

State v Gabel, Susan M.  
DOB: 01/27/1978

**PROBABLE CAUSE STATEMENT**

**I, Officer Shane Moore, a duly appointed Animal Control Officer in and for the City of Riverside, Missouri, knowing that false statements on this form are punishable by law, state that the facts contained on this form are true:**

**I have probable cause to believe that on August 8, 2016 located at 2707 West Platte Road, Riverside, Platte County, Missouri, Susan M. Gabel, white female, born 01/27/1978, social security number [REDACTED], committed one or more criminal offenses.**

**The facts supporting this belief are as follows:**

The Affiant is an Animal Control Officer for the Riverside Police Department in Riverside, Platte County, Missouri. Through personal investigation and police reports the Affiant has ascertained the following facts:

On June 15, 2016, Susan M. Gabel made application to the City of Riverside for a business occupancy permit for a not-for-profit Cat Rescue at 2707 W. Platte Road, Riverside, Platte County, Missouri. The City of Riverside did not approve the business occupancy permit until such time the premises were inspected by the Riverside Fire Marshal and the Missouri Department of Agriculture.

On June 24, 2016, Sergeant Campbell received a complaint from a citizen who went to the Cat Rescue to foster a feline when she observed animal hoarding. Sergeant Campbell and Officer Zufelt responded to the Cat Rescue. They made contact with Ms. Gabel. They entered the premises and were overwhelmed by the strong odor of feces. They estimated fifty felines in cages with several other cats that were running loose. Ms Gabel told Sergeant Campbell that she had applied for a business occupancy permit and said the drywall worker told her she did not need one. Ms. Gabel said twenty-five of the felines would be removed.

James Fuller, who is the Building Official for the City of Riverside, posted a notice of violation to Ms. Gabel (c/o Street Cats Rescue which is the name of the business) for operating a business without a business occupancy permit. The notice warned Ms. Gabel that all animals must be removed from the premises by June 27, 2016 at 0800 hours.

On June, 2016 at 0819 hours, Mr. Fuller re-inspected the premises for compliance on the notice to vacate the animals from the building. Mr. Fuller said the building was secured; however, he observed through the store front windows approximately five to seven felines running about the inside of the building. Mr. Fuller said he was also overwhelmed by the odor of the feline feces and urine emanating from the exterior of the building. Mr. Fuller completed two Codes Violations to Ms. Gabel for allowing animal waste to collect causing offensive and noxious odor to escape the premises and for keeping animals in a commercial zoned area without the proper license from the City of Riverside. The codes violations were sent certified mail to Ms. Gabel's address in Kansas. A court date was set for July 20, 2016 at 1700 hours in Municipal Court.

On July 1, 2016, the Riverside Fire Marshal inspected the premises for fire code related violations. Six violations were noted. Ms. Gabel was given until July 22, 2016 to make corrections to the violations.

Following the City's inspection, the Department of Agriculture inspected the premises. They contacted the Affiant, reporting the premises did not pass their inspection for the type of business she was operating. Furthermore, Department of Agriculture inspectors gave Ms. Gabel another thirty days to correct the issues for they would return at the end of the thirty days to re-inspect the premises.

On July 20, 2016, Mr. Fuller received an e-mail from [REDACTED]. They are both in a small strip mall in the 2700 block of NW Platte Road. [REDACTED] reported a strong odor of cat and dirty cat litter emanating in to his business. [REDACTED] said customers have complained to him about the odor, which appears to be stronger in the morning and night times. Furthermore, [REDACTED] believed this problem is affecting customer patronage.

On July 25, 2016, Mr. Fuller returned to the premises to conduct a building inspection. The violations listed on the Fire Marshal's Inspection Report from July 1 were not corrected. Mr. Fuller smelled the same noxious odor as reported on June 27. Following Mr. Fuller's inspection, inspectors from the Department of Agriculture conducted a second inspection of the premises due to the nature of her business. The Affiant was present. Department of Agriculture inspectors told the Affiant the premises did not pass

their inspection for the type of business she was operating. Furthermore, Department of Agriculture inspectors gave Ms. Gabel another thirty days to correct the issues for they would return at the end of the thirty days to re-inspect the premises. The Affiant observed a noxious odor consistent with feline feces and urine.

On August 4, 2016, the Affiant was contacted by Dr. Jean Schmidt with Department of Agriculture, regarding the felines being held at 2707 West Platte Road. Dr. Jean Schmidt said she could hear cats in the building when she attempted to make contact by knocking on the door.

