★ **Roll Call Number**

Agenda Item Number 48

April 9, 2007

Date

PUBLIC HEARING ON DANGEROUS ANIMAL APPEAL OF JAMIE LARSON

WHEREAS, Jamie Larson, 3825 1st Street, filed an application for appeal before the City Council of the City Hearing Officer's decision upholding the Chief Humane Officer's declaration of her dog as a dangerous animal; and

WHEREAS, Ms. Larson requested an opportunity to address the City Council regarding her appeal; and

WHEREAS, Ms. Larson have been provided with the opportunity to address the City Council on the matter of her appeal; NOW, THEREFORE,

BE IT RESOLVED (Choose one of the two alternatives):

_____ Alternative One: That the order of the hearing officer be upheld and Ms. Larson's dog be declared a dangerous animal and that it be humanely destroyed.

MOVED BY _____ TO UPHOLD DECLARATION AND TO HUMANELY DESTROY THE ANIMAL.

_____ Alternative Two: That the order of the hearing officer be upheld and Ms. Larson's dog be declared a dangerous animal and order Ms. Larson remove the dog from the city or allow it to be humanely destroyed.

MOVED BY _____ TO UPHOLD DECLARATION AND ORDER OWNER TO REMOVE OR HAVE ANIMAL HUMANELY DESTROYED.

_____ Alternative Three: That the order of the hearing officer be reversed and Ms. Larson's dog not be declared dangerous.

MOVED BY _____ TO REVERSE DECLARATION.

FORM APPROVED:

K. Massier

Katharine Massier
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ **City Clerk**

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March 27, 2007

Ms. Jamie Larson
3825 1st Street
Des Moines, IA 50313-3543

Dear Ms. Larson:

The City of Des Moines, Iowa convened an Administrative Hearing at 2:00 p.m. on March 23, 2007 regarding the declaration of your white, brown and black colored Pit Bull dog named "Queen" to be a "Dangerous Animal". At that time, Sergeant Scott Raudabaugh, Chief Humane Officer for the City of Des Moines, Iowa, submitted the following documents into evidence. They are attached and labeled City Exhibit A:

City Exhibit A:

1. Photograph of dog declared "Dangerous Animal"
2. Dangerous Animal Notification Letter dated March 20, 2007 from Sergeant Scott Raudabaugh.
3. Document Service Form dated March 20, 2007 that was posted on the glass of the front door of your home.
4. Animal Incident Investigation Report, Case #07-9089, dated March 13, 2007.
5. Supplemental Report, Case # 07-9089, dated March 19, 2007.
6. Animal History Report #07-9089 dated March 13, 2007.
7. Animal Emergency and Referral Center Treatment documents.
8. Supplemental Report, Case #07-9089 dated March 13, 2007.
9. Supplemental Report, Case #07-9089 dated March 16, 2007.
10. Copy of facsimile of written Statement of Jamie Larson dated March 17, 2007.
11. Copy of Rabies Certificate for Jamie Larson's dog named "Queen"
12. Copy of Municipal Code Section 18-41. Definitions.
13. Copy of Municipal Code Section 18-56. Confinement of vicious dogs.
14. Copy of Municipal Code Section 18-203. Immediate seizure or destruction of animals.
15. Copy of Municipal Code Section 18-202. Seizure, impoundment and disposition of dangerous animals.

The following is a detailed summary of the proceedings of this Hearing as well as of my decision and the reasoning for it.

CITY OF DES MOINES

DIANE RAUH
CITY CLERK
CITY HALL-2ND FLOOR
400 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309-1891
(515) 283-4209
FAX (515) 237-1645
www.dmgov.org

PARKING TICKETS
PET LICENSES
BUSINESS LICENSES

ALL-AMERICAN CITY
1949, 1976, 1981, 2003

Testimony of Sergeant Raudabaugh – Chief Humane Officer

Sergeant Raudabaugh testified that on March 12, 2007, your white, brown and black colored Pit Bull breed dog ran from your address at 3825 1st Street, Des Moines, Iowa and ran to the address of 3830 1st Street, Des Moines, Iowa. There, your dog bit and shook a Miniature Pinscher dog in its own yard which ended up causing a puncture wound to the Miniature Pinscher. The City's Animal Control Unit was contacted and an Animal Control Officer conducted an initial investigation. After conducting the investigation, your dog was impounded and brought to the Animal Shelter for quarantine. There, the City's veterinarian evaluated your dog and found that it possesses predominate characteristics of a "vicious dog" by breed as defined in Section 18-41 of the Municipal Code..

Sergeant Raudabaugh stated that Section 18-56 of the Municipal Code describes how a vicious dog is to be confined and that if a vicious dog is not so confined, it is consider to be "at-large". He stated that because your dog was not so confined at the time of the incident, your dog was a vicious dog at-large when it bit the Miniature Pinscher. He read Section 18-203 of the Municipal Code and stated that because your dog has been determined to be a vicious dog by breed, was not properly nor securely confined or leashed and was involved in an unprovoked bite, the provisions of Section 18-203 were implemented and your dog is being processed as a Dangerous Animal.

Testimony of Jamie Larson – owner of dog declared Dangerous

You testified that you were unaware that your dog met the definition of a vicious dog under the Municipal Code and that your dog has been seen by a veterinarian for the past five years and you were never told you needed to seek another form of confinement for your dog. You also testified that, as indicated in your typed written statement, your dog accidentally got out of your yard; your children, who had been out earlier, had forgotten to latch the gate to your yard and the dog that was bitten by your dog had been running at large earlier. You further testified that now that you are aware that your dog is considered vicious by breed according to the Municipal Code, you are taking steps to be able to confine it accordingly.

You testified that you were at the scene of the incident immediately and that there were no children in the yard at the time. You also stated that any reference to the children being in the yard and to your dog growling was not mentioned that night but later. You stated that only people in the dog owner and another person about her age were in the yard. You stated that your dog did not cross the street until the dog that was later injured began barking at your dog and that the owner was not in control of her dog because it was not on a leash, was not within six feet of her, nor was it given voice command control at the time. You concluded by stating that earlier you had your dogs outside and observed that the dog was out and at-large and because of this, you took your dogs into your house. You then referred me to your typed written statement for other details regarding the incident which I have since read.

Testimony of William Holmes – on behalf of Jamie Larson

William Holmes stated that dogs normally bark at one another and do not like one another. He asked why, if the injured dog was not leashed, that dog's owner did not receive discipline? Sergeant Raudabaugh answered stating that Section 18-55 of the Municipal Code defines a dog as "not" running at-large when the dog is on its own property, within close proximity to its owner and under immediate voice control of owner. He gave an example that a dog is running at large when a dog is off its own property, is not leashed and is running across or down the street.

Mr. Holmes stated he didn't think the injured dog's owner had control because her dog was not on a leash and because she didn't exercise immediate voice control when Jamie Larson's dog crossed the street and the two dogs began barking at each. Mr. Holmes further stated, as his opinion, that had she done so, the biting incident would not have happened. Mr. Holmes asked why the injured dog was not also considered to be vicious. Sergeant Raudabaugh stated it is not the responsibility of the owner of a dog that is on its own property to command his or her dog to retreat from a dog entering his or her property in order to prevent the dog entering the property from attacking his or her dog.

Mr. Holmes stated that he didn't believe that there were children in the yard at the time of the incident and that he thought both parties were at fault and that if the injured dog's owner would have had her dog on a leash or had used a voice command to have her dog retreat, this incident would not have occurred. Mr. Holmes stated that, in his opinion, all dogs can be vicious and that the requirements regarding when a dog is restrained should apply to all dogs, not just those of certain breeds.

Testimony of Ashley Andrews – Owner of dog that was bitten.

Ashley Andrews testified that as she, her mother and sisters were leaving the house to get into their car, she heard her mother yell and, when she turned, she saw Jamie Larson's dog running across the street. She said she ran to get between her sisters and Jamie Larson's dog and that her dog was in the car at that time but left to follow her as she ran to her sisters. She stated that her dog always wants to be with her. She stated that she told her dog to stop and it did and that her sisters then ran one jumping into and hiding in the back seat her mother's car and the other entering their home to get her father. She acknowledged that her dog was not on a leash, but that she takes her dog with her in public and her dog has not barked at anyone.

Ms. Andrews stated her dog has never been involved in an altercation with another dog or animal; that her dog was by her side the entire time, except when she left to run to her sisters, and that she does not recall her dog growling or barking at the time. She stated that when she reached down to pick-up her dog, Jamie Larson's dog grabbed her dog. Ms. Andrews admitted to expressing some bad and mean words to Jamie Larson when Ms. Larson crossed the street to retrieve her dog. She stated that her dog can only eat soft food for a month because of the neck injury her dog sustained. She also stated that she

did mention to the Animal Control Officer that night that her sisters were in the yard at the time.

The following items were submitted into evidence by Ashley Andrews. They are attached and labels as Exhibit B:

1. Written statement from Victoria Keeling, referred to in later testimony as a neighbor.
2. Photographs of the bite wound inflicted upon her dog.
3. Copy of Animal Emergency and Referral Center Invoice dated March 12, 2007 for treatment rendered to her dog.
4. Copy of Ankeny Animal and Avian Clinic, Inc. Invoice dated March 16, 2007 for services rendered to her dog.

Testimony of Jamie Larson – (Continued)

Following Ms. Andrews", you offered further testimony that your dog's veterinarian has indicated that your dog is not aggressive and referenced documentation to that effect. Then, upon reviewing the handwritten statement of the neighbor submitted by Ms. Andrews and reading the neighbor's reference about your dog trying to jump their fence as well as her being fearful to let her children play out in their yard, you stated that your dogs are rarely outside and when they are you are with them.

Testimony of Teresa Andrews – Ashley Andrews' mother

Teresa Andrews stated that Jamie Larson's dog did not attack her younger daughters, that Ashley Andrews had gotten in front of her sisters before Jamie Larson's dog had reached their yard, that after her two younger daughters ran away Ashley Andrews reached down to pick up her dog and Jamie Larson's dog grabbed and bit her dog. She stated that they beat on Jamie Larson's dog trying to force it to release Ashley's dog and that her two younger daughters are still afraid regarding the incident.

Hearing Officers Conclusions

Based on the testimony and evidence presented, it is my charge, as the Administrative Hearing Officer, to determine if your dog is a Dangerous Animal as declared by the City's Chief Humane Officer and as defined in Section 18-203 of the Municipal Code. Section 18-203. This section reads as follows:

> Any animal found at large which displays dangerous tendencies, or which is an illegal animal, or which has been previously declared vicious or is vicious by breed according to article II, section 18-41 (6), (7), (8), or (9) of this chapter and has bitten without provocation a person or a domestic animal while such vicious dog was not properly confined or leashed may be processed as a dangerous animal under section 18-202 of this article....

As the Administrative Hearing Officer, I must confine my consideration to the law that governs in this situation and the evidence and testimony provided at the Hearing. When compared to the applicable law, the evidence and testimony have led to the following conclusions:

(1) Your dog is a vicious dog by breed based on the evaluation of the City's veterinarian.
(2) Your dog, as a vicious dog, was not properly confined or restrained at the time of the incident and was, therefore, running at large.
(3) Your dog, while running at large, attacked a domestic animal, another dog, without provocation.
(4) While testimony on the issue of provocation differs between the two dog owners, I conclude that there was no provocation for this attack because, while it may be argued that it is natural for dogs to bark at one another, the act of barking in and of itself does not automatically trigger an attack response in a dog unless the dog possesses a propensity to do so or feels threatened. It was your dog that ran across the street and bit the other dog.
(5) Had your dog been properly licensed and confined as a vicious dog, as required by Municipal Code, this incident would not have occurred.

Hearing Officers Decision

Based on these conclusions, I uphold the Chief Humane Officer's declaration that your white, brown and black colored Pit Bull breed dog named "Queen" is a Dangerous Animal. Accordingly, I am required by law to order either that your dog be destroyed in a humane manner by the Chief humane Officer or that you remove your dog from the City or cause it do be destroyed in a humane manner. Having you remove your dog from the City would only transfer what has been declared a Dangerous Animal to another jurisdiction. Therefore, I hereby order that your dog, herein identified and declared to be a Dangerous Animal, be destroyed in a humane manner by the City of Des Moines, Iowa Chief Human Officer.

