

RETURN DATE: FEBRUARY 25, 2020		
STATE OF CONNECTICUT <i>EX REL</i> ,	:	SUPERIOR COURT
JEREMIAH DUNN,	:	
CHIEF ANIMAL CONTROL OFFICER	:	JUDICIAL DISTRICT
	:	OF HARTFORD
v.	:	AT HARTFORD
EIGHTEEN CATTLE,	:	
ONE HUNDRED THIRTY-SEVEN CHICKENS,	:	
THIRTY-THREE DUCKS, SIX DOGS AND	:	FEBRUARY 6, 2020
RACHEL B. KORNSTEIN (OWNER)	:	

VERIFIED PETITION

**COUNT I: CONN. GEN. STAT. § 22-329a
AS TO CUSTODY OF EIGHTEEN CATTLE, ONE HUNDRED THIRTY-SEVEN
CHICKENS, THIRTY-THREE DUCKS AND SIX DOGS OWNED BY RACHEL B.
KORNSTEIN**

1. The plaintiff is the State of Connecticut (hereinafter “Plaintiff”) *ex rel*, Jeremiah Dunn, State of Connecticut Animal Control Officer (“Chief State Animal Control Officer).
2. Pursuant to Conn. Gen. Stat. § 22-329a(b), the Chief Animal Control Officer may lawfully take physical custody of any animal upon issuance of a warrant finding probably cause that such animal is neglected or is cruelly treated, in violation of Conn. Gen. Stat. § 53-247.
3. Pursuant to a search and seizure warrant signed on January 9, 2020 and executed on January 13, 2020, the State of Connecticut Department of Agriculture and the Town of Suffield Police Department, seized from 1601 Sheldon Street, West Suffield, CT (“Sheldon Property”): one (1) cow, euthanized on site and transported to the Connecticut Veterinary Medical Diagnostic Laboratory, one hundred thirty-seven (137) chickens, thirty-three (33) ducks, and six (6) Great Pyrenees dogs. (Exhibit 1).
4. Pursuant to a search and seizure warrant signed on January 9, 2020 and executed on January 13, 2020, the State of Connecticut Department of Agriculture and Town of

Suffield Police Department, seized from 212 North Main Street, East Granby, CT (“North Main Property”), eighteen (18) cattle. (Exhibit 2).

5. On January 13, 2020, Plaintiff took physical custody of the chickens and ducks referenced in paragraph three and the cattle referenced in paragraph four, pursuant to Conn. Gen. Stat. § 22-329a(b), and now seeks to obtain temporary custody and permanent ownership of said animals, pursuant to the procedures outlined in Conn. Gen. Stat. § 22-329a(c) and to recoup expenses incurred by Plaintiff.
6. Upon information and belief, Rachel B. Kornstein, who resides at 81 Elsie Drive, Manchester, Connecticut, is the owner of the animals seized on January 13, 2020 and are the subject of this petition.
7. On or about January 3, 2020, Officer Ryan Selig, an Animal Control Officer of the Suffield Police Department, Animal Control Division, received a phone call from Dr. Peter Conserva about two down cows at the Sheldon Property; one of which believed to be down for three weeks without medical attention.
8. On January 3, 2020, in response to the above referenced call, Officer Selig visited the Sheldon Property.
9. Officer Selig observed one of the down cows (Cow #1) that appeared to have labored breathing and produced a gargling sound upon inhalation and exhalation.
10. Officer Selig then located the other down cow (Cow #2), which was believed to be down for several weeks, in a nearby barn.
11. Cow #2 was severely emaciated, with its hips, spine and rib bones exposed; creating a tent of skin several inches in height that sagged down its sides. Cow #2 had been lying in its own urine and feces, unable to move under its own power.

12. Officer Selig, upon seeing the poor body condition of the cattle, called veterinarians to assist in assessing the animals and contacted the State Animal Control Officer.
13. Dr. Christopher Weber arrived to assist Officer Selig in assessing Cow #2. To better assess the animal, they attempted to roll the animal into a different position. Upon lifting the cow, a severe wound was observed on the cow's left hind quarter that was rotting with puss and emitting a putrid odor. The odor was so offensive, they had to put the cow back down on its side and briefly step out of the barn in order to get fresh air.
14. Upon Ms. Kornstein's arrival, Dr. Weber suggested the most humane thing to do would be to euthanize Cow #2. He also explained that the decision to treat or euthanize the animal should have been made within 2-5 days of being down. Cow #2 had been down for three (3) weeks while Ms. Kornstein neglected to have a veterinarian evaluate the cow or provide any treatment.
15. On or about January 3, 2020, Cow #2 was humanely euthanized.
16. On or about January 4, 2020, Officer Selig observed Cow #1, still down and completely on its side, taking intense labored breaths.
17. On or about January 5, 2020, Officer Selig received a phone call from Ms. Kornstein requesting assistance with a delivering a calf. One of her cattle (Cow #3) was pregnant, unbeknownst to her, and was down on an embankment, struggling to give birth. With veterinary assistance, Cow #3 was able to give birth; however, Cow #3 was unable to nurse the calf, due to its poor condition, and Ms. Kornstein had no feeding plan in place for the calf.
18. On or about January 5, 2020, Officer Selig observed a nearby poultry pen operated by Ms. Kornstein. There were roughly 200 birds (chickens and ducks) and at least one dog.

19. Officer Selig rated the dog as a 1.5-2, out of 5, on a body composition score; indicating poor health/neglect. The gut was severely tucked under the body, the hips were exposed and its back had a visible hunch. The dog's fur was in poor condition, missing areas of fur and was heavily matted.
20. Within the pen, there was no water or food of any kind available to any of the animals. There were four dead birds in the pen. Chickens had been feeding on one of the dead birds, indicating a lack of available food.
21. On or about the evening of January 5, 2020, Cow #1 died.
22. On or about January 6, 2020, Elizabeth Hall and James Sullivan, Agricultural Marketing and Inspection Representatives from the State of Connecticut Department of Agriculture, accompanied Officer Selig to the Sheldon Property.
23. The water tanks were empty and Ms. Kornstein only began filling them with water after Officer Selig, Ms. Hall and Mr. Sullivan arrived at the property.
24. Ms. Hall observed that many of the cattle appeared to suffer from stunted growth as a result of poor nutrition. The trees within the cattle pen were girdled, indicating that the cattle had been without feed and began eating the bark from the trees.
25. Ms. Hall also observed two calves showing signs of untreated contagious ringworm and one adult cow with an eye that was partially closed with thick yellow crust, indicating untreated conjunctivitis. Ms. Hall rated the cattle observed with a very poor body condition.
26. There were cattle in the barn eating mulch hay (with virtually no nutritional value) laid atop of accumulated manure. Ms. Hall estimated the accumulated manure to be 2.5 to 3

- feet deep; indicating lack of bedding management. There was no clean dry bedding available for the cattle to lie down.
27. Ms. Hall observed Cow #3 was still down after calving the previous day. She still could not produce milk and exhibited signs of dehydration. She was left with no water at the time.
 28. Officer Selig, Ms. Hall and Mr. Sullivan investigated the poultry pen. Ms. Hall observed one of the dogs and gave it a 1-1.5, out of 5, for a body condition score; indicating a very poor condition. Ms. Hall identified at least four dead ducks and two dismembered chickens. The birds were attempting to obtain water from iced over waterers, the ducks could not dip their beaks into the water to drink.
 29. On or about January 7, 2020, Office Selig and Ms. Hall returned to the property. The wire fence used to contain the cattle was down and inoperable; cattle were scattered throughout the property. There was no drinking water available to the cattle and they were observed eating dead bushes, bittersweet and thorns from the surrounding area.
 30. Officer Selig and Ms. Hall observed Cow #3, still down after giving birth, was completely on its side and unable to change position. There were no signs of urine or bowel movements from the previous day; and there was no water or food available to it at the time. There was no sign that anyone had provided any care for Cow #3.
 31. Cow #1, which died the night of January 5, 2020, was observed, still lying on an embankment.
 32. The animals in the poultry pen were still without food and the waterers were frozen solid. A dead duck was observed hung in the mesh netting; it was frozen to the ground.

33. On or about January 8, 2020, Office Selig returned to the Sheldon Property to see if conditions were improving. None of the animals had access to drinking water. All the waterers were frozen. Birds were observed pecking at ice to hydrate. There was an additional dead bird located in the pen; the dead duck identified the previous day was still hanging in the netting.
34. Cow #3 was still down in the same position; Ms. Kornstein had not assisted in flipping the animal every few hours as instructed by the veterinarian.
35. On January 13, 2020, the search and seizure warrants were executed by the Suffield Police Department and Department of Agriculture Staff were on-site to assist.
36. Dr. Bruce Sherman, Director of the Bureau of Regulatory Services from the State of Connecticut Department of Agriculture, observed Cow #3 was still down and in an area that provided no shelter from the weather. There was evidence that it had been in that position for some time. Due to its poor initial health condition, Cow #3 was not likely to ever recover from delivering the calf on January 5, 2020.
37. On or about January 13, 2020, Cow #3 was humanely euthanized.
38. Pursuant to the search and seizure warrants, the State of Connecticut, Department of Agriculture has taken possession of eighteen (18) cattle, one hundred thirty-seven (137) chickens and thirty-three (33) ducks. All cattle and poultry were secured and safely loaded on to transport trucks.
39. All the animals were safely delivered to the Department of Agriculture, Large Animal Rehabilitation Facility, in Niantic, Connecticut.

40. Based on the aforementioned facts, Ms. Kornstein failed to provide the animals described with proper care and/or provide them with proper food and water; and has failed to provide appropriate veterinary care.
41. Based on the aforementioned facts, the above referenced animals were neglected and/or cruelly treated, in violation of Conn. Gen. Stat §53-247.
42. Based on the aforementioned facts, Plaintiff had taken physical custody of the above referenced animals upon issuance of a warrant finding probably cause that the animals were neglected or cruelly treated.
43. Based on the aforementioned facts, the above referenced animals should remain in the physical custody of the Department of Agriculture.

WHEREFORE, Plaintiff respectfully requests that the Court grant the following relief pursuant to Conn. Gen. Stat. §§ 22-4c(a)(3), 22-328, 22-329, and 22-329a:

1. That the Court issue an order to Ms. Kornstein to show cause why the court shall not vest in the Connecticut Department of Agriculture the temporary care and custody of the eighteen cattle, one hundred thirty-seven chickens and thirty-three ducks (pending an ownership hearing on the petition) pursuant to Conn. Gen. Stat. § 22-329a(d). In the alternative, plaintiff requests that the Court issue an order vesting in the Connecticut Department of Agriculture the temporary care and custody of the animals that were seized pending an ownership hearing on the petition. Pursuant to Conn. Gen. Stat. § 22-329a(d), a hearing on temporary care and custody shall be held not later than fourteen (14) days after issuance of an order to show cause or an order vesting temporary care and custody to the Department of Agriculture.

