

From: Janelle Babington <info@animalvictory.org>

Sent: Tuesday, May 19, 2026 7:32 PM

To: bbarnette@spartanburgcounty.org

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Subject: Demand for Explanation-Failure to Pursue Animal Cruelty Charges: Justice for Ginger

Solicitor Barnette,

My name is Janelle Babington. I am the CEO and Petitioner of Animal Victory, a national animal advocacy organization. I am writing to you today on behalf of nearly 22,000 people who signed our petition demanding justice for Ginger, a 12-year-old senior cat who was abducted from his owner's front porch, tortured by a group of teenage girls who filmed themselves doing it, and returned to his devastated owner, Maggie McClinton, deceased in a trash can.

<https://animalvictory.org/petition/sign-teens-girls-stole-and-tortured-cat-his-body-was-later-returned-in-a-trash-can/>

We want to be transparent with you from the outset: the information we are acting on has come to us through channels outside your office and is highlighted in yellow below, because your office has not communicated with us. If any of the details we have been given are inaccurate, we sincerely apologize in advance and we welcome your correction. That is precisely why we are writing. We have been asking for answers for months. We have been met with silence. And when information finally reaches us, it comes not from the officials responsible for this case, but from third parties. If that information is wrong, the responsibility for that lies with the silence, not with us.

What we have been told is that your office reviewed this case and chose to file a single petit larceny charge against one juvenile. No animal cruelty charges. No felony charges under SC Code §47-1-40. Nothing that reflects the gravity, the premeditation, or the documented sadism of what was done to this animal on video, by perpetrators who

posted that video themselves. *“The 7th Circuit Solicitor is Barry Barnette—he’s the elected prosecutor for Spartanburg and Cherokee counties (elected by voters there every 4 years under SC law). His office reviewed the Ginger case and chose to file only a petit larceny charge on one juvenile; no animal-cruelty charges despite the video. SC Code §47-1-40 makes that kind of torture a felony (up to 5 years/\$5k), but prosecutors have discretion and juveniles go into sealed Family Court.”*

We are demanding to know why.

This is not a close call. SC Code §47-1-40 provides for felony charges carrying a mandatory minimum of 180 days and up to five years in prison and a \$5,000 fine for precisely this kind of deliberate, filmed, and publicly shared act of animal torture. The evidence was not in dispute. The perpetrators documented their own crime. And yet your office chose to treat the abduction and torture of a living creature as a property offense.

We also want to address directly the argument that these individuals are juveniles, because we anticipate it may be offered as a justification. It is not one. SC Code §47-1-40 does not exempt juveniles. The statute applies regardless of the offender's age. What changes when a defendant is a juvenile is the procedural track, not the law itself. Your office had full legal authority to file felony animal cruelty charges in Family Court. The fact that those proceedings are sealed does not diminish that authority. It actually makes your charging decision more consequential, not less, because once a case enters sealed Family Court, the only moment of public accountability that exists is the one your office controls at the charging stage. You had that moment. You chose a petit larceny charge. That was a choice, not a legal requirement, and the people of this county deserve to understand why you made it.

We are also asking whether your office considered the federal dimension of this case. The perpetrators filmed the torture of this animal and posted that video to social media platforms that operate across state lines. Federal prosecutors have previously used the interstate commerce provisions of the Preventing Animal Cruelty and Torture Act, the PACT Act, to pursue cases where cruelty was filmed and distributed online, on the basis that those platforms constitute interstate commerce. **We are asking directly: did your office consider whether this case warranted referral to federal prosecutors under the PACT Act?** If not, why not?

We are asking you directly: Do you understand that the research on the connection between animal abuse and domestic violence is not theoretical? It is documented. The FBI tracks animal cruelty as a predictor of future violent behavior. The American Humane Society, law enforcement agencies, and prosecutors across this country treat animal cruelty with the seriousness it deserves, because the evidence demands it. Filing a theft charge in response to a filmed act of torture does not protect this community. It tells the perpetrators, and everyone watching, that there are no real consequences.

Now we must ask you something even more fundamental than the charges themselves.

Did anyone from your office contact Maggie McClinton? Did you call her? Did you write to her? Did anyone from the 7th Circuit Solicitor's office sit down with this woman, look her in the eye, and explain what was happening with the case involving her beloved companion of 12 years? Did she receive any notification before this charging decision was made? Does she even know what restitution she received?

We will tell you what we have been told she received: zero. Nothing.

Maggie McClinton is a law-abiding, tax-paying citizen of your county. She did everything right. She loved and cared for her animals. She had her cat stolen off her own front porch and returned to her dead in a trash can. And the office that was elected to represent her, to stand between her and the people who did this to her, responded by filing a charge that treats Ginger's life as equivalent to a stolen piece of property, sought no restitution on her behalf, and, as far as we can determine, never even picked up the phone to tell her what was happening in her own case.

That is not justice. That is abandonment by the very officials she pays taxes to support and voted into office to protect her.

You work for the people of Spartanburg and Cherokee counties. You were elected by them. And right now, nearly 22,000 of those people and their neighbors across this country are asking you the same question we are:

Why did you not file animal cruelty charges, and why was Maggie McClinton left with nothing?

We are formally requesting a written response that addresses the following:

1. The specific legal and factual basis for declining to pursue charges under SC Code §47-1-40, despite the existence of video evidence.
2. Your office's legal reasoning for treating the juvenile status of the offenders as a bar to felony animal cruelty charges, given that SC Code §47-1-40 contains no such exemption.
3. Whether your office considered referral to federal prosecutors under the PACT Act, given that the torture was filmed and posted to interstate social media platforms.
4. Whether the well-documented link between animal cruelty and future violent behavior was considered in the charging decision.
5. What accountability or rehabilitative measures, if any, were pursued through Family Court in lieu of felony charges.

6. Whether Maggie McClinton was contacted, consulted, or informed before this charging decision was made, and whether she was advised of her rights as a victim.
7. What restitution, if any, was sought or awarded on Maggie McClinton's behalf, and if the answer is none, why not.

Please be advised that this correspondence is being copied to Spartanburg County Council members, Cherokee County officials, members of the Greer City Council, the office of Congresswoman Nancy Mace, the animal victory team, and the nearly 22,000 people who have signed our petition and are watching this case closely. **Your response, or the absence of one, will be shared publicly.**

Maggie McClinton deserves justice. Ginger deserved better. And the people of your county deserve a Solicitor who holds animal torturers accountable and stands beside the victims they were elected to serve.

We look forward to your prompt and substantive response.

Respectfully but unequivocally,

Janelle Babington
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CC: Maria Proietti, Esq., Legal Counsel, Animal Victory | Spartanburg County Council | Cherokee County Officials | Greer City Council | Office of Congresswoman Nancy Mace