If you disagree with this decision, you have three (3) days from the receipt of this letter to appeal the decision to the City Council. The appeal must be made in writing to the City Clerk's Office stating the reason for the appeal. If you have any questions regarding the appeal or compliance procedure, please contact the Animal Control Unit at 248-6051.

Respectfully,

Mark J. Schultz

Mark Schultz
Hearing Officer

Attachments: City Exhibit A
Exhibit B

Cc: Diane Rauh, City Clerk
Su Ann Donovan, Legal
Dale Patch, Acting Chief of Police
Sergeant Scott Raudabaugh

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April 2, 2007

Sirs:

I am asking that you reverse the decision of Mark Schultz, Hearing Officer, to have Queen, our family dog, destroyed. The office states that he is required by law (Des Moines law) to order either that the dog (Queen) (1) be destroyed…or (2) that Queen be removed from the City. I ask that you grant us permission to remove Queen from the city and re-home her elsewhere.

There are some embellishments and fabrications in the case records. I am not addressing those at this time. Instead I am asking that you reverse the ruling and allow Queen to live.

My grandson, being a normal 8 year old boy, wasn't paying attention and let Queen slip past him out the door. He had been told many times to be careful and not let her out when she wasn't on the leash, but being 8 also means that sometimes we forget. We realize that technically that is 'at large', but it isn't like we weren't actively trying to catch Queen. It all happened in a matter of a few minutes. She is not allowed to run loose.

Queen, being unexpectedly outside and not on the leash, started running around. She ended up heading across the street and ended up biting the neighbor dog. The neighbor dog is a min-pin. Queen could have easily killed or seriously injured the dog if that had been her intention. And she has never bitten or been in trouble before. We are all sorry that the min-pin was injured and are glad that it received only one wound. We care for all animals and don't want to see any animal hurt.

It is within your power to change the decision of the hearing officer and allow Queen to live. I ask this not only for Queen, but for a sad 8 year old boy who has never known life without Queen. She has been his friend, his buddy. She has laid with him when he cried and ran with him when he played. Now, he is living with the fact that he may have caused Queen's death. That is a terrible load to ask an 8 year old to carry. I ask this for my grand daughter who grew up with Queen as her friend. I ask for the entire family who has cared for, lived with and loved Queen. It is traumatic to lose a close family member. Please help make this less traumatic for my family and for me.

I ask for my family and myself. Queen has never been vicious. She has never bitten. She has been loving and loyal. We have trusted her with our children, and the children of relatives and friends. All she ever asked was a little attention. And I ask because -- how do I tell my grandchildren that because Queen resembles a breed of dog (possibly part of her heritage), people who don't know her want her killed? I ask because I don't feel that Queen is a threat and because letting her live is the right thing to do.

Having to re-home Queen to an area that allows her breed would be hard on all of us. But we would rather Queen be allowed to live away from us rather than to have her killed. Many many

places have refused to condemn domestic animals by breed. I ask that you allow us to move Queen to a place that does not condemn animals because of their breed. Just because an animal is considered 'Dangerous' in Des Moines does not mean that other jurisdictions apply their rules in the same manner.

Please consider the options that you do have under the law. It is legal in Des Moines that you order that Queen be removed from the City. I ask that you grant that Queen be removed from the city, which is written into the city law and is much more humane than the other choice of killing her.

Sincerely

Tim Larson
For the Larson Family
Jamie (my daughter)
Scott (my grandson)
Mikayla (my granddaughter)
Jodi (my daughter)
Alexis (my granddaughter)

ADMINISTRATIVE HEARING TRANSCRIPT
March 23, 2007
City v. Larson
Dangerous Animal

HEARING OFFICER MARK SCHULTZ: Today is March 23rd 2007. My name is Mark Schultz. I'm the Administrative Hearing Officer today. It is 2:00 p.m. and we are convening an administration hearing in response to an appeal that has been submitted by Jamie Larson whose dog has been declared a dangerous dog by the City of Des Moines Police Department Animal Control Unit. Uh, the way we'll proceed today is anyone who presents testimony needs to speak into the microphone that's placed right over here. Uh, everyone needs to state their time each time they speak just for the record because this is being recorded. If you have any photographs, documents, any exhibits, uh, that you want to share, you need to identify those in your testimony of what they are. Uh, and for my purposes if you'd just pull them up and show me what they are and then you can place them on that flat table next to the microphone in the event that if it's the Police Department presenting exhibits, or the appellant, either of you can go and look at that exhibit just to review it and see what it is. The way we'll proceed is I'm going to ask the Police Department to first, uh, present why the dog in this case was declared dangerous. Once the Police Department has completed providing their information then I will ask for the appellant, Jamie Larson, to then present why this is being appealed. Uhm, if I have any questions, uh, I'll ask during your testimony or preferably I'll try to hold until after. But if anything comes up that I need clarification I'll ask questions at that time. So, why don't we begin with the Police Department.

SERGEANT SCOTT RAUDABAUGH: My name is Scott Raudabaugh. I'm a Police Sergeant with the Des Moines Police Department and the Animal Control Unit Supervisor and by City ordinance I'm the Chief Humane Officer for the City of Des Moines.

HEARING OFFICER MARK SCHULTZ: Ok. This is my first administrative hearing so I'm learning as we go. Sergeant Raudabaugh, do you hereby declare that the testimony you are going to give today will be the truth and nothing but the truth?

SERGEANT SCOTT RAUDABAUGH: Yes. I first have a series of documents. I have a set of copies that I'll leave on the podium for anybody to look at. Uh, I have a set of copies I'll present to you. I also have a photograph of the dog that, uh, is the issue today. I've only got one photograph here. I'm gonna present it to you. Certainly if anybody else chooses to look at it I can retrieve it from you and provide it to whomever.

HEARING OFFICER MARK SCHULTZ: The photograph of the dog in question has just been presented.

SERGEANT SCOTT RAUDABAUGH: Ok, and I'll just kinda briefly go through the documents that I've presented. I think that way everybody kind of has an understanding of what they are. The, a, first document is a, a dangerous animal declaration letter that I completed that was presented, or served upon the property of Jamie Larson. The second document is a document

service form which indicates that date and time that the letter that I previously mentioned was served. The next four documents are the animal incident investigation report documenting the circumstances of the animal bite. The next form is a supplemental report pertinent to this case. The next document is a breed evaluation form completed by the City contract vet, Dr. Campbell with the Animal Rescue League. The next three documents are a, a, documents pertaining to the injuries sustained by the Miniature Pincher dog, the treatment it received at the animal emergency clinic. The next document is a supplemental report and then there is another supplemental report. Uh, the next three documents are a faxed paperwork. Jamie Larson had asked to, she had mentioned she had contradictions to some of the information that was made available to Animal Control. I suggested that she type up a statement and that we would make it part of the case which she did and then she faxed it to the Animal Shelter and then I included it, not only in the documents at the Police Station, but also I'm submitting a copy for you to review at a later time if you choose. The next document is a rabies certificate for Jamie Larson's dog. The, a, a next, or the remaining documents are, a, copies of City ordinances that I'll make reference to later on. And then like I say, the photograph is the other document.

HEARING OFFICER MARK SCHULTZ: All the documents have been received.

SERGEANT SCOTT RAUDABAUGH: On March 12, 2007, Jamie Larson's white, brown and black colored Pit Bull breed dog ran from her address at 3825 1st Street and ran to 3830 1st Street. There it bit and shook a Miniature Pincher dog in its own yard which ended up causing a puncture would to the Miniature Pincher. The Animal Control Unit was contacted through Police Dispatch and an Animal Control Officer conducted an initial investigation. Uh, she ended up impounding the dog and bringing it to the Animal Shelter for quarantine. While it was at the Animal Shelter, the City veterinarian evaluated the dog and the characteristics of the dog and determined that it exhibited predominant Pit Bull characteristics. The a, a City ordinance, and I'm going to refer to 18-41, defines a vicious dog and I'm going to skip over the a first five because that is pertinent to a, well, I'm sorry. I'm going to refer to some of these here. A vicious dog defined by City ordinance 18-41. Any dog which has attacked a human being or domestic animal one or more times without provocation. Any dog with a history, tendency or disposition to attack, to cause injury or to otherwise endanger the safety of human beings or domestic animals. Any dog that snaps, bites, or manifests a disposition to snap or bite. Any dog that has been trained for dog fighting, animal fighting or animal baiting or is owned or kept for such purposes. Any dog trained to attack human beings, upon command or spontaneously in response to human activities, except dogs owned by and under the control of the police department, a law enforcement agency of the state or of the United States or a branch of the armed forces of the United States. A Staffordshire terrier breed of dog, the American pit bull terrier breed of dog, the American Staffordshire terrier breed of dog, or any dog which has the appearance and characteristics of being predominately of the breeds of Staffordshire terrier, American pit bull terrier, American Staffordshire terrier. In this case, the dog was evaluated by the City veterinarian and determined to exhibit predominant characteristics of a vicious dog by breed. Uh, some of the other provisions of 18-41 do also apply. Uh, any, any dog which has attached a human being or domestic animal one or more times without provocation. Uhm, having said that, uh, there are certain provisions in City ordinance, uh, pertaining to the confinement or leashing of dogs determined to be vicious dogs, either by breed or be it by behavior. I'm gonna refer to 18-56, confinement of a vicious dog. I'm not going to read the entire thing. Uhm, but basically it

says a dog that is vicious by breed or behavior, uh, has to be securely confined in a house, in a special kennel or on a leash held by an adult. In this case we have a dog that has been identified as a vicious dog by breed, uhm, and can also be, a, some of the characteristics of behavior can also be identified that were not securely confined or leashed because of it ran at large and attacked another dog. City ordinance 18-203 talks about, and I'm going to read the entire thing. 18-203, Immediate seizure or destruction of animals. "Any animal found at large which displays dangerous tendencies, or which is an illegal animal, or which has been previously declared vicious or is vicious by breed according to Article II, Section 18(41)(6), (7), (8), or (9) of this Chapter and has bitten without provocation a person or a domestic animal while such vicious dog was not properly confined or leashed may be processed as a dangerous animal under section 18-202 of this article, and the animal may be immediately seized anywhere within the city unless the animal is so dangerous that it cannot safely be apprehended, in which case the chief humane officer, his or her designee, or any police officer is authorized to destroy it immediately." As the a, a initial document in this packet, the letter, the dangerous animal letter for lack of a better description, refers to the dog being identified as a vicious dog and not properly or securely confined or leashed and being involved in an unprovoked bite, the provisions of 18-203 were, were implemented, the dog is being processed as a dangerous animal. City ordinance 18-202, I'm not going to read the entire thing, but it refers to seizure, impoundment and disposition of a dangerous animal. Uh, if you uphold the dangerous animal declaration, uh, it provides for the provisions of disposition of the dog, whether it be immediate and permanent removal from the City or destruction in a humane manner. And that's all I have at this point.

HEARING OFFICER MARK SCHULTZ: Ok. Thank you. Ms. Larson. Will you please come to the microphone. Please state your name for the record and raise your right hand.

JAMIE LARSON: Jamie Larson.

HEARING OFFICER MARK SCHULTZ: Ms. Larson, do you declare that the testimony you are about to give will be the truth and nothing but the truth?

JAMIE LARSON: Yeah.

HEARING OFFICER MARK SCHULTZ: Please proceed.

JAMIE LARSON: Uhm, I just have one statement that you have a copy of. Uhm, I just want to state that now it's stated that my dog is a vicious dog. This was not known before. My dog was bought registered and seen to the vet for five years and nobody has ever mentioned that it was a vicious dog or any, or that I needed to seek other confinement for her. Uhm, I, I do have, I mean as my statement said, I have questions to their statement that they had made. Uhm, my dog did get out on accident. Uhm, the dog that was loose in the, around the neighborhood. I had seen, put my dogs inside, came out, the kids went out, the kids came back in and forgot to latch the door. Their dog was at large as well. Uhm, I've been, I've taken steps now to try to figure out, now that it was deemed vicious and a dangerous dog, what to I need to do for it. Uhm, uhm, I guess I don't, everything was said in my statement.