2. That upon ordering the animal at issue to the temporary care and custody of the Department of Agriculture, that the Court issue an order requiring Ms. Kornstein to either relinquish ownership of the animals to the Connecticut Department of Agriculture or post a surety or cash bond with the Connecticut Department of Agriculture in the amount of five hundred dollars (\$500) per animal for the reasonable expenses in caring and providing for such animals pursuant to Conn. Gen. Stat. § 22-329a(f).

3. That the Court make a finding pursuant to Conn. Gen. Stat. § 22-329a that the animals at issue were in imminent harm, neglected and/or were cruelly treated in violation of Conn. Gen. Stat. § 53-247.

4. That the Court vest permanent ownership and custody of the animals at issue with the Connecticut Department of Agriculture pursuant to Conn. Gen. Stat. § 22-329a(g) and if

necessary, order the humane destruction of any animal if said animal is so injured or diseased that it should be destroyed.

5. That, if the Court makes a finding under subdivision (1) or (2) of Conn. Gen. Stat. § 22-329a(g) less than thirty days after issuance of an order of temporary care and custody and Ms. Kornstein has posted the statutory bond pursuant to Conn. Gen. Stat. § 22-329a(g), the Court order the owner to pay the Connecticut Department of Agriculture an amount of fifteen dollars (\$15.00) per bird per day and/or twenty-five dollars (\$25.00) per cattle per day for the number of days less than thirty that the Plaintiff did not have temporary care and custody of the animals less any veterinary costs and expenses incurred for the welfare of the animals.

6. That, pursuant to Conn. Gen. Stat. § 22-329a(h), if the Court finds that the animals at issue are neglected or are cruelly treated, the Court order the owner to pay the Connecticut Department of Agriculture the expenses incurred in providing proper food, shelter and care to each animal it has taken custody of under subsection (b) of Conn. Gen. Stat. § 22-329a and the expenses incurred in providing temporary care and custody pursuant to an order vesting temporary care and custody, calculated at the rate of fifteen dollars (\$15.00) per day per bird and/or twenty-five dollars (\$25.00) per cattle per day until the date that ownership of these animals are vested in the State and also all veterinary costs and expenses incurred for the welfare of these animals that are not covered in the per diem rate.

7. That the Court order such other and additional relief as is just and equitable to effectuate the purposes of this action.

This action is brought by the State of Connecticut and therefore, it is not liable for any costs in this action.

Dated at Hartford, Connecticut this 6th day of February 2020.

PLAINTIFF
STATE OF CONNECTICUT
JEREMIAH DUNN
CHIEF STATE ANIMAL CONTROL
OFFICER

WILLIAM TONG
ATTORNEY GENERAL

BY:

Jonathan E. Harding
Assistant Attorney General
Juris No. 434270
165 Capitol Ave
Hartford, CT 06105
Tel. (860) 808-5250

Please enter the appearance of
WILLIAM TONG,
ATTORNEY GENERAL,
By Jonathan E. Harding, Assistant Attorney General

Jonathan E. Harding
Juris Number 434270
Commissioner of the Superior Court

EXHIBIT 1

**AFFIDAVIT AND APPLICATION
SEARCH AND SEIZURE WARRANT**

JD-CR-61 Rev. 3-10
C.G.S. §§ 54-33a, 54-33c, 54-33j

STATE OF CONNECTICUT
SUPERIOR COURT

www.jud.ct.gov



Form JD-CR-52 must also be completed

Instructions To Applicant

File the application for the warrant and all affidavits upon which the warrant is based with the clerk of the court for the geographical area within which any person who may be arrested in connection with or subsequent to the execution of the search warrant would be presented, together with the return of the warrant.

Instructions To G.A. Clerk

Upon execution and return of the warrant, affidavits which are the subject of an order dispensing with the requirement of giving a copy to the owner, occupant or person within forty-eight hours shall remain in the custody of the clerk's office in a secure location apart from the remainder of the court file.

Police Case number 20-7-OF

TO: A Judge of the Superior Court or a Judge Trial Referee

The undersigned, being duly sworn, complains on oath that the undersigned has probable cause to believe that certain property, to wit:

On the below listed properties, all animals owned by or cared for by Rachel Kornstein (DOB 01/29/1985), alive, unborn, or dead including but not limited to cattle, chickens, ducks, dogs, and to have said animals evaluated and tested for dehydration, emaciation, physical condition, wounds, parasites, injuries and illness, and general health by a licensed veterinarian, all paperwork, purchasing receipts, veterinary documents, photographs, trailers, feed, relevant to an alleged case of Animal Cruelty that had been first reported on 01/03/2019 at 1601 Sheldon Street in West Suffield, Connecticut 06093.

- is possessed, controlled, designed or intended for use or which is or has been or may be used as the means of committing the criminal offense of: _____
- was stolen or embezzled from: _____
- constitutes evidence of the following offense or that a particular person participated in the commission of the offense of:
CGS 53-247(b) Cruelty to Animals; CGS: 53-247(a) Cruelty to Animals
- is in the possession, custody or control of a journalist or news organization, to wit:

- and such person or organization has committed or is committing the following offense which is related to such property:

- and such property constitutes contraband or an instrumentality of the criminal offense of:

And is within or upon a certain person, place, or thing, to wit:

The residential and agricultural land located on and adjacent to 1601 Sheldon Street (MBL-16-20-1), West Suffield, Connecticut including the greenhouses, garages, out buildings, and animal shelters including barns, marked with a white sign at the entrance to the property that says "Sheldon Mel Farm."

The residential and agricultural land located on and adjacent to 1497 Sheldon Street, West Suffield, Connecticut, including animal shelters, trailers, and outbuildings, marked with a white house with a green front door and a green plaque to the left of the door with "1497" written vertically, with an SNET pole #1303 at the road.

(This is page 1 of a 11 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/09/2020	[Signature] #513 A.C.O.
Enfield	01/09/2020	Clayton Hall
Jurat	Subscribed and sworn to before me on (Date) 1-9-20	Signed (Judge/Judge Trial Referee) [Signature]

And the facts establishing the grounds for issuing a Search and Seizure Warrant are the following:

1. That this Affiant #1 (herein later referred to as Affiant), Animal Control Officer Ryan R. Selig, badge number 513, is a member of the Suffield Police Department presently assigned to the Department's Animal Control Division and has been a member of the Suffield Police Department since October 4, 2017. I have received specialized training, from the State of Connecticut Department of Agriculture's Animal Control Division and at all pertinent times mentioned herein was acting in his official capacity as a member of said Department. The Suffield Police Department's Animal Control Division is also tasked with handling all Animal Control complaints in the Town of East Granby. The following facts and circumstances are stated from personal knowledge, observation and investigation, as well as from information received from other officers acting in their official capacity.

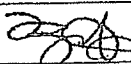
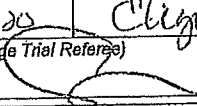
2. That I Elizabeth Hall, Affiant #2, am an Agricultural Marketing and Inspection Representative II for the State of Connecticut Department of Agriculture and have been employed in this position since 2008. Prior to my employment with the State of Connecticut, I was employed by the Massachusetts Department of Agriculture as an Animal Inspector for a period of five years. Prior to that, I have ten plus years being employed as a large animal technician. In these capacities I have received extensive training in subjects pertaining to crimes against and involving animals, as well as how to care for the wellbeing of animals. I have also investigated numerous incidents of neglect and other matters involving animals.

3. That, on 01/03/2020 this Affiant received a phone call from Dr. Peter Conserva located in West Suffield, CT. Dr. Conserva stated to this Affiant that on 12/14/2019 a phone call was received asking for assistance lifting a downed cow (later referred to as cow #1) located at 1601 Sheldon Street in West Suffield, Connecticut. Dr. Conserva assisted the Suffield Fire Department via telephone in lifting the cow and transporting it into a barn located on the property. Then, on 01/03/2020, Dr. Conserva was contacted by Stephen Sheldon (property owner at 1601 Sheldon St. who was leasing land to the owner of the animals) about a second downed cow (later referred to as cow #2) on the property, also saying that the cow #1 was still downed in the barn believed to be without veterinary care for the past three weeks. Sheldon said that cow #2 was pulled out of a puddle by him and had appeared bloated. He was able to use heavy machinery to remove cow #2 and get it onto dryer, level land and place blankets on her to aid in the prevention of shock.

4. That, on 01/03/2020 this Affiant went to 1601 Sheldon St. and pulled into the driveway on the property arriving at 1242 hours. After I had gotten out of the vehicle I observed what was cow #2 just to the east side of the feed trough. Cow #2 had appeared to have labored breathing, and every breath she took there was a gargling noise coming from both inhalation and exhalation. I was able to observe the rest of the cattle, counting 21 in total. The other cattle were aggressively eating the hay that Stephen Sheldon had placed in the trough for them. Sheldon had said that he rarely sees anyone on the property to care for the animals, so whenever he sees the cattle with no food he has been supplementing them with hay from his own barn that he would typically be selling to his clients. The cattle that were up and walking had appeared to have poor body condition. None of the cattle had full bellies, multiple ribs and spine were exposed, and I had then planned to have veterinarians come to the property to assist in assessing the animals as well as notifying State Animal Control of the ongoing situation.

5. That, this Affiant then looked into the barn where downed cow #1 was located. I observed a severely emaciated cow with little to no fat on her body. The cow's hips were completely exposed, and the spine from the neck all the way down to its tail was exposed, creating a tent of skin several inches in height that sagged down the sides until meeting it's ribs. All of the cow's ribs were exposed and there were severe indentations between the bone from one rib to the next, indicating to me that this cow was in severely poor health. The cow had been laying in it's own urine and feces as it was unable to

(This is page 2 of a 11 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/09/2020	 #513 A.C.O.
Enfield	01/09/2020	Elizabeth Hall AMIR2
Jurat	Subscribed and sworn to before me on (Date) 1-9-20	Signed (Judge/Judge Trial Referee) 

move under its own power. At this time I contacted Salmon Brook Veterinary Hospital in Granby, CT. At my request, Salmon Brook Vet Hospital had sent Dr. Christopher Weber, a Bovine Veterinarian (handles cattle) to my location to further evaluate the cow and herd. Detective St. John of the Suffield Police Department was present to see the conditions of the animals, living situations, and was there while I had taken some photographs. Stephen Sheldon had also been in contact with the animals' owner, Rachel Kornstein (DOB 01/29/1985), who hadn't responded to any of his messages until making it clear that he was going to be in contact with the Suffield Police Department's Animal Control.