Major Skinrood and the Affiant arrived on scene. Dr. Jean Schmidt, and Christine Mohr, who is an animal health inspector for Missouri Department of Agriculture were standing in front of the facility located at 2707 West Platte Road. Heather Steinle, Brandy R. Fannan, and Debbi Mitchell arrived at the business. The three ladies stated they had been involved with Street Cat Rescue. They had previously been helping Susan Gabel, the president of Street Cat Rescue fix up the facility. They said they had stopped by to make sure any felines being held inside were being properly cared for, because Susan Gabel had been incarcerated for several days. The ladies had a key for the business, unlocked the door and invited Dr. Schmidt inside. Dr. Schmidt went inside with the ladies to check on the well being of the animals. After 5 minutes or so Dr. Schmidt asked us to come inside to assist with neglected animals. Steinle, Fannan, and Mitchell also asked for our assistance arranging medical treatment for the felines. The ladies were visibly upset with the current state of the animals. As Major Skinrood and the Affiant entered the building we were overwhelmed by the odor of feline feces and urine. Dr. Jean Schmidt observed several felines with nasal discharge and ocular discharge as well as diarrhea. Steinle, Fannan, and Mitchell voluntary transferred ownership of the felines to the City of Riverside. They were concerned for the felines' current health and were not able to provide the medical care needed. They were only able to provide health certificates for 4 felines that were transferred from a rescue named forever friends located in Neosho Missouri. The Affiant observed several felines in each of the cat rooms, as well as in kennels located in the back of the building. Dr. Schmidt started documenting and removing the felines from the cat rooms. The felines that were in the most urgent need of medical treatment were placed in pet carriers separated from the other felines. Dr. Schmidt transported the felines in the most urgent need of medical treatment to Wayside Waifs in her vehicle. Mr. James Fuller who is the Building Inspector for the City of Riverside arrived on scene to provide support. We loaded all the felines in pet carriers and transported a total of thirty-six felines to Wayside Waifs.

Eight of the thirty-six felines were humanely euthanized due poor body condition, severe upper respiratory infection, and tested positive for Feline Leukemia. Twenty-six of the remaining twenty-eight felines suffered from some or all of the following symptoms; Upper respiratory infection, Coccidian, tapeworm, parasites, ringworm, ocular discharge and diarrhea.

Ms Gabel has the following animal violation convictions in Gladstone MO:

- 04/28/2015 four counts of exceeding the number of animals at a residence and five counts of failure to vaccinate animals
- 10/11/2016 one count exceed the number of animals at a residence, one counts fail to provide adequate veterinary care, one count failure to provide shelter and water for animal

The Affiant believes the facts revealed in this investigation establish that Susan M. Gabel did commit one or more criminal offense(s). It is also the belief of the Affiant that these same facts establish probable cause for the arrest of Susan M. Gabel.

Animal Control Officer Shane Moore  
Affiant Printed Name & Title

  
Affiant Signature

Date: 2/6/17

The Court finds probable cause and directs the issuance of a warrant.

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Judge

IN THE CIRCUIT COURT OF PLATTE COUNTY, MISSOURI  
SIXTH JUDICIAL CIRCUIT

STATE OF MISSOURI,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No.
	)	Div.
Susan M Gabel	)	
	)	
	)	
SSN: [REDACTED]	)	
DOB: 01/27/1978	)	
Defendant.	)	

INFORMATION

Eric G. Zahnd, Platte County Prosecuting Attorney, State of Missouri and Stephen E. Magers, Assistant Prosecuting Attorney, upon information and belief, charge that the defendant:

In violation of Section 578.009, RSMo, committed the class C misdemeanor of animal neglect, punishable upon conviction under Sections 558.011 and 578.009, RSMo, in that on or about August 4, 2016, in the County of Platte, State of Missouri, the defendant had a cat in her custody and knowingly failed to provide adequate care for the animal by failing to provide animal waste disposal in the building in which the animal was housed, a failure which resulted in substantial harm to the animal.  
578.009-002N19835599.0

The facts that form the basis for this information and belief are contained in the attached statement of facts, made a part hereof and submitted as a basis upon which this court may find the existence of probable cause.

Wherefore, the Prosecuting Attorney prays that a summons be issued as provided by law.

**RESPECTFULLY SUBMITTED,**

**ERIC G. ZAHND  
PROSECUTING ATTORNEY**

/s/ Stephen E. Magers

Stephen E. Magers, Bar No. 69204

Christopher P. Seufert, Bar No. 58136

Assistant Prosecuting Attorney

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