HEARING OFFICER MARK SCHULTZ: Ok, excuse me. Uhm, I'm not sure I have a copy of that. Could I see what you have just to see if I have that?

JAMIE LARSON: Yep.

HEARING OFFICER MARK SCHULTZ: Oh that. Ok. Let's see, that was part of. Let me just make sure I have it. Ok. I do. Do you have anything else you'd like to state? Do you have any other witnesses that you'd like to present testimony?

JAMIE LARSON: Yeah.

HEARING OFFICER MARK SCHULTZ: If you'd come forward to the microphone please. Thank you. Again, please state your name for the record.

WILLIAM HOLMES: William Holmes.

HEARING OFFICER MARK SCHULTZ: Uh, Mr. Holmes, do you declare that the testimony you are about to give will be the truth and nothing but the truth?

WILLIAM HOLMES: Yes. I just have a question.

HEARING OFFICER MARK SCHULTZ: Ok.

WILLIAM HOLMES: Can't any dog that's, any animal be, become, I mean, be labeled a vicious dog? I mean can any animal be vicious?

HEARING OFFICER MARK SCHULTZ: Uh, according to the ordinance the City has there are specific definitions that are given to define what dogs might be declared vicious and then what dogs might be declared dangerous and I'd have to refer you to the City Code to read those definitions or Sergeant Raudabaugh in the Animal Control Unit to provide those definitions. But there, there are specific, either behaviors or breeds of dogs that are within those definitions that are used to then define if a dog is vicious or not.

WILLIAM HOLMES: Because I think, ya know, barking viciously, you know what I'm saying. I've seen another, every, every time a dog, I see another dog, they always bark at each other. Ya know what I'm saying? Dogs don't like each other. Ya know what I mean? So, if there dog wasn't leashed, how come they didn't get any discipline for their dog not being leashed? Because it was on their property?

HEARING OFFICER MARK SCHULTZ: Well, I guess I can't address that.

WILLIAM HOLMES: Can I address someone that could? I mean.

HEARING OFFICER MARK SCHULTZ: Yes. You can, we can ask that question or Sergeant Raudabaugh. I will ask him to come forward please.

SERGEANT SCOTT RAUDABAUGH: Do you want me to answer that question now or do you want to proceed with your testimony?

WILLIAM HOLMES: I want you to answer that question.

SERGEANT SCOTT RAUDABAUGH: Ok. Let me step up here. Ok.

HEARING OFFICER MARK SCHULTZ: Please state your name.

SERGEANT SCOTT RAUDABAUGH: Sergeant Raudabaugh. I'm sorry. Uh, City ordinance 18-55, running at large. It talks about dogs in general. Uh, dogs are considered at large unless there are certain provisions met. I, I'm not going to address all of them. But basically, 18-55 talks about a dog is not running at large if it's on it's owner's own property and it's within close proximity of the owner and the owner has immediate voice control of it. Uhm, to give you some examples, if my dog is not in my yard but it's running off a leash, out of the fence, it's running across the street or running down the street that it's running at large. Uhm, and just the opposite, if my dog is off the leash, but in my yard and in close proximity to me, and I'm able to control it with voice commands to where I immediately tell it to come, it immediately comes to me, then that's considered not at large.

WILLIAM HOLMES: Ok.

SERGEANT SCOTT RAUDABAUGH: But if I don't have control of it, if it leaves the yard, uhm, then it would be considered at large.

WILLIAM HOLMES: Ok, so.

HEARING OFFICER MARK SCHULTZ: Please state your name again.

WILLIAM HOLMES: William Holmes. So the dog is not leashed, it's on its property. So you have a dog come by that is leashed and that dog decides to bark and go after the other dog that's on a leash, will the rules still apply by it's being on it's property it's ok by not being leashed? I mean I would think that a dog being not leashed is open for anything. Now, if, if it had a command to come on its property and the dog would have came when the dog, when my dog was barking and the dog came close. They should been like, well come. Come, come, whatever his name, wherever the dog is. Come, come, come and this would have never happened. It would have just been my dog running around. Now to me it seemed like the command, they didn't have command of their dog because the dog did not come to them when the situation was going down.

HEARING OFFICER MARK SCHULTZ: Well, first of all I'd have to say that I can't really address or answer your question on a theoretical situation.

WILLIAM HOLMES: Uhm, huh.

HEARING OFFICER MARK SCHULTZ: With regards to the fact in this particular case with, and the location of the dog that was injured, again I'd have to refer to Sergeant Raudabaugh to please, uh, share with, with me again what the situation was.

SERGEANT SCOTT RAUDABAUGH: Ok. Sergeant Raudabaugh. Uh, I guess you need to clarify is that a statement or a question. It kinda sounded like a state, statement…

WILLIAM HOLMES: It was like both.

SERGEANT SCOTT RAUDABAUGH: Ok, if you could clarify what, what your question is cause I'm not quite sure.

WILLIAM HOLMES: William Holmes. Ok, it's like a statement and a question at the same time again. You mentioned…

HEARING OFFICER MARK SCHULTZ: Before you begin, uh, are you, is your question with regard to…

WILLIAM HOLMES: The incident.

HEARING OFFICER MARK SCHULTZ: where the location of the dog that was injured, what that location was at the time of the injury?

WILLIAM HOLMES: And his statement, both, and his statement of what he made, you know when he was up here on the podium.

HEARING OFFICER MARK SCHULTZ: Ok. Now go ahead and state your question as you'd like it stated.

WILLIAM HOLMES: Uhm, their dog was not on a leash. They did not get any discipline because their dog was, their dog was on their property and it was a certain type of dog that they had command of their dog. The state of command. Now if they had command of their dog to come, as soon as they seen my dog running around, they would have commanded their dog when they started barking before anything ever happened, commanded their dog to come. But instead their dog barked viciously and it became a vicious bark between each dog. So, my question is how come their dog wasn't considered as being vicious too?

SERGEANT SCOTT RAUDABAUGH: Ok. I'm going to read this portion of the City ordinance 18-55, running at large.

HEARING OFFICER MARK SCHULTZ: Sergeant Raudabaugh.

SERGEANT SCOTT RAUDABAUGH: I'm sorry. Sergeant Raudabaugh. Uh, 18-55, running at large. A dog, properly licensed as required by law, shall not be deemed at large if. I'll just read the provisions that apply to this question here. The dog is on the premises of the owner or a person given charge of the dog by the owner and is either restrained on those premises by an

adequate protective fence or by leash, cord, chain or other similar restraint that does not allow a dog to go beyond the owner's real property line or at all times within the actual physical presence of and immediately obedient to the commands of the owner or person given charge of the dog by the owner. At no time shall the dog be more than six feet from the person. Ok, the information provided to me was such. Their dog, and I'm neutral in this. Their dog was on their property. Your dog entered onto or I'm sorry, Jamie Larson's dog for identification purposes. Jamie Larson's dog entered onto their property. The information provided to me was your dog, Jamie Larson's dog, growled at a child. The adult in charge of the dog went to the child in concern for the child and at that point did not concern themselves with the dog. Concerned themselves with the child. The dog, however, the dog was still on their property. At that point Jamie Larson's dog entered onto their property. Their dog may have barked. I don't know. Uh, but Jamie Larson's dog then bit their dog. Uh, the dog did meet this criteria that it was not at large by being on their property. Furthermore, it is a reasonable acceptance that at that moment a parent or a guardian of a child disconcerns themselves with their dog and concerns themselves with a child. Uhm, so even if that dog, they're not yelling at that dog let's say to come, it is reasonably acceptable that they're not concerning themselves with their dog. They're concerning themselves with their child. Uh, but going back to the first part of that, it was still on their property when this bite occurred and then also to respond to your other part of your statement, it is not someone else's obligation to yell at their dog to prevent somebody else's dog on their property from biting their dog. Do you understand that? They do not have the obligation to yell at their dog to keep their dog from barking to keep Jamie Larson's dog from biting. It's not their obligation.

WILLIAM HOLMES: Ok. Where is it stating that cause it's not.

HEARING OFFICER MARK SCHULTZ: Please, please state your name.

WILLIAM HOLMES: William Holmes. Where does it state in your rules that it's not their obligation. That means that you can't, ok, you basically saying they can control, they can't control their dog from barking. See, the child situation, you know when people hear that there's a child involved, you know what I'm saying, ok, that's the sympathy. You know what I'm saying. My child was involved which I don't think happened. You know, as a matter of fact I don't know, I know that the dog didn't bark or go at the child. It was at the two dogs. They went after each other. Not the child, people bring their child in to make it sound so good or make it sound so sympathetic. Oh my child was involved. It was the two dogs. The two dogs was barking at each other. They couldn't control their dog either. If it was on, if their dog was on a, a command, they should be able to control their dog and say look, come let's go. Pick up their dog and let's go. But that dog was not on a leash, but if their dog was on a leash none of this would have ever happened with the dog. Jamie came over there as soon as possible and run to protect and even asked her if everything was alright and she went up and snapped on her. You know, accidents happen. I'm not saying that we're not, you know what I'm saying, completely innocent through this whole thing, I'm not. But what I'm saying is that people have to take actions for their responsibility too. You know what I'm saying and it's like they did not have a leash on their dog. Their command was not, the dog did not come to their command and accidents happen. The dog got bit cause two dogs fighting each other. They don't like each at all. Two dogs just don't like each other at all. So, I just, I was just confused about the leash part of how come their dog was

on their property and it can't be on the leash when their dog can, can run off their property and attack anybody else cause it's not on a leash. How come they are not responsible either?

SERGEANT SCOTT RAUDABAUGH: Sergeant Raudabaugh again. There are, in this case and in many cases, there are laws that make one person responsible for certain things. Uh, as in this case, they are responsible for their dog. They are not responsible for Jamie Larson's dog. That's Jamie Larson's responsibility, uhm, or if you are in charge of Jamie Larson's dog, you are in charge of the dog. They are not in charge of or responsible for somebody else's dog unless they are taking care of their, somebody else's dog. Uhm, it is not their responsibility to, to talk to their dog to keep somebody else's dog from biting their dog. Uhm, they can have their dog off a leash in their yard. They can do that. City ordinance allows it. Uh, that's legal. Uhm, but it's illegal for their dog to run across the street. It's illegal for their dog to run down the street. Hold on. It's illegal for their dog to, I'm gonna be facetious here, but it's illegal for their dog to run away from their property and run over to Windsor Heights. That's illegal. Uh, but it's legal for their dog to be in their yard. Uhm, they don't have a legal responsibility to control your dog by controlling their dog. Whether you agree with that, but do you understand that? I, and you may not,

WILLIAM HOLMES: William…William….

SERGEANT SCOTT RAUDABAUGH: Let, let me finish.

WILLIAM HOLMES: I thought you wanted to tell so like in a question so I understand it.

SERGEANT SCOTT RAUDABAUGH: Ok. I'm sorry.

WILLIAM HOLMES: William Holmes. But I was thinking that the dog, ya know, though should have a gate. I mean you said something about having a gate too. You know what I'm saying that can be without a leash by having a gate around it or something like that. Now, it seem, it seems like your statement is contradicting because they can be without a leash on their yard, but if they come off their yard, its, its, they're in the wrong. But, doing anything, doing, barking at anybody or attacking anybody. They are wrong. So it seems like you're contradicting your statement because first they can be on their yard without a leash, but if they get off the yard it's ok. So basically, if they was on a leash they wouldn't get off their yard. And if there's a fence they couldn't get off the yard.

HEARING OFFICER MARK SCHULTZ: I, I'm going to interject something. Having listened to both your questions and the answers, uh, I'm going to ask Sergeant Raudabaugh, I'm, I'm wondering if we're perhaps missing the fact that I think you said that the dog, Ms. Brown's dog was vicious by breed. It would have been a vicious dog had it been vicious had it been licensed because of its breed. Is that correct?

SERGEANT SCOTT RAUDABAUGH: Ms., the other dog. I'm sorry I don't recall the other folks' last name. Which dog

WILLIAM HOLMES: Larson you mean?