6. That, this Affiant then met with Dr. Weber to evaluate cow #1. In an attempt for a better evaluation we had attempted to roll the cow into a different position on its other side. Upon doing so, Dr. Weber's assistant began to gag excessively as there was a severe wound on the cow's left hind quarter that was rotting with puss and had a horrific smell. So bad, that when I had gotten wind of it we had to put the cow back down on its same side and we all then briefly stepped outside for gasps of fresh air.

7. That, this Affiant then met with the owner of the animals, Rachel Kornstein (who had a verbal agreement with the Sheldon Mel Farm to have her animals on the farm property), to discuss moving forward with these animals and how they should be treated as the neglect appeared to be serious. At this time I asked her for photo identification. She handed me her Connecticut Driver's License, and after having our dispatcher run her through the COLLECT system it was found that she had a PRAWN warrant out for her arrest after failing to pay or plead on animal charges brought against her from NECCOG Animal Control in Woodstock, CT. I had Police Officers come to the scene to take her in for booking on the warrant.

8. That, this Affiant had both verbal consent and a written document (signed in front of this Affiant and Sgt. Justin Nelson #115) from Rachel Kornstein surrendering cow #1 to the Town of Suffield that had been down since 12/14/2019. Due to the severity of the cow's poor condition(s), Dr. Weber had suggested the most humane thing to do in this case would be to euthanize the animal and subsequently bring it for a necropsy (animal version of an autopsy). When speaking with Kornstein, she had sounded reluctant to pay the vet to do an injection as a means of humane euthanasia, instead suggesting that we shoot the animal. I then explained to her that she has had three (3) weeks to decide on her own method of humane euthanasia and/or slaughter for the cow, and I would be keeping the animal in tact for the necropsy which would be done at UCONN. Dr. Weber said that with a downed cow, suggestions are to be made within 2-5 days of the cow being downed as to whether they would euthanize or further treat/ administer drugs to the animal in an attempt to save it. This cow in particular had been down for three weeks under the direct care/custody of Kornstein and had neglected to have a veterinarian on sight to give an evaluation on the animal or begin treatment.

9. That, this Affiant was present for the euthanasia of cow #1, and subsequently transferred the animal to UCONN's Veterinary Medical Diagnostic Laboratory at 61 North Eagleville Rd. in Storrs, CT to have a necropsy completed.

10. That, on 01/04/2020 this Affiant went to 1601 Sheldon Street to observe the downed cow #2 and check on its wellbeing. It was still downed and completely on its side. It was unable to lift its head and had intense labored breathing. I had then called Dr. Weber and reported the conditions of the animal. Dr. Weber and Dr. Marjorie Bruce from Salmon Brook Vet Hospital had then come and further evaluated the animal. Kornstein was present for the evaluation as well.

11. That, this Affiant then called NECCOG Animal Control that covers Woodstock, CT. After speaking with one of their officers, I obtained multiple reports from their agency in which officers had gone out to the properties where Rachel Kornstein had previously kept her animals and observed on multiple occasions that the animals had no food or water available to them. I also spoke with North Stonington Animal Control, as Kornstein had lived there as well. North Stonington had been out there and was able to document on multiple occasions where the animal owner had not had sufficient amounts of food or water, or the water was completely frozen and unavailable to the animals.

(This is page 3 of a 11 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/09/2020	[Signature] #573 A.C.O.
Enfield	01/09/2020	Clayton Hall AMIRZ
Jurat	Subscribed and sworn to before me on (Date) 1-9-20	Signed (Judge/Judge Trial Referee) [Signature]

12. That, this Affiant then received a formal evaluation of the animals from Dr. Weber which says that in the case of cow #1, the cow had been between 225-240lbs underweight in comparison to what would be a healthy cow. There was bone on bone crepitus (common sign of bone fracture) that was noticed when rocking the cow onto her right side. Also noticed when rocking the cow, was the necrotic smell (often associated with colonized bacteria in the area of the wound) and wound that had been mentioned previously in paragraph 6. The cow was unwilling and unable to stand on it's own. Cow #2 which was downed on 01/03/2020 had a recorded temperature of 96.8°Fahrenheit which strays far from the normal temperature of 101.5°Fahrenheit. There were multiple abrasions on both hips and on all four legs. The cow was prompted to get up with an electrical prod, but was unwilling to try. When using a hip lift to lift the cow, she was still unable to stand.

13. That, on 01/05/2020 this Affiant received a phone call from Rachel Kornstein. Kornstein was requesting assistance in helping to deliver a calf. One of her cattle (later referred to as cow #3) had been pregnant unbeknownst to her, and was now down on an embankment struggling to give birth. I had called Dr. Bruce from Salmon Brook Vet Hospital and stated she would be arriving on scene as well. With veterinary assistance and after cutting the vagina of the cow, we were able to get the calf delivered. Dr. Bruce had stated that due to the poor health of cow #3, and the cow looking as if she was dry (not producing milk) that she wouldn't advise milking the cow to obtain Colostrum (milky fluid from the cows that is administered to calves for the first few days after giving birth to help safeguard their immunity). Dr. Bruce appeared to be flustered at the fact Kornstein had no idea the cow was pregnant and had such depleted energy levels and poor body condition prior to and subsequent to giving birth. Kornstein had no feeding plan in place for the calf now that it was born, and when prompted by Dr. Bruce, Kornstein hadn't had plans on staying with the calf overnight to observe it. The neighbor, Chuck Constable, of 212 North Main St. in East Granby made a positive effort to make sure the calf had a safe stable to sleep in with fresh hay at his residence, and was able to get a Colostrum mixture to feed the calf from a dairy farm in Suffield. I then discovered that cow #2 has since died overnight. Dr. Bruce then made comments about the poor care/neglect of these animals.

14. That, this Affiant then took a statement from Stephen Sheldon. Throughout Sheldon's narrative of his statement, he made comments about the electric bill going up at his father's property due to the birds that Kornstein had been keeping on the property. Sheldon made reference to the two dead poultry birds that were on the property for days that he ultimately had to remove from the penned in area and discard into the woods. Subsequent to taking Sheldon's statement I went to 1497 Sheldon St. and gained permission from Tom Sheldon (property owner) to drive onto the south side of the property and observe the animals that were in the pen. I had observed that Kornstein has an electric net type fence (that isn't currently powered) containing roughly 200 poultry between chickens and ducks in the contained area with a gooseneck trailer and panel gates with tarps for purpose of a roosting area. There was multiple watering tanks on the property containing no water whatsoever. There was no food whatsoever available to any of the animals on the property indicating severe neglect in reflection to the amount of animals on the property. I observed 4 dead poultry birds in the contained area where the birds were residing. Chickens had been pecking at one of the bird carcasses indicating the lack of food. There was one Great Pyrenees type dog in the fenced in area as well that from visual observation, this Affiant would give a Body Condition Score (BCS) between 1.5-2 out of a possible 5 indicating poor health/neglect. The dog's fur was in poor condition, missing areas of fur on the tail, matted and constantly scratching itself indicating possible parasites, fleas, ticks, etc. The gut was severely tucked under the body and the hips were exposed and back had a visible hunch.

15. That, this Affiant went to 1601 Sheldon Street on 01/06/2020 at 1200 hours with Affiant #2 and State of Connecticut Department of Agriculture Livestock Inspector James Sullivan. Rachel Kornstein was present while the inspectors were on the property. Upon inspection, Affiant #2 found that the 20 cattle in Kornstein's care and custody are living in a 3/4 acre pen that has a very steep decline into a swampy area located at the center. There was no sign of waste hay from the previous day, and all of the trees within that pen have been girdled and stripped of their bark which indicate the cattle

(This is page 4 of a 11 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/09/2020	[Signature] #513 A.C.O.
Enfield	01/09/2020	Christopher Hall AMIR 2
Jurat	Subscribed and sworn to before me on (Date) 1-9-20	Signed (Judge/Judge Trial Referee) [Signature]

have been without feed. The calves that were on the property were walking freely outside the pen foraging in weeds where there is debris and equipment that could cause injury and/or problems with digestion. A fourteen foot feed trough is located under the fence and contained 6-12 inches of coarse, wet waste that consisted of Multiflora Rosa, mud, and sticks from mulch hay (according to an evaluation provided from Affiant #2).

16. That, While on the property, Kornstein took her attention away from downed cow #3 in the barn once noticing our arrival (the one that had given birth yesterday) and took two of Steve Sheldon's mulch hay bales (with no nutritional value) from a pile in the barn and placed them on top of the waste in the trough without doing any cleaning. Kornstein has no sign of having her own feed and appears to be taking mulch hay from the Sheldon's barn without permission. According to Affiant #2, the feed trough is very restricted in length in comparison to the amount of cattle she owns. The smaller and weaker cattle were unable to eat without excessive competition. The round bale feeder located on the property is not in use and has trees growing through it.

17. That, along the fence line are two (2) 100-gallon water tanks that were just being filled after this Affiant, Affiant #2, and Inspector Sullivan had already arrived on the property, indicating that the cattle did not have available water previously.

18. That, Affiant #2 was able to recognize that many of the cattle have abnormally large heads in comparison to their bodies which indicates that the growth of the cattle has been stunted due to their poor nutrition. Affiant #2 was also able to point out that it appears that two of the calves were showing signs of contagious ringworm going untreated as there are crusty patches on their faces. One of the adult cow's left eye had been partially closed with a thick yellow crust around it, which would indicate signs of conjunctivitis. Using a scale of 1 to 9 (1 being emaciated and 9 being obese) Affiant #2 gave a body condition scale (BCS) to five of the adult cattle resulting in a rating of 2-2.25 which is very poor body condition. The cattle appear to have sharp spines, and the individual bones on the spine were easily identified. They appear to be gaunt (lean and haggard, often caused from suffering and/or hunger) with their guts sunk in, with some cattle having depressions behind their shoulders. Affiant #2 also notices that the calves look the best out of the herd, due to them still nursing, which is further draining energy from the cattle and lowering their BCS. Affiant #2 made comments to this Affiant that it is very probable that with any sort of inclement weather there would be another downed cow.

