotions. But they do become emotional," he said.

The couple must also pay \$2,478 in restitution for care and treatment of the sick puppies.

And Ms. Benoit will be on probation for 18 months.

"I would have liked to have seen a prohibition of (owning) animals," Ms. Michie, the Crown attorney, said after court.

But under the Animal Cruelty Prevention Act, owning an abused or neglected animal is

required for prohibition. It was found during trial that the pups were possessed for the purposes of selling, she said.