SERGEANT SCOTT RAUDABAUGH: Which dog are you referring to?

HEARING OFFICER MARK SCHULTZ: I'm, I'm referring to Ms. Brown's dog. I think in your description the veterinarian at the Animal Control Shelter upon evaluating the dog determined that the dog, uh, showed appearance or characteristics of a breed that by ordinance would be considered vicious.

SERGEANT SCOTT RAUDABAUGH: Uhm, the last name's Larson. Jamie Larson.

HEARING OFFICER MARK SCHULTZ: Oh, I'm sorry.

SERGEANT SCOTT RAUDABAUGH: No, that's ok.

HEARING OFFICER MARK SCHULTZ: I apologize.

SERGEANT SCOTT RAUDABAUGH: It confused me a little bit there. Uhm, that is correct. The veterinarian evaluated the dog. Found that it exhibited predominant characteristics which, for lack of a better description, it kinda becomes a special dog with special rules. Uh, that it cannot be off leash and it has to be securely confined somehow. In referring to your statement that I was contradicting myself. I don't believe I was. Everybody's dog has to be under control. Everybody's. Their dog can be in their yard without a fence and without a leash as long as it's under control. Uhm, whether it could have left the property, uhm, that's not the issue. The issue is it was in their yard when it got bit.

HEARING OFFICER MARK SCHULTZ: Uhm, I think then I'm going to let some others who are requesting time, uh, to have some time and I think that I'm going to clarify as I understand the questions and the statements. Uhm, I believe the question was with regard to the dog that was injured, why it could be off the leash and on it's property and allowed to bark and so forth which could be like a provoking behavior. And why the other dog, uhm, and then the other dog, Ms. Larson's dog, excuse me for misstating earlier your name. Because of the special circumstances surrounding, uh, Ms. Larson's dog, there are special rules that even if that dog is on its own property, it still has to be on a leash and in control of someone. Is that correct Sergeant Raudabaugh?

SERGEANT SCOTT RAUDABAUGH: Yes. Uh, a dog defined by vicious, or defined as vicious, even if it's on its own property still has to be on a leash. A special dog with special rules.

HEARING OFFICER MARK SCHULTZ: So, I guess I, I just stated and asked that question because I think that's kind of a distinction with regards to the statement you are making about when one dog not having to be on a leash and so forth, but there are special circumstances as I understand the code then that would apply to Ms. Larson's dog based on what I've heard. So I don't know if that helps clarify that thing.

WILLIAM HOLMES: William Holmes.

HEARING OFFICER MARK SCHULTZ: Sure.

WILLIAM HOLMES: I guess you know so what I'm saying is that any animal, you know what I'm saying, now on a leash can cause some type of havoc. You know what I'm saying, it can cause any type of problem. You know, so a dog is walking down the street with a leash and the dog is not with a leash in their property it can still cause some type of problem because these two dogs can bark. You know what I'm saying and, and they both can look vicious by barking at each other. Ya know what I'm saying, so anything can happen. So that's what I mean by contradicting his self. I believe that any dog, any animal, can be vicious. Even a cat can be vicious. You know what I'm saying, so it's like I feel like all dogs should be restrained. If one is gonna get in trouble because of the breed, all dogs should be restrained period because all dogs can be vicious.

HEARING OFFICER MARK SCHULTZ: But today we'll have to deal with the particular incident as the Municipal Code....

WILLIAM HOLMES: Do you understand what I'm saying that...

HEARING OFFICER MARK SCHULTZ: I understand what you're saying.

WILLIAM HOLMES: Do you understand what I'm saying?

SERGEANT SCOTT RAUDABAUGH: I understand what you're saying.

HEARING OFFICER MARK SCHULTZ: Uh, let's see, there, Ms. Larson you wanted to say something and then there was a hand over here as well, so. And we've already placed you under oath.

JAMIE LARSON: Now, I was at the scene immediately when it happened. This child was not in the yard and it was not brought up that night that there was a child and the dog growled at the child. This was only after the incident. There was, the lady who was sitting with the red hair and another lady around the same age with blonde hair in the yard when this incident happened. There was not a child. Again, that was not mentioned that night. This, yes, our dog was deemed vicious after it was quarantined. We did not purposely have our dog off of a leash. Our dog had accidentally got out of the house, ran circles around, ran circles around until their dog barked and growled at the dog in question. Nothing, the dog was running circles around, just running for free, running to run. She was not going, attacking. She was not growling. She was not barking. I was right there. That is where I'm saying is that these allegations were not brought up that night when, when the police and the animal control was there. That dog was not in control by voice command, by leash or within six feet of the person, of any adult on that property. Not at all. That dog, it was told to us that it was a Chihuahua and now it is a Doberman Pincher. Whatever the breed of the dog it was not in any control of any adult by voice within six feet, nothing. It was running at large before when I had my dogs out on a leash to go to the bathroom. That's why I took them back in the house and that was in my statement as well. This child was not brought up before this.

HEARING OFFICER MARK SCHULTZ: Do you have a statement? Please state your name and raise your hand.

ASHLEY ANDREWS: Ashley Andrews.

HEARING OFFICER MARK SCHULTZ: Ms. Andrews, uh, do you declare that the testimony that you are about to give is the truth and nothing but the truth?

ASHLEY ANDREWS: I do. Uhm, what had happened was we were leaving and my dog was getting into the car and my sisters were out in the front yard playing around and, uh, I heard my mom yell, uh, oh shit, is her exact words and I turned, uhm, to my sisters and I see a dog running across the street. My first reaction is to get my sisters out of the way. I ran in front of my sisters. Then my dog who, my dog's a baby. She follows me everywhere. She ran in front of me. I said Jessie and she stopped right there. She actually stopped. Had I kept going, she would have tripped me and I was still in my yard. My sisters had ran. One of them jumped in the back of my mom's convertible and ducked down in the seat and the other one ran in the house to get my dad. Uhm, my dog was not on a leash. But I am confident enough and I know my dog well enough, she is trained well enough, that she will not go after any other dog. She does not, uhm, provoke anything. I take her to Gray's Lake. I take her to Petco at least once a week. She doesn't bark. She doesn't start anything. Uhm, I have a statement from neighbors that their dog had jumped, uhm, over one of their fences to go after one of their dogs before.

HEARING OFFICER MARK SCHULTZ: Is that a written statement?

ASHLEY ANDREWS: It's written yes.

HEARING OFFICER MARK SCHULTZ: Do you have it with you?

ASHLEY ANDREWS: Yes, right here.

HEARING OFFICER MARK SCHULTZ: Can I see it please?

ASHLEY ANDREWS: I'm sorry.

HEARING OFFICER MARK SCHULTZ: Could I see it?

ASHLEY ANDREWS: Yes.

HEARING OFFICER MARK SCHULTZ: I'm going to give it back to you so that you.

ASHLEY ANDREWS: Ok. Uhm, I also have that my dog is a sweet dog, uhm, on the vet records and everything like that.

HEARING OFFICER MARK SCHULTZ: Just give me a moment and let me read this statement.

ASHLEY ANDREWS: Ok.

HEARING OFFICER MARK SCHULTZ: Ok. And again this person is who?

ASHLEY ANDREWS: One of the neighbors.

HEARING OFFICER MARK SCHULTZ: Ok. If you would leave that there on the table in the event that Ms. Larson would like to read it.

ASHLEY ANDREWS: Ok. Uhm, and I also have pictures from the attack. Uhm, these are just the worst wounds. She did have cuts on her ears and her mouth and, uhm, her head and her chest. This is the main puncture on her neck that we have vet bills for and I have the vet bills too.

HEARING OFFICER MARK SCHULTZ: Ok, I've reviewed the photographs.

ASHLEY ANDREWS: And I'd like to state that my dog has never, uhm, been in any kind of a dog scuffle, anything like that. She's never, uhm, been vicious towards anybody or any other animal. Uhm, I mean she's pretty much a baby. My dog was right next to me the whole time except for when I ran from my car to, uhm, the end of the yard by my sisters and she was right behind me. And as I said when I yelled her name she did stop. Uhm, I do not recall her barking or growling or anything like that. Uhm, and she did not, I mean, once I called her name I went down to reach for her and the dog, uhm, grabbed her and then, uhm, once the dog released her I said Jessie go, you know, and she ran inside. And, uhm, yes I did, uhm say some bad things to Ms. Larson which I believe that any owner who loves their dog, ya know, and is terrified for their dog's life would say. You know, mean things to somebody out of anger and out of, uhm, being scared for their dog's life. So, uhm, it is now my dog, now she is, uhm, very skiddish of new people and other animals. Uhm, and she has to eat soft food because her throat is, uhm, something's wrong with her throat so I have to have her on soft food for a month and uhm she is still kinda in shock from the attack. And she is a Miniature Pincher. There was nothing ever said about a Chihuahua. And, uhm, we did tell the Animal Control, uhm officer about my sisters being there and the dog coming after my sisters. Uhm, had my sisters not been in the yard, there would have been no reason for me to run out in the yard. So that doesn't make any sense. I would not just run out into the yard at a dog running towards me. So, they were in the yard.

HEARING OFFICER MARK SCHULTZ: Anything else?

ASHLEY ANDREWS: Nope, that is it.

HEARING OFFICER MARK SCHULTZ: Uhm, is there any, any new testimony to be offered in terms of new information.

Inaudible.

HEARING OFFICER MARK SCHULTZ: Yes you may. It's a, if you would like to come forward and inspect those documents you may.

JAMIE LARSON: Can I say something before, Jamie Larson. Uhm, we also have notes from our vet stating that our dogs are not aggressive. Our dogs have never been aggressive. I have children at my house at all times and I disagree with part of that statement, but I can leave that up here as well.

HEARING OFFICER MARK SCHULTZ: Yeah. Keep that separate.

WILLIAM HOLMES: William Holmes.

HEARING OFFICER MARK SCHULTZ: Yes.

WILLIAM HOLMES: If a dog attacked my child or my sister, little sister, that would have been the first thing I said when I came up there. The first thing I said. The first thing I say. That wasn't the first thing. That was the last thing she said and it was, the way she said it was like yeah and it did, uh, bark at my little sister. I'm sure you, I'm sure you heard a lot of testimony. That would have been the first thing I said man. If it has anything to do with my child. So that's all I got to say. And I thought the dog was only bit once. She was talking about some ears and head and.

JAMIE LARSON: Ok, one more thing. This states that we have had the Pit Bull jump the fence when we let our dog out in the back yard. We feel that if he would have made it into our yard, if he jumped the fence he would have made the yard.

HEARING OFFICER MARK SCHULTZ: Could you state, could you state your name?

JAMIE LARSON: Oh, Jamie Larson, sorry.

HEARING OFFICER MARK SCHULTZ: And you are reading from what?

JAMIE LARSON: A letter from, uh, Victoria Keeling.

HEARING OFFICER MARK SCHULTZ: A neighbor, correct?

JAMIE LARSON: I'm not sure.

HEARING OFFICER MARK SCHULTZ: It was designated as a neighbor.

JAMIE LARSON: It was designated as a neighbor. We have had the Pit Bull jump the fence when we let our dog out in the back yard. We feel if he would have made it into our yard he would have attacked our dog. If he jumped the fence he would have made it into the yard and, I mean, that sounds right to me. We also worry about our children playing in the back yard while their dogs are outside. Our dogs are very rarely outside and if our dogs are outside it's because I'm doing yard work and they're right by me in our yard.

HEARING OFFICER MARK SCHULTZ: Uhm.

Inaudible.

HEARING OFFICER MARK SCHULTZ: If you'd want to come up and make a statement. Please state your name.

TERESA ANDREWS: Teresa Andrews. I'm Ashley's mother. I was there that night. Everything's true. Uhm, it happened exactly as my daughter said. The dog did not attack my little girls. My daughter had got there before the dog had reached our yard completely, but when it, my daughter, two younger daughters took off, she started to reach down for her little dog and that's when their dog had grabbed it. We were beating on their dog to get it to release her dog. The statement from the neighbor, the reason it didn't get into their yard is because there is a space between the two fences so that's why it did not make it into their yard and she does not let her children play in the back yard anymore because she's afraid if their dog's out it would get them. Uh, basically, that day it shook all of us up. My two little girls are still scared of that. Uhm, I think that's all I can say right now.