19. That, Affiant #2 and this Affiant walked to the threshold of the barn where the cattle enter. We observed some of the cattle in the barn eating mulch hay that laid atop of the accumulated manure. Affiant #2 estimates the manure in the barn to be 2 1/2 to 3 feet deep in the ally which is traveled, showing that the stalls are rarely cleaned out, if ever, since moving onto the property at the end of October 2019. The smaller and weak animals are unable to access feed, there is no clean bedding available or a dry, clean area to lie down, and Affiant #2 indicates that there is no bedding management of the area whatsoever.

20. That, Affiant #2, Inspector Sullivan, and this Affiant then went to observe the downed cow #3 in the barn at 1601 Sheldon Street on 01/06/2020. Adorning ear tag # 14 ACI 1557, Affiant #2 noticed that the cow's ears were cold to the touch and her skin did not pull back quickly after doing a pinch test, indicating that the cow was dehydrated. The cow had slight edema (swelling) from calving but has no milk available due to her poor nutritional state. They (Kornstein and associates) were able to get the cow up and she was able to briefly take steps toward the feed pile taking about 20 minutes, however, she has been down since this time.

21. That, on 01/06/2020 Affiant #2, Inspector Sullivan, and this Affiant observed the two pens on the property containing 5 dogs, and 15-20 ducks. There was no available water to any animals, and the dogs' food buckets were translucent with the sun shining through indicating no food available. We then traveled to the southern portion of 1497 Sheldon St. to inspect the rest of Kornstein's flock of birds, and dog(s) (when I had asked Kornstein if she had more birds

(This is page 5 of a 11 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/09/2020	[Signature] #513 A.C.O.
Enfield	01/09/2020	Clayton Nail AMIRZ
Jurat	Subscribed and sworn to before me on (Date) 1-9-20	Signed (Judge/Judge Trial Referee) [Signature]

she had indicated they were at this property also owned by Tom Sheldon). Tom Sheldon had given me verbal permission to be on the property. The condition hadn't changed at all when comparing them to the conditions referenced in paragraph 14. This indicates to me that the birds have gone a full day without food or water in the pen being further evident of neglect. I had discovered three more dead birds in a feed bag that was lying on the ground. There was still light snow on the ground that the birds had been pecking at indicating that was their best source of water.

22. That, on 01/07/2020 Affiant #2 again met with this Affiant to observe the properties where Kornstein is keeping her animals. We traveled to 1601 Sheldon Street and upon parking our vehicles we observed cattle scattered throughout the property. The cattle were eating dead bushes, bittersweet, and thorns from the surrounding area. The single wire fence that was used to contain the animals was completely down and inoperable. The two 100-gallon tubs that should be filled with water for the cows was completely empty except for the slight amount of water which had frozen waste hay to the bottom of the tub. The downed cow #3 which had just given birth, had been completely on it's side unable to move its body. With its head, heavy and unable to be lifted under her own power, cow #3 had strong indications of struggling throughout the night while unable to provide circulation to her legs. The cow had made divots in the hay, struggling to get her feet under her and into a comfortable position. There were no signs of any urine or bowel movements from the day prior, and there was no available food or water for the cow. There was no sign that anyone had been there to care for cow #3.

23. That, on 01/07/2020 this Affiant was in contact with Dr. Bruce and Dr. Weber from Salmon Brook Vet Hospital. They arrived on scene at my request as there wasn't a good sign of life stemming from cow #3 downed in the barn. Kornstein arrived shortly after. They had pumped electrolytes and water into the cow, and at one point was able to lift her head on her own. They then attempted to use a hip lift to get the animal up and standing to get circulation to the legs. She was completely limp and unable to stand.

24. That, while the veterinarians and Kornstein remained in the barn, Affiant #2 and this Affiant were able to observe the conditions of the other animals. The five dogs on the property had zero available food or water. When I approached the dogs in the pen, they all would wait over their feed and watering buckets in anticipation of getting food and water. The water tubs for the poultry were completely frozen over and you could see where the ducks had made attempts in breaking through the ice in hopes of getting water. Cow #2 that had previously died, was dumped and left down an embankment and has been there for the past three days. We then began to fill the water tubs for the cattle. The whole herd came over in a rush and were battling to get access to the water. The hose was unable to fill the tub fast enough while the cows were fighting to drink from the bottom of the tub. So much so that some of the cows were able to make slurping noises similar to a human drinking from the bottom of a soft drink filled with ice. The feed trough was still filled with the waste feed, sticks, and Multiflora Rosa and was untouched by the cattle. When green hay was offered to the cattle they had then began to fight over access to the food. One cow that had been close to the embankment at the entrance to the barn was also eager to get food, However, it took approximately 7 minutes for the cow to go 20 yards through thick areas of manure and access the food. This indicates severe lethargy and struggle to move.

25. That, Affiant #2 and this Affiant then traveled to 1497 Sheldon Street to check on the other flock of birds and the dog on the property. It was clear that someone had gone to the property subsequent to me asking the question to Kornstein about owning more birds the day prior. All of the dead poultry were either removed from the property, or unable to see in plain view by this Affiant. However, with the mesh netting not being hooked up to power, Kornstein had failed to prevent injury to another one of her poultry. A duck had tried to go through the mesh netting and had hung itself in the process. The body was stretched from the neck and frozen to the ground. There had appeared to be a frothy, snot-like substance frozen around it's beak indicating a severe struggle prior to it's death.

26. That, on 01/07/2019 this Affiant received verbal permission from Kornstein, and Kornstein gave verbal permission to

(This is page 6 of a 11 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/09/2020	[Signature] #573 A.C.O.
Enfield	01/09/2020	Clayton Hall AMIR2
Jurat	Subscribed and sworn to before me on (Date) 1-9-20	Signed (Judge/Judge Trial Referee) [Signature]

her personal veterinarian Dr. Dennis Thibeault to release any and all vet records pertaining to her animals. After receiving the vet records, it was evident that Kornstein has a history of neglect and lack of care for her animals. Multiple animals listed in the veterinary records had obtained very low Body Condition Scores after being assessed by Dr. Thibeault, and there was a lack of any follow-up visits subsequent to assessments.

27. That, On 01/08/2020 this Affiant was at both 1497 Sheldon Street and 1601 Sheldon Street to do wellbeing checks on Kornstein's animals. Cow #3 was still down and in the same position as when I had left yesterday, indicating that no one had been there to flip the cow every few hours as told to do by Dr. Bruce. The dogs' water bowls that were in plain view had been frozen solid, with no available water. The cows had waste feed in the troughs and ice over the top of their water tub. At 1497 Sheldon Street this Affiant observed all water tubs frozen solid, with birds pecking at the ice in an attempt to access water. The one dog on the property was moving lethargically and appeared to be walking lame. The duck that had hung itself in the netting the day prior hadn't been removed and there was another dead fowl in the pen that is new since this Affiant's visit on 01/07/2020.

28. That, based on the foregoing facts and circumstances, the Affiants have probable cause to believe that competent evidence to wit: all animals owned by or cared for by Rachel Kornstein (DOB 01/29/1985), alive, unborn, or dead including but not limited to cattle, chickens, ducks, dogs, all paperwork, purchasing receipts, veterinary documents, photographs, trailers, feed, relevant to an alleged case of Animal Cruelty that had been first reported on 01/03/2019 at 1601 Sheldon Street in West Suffield, Connecticut 06093 will be found at 1601 Sheldon Street West Suffield, CT, 1497 Sheldon St. West Suffield, CT, and 212 North Main Street East Granby, CT and will be found to assist in establishing the crimes of Connecticut General Statute 53-247(b): Cruelty to Animals and Connecticut General Statute 53-247(a): Cruelty to Animals. Furthermore, upon seizure all animals are to be evaluated and tested for dehydration, emaciation, physical condition, wounds, parasites, injuries and illness, and general health by a licensed veterinarian, and will be removed, or seized and sheltered in place, or disposed of at the decision of the State of Connecticut Department of Agriculture consistent with State Statute.

(This is page 7 of a 11 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/09/2020	[Signature] #513 A.C.O.
Enfield	01/09/2020	Cupbell Hall Amier
Jurat	Subscribed and sworn to before me on (Date) 1-9-20	Signed (Judge/Judge Trial Referee) [Signature]

The undersigned ("X" one) has not presented this application in any other court or to any other judge or judge trial referee.
 has presented this application in another court or to another judge or judge trial referee (specify):

Wherefore the undersigned requests that a warrant may issue commanding a proper officer to search said person or to enter into or upon said place or thing, search the same, and take into custody all such property.

And to submit the property described in the foregoing affidavit and application to laboratory analysis and examination:

(This is page 8 of a 11 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/09/2020	[Signature] #573 A.C.,-C1
Enfield	01/09/2020	Clayton Neal AMIR 2
Jurat	Subscribed and sworn to before me on (Date) 1-9-20	Signed (Judge/Judge Trial Referee) [Signature]

**AFFIDAVIT REQUESTING DISPENSATION WITH
REQUIREMENT OF DELIVERY
pursuant to § 54-33c, Connecticut General Statutes**

TO: A Judge of the Superior Court or a Judge Trial Referee

For the reasons set forth below, the undersigned, being duly sworn, requests that the judge / judge trial referee dispense with the requirement of C.G.S. § 54-33c that a copy of the application for the warrant and a copy of any affidavit(s) in support of the warrant be given to the owner, occupant or person named therein with forty-eight hours of the search:

- The personal safety of a confidential informant would be jeopardized by the giving of a copy of the affidavits at such time;
- The search is part of a continuing investigation which would be adversely affected by the giving of a copy of the affidavits at such time;
- The giving of such affidavits at such time would require disclosure of information or material prohibited from being disclosed by chapter 959a of the general statutes;

- In addition, it is requested that the requirement of advance service of this warrant upon the customer whose financial records are being sought, be waived pursuant to C.G.S. § 36a-43 (a);

and the specific details with regard to such reasons are as follows:

The undersigned further requests that this affidavit also be included in such nondelivery.

(This is page 9 of a 11 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/09/2020	[Signature] #573 A.C.O.
Enfield	01/09/2020	Clayton Hall AMIRZ
Jurat	Subscribed and sworn to before me on (Date) 19-20	Signed (Judge/Judge Trial Referee) [Signature]

SEARCH AND SEIZURE WARRANT

STATE OF CONNECTICUT
SUPERIOR COURT

SEARCH AND SEIZURE WARRANT

The foregoing Affidavit and Application for Search and Seizure Warrant having been presented to and been considered by the undersigned, a Judge of the Superior Court or a Judge Trial Referee, and the foregoing Affidavit having been subscribed and sworn to by the affiant(s) before me at the time it was presented, the undersigned (a) is satisfied therefrom that grounds exist for said application, and (b) finds that said affidavit established grounds and probable cause for the undersigned to issue this Search and Seizure Warrant, such probable cause being the following: From said affidavit, the undersigned finds that there is probable cause for the undersigned to believe that the property described in the foregoing affidavit and application is within or upon the person, if any, named or described in the foregoing affidavit and application, or the place or thing, if any, described in the foregoing affidavit and application, under the conditions and circumstances set forth in the foregoing affidavit and application, and that, therefore, a Search and Seizure warrant should issue for said property.

