

People for the Ethical Treatment of Animals (PETA) asks that the Indiana Supreme Court Disciplinary Commission investigate substantial issues of misconduct involving Jackson County Prosecuting Attorney Jeffrey Chalfant. The first comment to Rule 3.8 of the American Bar Association’s Model Rules of Professional Conduct explains that “a systematic abuse of prosecutorial discretion could constitute a violation of Rule 8.4,” which states, “It is professional misconduct for a lawyer to ... (d) engage in conduct that is prejudicial to the administration of justice.”

Chalfant’s refusal to file charges in two cases of obvious, well-documented animal neglect evinces a pattern of behavior that warrants investigation.

His latest abuse of prosecutorial discretion occurred on or about April 10, when he declared that “no crimes have occurred at the ... cat facilities” at The Veterinarians’ Blood Bank (TVBB), an animal-breeding facility and blood-banking operation.

On December 7, 2023, PETA provided the Jackson County sheriff with a signed declaration from an eyewitness who worked at TVBB as well as video footage and photographs that she captured there. The eyewitness saw and documented that TVBB and its management knowingly failed for more than 36 weeks to provide necessary veterinary care to Vivi, a cat TVBB staff believed was suffering from an oral infection, who was later diagnosed with stomatitis—an extremely painful and potentially life-threatening disease that, if left untreated, can attack vital organs and/or cause starvation or dehydration when it becomes too painful for the animal to eat or drink. The eyewitness also documented that TVBB and its management failed to seek veterinary care for Fox—a thin 13-year-old cat with bloody diarrhea—who was later found to have a systemic infection and gastrointestinal cancer.

The eyewitness adopted Vivi and Fox and transported them to a veterinary hospital for numerous examinations. PETA provided the sheriff with records from the veterinarians who examined these cats, which confirmed that they required extensive veterinary care for critical conditions—including urgent surgical removal of all of Vivi’s teeth.

TVBB staff’s failures clearly violated IC 35-46-3-7, which states that a person who “recklessly ... neglects” an animal in their custody “commits cruelty to an animal.” IC 35-46-3-0.5(5)(D) defines “neglect,” in part, as “failing to provide reasonable care for; or seek veterinary care for ... an injury or illness to a ... cat that seriously endangers the life or health of the ... cat.”

On January 3, Jackson County Sheriff’s Department Detective Sergeant Jesse Hutchinson interviewed this eyewitness. By January 26, Hutchinson submitted his findings to Chalfant’s office. Hutchinson’s report made it clear that “[a]ll videos and pictures” PETA had submitted to his agency—as well as the eyewitness’s detailed sworn statement—were “attached” to the case provided for Chalfant’s review.

After ignoring at least six attempts by counsel for PETA and the eyewitness to discuss the matter—on February 29, March 5, March 18, March 25, April 2, and April 3—Chalfant announced to the media that he wouldn’t file charges against the individuals responsible for

irrefutable animal neglect at TVBB. In doing so, he issued broad statements that disregarded entirely the overwhelming evidence that had been provided to him.

While PETA complained only of TVBB's neglect of Vivi and Fox, Chalfant inexplicably commented on the legality of blood banking per se under Indiana law.

Furthermore, contrary to Chalfant's reported representations, the Indiana State Board of Animal Health (BOAH) confirmed that other cats (and dogs) still at TVBB had serious dental problems. Additionally, a state veterinarian who inspected the blood bank saw a whiteboard listing the names of more than a dozen cats in need of dental care. PETA's investigator saw this list five months earlier, and it included nine of the same names. Based on the investigator's firsthand experience at the facility, this meant that those nine cats had been denied dental care that entire time. Still, Chalfant relied on his misrepresentation of this report—*which did not involve any examination of the neglected animals, Vivi and Fox*—to explain his decision.

His conclusion that no crimes had occurred was and remains belied by the evidence. A veterinarian-owned facility's management acknowledging its failure to provide necessary care to an animal for the better part of a year, supported by an independent veterinarian's examination and requisite emergency surgery, obviously qualifies as criminal neglect. TVBB management also deliberately refused to provide care, week after week, to a thin cat afflicted with bloody diarrhea—who was found to have an infection and cancer that ultimately led to his death. Any responsible prosecutor actually committed to the administration of justice would deem that neglect of a vertebrate animal.

Chalfant has since refused to respond to PETA's seventh attempt—sent via e-mail on April 11—to discuss the matter with him.

His history of abusing his prosecutorial discretion dates to at least approximately November 13, 2019, when—according to the Indiana State Police (ISP)—he “made the determination that no charges would be filed” regarding the abuse and severe neglect of pigs documented on video on East Fork Farms.

Beginning on October 9, 2019, PETA submitted to ISP information, including extensive eyewitness video, showing that injured animals were apparently left to suffer without care. The victims included pigs who were lame, pigs with large abscesses, an emaciated sow, a piglet with a severely distended abdomen, piglets who had been trampled by adults unable to maneuver in tight spaces, a piglet with severe birth defects who was unable to stand or walk, and more.

A worker was captured on video holding piglets upside down by their hind legs, cutting off their tails, and roughly throwing them several feet through the air to another worker. A sow with splayed hind legs, confined to a farrowing crate, was unable to reach the only water source and drank continuously for nearly two minutes when offered water by the videographer. Water that ran along a trough in the floor didn't reach some crated sows, leaving them with no apparent water source.

PETA also provided ISP with expert opinions attesting that the living conditions in the barn and the animal handling depicted in these images were cruel and harmful to the animals and didn't remotely constitute acceptable farm-management practices.

A subsequent BOAH investigation revealed that on October 10, 2019, an independent veterinarian visited the farm and found seven thin pigs afflicted with abscesses and more lame pigs whose plight necessitated that they be euthanized immediately. That day, 18 clearly neglected pigs were dispatched and put out of their misery.

On October 21, 2019, BOAH staff who visited the farm found a piglet struggling in a manure pit. They also commented on the eyewitness video, noting that the "tossing of piglets observed in the video is unacceptable." BOAH personnel concluded that "in the video ... the deceased animals were in various stages of decay. This brings into question whether deceased animals were being removed from the property on a daily basis."

Again, clear videographic evidence showed that animals were denied drink in violation of IC 35-46-3-7 and tormented in violation of IC 35-46-3-12.

Again, the eyewitness findings were bolstered by professional statements from experts in the field and in-state veterinarians' findings.

And again, Chalfant refused to file any charges. Accordingly, PETA respectfully urges the commission to investigate his conduct in these matters and, as appropriate, charge him with misconduct and discipline him.