HEARING OFFICER MARK SCHULTZ: Sergeant Raudabaugh, did you have something else you wanted to say?

SERGEANT SCOTT RAUDABAUGH: No.

HEARING OFFICER MARK SCHULTZ: Well, I think that a, I realize this is an emotional issue on both sides. Uhm, it's my position to now listen to, having heard your testimony and seeing the documents, uh, to make a determination a, as to whether your dog is, is dangerous as declared by Chief Humane Officer Sergeant Raudabaugh. I'm going to go ahead and review the testimony. I'm going to review the documents and the things that have been given to me and, and a, give this due consideration and then I will be issuing my decision and I'll do so in writing so that you'll receive a copy of that. In that decision, uh, uh, I'll state a, my reasoning and for whatever decision I make and you'll be able to receive that and I would hope that that would be by the end of next week. So, we'll hereby adjourn this hearing.

Inaudible.

HEARING OFFICER MARK SCHULTZ: We'll pause and then will Sergeant Raudabaugh, could you address that question.

HEARING OFFICER MARK SCHULTZ: Uh, Ms. Larson just asked what will happen to her dog in the time that I as hearing officer is reviewing the testimony and documents and rendering a decision.

SERGEANT SCOTT RAUDABAUGH: City ordinance states that the dog remains in quarantine, or not in quarantine, remains at the Animal Shelter pending the outcome of the hearing. So it will remain at the Animal Shelter.

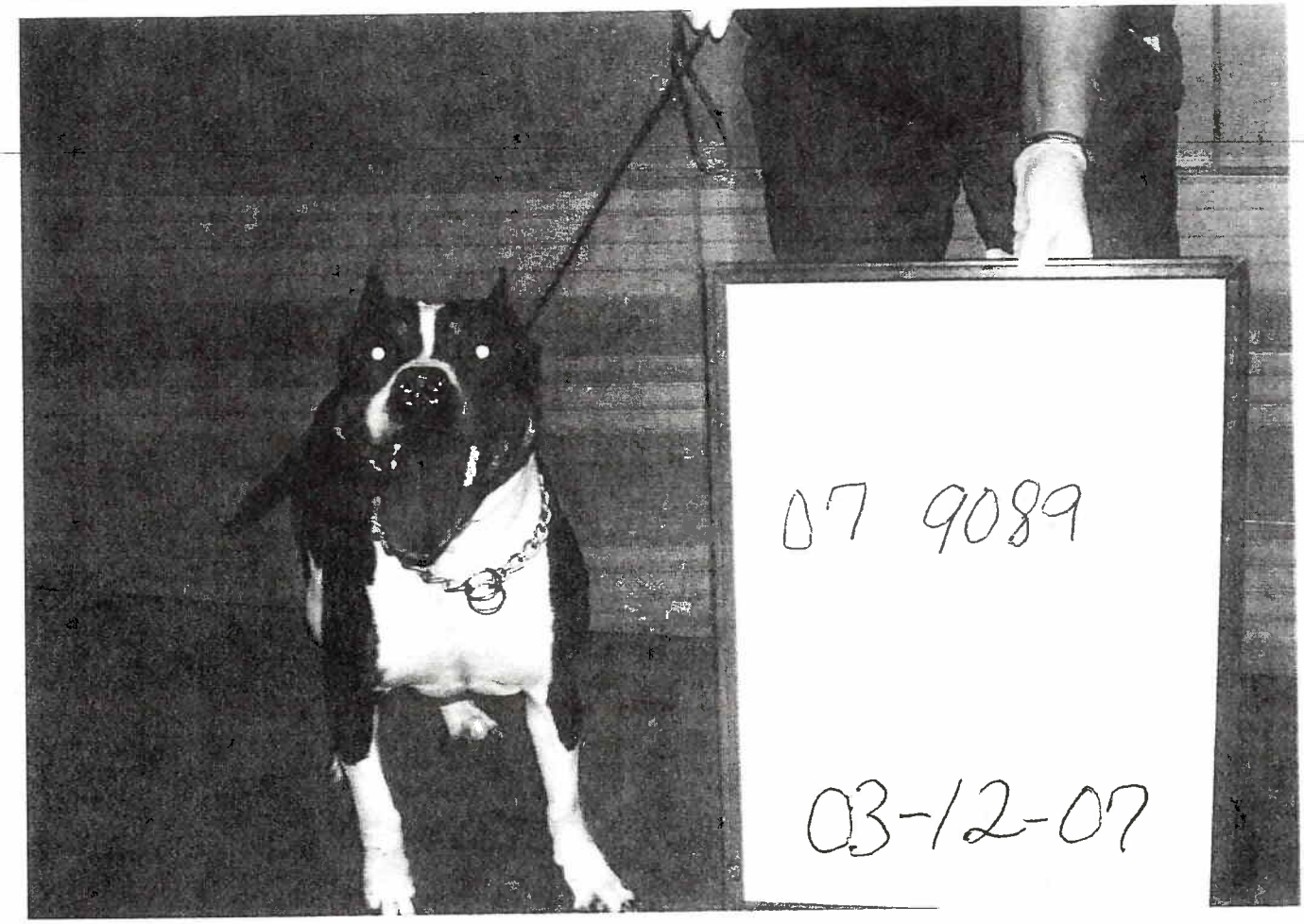
UNIDENTIFIED SPEAKER: With no visits allowed?

SERGEANT SCOTT RAUDABAUGH: That is correct. That is correct.

HEARING OFFICER MARK SCHULTZ: And considering, considering that situation I will, I will render a decision just as quickly as I can, but, but like I say, I'll have to review all I heard and what's been said, but I will review it, I'll make a decision as quickly as I possibly can. Thank you Sergeant. Another question? If, if it's a question about what happens from hereon out, uh, if it's more testimony, we, we have concluded our testimony on the incident, ok.

UNIDENTIFIED SPEAKER: No, I was just wondering if with your position if there is a way for them to be responsible for my dog's medical bills for the attack?

HEARING OFFICER MARK SCHULTZ: That's not a decision that I can make. It's not within my purview or authority. Uh, my, I only have the authority to hear the testimony and review the documents and make a decision based on the declaration of the dog at this point in time, but that's, that's what I can rule on. Well, we are hereby adjourned and thank you.



SMPD 2007-9089

Original
City Exhibit "A"

48

March 20, 2007

Jamie Larson
3825 1st Street
Des Moines, Iowa 50313-3543

On March 12, 2007 your white, brown and black colored Pit Bull breed dog, named "queen," was running at-large when it ran across the street and towards a child. When the child's sister went to get the child their dog followed her. At that point your dog entered onto their property, grabbed/bit their dog and shook it, which caused injury to their dog. Because of the breed of your dog and the circumstances of the incident your dog was impounded for quarantine at the animal shelter.

Since then the City Veterinarian has evaluated your dog and determined that it exhibits predominate characteristics of a "Vicious Dog," defined by city ordinance as a Staffordshire Terrier or an American Pit Bull Terrier or an American Staffordshire Terrier or a dog which has the appearance and characteristics of being predominately of those breeds.

Because your dog is defined as a vicious dog and was not properly confined or leashed, in accordance with the vicious dog ordinance, and was involved in an unprovoked bite your dog is being declared a "Dangerous Animal," in accordance with the dangerous animal ordinance.

An Administrative Hearing to review the "Dangerous Animal" declaration, and if upheld determine the disposition of the dog, has been scheduled for **2:00 P.M. on Friday, March 23, 2007 in the City Council Chambers in the Des Moines City Hall at 400 Robert D. Ray Drive.**

Your dog will remain in impound pending a decision by the Hearing Officer.

If you have any questions please call me at (515) 248-6052 or the City Clerk's Office at (515) 283-4209.

Sincerely,

Sergeant Scott Raudabaugh,
Chief Humane Officer

cc: City Clerk's Office

CITY OF DES MOINES

ANIMAL CONTROL
POLICE DEPARTMENT
1615 S.E. 14TH STREET
DES MOINES, IOWA 50320-1010
(515) 242-2720

ALL-AMERICA CITY 1949, 1976, 1981

2007 MAR 20 PM 3:34

48

Animal Control

DOCUMENT SERVICE FORM

Case number: 2007 — 9089

ARL number (If known): _____

Animal owner's name: JAMIE LARSON

Address: 3825 — 1ST STREET

Name of person receiving document: _____

Posted on glass of front door

Their signature: X _____

Date and time served: 1344 hrs 3/20/07

Animal Control Officer serving document: _____

Sue Stoops

Animal Control Officer's identification number: 7219

Type of document served: DANGEROUS ANIMAL LETTER

KF
ACV

Animal Incident Investigation Report

Des Moines, Iowa Police Department

2007 MAR 13 PM 3:52

1 of 4

1. Impounded animal AHR/ARL number:	2. DMPD case number: 07-9089
32. District: 2	33. Beat: 23
3. Victim's name (Last, First M.I.): N/A (Human victim or society)	
4. Race:	5. Sex: 6. Age: 7. Date of birth: 8. Ethnicity: H☐ NH☐ 9. Sobriety: Sob. ☐ H.B.D. ☐

Impounded or bite animal

34. Animal type: Cat ☐ Dog ☒ Other ☐:	10. Residence address: (List city and/or state if not Des Moines or Iowa)
35. Animal breed: Pitbull	11. Residence phone number: / 12. Business or cellular phone number:
36. Animal color: Wht/Brn/Blk	13. Place of employment or school:
37. Animal fur length: Short ☒ Medium ☐ Long ☐ Other ☐:	14. Type and location of injury:
38. Animal sex: Male ☐ Neutered ☐ Female ☒ Spayed ☐ Unknown ☐	15. Medical treatment: IA
39. Microchip: No ☒ Yes ☐ (Records Personnel: Enter M/C# as a serial number) M/C#: UNK	16. Reporting person's name (Last, First M.I.): Andrews, Ashley
	17. Race: W 18. Sex: F 19. Age: A 20. Date of birth: UNK 21. Ethnicity: H☐ NH☒ 22. Sobriety: Sob. ☒ H.B.D. ☐
40. Rabies tag: No ☐ Yes ☒ R/T#: L687214	23. Residence address: (List city and/or state if not Des Moines or Iowa) 1502 Clinton
40A. Date of vaccination: 40B. Date of vaccination expiration: 7-5-07	24. Residence phone number: 953-9849 25. Business or cellular phone number: N/A
40C. Veterinarian:	26. Location of incident (address): 3830 1st
41. License: No ☐ Yes ☒ Lic#: 9815	27. Location type: Residential
42. Other identifiers (Collar, tattoo, etc.): Choke Chain	28. Date and time incident occurred: 1A Mar 07 1745 29. Date and time incident reported: 12 Mar 07 1839
43. Confinement/quarantine location: ISOL #3	30. Crime/incident type: Animal Bite; Dog 31. Classification:
44. Impounded or bite animal owner's name (Last, First M.I.): Lawson, Jamie Lee	45. Residence address: (List city and/or state if not Des Moines or Iowa) 3825 1st St
46. Residence phone number: 243-1676 47. Place of employment or school: N/A	48. Business or cellular phone number: N/A
49. Animal owner notification: No ☐ Yes ☒ 49A. Date and time of notification: # 28	49B. Person making notification: #73 49C. Means of notification: Personal
50. Witness' name (Last, First): Dalton, Mike	51. Residence address: (List city and/or state if not Des Moines or Iowa) 3830 - 1st St 52. Daytime or cellular phone number: 258-2749
53. Witness' name (Last, First): N/A	54. Residence address: (List city and/or state if not Des Moines or Iowa) N/A 55. Daytime or cellular phone number: N/A

56. Investigative notifications and/or photographs taken:
Detective: No ☒ Yes ☐ Ident. Technician: No ☒ Yes ☐ ACO Supervisor: No ☒ Yes ☐ Photographs taken by ACO or PO: No ☒ Yes ☐