NOW THEREFORE, by Authority of the State of Connecticut, I hereby command any Police Officer of a regularly organized police department, any State Police Officer, any Inspector in the Division of Criminal Justice, or any conservation officer, special conservation officer or patrol officer acting pursuant to C.G.S. § 26-6 to whom these presents shall come within ten days after the date of this warrant to enter into or upon and search the place or thing described in the foregoing affidavit and application, or search the person described in the foregoing affidavit and application or both, to wit:

The residential and agricultural land located on and adjacent to 1601 Sheldon Street (MBL-16-20-1), West Suffield, Connecticut including the greenhouses, garages, out buildings, and animal shelters including barns, marked with a white sign at the entrance to the property that says "Sheldon Mel Farm."

The residential and agricultural land located on and adjacent to 1497 Sheldon Street, West Suffield, Connecticut, including animal shelters, trailers, and outbuildings, marked with a white house with a green front door and a green plaque to the left of the door with "1497" written vertically, with an SNET pole #1303 at the road.

for the property described in the foregoing affidavit and application, to wit:

On the below listed properties, all animals owned by or cared for by Rachel Kornstein (DOB 01/29/1985), alive, unborn, or dead including but not limited to cattle, chickens, ducks, dogs, and to have said animals evaluated and tested for dehydration, emaciation, physical condition, wounds, parasites, injuries and illness, and general health by a licensed veterinarian, all paperwork, purchasing receipts, veterinary documents, photographs, trailers, feed, relevant to an alleged case of Animal Cruelty that had been first reported on 01/03/2019 at 1601 Sheldon Street in West Suffield, Connecticut 06093.

submit the property described in the foregoing affidavit and application to laboratory analysis and examination:

and upon finding said property to seize the same, take and keep it in custody until the further order of the court, and with reasonable promptness make due return of this warrant accompanied by a written inventory of all property seized.

The foregoing request that the judge or judge trial referee dispense with the requirement of C.G.S. § 54-33c that a copy of the warrant application and affidavit(s) in support of the warrant be given to the owner, occupant or person named therein and that the affidavit in support of such request also be included in such nondelivery is hereby:

NOT TO EXCEED 2 WEEKS BEYOND DATE WARRANT IS EXECUTED

GRANTED for a period of

This order, or any extension thereof, dispensing with said requirement shall not limit disclosure of such application and affidavits to the attorney for a person arrested in connection with or subsequent to the execution of the search warrant unless, upon motion of the prosecuting authority within two weeks of such arraignment the court finds that the state's interest in continuing nondisclosure substantially outweighs the defendant's right to disclosure.

DENIED.

Service of this Search Warrant upon the customer whose financial records are being sought is hereby waived, pursuant to C.G.S. § 36a-43 (a).

(NOTE: AFFIANT'S OATH MUST BE TAKEN PRIOR TO JUDGE / JUDGE TRIAL REFEREE SIGNING BELOW)

(This is page 10 of a 11 page Affidavit and Application.)

Signed at <u>Watfield</u> , Connecticut, on:	Date <u>1-9-20</u>	At (Time) <u>3:16</u>	<input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m.
Signed (Judge/Judge Trial Referee)	Print name of Judicial Official <u>Rosen</u>		

**RETURN FOR AND INVENTORY
PROPERTY SEIZED ON SEARCH AND SEIZURE WARRANT**

Inventory control number		
Judicial District of ENFIELD	G.A. 13	At (Address of Court) 111 PHOENIX AVENUE
Docket number CR-		Uniform arrest number 20-7-OF
Date of seizure 01/13/2020		Companion case number

Then and there by virtue of and pursuant to the authority of the foregoing warrant, I searched the person, place or thing named therein, to wit:

The residential and agricultural land located on and adjacent to 1601 Sheldon Street (MBL-16-20-1), West Suffield, Connecticut including the greenhouses, garages, out buildings, and animal shelters including barns, marked with a white sign at the entrance to the property that says "Sheldon Mel Farm."

The residential and agricultural land located on and adjacent to 1497 Sheldon Street, West Suffield, Connecticut, including animal shelters, trailers, and outbuildings, marked with a white house with a green front door and a green plaque to the left of the door with "1497" written vertically, with an SNET pole #1303 at the road.

and found thereon or therein, seized, and now hold in custody, the following property:

Total Cash Seized: NONE, consisting of

1. (1) One cow euthanized on site, pursuant to authority granted to Department of Agriculture via State Statute and Search Warrant, and transported to the Connecticut Veterinary Medical Diagnostic Laboratory at 61 North Eagleville Rd. U-3089 in Storrs, Connecticut 06269.
2. (138) One hundred thirty-eight chickens transported to the Second Chance Large Animal Rehabilitation Facility at York Correctional Institution, 201 West Main Street, Niantic, Connecticut 06357 for evaluation.
3. (33) Ducks transported to the Second Chance Large Animal Rehabilitation Facility at York Correctional Institution, 201 West Main Street, Niantic, Connecticut 06357 for evaluation.
4. (6) Great Pyrenees type dogs transported to River Valley Animal Center, 616 South Street, Suffield, Connecticut 06078 for evaluation.

and I gave a copy of such warrant to Tom Sheldon (property owner), the owner or occupant of the dwelling, structure, motor vehicle or place designated therein, or to N/A the person named therein, on (Date) 01/13/2020

(This is page 11 of a 11 page Affidavit and Application.)

Date 1/14/2020 Signed (Officer's signature and department) [Signature]

NOTE: Form JD-CR-61, pages 1 - 11 must be supplemented by Form JD-CR-52.

EXHIBIT 2

**AFFIDAVIT AND APPLICATION
SEARCH AND SEIZURE WARRANT**

JD-CR-61 Rev. 3-10
C.G.S. §§ 54-33a, 54-33c, 54-33j

STATE OF CONNECTICUT
SUPERIOR COURT

www.jud.ct.gov



Form JD-CR-52 must also be completed

Instructions To Applicant

File the application for the warrant and all affidavits upon which the warrant is based with the clerk of the court for the geographical area within which any person who may be arrested in connection with or subsequent to the execution of the search warrant would be presented, together with the return of the warrant.

Instructions To G.A. Clerk

Upon execution and return of the warrant, affidavits which are the subject of an order dispensing with the requirement of giving a copy to the owner, occupant or person within forty-eight hours shall remain in the custody of the clerk's office in a secure location apart from the remainder of the court file.

Police Case number 20-7-OF

TO: A Judge of the Superior Court or a Judge Trial Referee

The undersigned, being duly sworn, complains on oath that the undersigned has probable cause to believe that certain property, to wit:

On the below listed properties, all animals owned by or cared for by Rachel Kornstein (DOB 01/29/1985), alive, unborn, or dead including but not limited to cattle, chickens, ducks, dogs, and to have said animals evaluated and tested for dehydration, emaciation, physical condition, wounds, parasites, injuries and illness, and general health by a licensed veterinarian, all paperwork, purchasing receipts, veterinary documents, photographs, trailers, feed, relevant to an alleged case of Animal Cruelty that had been first reported on 01/03/2019 at 1601 Sheldon Street in West Suffield, Connecticut 06093.

- is possessed, controlled, designed or intended for use or which is or has been or may be used as the means of committing the criminal offense of: _____
- was stolen or embezzled from: _____
- constitutes evidence of the following offense or that a particular person participated in the commission of the offense of:
CGS 53-247(b) Cruelty to Animals; CGS: 53-247(a) Cruelty to Animals
- is in the possession, custody or control of a journalist or news organization, to wit:

- and such person or organization has committed or is committing the following offense which is related to such property:

- and such property constitutes contraband or an instrumentality of the criminal offense of:

And is within or upon a certain person, place, or thing, to wit:

The residential and agricultural property located at 212 North Main Street, East Granby, Connecticut, including the barns, animal shelters, and pastures, marked with a ranch style home, red in color, a natural colored barn to the north of the home containing round baled hay and living space for livestock, with an "H" style post containing the numbers "212" written vertically inset to the ground containing a black mailbox. Said property is currently under lease by Kevin Constable.

(This is page 1 of a 12 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/10/2020	[Signature] #513 A.C.O.
Enfield	01/10/2020	Clayton Hall Amir
Jurat	Subscribed and sworn to before me on (Date) 1-10-20	Signed (Judge/Judge Trial Referee) [Signature]

And the facts establishing the grounds for issuing a Search and Seizure Warrant are the following:

