

Cat-shooting trial could end today

By **Scott E. Williams** □ The Daily News

Published November 15, 2007

GALVESTON — The trial of an island bird lover could end today with closing arguments this morning in his animal-cruelty case. □ □ Jim Stevenson, 54, faces the charge for shooting a cat in November 2006 near the western tip of the island. Stevenson is president of the Galveston Ornithological Society. □ □ At issue in the case is whether the cat was a pet, belonging to a San Luis Pass toll-bridge worker. □ □ The worker had claimed he had been feeding and caring for the cat and that he had considered the animal his. □ □ However, defense attorney Tad A. Nelson has said the animal was feral and had no owner. □ □ The Texas Penal Code has 10 definitions for cruelty to animals. The one that applies to Stevenson's case is anyone who seriously injures an animal "belonging to another without legal authority or the owner's effective consent." □ □ If jurors find the cat was feral, or wild, then it had no owner and that law did not apply to Stevenson's actions. However, if they find the cat was the bridge worker's pet, the charge could carry a jail term of 180 days to two years, as well as a fine of up to \$10,000. □ □ While Stevenson did not testify on his own behalf during the trial, jurors did hear from the defendant. Prosecutors Paige Santell and Rebecca Klaren played Stevenson's taped grand-jury testimony, in which he said he never would have shot the cat had he known it to be someone's pet. □ □ Jurors also heard prosecutor Bill Reed on the tape. Reed questioned Stevenson's apparent suggestion that the bridge worker had planted food and toys under the bridge to give the impression the

cat was a pet. Reed also challenged Stevenson's credibility, saying he did not see the food. Nelson had said in opening statements that geotubes placed to stem beach erosion had blocked the food from Stevenson's view. □ □ While Reed handled the prosecution of the case only as far as the grand jury, he did play a role in the trial as a witness called to authenticate the tape of Stevenson's testimony. □ □ The cross-examination between him and Nelson was frequently contentious, with Nelson asking Reed about his questioning process and about paperwork Stevenson had provided prosecutors about feral cats. The paperwork appeared to have vanished, Nelson said. □ □ Police officer John Bertolino was on his way to the San Luis Pass, where a caller had reported hearing shots fired, when he stopped a van with a Galveston Ornithological Society logo on its side near 15 Mile Road. Bertolino found a .22-caliber rifle in the van. □ □ One of the toll-bridge workers was following the van and later told police the van's occupant had shot a cat, which suffered a severed spine. The cat died while Bertolino was taking it to a veterinarian. □ □ Stevenson discussed the incident after his release. His account appeared on the Texbirds online message board. □ □ He wrote that, the night before his arrest, he saw a cat "creeping up on three snowy and two piping plovers and several sanderlings."