Victim animal

57. Victim animal AHR/ARL number: Impounded: No ☒ Yes ☐ AHR/ARL#:	58. Animal type: Cat ☐ Dog ☒ Other ☐:
59. Animal breed: Min Pin	60. Animal color: Black/Brown
61. Animal fur length: Short ☒ Medium ☐ Long ☐ Other ☐:	
62. Animal sex: Male ☐ Neutered ☐ Female ☒ Spayed ☐ Unknown ☐	63. Rabies tag: No ☐ Yes ☒ R/T#: 1378
64. Microchip: No ☒ Yes ☐ M/C#:	63A. Date of vaccination: 3/24/06 63B. Date of vaccination expiration: 3/24/08
65 License: No ☒ Yes ☐ Lic#:	63C. Veterinarian: Spay Clinic
66. Type and location of injury: 1 Puncture to (R) side of Neck	67. Medical treatment: Emergency Clinic
68. Confinement/quarantine location: At home	69. Victim animal owner's name (Last, First M.I.): Andrews, Ashley
70 Residence address: (List city and/or state if not Des Moines or Iowa) 1502 Clinton	71. Residence phone number: 953-9849 72. Business or cellular phone number: N/A

73. Reporting officer: T. Bauer 7233 I.D. No.	74. Status: ☒ Open ☐ Suspended ☐ Closed ☐ Exceptionally closed	75. Copy/copies made by:	76. Referred to: ☒ Animal Control ☐ Detectives ☐ PIO ☐ Chief ☐ OPS ☐ Other
77. Second officer: I.D. No.	78. Supervisor approving report: I.D. No. 4770	79. Reviewed by: W	

[redacted]

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80. Page: 2 of 4

Animal Incident Investigation Report

Des Moines, Iowa Police Department

81. DMPD case number: 07-9089

82. Suspect or offender one (1) name (Last, first Middle):				83. Arrested: No ☐ Yes ☐	84. Warrant needed: No ☐ Yes ☐	85. Charges filed: No ☐ Yes ☐
86. Race:	87. Sex:	88. Age:	89. Date of birth:	90. Ethnicity: H☐ NH☐	91. Height:	92. Weight:	93. Hair color:	94. Eye color:
95. Residence address: (List city and/or state if not Des Moines or Iowa)						
96. Residence or alternate phone number:			97. Driver license number or social security number:		97A. State:	98. Sobriety: Sob. ☐ H.B.D. ☐
99. Citation number and crime:				100. Citation number and crime:		

101. Suspect or offender two (2) name (Last, First Middle):				102. Arrested: No ☐ Yes ☐	103. Warrant needed: No ☐ Yes ☐	104. Charges filed: No ☐ Yes ☐
105. Race:	106. Sex:	107. Age:	108. Date of birth:	109. Ethnicity: H☐ NH☐	110. Height:	111. Weight:	112. Hair color:	113. Eye color:
114. Residence address: (List city and/or state if not Des Moines or Iowa)						
115. Residence or alternate phone number:			116. Driver license number or social security number:		116A. State:	117. Sobriety: Sob. ☐ H.B.D. ☐
118. Citation number and crime:				119. Citation number and crime:		

120. Narrative:

I'm ppd to address reference an animal bite. Upon arrival spoke with victim dog owner, Ashley Andrews, who stated she was outside getting ready to leave, when she was getting ready to approach the car she said she heard her mom yell "oh shit". Ashley turned around to see a pitbull approaching her little sister growling. Ashley ran to get her little sister when her dog followed from the car, Ashley said the pitbull then turned toward her dog, picked the dog up and shook her in her mouth. At this time, bite dog owner, Jamie Larson, ran across the street, picked up her dog and then threw her dog down to get the bite dog to release the victim dog. Ashley then said that a few people saw, after the bite, that the bite dog owners loaded a dog into a car and left, possibly the bite dog. I gave Ashley a case number and cardand received rabies vac info on victim dog. Then went to 3825 1st St and spoke to an African American Male who at first said they had one dog and that the dog, Queen, that was at the home was the only one they had. After a heated moment between neighbor, I called for back up; Barnes 4870 and Lloyd 5036. Instantly when I saw Queen I thought pitbull features were dominant. Larson, dog owner, said it was a boxer mix. Queen is current on Rabies vac and city license. Shortly afterwards, when Ashley first said that the dog they had was not the bite dog I called 404 officer Bauer, who looked in the computer system and saw that there were two dogs to that address. Larson then admitted to another dog living there and said the dog was at a friends house. I explained a citation would be issued each day the other dog was not produced (contd on 4 of 4)

121. Report date: (List if other than date incident was reported)

(AIIR revised 31 March 2006)

[redacted]

Animal Incident Investigation Report

Des Moines, Iowa Police Department

2007 MAR 13 PM 3:51

30P44C

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1. Impounded animal AHR/ARL number:		2. DMPD case number: 07-9089	
32. District: 2	33. Beat: 23	3. Victim's name (Last, First M.I.): N (Human victim or society)	
Impounded or bite animal		4. Race:	5. Sex:	6. Age:	7. Date of birth:	8. Ethnicity: H☐ NH☐	9. Sobriety: Sob. ☐ H.B.D. ☐
34. Animal type: Cat ☐ Dog ☒ Other ☐:		10. Residence address: (List city and/or state if not Des Moines or Iowa)	
35. Animal breed: Pitbull Mix		11. Residence phone number:	12. Business or cellular phone number:
36. Animal color: Tan/White		13. Place of employment or school:	
37. Animal fur length: Short ☒ Medium ☐ Long ☐ Other ☐:		14. Type and location of injury:	
38. Animal sex: Male ☒ Neutered ☐ Female ☐ Spayed ☐ Unknown ☐		15. Medical treatment: A	
39. Microchip: No ☐ Yes ☐ (Records Personnel: Enter M/C# as a serial number) M/C#: Unk		16. Reporting person's name (Last, First M.I.): Andrews, Ashley	
		17. Race: W	18. Sex: F	19. Age: A	20. Date of birth: Unk	21. Ethnicity: H☐ NH☐	22. Sobriety: Sob. ☐ H.B.D. ☐
40. Rabies tag: No ☐ Yes ☐ R/T#:		23. Residence address: (List city and/or state if not Des Moines or Iowa) 1502 Clinton	
40A. Date of vaccination:	40B. Date of vaccination expiration:	24. Residence phone number: 953-9849	25. Business or cellular phone number: N/A
40C. Veterinarian: Unk		26. Location of incident (address): 3630 - 1st St	
41. License: No ☐ Yes ☐ Lic#: Unk		27. Location type: Residential	
42. Other identifiers (Collar, tattoo, etc.): Collar		28. Date and time incident occurred: 12 Mar 07 1745	29. Date and time incident reported: 12 Mar 07 1839
43. Confinement/quarantine location: ISG #3		30. Crime/incident type: Animal Bite: Dog	31. Classification:
44. Impounded or bite animal owner's name (Last, First M.I.): Lerson, Jamie Lee		45. Residence address: (List city and/or state if not Des Moines or Iowa) 3605 - 1st St	
46. Residence phone number: 243-1676	47. Place of employment or school: N/A	48. Business or cellular phone number: N/A	
49. Animal owner notification: No ☐ Yes ☒	49A. Date and time of notification: #28	49B. Person making notification: #73	49C. Means of notification: Personal
50. Witness' name (Last, first): Dalton, Mike	51. Residence address: (List city and/or state if not Des Moines or Iowa) 3630 - 1st St	52. Daytime or cellular phone number: 285-2749	
53. Witness' name (Last, First): N/A	54. Residence address: (List city and/or state if not Des Moines or Iowa)	55. Daytime or cellular phone number:	
56. Investigative notifications and/or photographs taken: Detective: No ☒ Yes ☐ Ident. Technician: No ☒ Yes ☐ ACO Supervisor: No ☒ Yes ☐ Photographs taken by ACO or PO: No ☒ Yes ☐			
Victim animal	57. Victim animal AHR/ARL number: Impounded: No ☒ Yes ☐ AHR/ARL#:	58. Animal type: Cat ☐ Dog ☐ Other ☐:	
59. Animal breed: N	60. Animal color:	61. Animal fur length: Short ☐ Medium ☐ Long ☐ Other ☐:	
62. Animal sex: Male ☐ Neutered ☐ Female ☐ Spayed ☐ Unknown ☐		63. Rabies tag: No ☐ Yes ☐ R/T#:	
64. Microchip: No ☐ Yes ☐ M/C#:		63A. Date of vaccination:	63B. Date of vaccination expiration:
65. License: No ☐ Yes ☐ Lic#:		63C. Veterinarian:	
66. Type and location of injury:		67. Medical treatment:	
68. Confinement/quarantine location:		69. Victim animal owner's name (Last, First M.I.):	
70. Residence address: (List city and/or state if not Des Moines or Iowa) A		71. Residence phone number:	72. Business or cellular phone number:
73. Reporting officer: T. Brewer I.D. No. 7233	74. Status: ☒ Open ☐ Suspended ☐ Closed ☐ Exceptionally closed	75. Copy/copies made by:	76. Referred to: ☒ Animal Control ☐ Detectives ☐ PIO ☐ Chief ☐ DPS ☐ Other
77. Second officer: I.D. No.	78. Supervisor approving report: I.D. No. 470	79. Reviewed by: W	

[redacted]

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80. Page: 4 of 4

Animal Incident Investigation Report

Des Moines, Iowa Police Department

81. DMPD case number: 07-9089

82. Suspect or offender one (1) name (Last, first Middle): N/A

83. Arrested: No ☐ Yes ☐ | 84. Warrant needed: No ☐ Yes ☐ | 85. Charges filed: No ☐ Yes ☐

86. Race:	87. Sex:	88. Age:	89. Date of birth:	90. Ethnicity: H☐ NH☐	91. Height:	92. Weight:	93. Hair color:	94. Eye color:

95. Residence address: (List city and/or state if not Des Moines or Iowa)

96. Residence or alternate phone number:	97. Driver license number or social security number:	97A. State:	98. Sobriety: Sob. ☐ H.B.D. ☐

99. Citation number and crime:	100. Citation number and crime:

101. Suspect or offender two (2) name (Last, First Middle):

102. Arrested: No ☐ Yes ☐ | 103. Warrant needed: No ☐ Yes ☐ | 104. Charges filed: No ☐ Yes ☐

105. Race:	106. Sex:	107. Age:	108. Date of birth:	109. Ethnicity: H☐ NH☐	110. Height:	111. Weight:	112. Hair color:	113. Eye color:

114. Residence address: (List city and/or state if not Des Moines or Iowa)

115. Residence or alternate phone number:	116. Driver license number or social security number:	116A. State:	117. Sobriety: Sob. ☐ H.B.D. ☐

118. Citation number and crime: A	119. Citation number and crime:

120. Narrative:

For quarantine and to be identified as possible pit bull dog. Shortly after words Ashley said that it was possible that queen was the bite dog after all, then said it was. Despite dogs current vaccs. I felt dog to be of pitbull orientation and did not feel comfortable leaving the dog due to possible breed. As I was explaining this Iverson's friend came back with the second dog. First glance told me that this dog could possibly be pitbull as well I felt the need to impound both dogs for ARL vet to examine. I explained to Iverson quarantine and that she would need to speak to the Sgt. in the morning. Later in the evening Ashley called to say her dog recieved only the one puncture to the neck on the right side and recieved vet treatment. Both dogs are under quarantine and third dog impounded due to questionable breed.

Please cite Iverson for dog at large or vicious dog at large pending on decision of breed.

121. Report date: (List if other than date incident was reported)

(AIIR revised 31 March 2006)

[redacted]

2007 MAR 19 PM 6:12

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SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

1. Complainant, Driver #1, Victim, or Arrestee	2. Arrest No.	3. Case No.
Andrews, Ashley		07-9089

☐ Form used as Continuation Sheet for Current Report	4. Date this Report: 16Mar07	5. Date Original Occurrence: 12Mar07 (1745)
☑ Form used to Report Follow up Investigation or Supplemental Information — Officer Case Invest. Photos Yes ☐ No ☑ Taken by	6. Correct offense or Incident Classification: Animal Bite — Changed ☐ Yes	
7. Kind of Report Continued: ☐ Witness Statement ☐ Follow up or Supplemental or Prosecution ☐ Offense ☐ Traffic Accident ☐ Arrest	8. Multiple Clear Up? ☑ No ☐ Yes (list other case numbers in narrative)	
9. Page No.: 1 of 1 — 10. Traffic Citation No.: N/A	11. Value of Property Recovered and Type: $ N/A	

INSTRUCTIONS FOR FOLLOWUP OR SUPPLEMENTAL USAGE

Under narrative, record your activity and all developments in the case subsequent to last report. Describe and record value of any property recovered, names and arrest numbers of any persons arrested. Explain any offense classification change. Clearly show disposition of recovered property and inventory number. Recommend to supervisor case status and to reviewer UCR disposition. Indicate "Item Number Continued" at left, if any.