1. That this Affiant #1 (herein later referred to as Affiant), Animal Control Officer Ryan R. Selig, badge number 513, is a member of the Suffield Police Department presently assigned to the Department's Animal Control Division and has been a member of the Suffield Police Department since October 4, 2017. I have received specialized training, from the State of Connecticut Department of Agriculture's Animal Control Division and at all pertinent times mentioned herein was acting in his official capacity as a member of said Department. The Suffield Police Department's Animal Control Division is also tasked with handling all Animal Control complaints in the Town of East Granby. The following facts and circumstances are stated from personal knowledge, observation and investigation, as well as from information received from other officers acting in their official capacity.
2. That I Elizabeth Hall, Affiant #2, am an Agricultural Marketing and Inspection Representative II for the State of Connecticut Department of Agriculture and have been employed in this position since 2008. Prior to my employment with the State of Connecticut, I was employed by the Massachusetts Department of Agriculture as an Animal Inspector for a period of five years. Prior to that, I have ten plus years being employed as a large animal technician. In these capacities I have received extensive training in subjects pertaining to crimes against and involving animals, as well as how to care for the wellbeing of animals. I have also investigated numerous incidents of neglect and other matters involving animals.
3. That, on 01/03/2020 this Affiant was assigned to investigate a suspected case of cruelty to animals that are currently located on separate properties in the Town of Suffield and East Granby. This Affiant received a phone call from Dr. Peter Conserva located in West Suffield, CT. Dr. Conserva stated to this Affiant that on 12/14/2019 a phone call was received asking for assistance lifting a downed cow (later referred to as cow #1) located at the "Sheldon Mel Farm" 1601 Sheldon Street in West Suffield, Connecticut owned and operated by Stephen Sheldon. Dr. Conserva assisted the Suffield Fire Department via telephone (giving proper instruction) in lifting the cow and transporting it into a barn located on the property. Then, on 01/03/2020, Dr. Conserva was contacted by Stephen Sheldon about a second downed cow (later referred to as cow #2) on the property, also saying that the cow #1 was still downed in the barn believed to be without veterinary care for the past three weeks. Sheldon said that cow #2 was pulled out of a puddle by him and had appeared bloated. He was able to use heavy machinery to remove cow #2 and get it onto dryer, level land and place blankets on her to aid in the prevention of shock. Dr. Conserva reported that Sheldon had requested assistance to help with livestock that appeared to have been severely neglected. This Affiant on 01/03/2020 arrived at the Sheldon Mel Farm and learned from speaking to Sheldon that he had entered into a verbal lease agreement to allow the owner of the animals, Rachel Kornstein, to keep and care for her animals on the farm property. At that time the Affiant also met and spoke with Kevin Constable who reported that he is the current leaseholder of farm property located at 212 North Main Street in East Granby and further, that he had entered into a similar verbal agreement with Rachel Kornstein for her to keep and care for various animals on his property. The two separate farm properties abut each other but are on the town borderline of Suffield and East Granby.
4. That, on 01/03/2020 this Affiant went to 1601 Sheldon St. and pulled into the driveway on the property arriving at 1242 hours. After I had gotten out of the vehicle I observed what was cow #2 just to the east side of the feed trough. Cow #2 had appeared to have labored breathing, and every breath she took there was a gargling noise coming from both inhalation and exhalation. I was able to observe the rest of the cattle, counting 21 in total. The other cattle were aggressively eating the hay that Stephen Sheldon had placed in the trough for them. Sheldon had said that he rarely sees anyone on the property to care for the animals, so whenever he sees the cattle with no food he has been supplementing them with hay from his own barn that he would typically be selling to his clients. The cattle that were up and walking had

(This is page 2 of a 12 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/10/2020	[Signature] #513 A.C.O.
Enfield	01/10/2020	Elizabeth Hall AMIR 2
Jurat	Subscribed and sworn to before me on (Date) 1-10-20	Signed (Judge/Judge Trial Referee) [Signature]

appeared to have poor body condition. None of the cattle had full bellies, multiple ribs and spine were exposed, and I had then planned to have veterinarians come to the property to assist in assessing the animals as well as notifying State Animal Control of the ongoing situation.

5. That, this Affiant then looked into the barn where downed cow #1 was located. I observed a severely emaciated cow with little to no fat on her body. The cow's hips were completely exposed, and the spine from the neck all the way down to its tail was exposed, creating a tent of skin several inches in height that sagged down the sides until meeting its ribs. All of the cow's ribs were exposed and there were severe indentations between the bone from one rib to the next, indicating to me that this cow was in severely poor health. The cow had been laying in its own urine and feces as it was unable to move under its own power. At this time I contacted Salmon Brook Veterinary Hospital in Granby, CT. At my request, Salmon Brook Vet Hospital had sent Dr. Christopher Weber, a Bovine Veterinarian (handles cattle) to my location to further evaluate the cow and herd. Detective St. John of the Suffield Police Department was present to see the conditions of the animals, living situations, and was there while I had taken some photographs. Stephen Sheldon had also been in contact with the animals' owner, Rachel Kornstein (DOB 01/29/1985), who hadn't responded to any of his messages until making it clear that he was going to be in contact with the Suffield Police Department's Animal Control.

6. That, this Affiant then met with Dr. Weber to evaluate cow #1. In an attempt for a better evaluation we had attempted to roll the cow into a different position on its other side. Upon doing so, Dr. Weber's assistant began to gag excessively as there was a severe wound on the cow's left hind quarter that was rotting with puss and had a horrific smell. So bad, that when I had gotten wind of it we had to put the cow back down on its same side and we all then briefly stepped outside for gasps of fresh air.

7. That, this Affiant then met with the owner of the animals, Rachel Kornstein (who had a verbal agreement with the Sheldon Mel Farm to have her animals on the farm property), to discuss moving forward with these animals and how they should be treated as the neglect appeared to be serious. At this time I asked her for photo identification. She handed me her Connecticut Driver's License, and after having our dispatcher run her through the COLLECT system it was found that she had a PRAWN warrant out for her arrest after failing to pay or plead on animal charges brought against her from NECCOG Animal Control in Woodstock, CT. I had Police Officers come to the scene to take her in for booking on the warrant.

8. That, this Affiant had both verbal consent and a written document (signed in front of this Affiant and Sgt. Justin Nelson #115) from Rachel Kornstein surrendering cow #1 to the Town of Suffield that had been down since 12/14/2019. Due to the severity of the cow's poor condition(s), Dr. Weber had suggested the most humane thing to do in this case would be to euthanize the animal and subsequently bring it for a necropsy (animal version of an autopsy). When speaking with Kornstein, she had sounded reluctant to pay the vet do an injection as a means of humane euthanasia, instead suggesting that we shoot the animal. I then explained to her that she has had three (3) weeks to decide on her own method of humane euthanasia and/or slaughter for the cow, and I would be keeping the animal in tact for the necropsy which would be done at UCONN. Dr. Weber said that with a downed cow, suggestions are to be made within 2-5 days of the cow being downed as to whether they would euthanize or further treat/ administer drugs to the animal in an attempt to save it. This cow in particular had been down for three weeks under the direct care/custody of Kornstein and had neglected to have a veterinarian on sight to give an evaluation on the animal or begin treatment.

9. That, this Affiant was present for the euthanasia of cow #1, and subsequently transferred the animal to UCONN's Veterinary Medical Diagnostic Laboratory at 61 North Eagleville Rd. in Storrs, CT to have a necropsy completed.

10. That, on 01/04/2020 this Affiant went to 1601 Sheldon Street to observe the downed cow #2 and check on its wellbeing. It was still downed and completely on its side. It was unable to lift its head and had intense labored breathing.

(This is page 3 of a 12 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/10/2020	[Signature] #513 A.C.O.
Enfield	01/10/2020	Elyzbeta Hall AMIK2
Jurat	Subscribed and sworn to before me on (Date) 1-10-20	Signed (Judge/Judge Trial Referee) [Signature]

I had then called Dr. Weber and reported the conditions of the animal. Dr. Weber and Dr. Marjorie Bruce from Salmon Brook Vet Hospital had then come and further evaluated the animal. Kornstein was present for the evaluation as well.

11. That, this Affiant then called NECCOG Animal Control that covers Woodstock, CT. After speaking with one of their officers, I obtained multiple reports from their agency in which officers had gone out to the properties where Rachel Kornstein had previously kept her animals and observed on multiple occasions that the animals had no food or water available to them. I also spoke with North Stonington Animal Control, as Kornstein had lived there as well. North Stonington had been out there and was able to document on multiple occasions where the animal owner had not had sufficient amounts of food or water, or the water was completely frozen and unavailable to the animals.

12. That, this Affiant then received a formal evaluation of the animals from Dr. Weber which says that in the case of cow #1, the cow had been between 225-240lbs underweight in comparison to what would be a healthy cow. There was bone on bone crepitus-(common sign of bone fracture) that was noticed when rocking the cow onto her right side. Also noticed when rocking the cow, was the necrotic smell (often associated with colonized bacteria in the area of the wound) and wound that had been mentioned previously in paragraph 6. The cow was unwilling and unable to stand on it's own. Cow #2 which was downed on 01/03/2020 had a recorded temperature of 96.8°Fahrenheit which strays far from the normal temperature of 101.5°Fahrenheit. There were multiple abrasions on both hips and on all four legs. The cow was prompted to get up with an electrical prod, but was unwilling to try. When using a hip lift to lift the cow, she was still unable to stand.

13. That, on 01/05/2020 this Affiant received a phone call from Rachel Kornstein. Kornstein was requesting assistance in helping to deliver a calf. One of her cattle (later referred to as cow #3) had been pregnant unbeknownst to her, and was now down on an embankment struggling to give birth. I had called Dr. Bruce from Salmon Brook Vet Hospital and stated she would be arriving on scene as well. With veterinary assistance and after cutting the vagina of the cow, we were able to get the calf delivered. Dr. Bruce had stated that due to the poor health of cow #3, and the cow looking as if she was dry (not producing milk) that she wouldn't advise milking the cow to obtain Colostrum (milky fluid from the cows that is administered to calves for the first few days after giving birth to help safeguard their immunity). Dr. Bruce appeared to be flustered at the fact Kornstein had no idea the cow was pregnant and had such depleted energy levels and poor body condition prior to and subsequent to giving birth. Kornstein had no feeding plan in place for the calf now that it was born, and when prompted by Dr. Bruce, Kornstein hadn't had plans on staying with the calf overnight to observe it. The neighbor, Chuck Constable, of 212 North Main St. in East Granby made a positive effort to make sure the calf had a safe stable to sleep in with fresh hay at his residence, and was able to get a Colostrum mixture to feed the calf from a dairy farm in Suffield. I then discovered that cow #2 has since died overnight. Dr. Bruce then made comments about the poor care/neglect of these animals.

14. That, this Affiant then took a statement from Stephen Sheldon. Throughout Sheldon's narrative of his statement, he made comments about the electric bill going up at his father's property due to the birds that Kornstein had been keeping on the property. Sheldon made reference to the two dead poultry birds that were on the property for days that he ultimately had to remove from the penned in area and discard into the woods. Subsequent to taking Sheldon's statement I went to 1497 Sheldon St. and gained permission from Tom Sheldon (property owner) to drive onto the south side of the property and observe the animals that were in the pen. I had observed that Kornstein has an electric net type fence (that isn't currently powered) containing roughly 200 poultry between chickens and ducks in the contained area with a gooseneck trailer and panel gates with tarps for purpose of a roosting area. There was multiple watering tanks on the property containing no water whatsoever. There was no food whatsoever available to any of the animals on the property indicating severe neglect in reflection to the amount of animals on the property. I observed 4 dead poultry birds in the contained area where the birds were residing. Chickens had been pecking at one of the bird carcasses indicating the lack of food. There was one Great Pyrenees type dog in the fenced in area as well that from visual observation, this Affiant

(This is page 4 of a 12 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/10/2020	[Signature] #573
Enfield	01/10/2020	Eugene Hall AMIRE
Jurat	Subscribed and sworn to before me on (Date) 1-10-20	Signed (Judge/Judge Trial Referee) [Signature]

would give a Body Condition Score (BCS) between 1.5-2 out of a possible 5 indicating poor health/neglect. The dog's fur was in poor condition, missing areas of fur on the tail, matted and constantly scratching itself indicating possible parasites, fleas, ticks, etc. The gut was severely tucked under the body and the hips were exposed and back had a visible hunch.

