

Carroll County Independent

## New Wave icon sentenced to jail time

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OSSIPEE — Eighties pop star Dale Bozzio was sentenced to at least 30 days in jail in Southern Carroll County District Court on Thursday, May 21, following a March animal cruelty conviction.

Last fall, Ossipee police charged the rocker and former model with 12 counts of animal cruelty after they found dead and starving cats in her Newman Drew Road home in West Ossipee. She was found guilty of one count on March 11.

Bozzio and her lawyer Dennis O'Connor argued that the neglect was not intentional, as Bozzio had made arrangements for the cats' care while she was away on a brief fall tour. But the caretaker became busy tending to a sick child and never came by to check on the dozens of feral cats.

County prosecutor Stephen Murray and witnesses said that the conditions inside the home were so "horrific" that the neglect must have begun before Bozzio left on tour. Judge Robert Varney agreed in his March ruling.

"That Ms. Bozzio kept a large colony of cats in this location cannot be doubted. Nor can the fact that she failed utterly in her obligation of sustenance for these animals," he wrote. "The premises were not merely filthy, the filth had been allowed to accumulate over what must have been an extended period."

At the sentencing, Varney said that while the court differentiates between neglect and intentional harm, "certainly the animal that suffers as a result of it is unable to make such a differentiation." He sentenced Bozzio to 90 days in Carroll County Jail with 60 days deferred for two years, a lesser sentence than what was recommended in the Department of Corrections' pre-sentencing report.

Additionally, she is "not to keep or own any domestic animal, including a housecat" and must complete 250 hours of community service and pay \$2,700 in restitution to the Lakes Region Humane Society (LRHS) for euthanizing 12 cats. Electronic monitoring is not an option.

A protégé of both Frank Zappa and Prince, Bozzio rose to fame in the early 1980s as the frontwoman for Missing Persons. The band had a string of hits, including "Destination Unknown," "Walking in L.A." and "Words" before disbanding in 1986. Bozzio then recorded a solo album, "Riot in English," on Prince's Paisley Park label before bringing together a second version of the band that made her famous, dubbed Dale Bozzio and Missing Persons, with which she continues to tour today.

Bozzio, who modeled for Playboy and Hustler, was perhaps best known for her eclectic, futuristic fashions and the brightly colored coif that made her an icon of New Wave. But on Thursday, the 54-year-old singer wore a smart suit and short gray hair.

O'Connor argued that the sentence recommended by the pre-sentencing report—12 months in jail with all but 90 days deferred—was "grossly disproportionate with Dale as a person and the events that unfolded here," but agreed that community service (some of which would be served through benefit concerts) and "no new cats in New Hampshire" would be appropriate.

Murray agreed with the report's recommendation and asked for an additional condition. "We would ask that you restrict the defendant from having pets in the future—ever," he said, adding, "The pictures that were submitted to trial speak for themselves."

Photographs from the scene depict litter boxes overflowing with feces, two dead cats, and a bloody leg

bone that police said was evidence of cannibalism. (Bozzio denies this. "Cats don't eat cats," she said in a phone interview Monday. In court, O'Connor questioned whether the bone—which was never analyzed—was indeed feline.)

"The defendant claims that she loves animals, but we don't abandon those that we love without food, in those conditions," said Murray.

But O'Connor said the sentence didn't take into consideration that Bozzio did not act deliberately, noting that football player Michael Vick was incarcerated for two years after purposely abusing roughly 70 dogs in a dog-fighting operation, and a Sullivan County man with a deep criminal background who whipped a cat to near death in front of children received 12 months in jail earlier this month.

With Bozzio, "the only issue here is negligence, lack of care," he argued, adding that he felt a pre-sentencing investigation—typically reserved for felonies and violent misdemeanors—was inappropriate for the case.

O'Connor said his client deserved credit for surviving the notable "opulence" of the music industry with nothing but a marijuana conviction. "Her priorities are her family, her art and her pets," he said.

"An artist like Dale lives in a different world," he continued. "When she's called to perform, she will do that... The little details of life that some of us, myself included, try to take care of, those end up on the backburner for artists like Dale."

O'Connor recounted how Bozzio took in one mangled cat that "had fresh scars on its head. It was covered in tar... Dale took that cat and took care of it for nine years," he said as Bozzio began sobbing. "She does it all with care and good intentions. She did none of it with evil intentions."

However, he denied that Bozzio could be afflicted with a psychological condition like animal hoarding. "She's been taking care of animals for years," he said. Seeing no claims, Varney did not request a mental evaluation.

Abiding police requests to put down the feral cats after the arrest was "highly emotional" for Bozzio, recalled O'Connor, but "she didn't want to battle with police over anything. It broke her heart to authorize that, but she did." He claimed the doctor was uncomfortable euthanizing the nine seemingly healthy animals, though Murray rebutted that the description was "grossly misrepresented" and contradicted by testimony. Three other felines from the home tested positive for feline leukemia and were immediately put down.

O'Connor read statements from Bozzio's friends, among them one-hit-wonder Tommy Tutone (of "867-5309/Jenny" fame), who described her as "compassionate, honest, a loving parent, and a champion of animal rights."

In a passionate, late-minute plea, the self-described animal lover recounted her history of "saving animals," even when it puts herself at risk.

Bozzio said she prevented her neighbors' alpacas from being mauled to death by running through an electric fence and tackling a vicious dog. "I probably didn't think straight to run in front of a big giant dog that could eat my head off," she mused, adding that she saved a bumblebee in her kitchen that morning and pulls over if she sees an animal on the road, dead or alive. "I make a place for them to go back to dust to dust. I don't have an evil bone in my body." At the time of her arrest, Bozzio was in the middle of a three-year seminar to earn a degree in animal science.

She explained that her father instilled her with the values of love and compassion and deep religious beliefs. "I do fear God, and I'm on my knees every day," she said, adding, "My songs are all about love and care."

Bozzio said she was willing to go to jail to take responsibility for the incident. "I know I'm going to do whatever penance you besiege me, because I love animals," she told the judge.

Turning around, she then told members of the public and media in the courtroom that she respects them. "I also forgive them, all of them, for the things that they've thought about me," she declared.

Breaking down, Bozzio said, "I'm only here for the good of the world, and if you tell me to go and clean every cat's cage from here to China, I will... I would lay down my life to save an animal, and I respect your time and I'm sorry to make this into a circus for you... But I'm crumbling... I beg of you to forgive me. This will never happen again."

"I ask everybody here in the courtroom to believe me and give me a second chance," she pleaded.

As of press time, it was unknown whether Bozzio would appeal her sentence.