ITEM NO.

When spoke to Jamie Larson she admitted that she had to run across the street to retrieve her dog. Larson showed me the dog, a black, tan and white pitbull Mix, that she had to retrieve from the yard of the bite victims dog.

OFFICE USE ONLY

	13. Date/Time Typed No.	Reproduced No.
14. Reporting Officer: T. Bauer 7253 — No.	15. Status (check one) ☐ Suspended ☑ Open ☐ Ex. Closed ☐ Closed	17. Unit Referred To: ACU — 18. UCR Disposition
Second Officer — No.	Supervisor Approving — No. 4770	19. Reviewer — No.

[redacted]

2007 MAR 14 PM 5:16

2007-9089 48

CITY OF DES MOINES
ANIMAL CONTROL UNIT

DATE: 3-13-07 ARL 156108

REFERENCE: ANIMAL HISTORY REPORT # AC 07 9089

TO WHOM IT MAY CONCERN:

I have examined this dog and found it to have the predominant characteristics of the American Staffordshire Terrier breed. This decision is based on the following physical features of the dog:

HEAD: ✓ MEDIUM LENGTH
✓ DEEP TROUGH
✓ BROAD SKULL
✓ PRONOUNCED CHEEK MUSCLES

MUZZLE: ✓ MEDIUM LENGTH
✓ JAWS WELL DEFINED
✓ BLACK NOSE

BACK: ✓ FAIRLY SHORT
✓ SLIGHT SLOPING FROM WITHERS TO RUMP

BODY: ✓ WELL SPRUNG RIBS.
✓ FORELEGS SET RATHER FAR APART
✓ CHEST DEEP AND BROAD

LEGS: ✓ STRAIGHT FRONT LEGS
✓ HINDQUARTERS WELL MUSCLED
✓ MODERATE SIZE FEET

COLOR: Tri color

SHOULDERS: ✓ STRONG
✓ MUSCULAR

NECK: ✓ HEAVY
✓ SLIGHTLY ARCHED
✓ TAPERS FROM BACK OF SKULL TO SHOULDERS

TAIL: ✓ LOW SET
✓ TAPERS TO FINE POINT
✓ NOT CURLED OVER BACK

COAT: ✓ SHORT
✓ CLOSE
___ GLOSSY

EYES: ✓ DARK AND ROUND
✓ LOW DOWN IN SKULL
✓ SET FAR APART

SIZE: _____ INCHES AT SHOULDERS
_____ LBS.

COMMENTS: _____

O. E. Campbell DVM

KF
ACM

2007 MAR 13 PM 3:55

2007-9089 48

Animal Emergency and Referral Center
6110 Creston Avenue
Des Moines, IA 50321
Emergency Department: (515) 280-3051
Internal Medicine Services: (515) 280-3100

"Jessie"
Account ID: 32272A
Age: 7 years
Species: Canine
Breed: Min Pin

Owner: Ashley Andrews
Home: 953-9849 (515)
Cell: 953-9849 (515)
1502 Clinton
Des Moines, IA 50313

PHYSICAL EXAMINATION RECORD

Date: 03/12/2007
Time: 20:54:41

WEIGHT: 15.25 HR: 160 MM: pink

TEMP: 102.0 RR: pant CRT: <2 sec

Tech Comments

Bit by bigger dog at 5:45p today, wounds on neck, chest, and ears

Doctor Comments

PE: mm pink<2. Alert. Not clinically dehydrated. Thorax auscults normal. Abdomen palpates normal.
Puncture wound near the right jugular furrow.

Plan: Clip and clean, Abx, Metacam Inj..

Clipped and cleaned the puncture wound with dilute Chlohex.
Inj 150mg Ampicillin SQ. Inj 1.4mg Metacam SQ.

Boiser DVM.

KF-ACC 07-9089

02/13/2007 12:11 5152882749 TERESA PAGE 03

[redacted]

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Animal Emergency and Referral Center

Proudly Serving the Public for 25 Years

6110 Creston Avenue
Des Moines, IA 50321
Emergency Department: (515) 280-3051
Internal Medicine Services: (515) 280-3100

Ashley Andrews (# 32272)
1502 Clinton
Des Moines, IA 50313
Home Phone: 953-9849 (515)
Work Phone: - ( ) ext:

Mar 12, 2007

Invoice Number: 17793

Jessie (# A)
Species: Canine
Age: 7 years old.
Breed: Min Pin
Coat Color: Black and Tan
Weight: 15.25 lbs.
Rabies Tag Number:
Sex: Female

Date	Code	Description	Quantity		Price
03/12/2007	1	Emergency Fee	1	$	21.00
	2	Exam Fee	1	$	38.50
	285	*SQ Injection Ampicillin	1	$	35.70
	285	*SQ Injection Metacam	1	$	35.70
	366	Wound Management	1	$	48.80
	4003	Amoxicillin Tabs 100mg	6 EA	$	16.96 *tx
				Total for Jessie: $	196.66
				Total Products: $	196.66
				State Sales Tax: $	1.02
				Total Invoice: $	197.68
				Previous Balance: $	0.00
				Total Amount Due: $	197.68
				Cash $	197.68
				Total Payments - Thank you: $	197.68
				New Balance Due: $	0.00

Dr. Karl W. Bolser

KF - ACL
07-9089

Cashier:CH

48

Animal Emergency and Referral Center
6110 Creston Avenue
Des Moines, IA 50321
Emergency Department: (515) 280-3051
Internal Medicine Services: (515) 280-3100
03/12/2007

PATIENT CHART

CLIENT INFORMATION:

Name: Ashley Andrews
Address: 1502 Clinton
Des Moines, IA 50313
Phone: H: 953-9849 (515) W: - ( ) ext:

Spouse:

Balance: $ 0.00

PATIENT INFORMATION:

Name:	Jessie	Species:	Canine
Sex:	F	Breed:	Min Pin
Birthday:	03/12/2000	Age:	7 years, 0 months
ID	A	Rabies Tag:	
Color	Black and Tan	Weight:	15.25 lbs.

REASON FOR VISIT: _____

Reminders for: **Jessie** Last Done

MEDICAL HISTORY:

Date	By	Code	Description	Qty	Amount
03/12/2007	*Call 1 dy				
03/12/2007	1	4003	Amoxicillin Tabs 100mg	6	$ 16.96
04/12/200 7		04/12/200 7	Give one (1) capsule orally twice daily (every 12 hours) until gone. Start this medication Tuesday morning.		
03/12/2007	1	366	Wound Management	1	$ 48.80
03/12/2007	1	285	*SQ Injection Metacam	1	$ 35.70
03/12/2007	1	285	*SQ Injection Ampicillin	1	$ 35.70
03/12/2007	1	2	Exam Fee	1	$ 38.50
03/12/2007	1	1	Emergency Fee	1	$ 21.00

KF: ACL
07-9089

[redacted]

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SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

1. Complainant, Driver #1, Victim, or Arrestee	2. Arrest No.	3. Case No.
Andrews, Ashley	N/A	07-9089

2007 MAR 13 PM 3:52

☐ Form used as Continuation Sheet for Current Report	4. Date this Report	5. Date Original Occurrence
	13 March 2007	12 March 2007
☒ Form used to Report Follow-up Investigation or Supplemental Information	6. Correct offense or Incident Classification: Animal bite	Changed ☐ Yes
7. Kind of Report Continued: ☐ Witness Statement ☒ Follow-up or Supplemental or Prosecution ☐ Offense ☐ Traffic Accident ☐ Arrest	8. Multiple Clear Up? ☒ No ☐ Yes (list other case numbers in narrative)	
9. Page No.: 1 of 1	10. Traffic Citation No.: N/A	11. Value of Property Recovered and Type: $N/A

INSTRUCTIONS FOR FOLLOW-UP OR SUPPLEMENTAL USAGE

Under narrative, record your activity and all developments in the case subsequent to last report. Describe and record value of any property recovered, names and arrest numbers of any persons arrested. Explain any offense classification change. Clearly show disposition of recovered property and inventory number. Recommend to supervisor case status and to reviewer UCR disposition. Indicate "Item Number Continued" at left, if any.

Item No. 6

I called to clarify information regarding the circumstances of the dog bite that occurred yesterday. Teresa Andrews, Ashley's mother, was present when the bite occurred, and stated that she and Ashley were getting ready to leave in the car and were walking toward the car with two children and their pet Miniature Pinscher, when Teresa saw a Pitbull running towards one of the children. She yelled at Ashley who headed towards the child, but the Min Pin was following her.

The Min Pin got in between the child and the Pit and was picked up by the Pitbull and shaken several times. The Min Pin's owner attempted to get the Pit to let loose, but could not. The Pitbull owner came over where the dogs were and picked up the Pitbull and "threw it down on the sidewalk" in order to get it to let go of the small dog. When it did, the Pitbull owner took it in the house.

The small dog sustained a puncture wound to the neck, according to the report from the Animal Emergency Clinic, and is at home at this time. The Pitbulls were impounded for quarantine at the shelter.

Teresa Andrews states she is sure the tri colored Pitbull is the one that was directly involved in the attack. She stated that the two Pits are frequently at large and that the owner was retrieving one of the Pits from her driveway just a few days ago. In addition, they also have a black longer haired dog that is sometimes at large. When asked if Andrews knew how the Pits are housed, she stated she didn't know, but that the children of the Pitbull residence frequently walk the Pitbulls, and that is disconcerting to her.

MORE FOLLOW-UP IS NEEDED.

				13. Date/Time Typed No.	Reproduced No.
14. Reporting Officer: Susan R. Stropes	No. 7219	15. Status (check one) ☐ Suspended ☐ Open ☐ Ex. Closed ☑ Closed		17. Unit Referred To: ACU	18. UCR Disposition
Second Officer	No.	Supervisor Approving	No. 4220	19. Reviewer	No.

[redacted]

2007 MAR 16 PM 1:13

2007-

48

SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

1. Complainant, Driver #1, Victim, or Arrestee	2. Arrest No.	3. Case No.
SOCIETY	N/A	9089

☐ Form used as Continuation Sheet for Current Report	4. Date this Report: 16MAR07	5. Date Original Occurrence: 12MAR07
☒ Form used to Report Follow up Investigation or Supplemental Information	Officer Case Invest. Photos Yes ☐ No ☒ Taken by	6. Correct offense or Incident Classification: ANIMAL BITE - DOG — Changed ☐ Yes
7. Kind of Report Continued: ☐ Witness Statement ☐ Follow up or Supplemental or Prosecution ☐ Offense ☐ Traffic Accident ☐ Arrest		8. Multiple Clear Up? ☒ No ☐ Yes (list other case numbers in narrative)
9. Page No. 1 of	10. Traffic Citation No. N/A	11. Value of Property Recovered and Type $ N/A

INSTRUCTIONS FOR FOLLOWUP OR SUPPLEMENTAL USAGE

Under narrative, record your activity and all developments in the case subsequent to last report. Describe and record value of any property recovered, names and arrest numbers of any persons arrested. Explain any offense classification change. Clearly show disposition of recovered property and inventory number. Recommend to supervisor case status and to reviewer UCR disposition. Indicate "Item Number Continued" at left, if any.

ITEM NO.