15. That, this Affiant went to 1601 Sheldon Street on 01/06/2020 at 1200 hours with Affiant #2 and State of Connecticut Department of Agriculture Livestock Inspector James Sullivan. Rachel Kornstein was present while the inspectors were on the property. Upon inspection, Affiant #2 found that the 20 cattle in Kornstein's care and custody are living in a 3/4 acre pen that has a very steep decline into a swampy area located at the center. There was no sign of waste hay from the previous day, and all of the trees within that pen have been girdled and stripped of their bark which indicate the cattle have been without feed. The calves that were on the property were walking freely outside the pen foraging in weeds where there is debris and equipment that could cause injury and/or problems with digestion. A fourteen foot feed trough is located under the fence and contained 6-12 inches of coarse, wet waste that consisted of Multiflora Rosa, mud, and sticks from mulch hay (according to an evaluation provided from Affiant #2).

16. That, While on the property, Kornstein took her attention away from downed cow #3 in the barn once noticing our arrival (the one that had given birth yesterday) and took two of Steve Sheldon's mulch hay bales (with no nutritional value) from a pile in the barn and placed them on top of the waste in the trough without doing any cleaning. Kornstein has no sign of having her own feed and appears to be taking mulch hay from the Sheldon's barn without permission. According to Affiant #2, the feed trough is very restricted in length in comparison to the amount of cattle she owns. The smaller and weaker cattle were unable to eat without excessive competition. The round bale feeder located on the property is not in use and has trees growing through it.

17. That, along the fence line are two (2) 100-gallon water tanks that were just being filled after this Affiant, Affiant #2, and Inspector Sullivan had already arrived on the property, indicating that the cattle did not have available water previously.

18. That, Affiant #2 was able to recognize that many of the cattle have abnormally large heads in comparison to their bodies which indicates that the growth of the cattle has been stunted due to their poor nutrition. Affiant #2 was also able to point out that it appears that two of the calves were showing signs of contagious ringworm going untreated as there are crusty patches on their faces. One of the adult cow's left eye had been partially closed with a thick yellow crust around it, which would indicate signs of conjunctivitis. Using a scale of 1 to 9 (1 being emaciated and 9 being obese) Affiant #2 gave a body condition scale (BCS) to five of the adult cattle resulting in a rating of 2-2.25 which is very poor body condition. The cattle appear to have sharp spines, and the individual bones on the spine were easily identified. They appear to be gaunt (lean and haggard, often caused from suffering and/or hunger) with their guts sunk in, with some cattle having depressions behind their shoulders. Affiant #2 also notices that the calves look the best out of the herd, due to them still nursing, which is further draining energy from the cattle and lowering their BCS. Affiant #2 made comments to this Affiant that it is very probable that with any sort of inclement weather there would be another downed cow.

19. That, Affiant #2 and this Affiant walked to the threshold of the barn where the cattle enter. We observed some of the cattle in the barn eating mulch hay that laid atop of the accumulated manure. Affiant #2 estimates the manure in the barn to be 2 1/2 to 3 feet deep in the ally which is traveled, showing that the stalls are rarely cleaned out, if ever, since moving onto the property at the end of October 2019. The smaller and weak animals are unable to access feed, there is no clean bedding available or a dry, clean area to lie down, and Affiant #2 indicates that there is no bedding management of the area whatsoever.

20. That, Affiant #2, Inspector Sullivan, and this Affiant then went to observe the downed cow #3 in the barn at 1601 Sheldon Street on 01/06/2020. Adorning ear tag # 14 ACI 1557, Affiant #2 noticed that the cow's ears were cold to the

(This is page 5 of a 12 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/10/2020	[Signature] #573 A.C.O.
Enfield	01/10/2020	Elizabeth Hall AMIR 2
Jurat	Subscribed and sworn to before me on (Date) 1-10-20	Signed (Judge/Judge Trial Referee) [Signature]

touch and her skin did not pull back quickly after doing a pinch test, indicating that the cow was dehydrated. The cow had slight edema (swelling) from calving but has no milk available due to her poor nutritional state. They (Kornstein and associates) were able to get the cow up and she was able to briefly take steps toward the feed pile taking about 20 minutes, however, she has been down since this time.

21. That, on 01/06/2020 Affiant #2, Inspector Sullivan, and this Affiant observed the two pens on the property containing 5 dogs, and 15-20 ducks. There was no available water to any animals, and the dogs' food buckets were translucent with the sun shining through indicating no food available. We then traveled to the southern portion of 1497 Sheldon St. to inspect the rest of Kornstein's flock of birds, and dog(s) (when I had asked Kornstein if she had more birds she had indicated they were at this property also owned by Tom Sheldon). Tom Sheldon had given me verbal permission to be on the property. The condition hadn't changed at all when comparing them to the conditions referenced in paragraph 14. This indicates to me that the birds have gone a full day without food or water in the pen being further evident of neglect. I had discovered three more dead birds in a feed bag that was lying on the ground. There was still light snow on the ground that the birds had been pecking at indicating that was their best source of water.

22. That, on 01/07/2020 Affiant #2 again met with this Affiant to observe the properties where Kornstein is keeping her animals. We traveled to 1601 Sheldon Street and upon parking our vehicles we observed cattle scattered throughout the property. The cattle were eating dead bushes, bittersweet, and thorns from the surrounding area. The single wire fence that was used to contain the animals was completely down and inoperable. The two 100-gallon tubs that should be filled with water for the cows was completely empty except for the slight amount of water which had frozen waste hay to the bottom of the tub. The downed cow #3 which had just given birth, had been completely on it's side unable to move its body. With its head, heavy and unable to be lifted under her own power, cow #3 had strong indications of struggling throughout the night while unable to provide circulation to her legs. The cow had made divots in the hay, struggling to get her feet under her and into a comfortable position. There were no signs of any urine or bowel movements from the day prior, and there was no available food or water for the cow. There was no sign that anyone had been there to care for cow #3.

23. That, on 01/07/2020 this Affiant was in contact with Dr. Bruce and Dr. Weber from Salmon Brook Vet Hospital. They arrived on scene at my request as there wasn't a good sign of life stemming from cow #3 downed in the barn. Kornstein arrived shortly after. They had pumped electrolytes and water into the cow, and at one point was able to lift her head on her own. They then attempted to use a hip lift to get the animal up and standing to get circulation to the legs. She was completely limp and unable to stand.

24. That, while the veterinarians and Kornstein remained in the barn, Affiant #2 and this Affiant were able to observe the conditions of the other animals. The five dogs on the property had zero available food or water. When I approached the dogs in the pen, they all would wait over their feed and watering buckets in anticipation of getting food and water. The water tubs for the poultry were completely frozen over and you could see where the ducks had made attempts in breaking through the ice in hopes of getting water. Cow #2 that had previously died, was dumped and left down an embankment and has been there for the past three days. We then began to fill the water tubs for the cattle. The whole herd came over in a rush and were battling to get access to the water. The hose was unable to fill the tub fast enough while the cows were fighting to drink from the bottom of the tub. So much so that some of the cows were able to make slurping noises similar to a human drinking from the bottom of a soft drink filled with ice. The feed trough was still filled with the waste feed, sticks, and Multiflora Rosa and was untouched by the cattle. When green hay was offered to the cattle they had then began to fight over access to the food. One cow that had been close to the embankment at the entrance to the barn was also eager to get food, However, it took approximately 7 minutes for the cow to go 20 yards through thick areas of manure and access the food. This indicates severe lethargy and struggle to move.

(This is page 6 of a 12 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/10/2020	[Signature] #513 A.C.O.
Enfield	01/10/2020	Elizabeth Hall AMIR 2
Jurat	Subscribed and sworn to before me on (Date) 1-10-20	Signed (Judge/Judge Trial Referee) [Signature]

25. That, Affiant #2 and this Affiant then traveled to 1497 Sheldon Street to check on the other flock of birds and the dog on the property. It was clear that someone had gone to the property subsequent to me asking the question to Kornstein about owning more birds the day prior. All of the dead poultry were either removed from the property, or unable to see in plain view by this Affiant. However, with the mesh netting not being hooked up to power, Kornstein had failed to prevent injury to another one of her poultry. A duck had tried to go through the mesh netting and had hung itself in the process. The body was stretched from the neck and frozen to the ground. There had appeared to be a frothy, snot-like substance frozen around it's beak indicating a severe struggle prior to it's death.

26. That, on 01/07/2019 this Affiant received verbal permission from Kornstein, and Kornstein gave verbal permission to her personal veterinarian Dr. Dennis Thibeault to release any and all vet records pertaining to her animals. After receiving the vet records, it was evident that Kornstein has a history of neglect and lack of care for her animals. Multiple animals listed in the veterinary records had obtained very low Body Condition Scores after being assessed by Dr. Thibeault, and there was a lack of any follow-up visits subsequent to assessments.

27. That, on 01/08/2020 this Affiant was at both 1497 Sheldon Street and 1601 Sheldon Street to do wellbeing checks on Kornstein's animals. Cow #3 was still down and in the same position as when I had left yesterday, indicating that no one had been there to flip the cow every few hours as told to do by Dr. Bruce. The dogs' water bowls that were in plain view had been frozen solid, with no available water. The cows had waste feed in the troughs and ice over the top of their water tub. At 1497 Sheldon Street this Affiant observed all water tubs frozen solid, with birds pecking at the ice in an attempt to access water. The one dog on the property was moving lethargically and appeared to be walking lame. The duck that had hung itself in the netting the day prior hadn't been removed and there was another dead fowl in the pen that is new since this Affiant's visit on 01/07/2020.

28. That, on 01/09/2020 Affiant #2 and this Affiant traveled by 212 North Main St. in East Granby, Connecticut. We observed what appeared to be Rachel Kornstein's cattle moved from 1601 Sheldon Street in West Suffield, CT to this location. This was also evident that when driving by 1601 Sheldon Street, there was no cattle visible in that 3/4 acre pen where they had been staying previously. This Affiant went back to 1601 Sheldon Street at roughly 1630 hours and was able to speak with Kornstein. Kornstein then confirmed that all of the cattle, except for the downed cow #3, poultry, and dogs had been walked from 1601 Sheldon Street in West Suffield, CT to 212 North Main Street in East Granby, CT.

