E-FILED 2019 DEC 16 7:19 AM POLK - CLERK OF DISTRICT COURT

In the Iowa District Court for Polk County

State of Iowa, *Plaintiff*, v. **Bobby G. Carothers,** *Defendant*.	**Agency Case No.: PC19-9231** **Agency: Polk County Sheriff** **County Attorney** **Preliminary Complaint Review**

COMES NOW the undersigned Assistant Polk County Attorney and states as follows:

I have read and reviewed the attached complaint and affidavit. I:

[X] ***Approve*** the charge as ANIMAL TORTURE - 1ST OFFENSE—Aggravated Misdemeanor—in violation of Iowa Code Section 717B.3A(3)(a)(1) and ask the court to find probable cause for this charge.
[ ] Request that the Court enter the attached ***Arrest Warrant.***
[ ] Advise the court and the clerk of court that despite the officer's request for an Arrest Warrant, the defendant has reportedly been taken into custody, so ***an arrest warrant is no longer required***.

With regard to a bond amount, the State requests that:

[X] The State requests that the Court enter the attached ***No Contact Order.***
[ ] The State requests defendant be held without bond until initial appearance, so a ***No Contact Order*** may be entered.
[ ] Bond be set according to the uniform bond schedule.
[X]Bond be set in the amount of $5000.
[X]Cash Only.
[ ] Cash or Surety.
[ ] 10% to the Court.
[ ] The defendant be released on the defendant's own recognizance (O/R).

Based on the information currently available to me, I offer this additional information to the court:

[ ] *Other: _____
[ ] The defendant currently has other pending charges.
[ ] The defendant has a relevant criminal history.
[ ] This crime occurred in violation of a No Contact Order.
[ ] The defendant is currently on probation.

WHEREFORE the State respectfully requests the Court find probable cause and allow the case to proceed under the circumstances set out above.

Respectfully submitted,
JOHN P. SARCONE by:

/s/ Linda Zanders
Assistant Polk County Attorney
Polk County Attorney's Office
222 Fifth Avenue, Des Moines, IA
(515) 286-3737
ctyatty@polkcountyiowa.gov

IN THE IOWA DISTRICT COURT IN AND FOR

POLK COUNTY

This Complaint and Affidavit is to be:

- [ ] Filed with Court Clerk (cc: CA)
- [x] Submitted to County Attorney
- [ ] Filed with JCO - Defendant is a Juvenile

Agency Case Number: **19-9231**

Arrest Date: **12/15/2019**

THE STATE OF IOWA

VS.

OFFENDER

Last	First	Middle	Suffix
CAROTHERS	BOBBY	GENE	

Address	City	State	Zip Code
[redacted]	CARROLL	IA	[redacted]

DL#	State	DL Class	DL Endorsements	DL Restrictions
[redacted]	IA	0		V,A,T,E,,

Date of Birth	Gender	Race	Ethnicity
[redacted]	MALE	WHITE - W	NOT OF HISPANIC ORIGIN - N

Height	Weight	Eye Color	Hair Color
6' 00"	213 LBS	BROWN - BRO	GRAY OR PARTIALLY GRAY - GRY

OFFENSE

State	County	Local	Code Section	Crime Description	Speed	in Zone
[x]	[ ]	[ ]	717B.3A(3)(A)(1)	ANIMAL TORTURE - 1ST OFFENSE		

Class	Serious P.I.	Fatal Accident	Civil Damage Assessment	Other
AGMS	[ ]	[ ]	[ ]	[x]

Location Type
05 - COMMERCIAL/OFFICE BUILDING

Literal Description
5452 NE 22ND ST ARL OF IOWA

Address	City	State	Zip Code
5452 NE 22ND ST	DES MOINES	IA	50313

Is Date and Time of Incident Known?	Incident Date or Low Range	Upper Date Range	Incident Time or Low Range	Upper Time Range
NO	12/15/2019	12/15/2019	09:18	19:23

STATUS OF OFFENDER/JUVENILE

[x] TAKEN INTO CUSTODY	CUSTODY 1 - JAILED	[ ] SUMMONS TO APPEAR (Citation Issued)
[ ] WARRANT REQUESTED	[ ] NO CONTACT ORDER REQUESTED	[ ] RELEASED TO PARENT/GUARDIAN

NARRATIVE

Narrative of Offense Committed

On or about the above stated date and time, the Defendant did

Bobby Carothers did willfully inflict severe pain with depraved or sadistic intent to cause prolonged suffering or death

VICTIM INFORMATION (Optionally displayed, especially if NCO is requested)

Last	First	Middle	Suffix

Business/Organization/State/County/Municipality Name
ANIMAL RESCUE LEAGUE OF IOWA

Address	City	State	Zip
5452 NE 22ND ST	DES MOINES	IA	50313

AFFIDAVIT

STATE OF IOWA, **POLK COUNTY**

I, the undersigned, being duly sworn, state that all facts contained in this Complaint and Affidavit, known by me or told to me by other reliable persons form the basis for my belief that the defendant committed this crime

State all facts and persons relied upon supporting elements of alleged crime

This Criminal Complaint is filed in conjunction with Polk County Case #19-9226 filed by Sgt. Grego 77-140.

I made contact with Bobby Carothers after he activated a fire pull station at 5929 NE 22nd St, TMC Trucking. After detaining Bobby from Criminal Trespass he began freely speaking about chasing down a rabbit earlier in the night and killing it. While on-scene I received information that Sgt. Grego took a report of a rabbit that was killed at the ARL of Iowa at approximately 1923 hours. In that report Bobby was identified by 5 staff members as being inside the ARL, prior to him leaving the ARL he stated to Madeline Krantz, a Staff Member, "I am having rabbit stew tonight."

At 2254 hours I read Bobby the Miranda Warning. Bobby stated he understood his rights and would speak to me. Immediately after the Miranda Warning Bobby stated "I killed a rabbit..with a stick." I continued to question Bobby asking him if he killed a rabbit inside the Animal Rescue League he replied "yea" and "I let it bleed out..I left it there they chased me out." I asked Bobby why he killed the rabbit he replied "because I'm hungry." Based on the report filed on the incident I asked Bobby if he cut the rabbit's ears off he replied "yea I cut it's whole head off..it looked like I shot it in the head with a .357 magnum."

This interview was recorded on my issued Body Mic and recorded on my in-car video recording system.

Bobby was also later advised of Criminal Trespass to the Animal Rescue League of Iowa.

SNOOK, MICHAEL **77-65**

Signature of Complainant or Officer, Officer Name & Number

GENERAL PROBABLE CAUSE

Defendant Implicated		
03 - ADMISSION/STATEMENTS, 07 - IDENTIFIED BY WITNESSES, 09 - NEAR SCENE OF CRIME		
Operating Motor Vehicle in County	Other Physical Evidence	Attempted To Inflict Injury

STATE OF IOWA, **POLK COUNTY**

NOTARIAL SEAL IOWA

Subscribed and sworn to before me by the person(s) signing the Complaint and Affidavit(s) on 12/16/2019

Notary Name **KEITH A ONLEY**

Commission Number **790012**

My Commission Expires **05/15/2021**

Signature of Verifying Party

☐ Peace Officer ☒ Notary ☐ Prosecuting Attorney