



July 30, 2018

To: Chief Gary Britt, Kill Devil Hills Police Department
The Honorable Andrew Womble, District Attorney, North Carolina 1st
Judicial District

From: Kent Stein, Senior Cruelty Caseworker, PETA

Re: Apparent cruelty to animals involving Kill Devil Hills trapper

Greetings from PETA. [Public records](#) obtained by our office pertaining to Nags Head's initiative last winter in which 17 coyotes were reportedly killed reveal that the wildlife trapper who was contracted, Leary Sink of Kill Devil Hills, was last year charged with four wildlife violations stemming from authorities' reported November 24, 2017, discovery of five trapped raccoons on his property who had no access to water or protection from the elements. **Evidently, two of the animals perished inside traps, and one surviving animal was found confined to a device so small that he was unable to move.** According to reports, Sink allegedly admitted to Kill Devil Hills Police First Class Officer Joshua Liverman that he had captured the raccoons **as many as 11 days earlier** and allegedly stated to Kill Devil Hills Animal Control Officer Kelley Wynn that "he was going to be in trouble for not dispatching them within 12 hours." Officer Liverman remarked in his report that Sink initially stated that the raccoons had already been dispatched, apparently unaware that Liverman had found three of them to be alive—prompting the officer to note that he believed Sink was "being deceitful."

We understand that Sink's misdemeanor wildlife violations were dismissed on February 16 after he performed community service and his depredation permit was revoked. Respectfully, we ask that cruelty-to-animals charges be considered in addition to these penalties. North Carolina General Statutes § 14-360 explicitly prohibits "intentionally ... torment[ing], kill[ing], or depriv[ing] of necessary sustenance, any animal." "Torment" is defined as "any act, omission, or neglect causing or permitting unjustifiable pain, suffering, or death," and "intentionally" is defined as "an act committed knowingly and without justifiable excuse." Raccoons are protected under this statute; the term "animal" includes, by definition, "every living vertebrate in the classes Amphibia, Reptilia, Aves, and Mammalia except human beings." While the statute exempts the "lawful taking of animals under the jurisdiction and regulation of the Wildlife Resources Commission," the takings at issue were clearly unlawful given that Sink was charged with violations of North Carolina's General Statutes and Administrative Code.

Thank you for your consideration. May we hear from you soon?

Sincerely,

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