29. That, on 01/10/2020 this Affiant went to 1497 Sheldon Street in West Suffield. I observed all water to be frozen. The poultry were attempting to peck through the ice to access water. There are three dead birds on the property, one of them being the duck that had hung itself referenced in paragraph 25 (going on day 4 now where the bird has been left there). Many of the birds have broken out of the pen and were on the southwest portion of the property gathering around what little snow was left in the field, pecking at it to get their fill of water. I then went to 1601 Sheldon Street and observed downed cow #3 to be laying completely on it's right side not in an upright (normal) position. Cow #3 had appeared to be paddling its legs in an attempt to get in an upright position but was unable to do so under it's own power. The breathing of the cow had appeared to be severely labored, and the cow's gut had appeared to be bloated. Cow #3 was laying in it's own feces and urine with a mucous like substance leaking from it's vagina. The spine of cow #3 was completely visible and appeared sharp. I was then able to view the dogs and poultry on the property which had completely frozen water, and lack of food. I was able to see the rest of the herd of cattle in the new pen at 212 North Main Street in East Granby, CT. The affiant observed that the herd still showed signs of poor body condition score and were in need to immediate attention.

30. That, based on the foregoing facts and circumstances, the Affiants have probable cause to believe that competent evidence to wit: all animals owned by or cared for by Rachel Kornstein (DOB 01/29/1985), alive, unborn, or dead including but not limited to cattle, chickens, ducks, dogs, all paperwork, purchasing receipts, veterinary documents, photographs,

(This is page 7 of a 12 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/10/2020	[Signature] #513 A.C.O.
Enfield	01/10/2020	[Signature] Hall AMIR2
Jurat	Subscribed and sworn to before me on (Date) 1-10-20	Signed (Judge/Judge Trial Referee) [Signature]

RS ET

1601 Sheldon

trailers, feed, relevant to an alleged case of Animal Cruelty that had been first reported on 01/03/2019 at 1601 Sheldon Street in West Suffield, Connecticut 06093 will be found at 1601 Sheldon Street West Suffield, CT, 1497 Sheldon St. West Suffield, CT, and 212 North Main Street East Granby, CT and will be found to assist in establishing the crimes of Connecticut General Statute 53-247(b): Cruelty to Animals and Connecticut General Statute 53-247(a): Cruelty to Animals. Furthermore, upon seizure all animals are to be evaluated and tested for dehydration, emaciation, physical condition, wounds, parasites, injuries and illness, and general health by a licensed veterinarian, and will be removed, or seized and sheltered in place, or disposed of at the decision of the State of Connecticut Department of Agriculture consistent with State Statute.

RS ET

(This is page 8 of a 12 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/10/2020	[Signature] #573 A.C.O.
Enfield	01/10/2020	Eugenia Hall AMR
Jurat	Subscribed and sworn to before me on (Date) 1-10-20	Signed (Judge/Judge Trial Referee) [Signature]

The undersigned ("X" one) has not presented this application in any other court or to any other judge or judge trial referee.
 has presented this application in another court or to another judge or judge trial referee (specify):

Wherefore the undersigned requests that a warrant may issue commanding a proper officer to search said person or to enter into or upon said place or thing, search the same, and take into custody all such property.

And to submit the property described in the foregoing affidavit and application to laboratory analysis and examination:

(This is page 9 of a 12 page Affidavit and Application.)

City/Town		Date	Signature and Title of Affiant
Enfield		01/10/2020	[Signature] #513 A.C.O.
Enfield		01/10/2020	Elyse Kelle Hall AMIR2
Jurat	Subscribed and sworn to before me on (Date) 1-10-20	Signed (Judge/Judge Trial Referee) [Signature]	

**AFFIDAVIT REQUESTING DISPENSATION WITH
REQUIREMENT OF DELIVERY
pursuant to § 54-33c, Connecticut General Statutes**

TO: A Judge of the Superior Court or a Judge Trial Referee

For the reasons set forth below, the undersigned, being duly sworn, requests that the judge / judge trial referee dispense with the requirement of C.G.S. § 54-33c that a copy of the application for the warrant and a copy of any affidavit(s) in support of the warrant be given to the owner, occupant or person named therein with forty-eight hours of the search:

- The personal safety of a confidential informant would be jeopardized by the giving of a copy of the affidavits at such time;
- The search is part of a continuing investigation which would be adversely affected by the giving of a copy of the affidavits at such time;
- The giving of such affidavits at such time would require disclosure of information or material prohibited from being disclosed by chapter 959a of the general statutes;

In addition, it is requested that the requirement of advance service of this warrant upon the customer whose financial records are being sought, be waived pursuant to C.G.S. § 36a-43 (a);

and the specific details with regard to such reasons are as follows:

The undersigned further requests that this affidavit also be included in such nondelivery.

(This is page 10 of a 12 page Affidavit and Application.)

City/Town	Date	Signature and Title of Affiant
Enfield	01/10/2020	[Signature] #513 A.C.O.
Enfield	01/10/2020	Elena Kater Hall AMIR2
Jurat	Subscribed and sworn to before me on (Date) 1-10-20	Signed (Judge/Judge Trial Referee) [Signature]

SEARCH AND SEIZURE WARRANT

STATE OF CONNECTICUT
SUPERIOR COURT

SEARCH AND SEIZURE WARRANT

The foregoing Affidavit and Application for Search and Seizure Warrant having been presented to and been considered by the undersigned, a Judge of the Superior Court or a Judge Trial Referee, and the foregoing Affidavit having been subscribed and sworn to by the affiant(s) before me at the time it was presented, the undersigned (a) is satisfied therefrom that grounds exist for said application, and (b) finds that said affidavit established grounds and probable cause for the undersigned to issue this Search and Seizure Warrant, such probable cause being the following: From said affidavit, the undersigned finds that there is probable cause for the undersigned to believe that the property described in the foregoing affidavit and application is within or upon the person, if any, named or described in the foregoing affidavit and application, or the place or thing, if any, described in the foregoing affidavit and application, under the conditions and circumstances set forth in the foregoing affidavit and application, and that, therefore, a Search and Seizure warrant should issue for said property.

NOW THEREFORE, by Authority of the State of Connecticut, I hereby command any Police Officer of a regularly organized police department, any State Police Officer, any inspector in the Division of Criminal Justice, or any conservation officer, special conservation officer or patrol officer acting pursuant to C.G.S. § 26-6 to whom these presents shall come within ten days after the date of this warrant to enter into or upon and search the place or thing described in the foregoing affidavit and application, or search the person described in the foregoing affidavit and application or both, to wit:

The residential and agricultural property located at 212 North Main Street, East Granby, Connecticut, including the barns, animal shelters, and pastures, marked with a ranch style home, red in color, a natural colored barn to the north of the home containing round baled hay and living space for livestock, with an "H" style post containing the numbers "212" written vertically inset to the ground containing a black mailbox. Said property is currently under lease by Kevin Constable.

for the property described in the foregoing affidavit and application, to wit:

On the below listed properties, all animals owned by or cared for by Rachel Kornstein (DOB 01/29/1985), alive, unborn, or dead including but not limited to cattle, chickens, ducks, dogs, and to have said animals evaluated and tested for dehydration, emaciation, physical condition, wounds, parasites, injuries and illness, and general health by a licensed veterinarian, all paperwork, purchasing receipts, veterinary documents, photographs, trailers, feed, relevant to an alleged case of Animal Cruelty that had been first reported on 01/03/2019 at 1601 Sheldon Street in West Suffield, Connecticut 06093.

submit the property described in the foregoing affidavit and application to laboratory analysis and examination:

and upon finding said property to seize the same, take and keep it in custody until the further order of the court, and with reasonable promptness make due return of this warrant accompanied by a written inventory of all property seized.

The foregoing request that the judge or judge trial referee dispense with the requirement of C.G.S. § 54-33c that a copy of the warrant application and affidavit(s) in support of the warrant be given to the owner, occupant or person named therein and that the affidavit in support of such request also be included in such nondelivery is hereby:

NOT TO EXCEED 2 WEEKS BEYOND DATE WARRANT IS EXECUTED

GRANTED for a period of

This order, or any extension thereof, dispensing with said requirement shall not limit disclosure of such application and affidavits to the attorney for a person arrested in connection with or subsequent to the execution of the search warrant unless, upon motion of the prosecuting authority within two weeks of such arraignment the court finds that the state's interest in continuing nondisclosure substantially outweighs the defendant's right to disclosure.

DENIED.

Service of this Search Warrant upon the customer whose financial records are being sought is hereby waived, pursuant to C.G.S. § 36a-43 (a).

(NOTE: AFFIANT'S OATH MUST BE TAKEN PRIOR TO JUDGE / JUDGE TRIAL REFEREE SIGNING BELOW)

(This is page 11 of a 12 page Affidavit and Application.)

Signed at <u>Enfield</u> , Connecticut, on: <u>1-10-20</u> At (Time) <u>12:20</u> <input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m.
Signed (Judge/Judge Trial Referee) <u>[Signature]</u> Print name of Judicial Official <u>Rosen</u>

**RETURN FOR AND INVENTORY
PROPERTY SEIZED ON SEARCH AND SEIZURE WARRANT**

Judicial District of ENFIELD			G.A. 13	At (Address of Court) 111 PHOENIX AVENUE	Inventory control number
Docket number CR-		Uniform arrest number	Police case number 20-7-OF	Date of seizure 01/13/2020	Companion case number

Then and there by virtue of and pursuant to the authority of the foregoing warrant, I searched the person, place or thing named therein, to wit:

The residential and agricultural property located at 212 North Main Street, East Granby, Connecticut, including the barns, animal shelters, and pastures, marked with a ranch style home, red in color, a natural colored barn to the north of the home containing round baled hay and living space for livestock, with an "H" style post containing the numbers "212" written vertically inset to the ground containing a black mailbox. Said property is currently under lease by Kevin Constable.

and found thereon or therein, seized, and now hold in custody, the following property:

Total Cash Seized: NONE, consisting of

1. (18) cattle transported to the Second Chance Large Animal Rehabilitation Facility at York Correctional Institution, 201 West Main Street, Niantic, Connecticut 06357 for evaluation.

and I gave a copy of such warrant to Kevin Constable (lease holder of property), the owner or occupant of the dwelling, structure, motor vehicle or place designated therein, or to N/A the person named therein, on (Date) 01/13/2020.

(This is page 12 of a 12 page Affidavit and Application.)

Date 1-14-2020 Signed (Officer's signature and department) [Signature] 361

NOTE: Form JD-CR-61, pages 1 - 12 must be supplemented by Form JD-CR-52.