ON 13 MARCH 2007 JAMIE LARSON CAME INTO THE ANIMAL SHELTER. SHE COMMENTED ABOUT HER DOOR BEING BROKEN AND THAT WAS WHY HEIR DOG WAS ABLE TO GET OUT BUT SHE ALSO COMMENTED ABOUT THE OTHIER DOG (THAT WAS BIT) WAS RUNNING AROUND EARLIER AT LARGE, I TOLD JAMIE SHE COULD TYPE/WRITE A STATEMENT AND GIVE IT TO ME THEN I WOULD INCLUDE IT WITH THE CASE.

OFFICE USE ONLY

14. Reporting Officer: S. RAUNABAUGH — No. 4770	15. Status (check one): ☐ Suspended ☒ Open ☐ Ex. Closed ☐ Closed	13. Date/Time Typed No.	Reproduced No.
		17. Unit Referred To: ACU	18. UCR Disposition
Second Officer: N/A — No.	Supervisor Approving — No. 4770	19. Reviewer: MA — No.	

[redacted]

2007 MAR 19 PM 6:31

242-2854 48

2007 — 9089

TO : SIR. RAUDABAUGH

FROM: JAMIE LARSON

RE: QUEEN (LARSON)

CONTACT INFORMATION . . .

(H) 243-1676
(C) 971-6352

FI ACV

[redacted]

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Dog Incident 03/12/2007

On the night of this issue, I took out the dogs and the trash to the front of the house. My dogs went to the bathroom and as we were returning into the house I saw the neighbor dog running around on the other side of the street. I put my dogs inside the house. A short time later the kids went outside and came back in without latching the door. The dogs escaped, ON ACCIDENT. I ran out the door IMMEDIATELY after them. Queen (the black dog) was just running circles around everything. She, like any other dog when loose just felt freedom and took advantage of it. She ran to a neighbor's yard and circled around until the neighbor dog growled and barked at her. At this point I was across the street and near where the 2 dogs were at. She grabbed a hold of the dog for a split second and I picked her up. As I was getting her the neighbors were yelling obstinaties at me and I simply said they got out on accident please take it as that. I returned to my house and locked the dogs up. We then went to their house to make sure that the dog was okay not knowing what really happened. We were standing in the street talking to the older gentleman and another male who was fixing his tire. We continued to ask about the status of the dog and they continued to say that they will let us know. We then left to our property to wait. I was removing debris from the yard when I heard them and another neighbor talking about us and about calling animal control. I returned to the side door. Walked through to the front door of our house and there was someone pounding on the front door. I just came from outside and no one was there. We went outside to meet what was the animal control lady. She asked to see the dog that was in the altercation. I asked her if she wanted to come in or should I bring her outside? She said bring her out so they can identify her. We did just that. I asked if she had checked to dogs tags from the other house (the neighbors) and if she had seen the wounds. She responded that yes she checked the wounds and the dog before she came to my residence. That would be impossible since I was outside 30 seconds before she knocked and NOONE was out there. I requested for the neighbors to stay OFF of my property. Then the male, that was fixing his tire when we went over there after the incident, was in the middle of the street shouting about us having 3 dogs and to bring back the dogs that we removed. We only have 2. He was also acting like he was going to get something from his trunk and at that time I told the animal control lady that "we now have a situation". She then called for back up. While waiting for the police to arrive we continued to do the paper work. I gave her tags for both dogs that we have at our residence. She was very frustrated at this point and was not giving us any answers. Once the police arrived they were thrown into the already boiling dispute. They were also told that we do not want the neighbors on my property for any reason. They could identify the dog from the street. After words were exchanged they came to the street to identify the dog and failed to. They were insistent that it was the "dogs" that we removed from the residence. They could not identify the dog and were stating that we had 3 dogs when in fact we still only had 2. They were convinced that it was a red dog that did this. We have 2 dogs neither of which are red in color. They had asked for us to return the dog that we removed so we could be certain in identifying. I followed through with their request and had Shorty returned. Right before he was returned the neighbors came over one last time and said that they think it was Queen, the black and white dog. They NEVER made a positive identification. We were very honest and did not dispute that she had an altercation with the neighbor dog. The

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police officer told us that both parties were going to get dog at large charges for the dogs not being restrained. She (animal Control) told us that she was going to have to take Shorty also even thought he was not involved in any altercations simply because he had pit bull traits. We explained to her several times that we did not buy, license or vaccinate our dogs as pit bulls. She said that it was just for over night and we could pick them up in the morning from the shelter. We were of course very emotional because as most pet owners those dogs are our family. The have been with us since they were 5 weeks old, they have grown up with the kids and are our strength. They provide a security that only a dog can. They are not aggressive nor are they vicious. Our kids were very distraught, Crying and confused and she said, It is time to go, you can either put them in there or I can. I called the animal control number that I was given about 10:00 about 2 hours after she removed our dogs. I had to leave a message with dispatch because the line that I called was busy for over 45 minutes. She (The same animal control lady that removed my dogs) was the one that called me back. I asked her how my dogs were doing and if she would put them in the same kennel to make it easier on the dogs. She said due to the over crowding that the dogs would be put together for the night. She said that the vet would look at the dogs early in the morning and that her sergeant would be there in the morning at 9:30 so we could go get our dogs out then. I asked why the other family did not get a dog at large charge and she said that I would have to talk to her sergeant. "He will be there at 9:30am you can go down to get your questions answered and your dogs at that time."

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HIGHLAND PARK ANIMAL HOSPITAL
4270 NW 6TH DR.
DES MOINES, IA 50313-4402
(515) 243-4665

Rabies Certificate

Client ID:	3881	Patient ID:	3881-2
Client Name:	Jamie Larson	Patient Name:	QUEEN
Address:	3825 1st St.	Species:	CANINE
		Breed:	BOXER, MIX
	Des Moines, IA 50313	Sex:	Female
		Color:	WHITE/TAN
Phone:	(515)971-4631	Markings:	
		Birthday:	04/01/2002
		Weight:	36.80 pounds on 7/5/2005

Tag Number:	687214	Vaccination Date:	7/5/2005
Lot Number:	12492A	**Expiration Date:**	**7/5/2007**
Producer:	Merial		
K / MLV:	Killed Virus		

Staff Name: Michael J. Forret, DVM
License Number:

2007 MAR 13 PM 3:53

* No previous History of Aggressive behavior with owner or when taken away from owner.

- Michelle Jackovich

Sec. 18-41. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Chief of police means the legally designated chief of the police department or a designated representative.

Director of public health means the county health center director or a designated representative acting in behalf of the city.

Dog means and includes both male and female animals of the canine species.

Owner means any person owning, keeping or harboring a dog.

Vicious dog means:

(1) Any dog which has attacked a human being or domestic animal one or more times, without provocation;

(2) Any dog with a history, tendency or disposition to attack, to cause injury or to otherwise endanger the safety of human beings or domestic animals;

(3) Any dog that snaps, bites, or manifests a disposition to snap or bite;

(4) Any dog that has been trained for dog fighting, animal fighting or animal baiting or is owned or kept for such purposes;

(5) Any dog trained to attack human beings, upon command or spontaneously in response to human activities, except dogs owned by and under the control of the police department, a law enforcement agency of the state or of the United States or a branch of the armed forces of the United States;

(6) Staffordshire terrier breed of dog;

(7) The American pit bull terrier breed of dog;

(8) The American Staffordshire terrier breed of dog; or

(9) Any dog which has the appearance and characteristics of being predominately of the breeds of Staffordshire terrier, American pit bull terrier, American Staffordshire terrier.

(C42, §§ 114-6, 114-9; O.5385, 5506; C54, § 5-19; O.6002; C62, § 5-19; C75, § 7-13; O.9097; C79, § 7-13; O.9828; C85, § 7-13; O.11,095; C91, § 7-13; O.11,914)

Cross references: Definitions generally, § 1-2.

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Sec. 18-56. Confinement of vicious dogs.

(a) All vicious dogs shall be securely confined within an occupied house or residence or in a securely enclosed and locked pen or kennel, except when leashed as provided in this section. Such pen, kennel or structure must have secure sides and a secure top attached to the sides or, in lieu of a top, walls at least six feet in height and at least six feet taller than any internal structure.

(b) All pens or other structures designed, constructed or used to confine vicious dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom, floor or foundation attached to the sides of the pen, or the sides of the pen must be embedded in the ground no less than two feet so as to prevent digging under the walls by the confined dog.

(c) All structures erected to house vicious dogs must comply with all city zoning and building regulations. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition. No vicious dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition.

(d) No person shall permit a vicious dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than six feet in length. No person shall permit a vicious dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless both the dog and the leash are under the actual physical control of a person 18 years of age or older.

(e) Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, or any other object or structure.

(f) Violation of this section is a misdemeanor.

(C85, § 7-27.01; O.11,095, 11,558; C91, § 7-27.01)

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Sec. 18-203. Immediate seizure or destruction of animals.

Any animal found at large which displays dangerous tendencies, or which is an illegal animal, or which has been previously declared vicious or is vicious by breed according to article II, section 18-41 (6), (7), (8), or (9) of this chapter and has bitten without provocation a person or a domestic animal while such vicious dog was not properly confined or leashed may be processed as a dangerous animal under section 18-202 of this article, and the animal may be immediately seized anywhere within the city unless the animal is so dangerous that it cannot safely be apprehended, in which case the chief humane officer, his or her designee, or any police officer is authorized to destroy it immediately.

(C85, § 7-51; O.11,095; C91, § 7-51; O.14,415, 14,462)

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Sec. 18-202. Seizure, impoundment and disposition of dangerous animals.

(a) The chief humane officer or his or her designee, in his or her discretion or upon receipt of a complaint alleging that a particular animal is a dangerous animal as defined in this article, may initiate proceedings to declare such animal a dangerous animal. A hearing on the matter shall be conducted by the city manager or his or her designee. The person owning, keeping, sheltering, or harboring the animal in question shall be given not less than 72 hours' written notice of the time and place of the hearing. The notice shall set forth the description of the animal in question and the basis for the allegation of dangerousness. The notice shall also set forth that if the animal is determined to be dangerous it may be ordered destroyed or the owner may be given the option to remove it from the city or cause it to be destroyed. The notice shall be served upon any adult residing at the premises where the animal is located or may be posted on those premises if no adult is present to accept service. A notice that a dog is a dangerous animal may include as an alternative an allegation that a dog is a vicious dog under sections 18-41 and 18-59 of this chapter, and the hearings shall proceed together under this section.

(b) If, after hearing, the city manager or his or her designee determines that an animal is dangerous, the city manager or his or her designee shall either order the animal destroyed in a humane manner by the chief human officer, or order the person owning, sheltering, harboring or keeping the animal to remove it from the city or to cause it to be destroyed in a humane manner. The order shall immediately be served upon the individual or entity against whom issued in the same manner as the notice of hearing. Ifthe animal is ordered to be destroyed by the chief humane officer such order shall be carried out after the appeal period in subsection (c) of this section has expired. If the animal is ordered to be removed from the city or destroyed by the owner, such order must be complied with within three days of its issuance, otherwise the city manager or his or her designee is authorized to seize and impound the animal. An animal so seized shall be impounded for a period of seven days. If, at the end of the impoundment period, the individual or entity against whom the order of the city manager or his or her designee was issued has not appealed such order to the city council, the city manager or his or her designee shall cause the animal to be destroyed in a humane manner.

(c) The order to remove or destroy a dangerous animal issued by the city manager or his or her designee may be appealed to the city council. In order to appeal such order, written notice of appeal must be filed with the city clerk within three days after receipt of the order to remove or destroy the dangerous animal. Failure to file such written notice of appeal shall constitute a waiver of the right to appeal the order of the city manager or his or her designee.

(d) The notice of appeal shall state the grounds for such appeal and shall be delivered personally or by certified mail to the city clerk. The hearing of such appeal shall be scheduled within seven days of the receipt of notice of appeal. The hearing may be continued for good cause. The hearing shall be confined to the record made before the city manager or his or her designee and the arguments of the parties or their representatives, but no additional evidence shall be taken. After such hearing the city council may affirm or reverse the order of the city manager or his or her designee. Such determination shall be contained in a written decision and shall be filed with the city clerk within three days after the hearing or any continued session thereof.

(e) If the city council affirms the action of the city manager or his or her designee, the city council shall either order the animal destroyed by the chief humane officer, or order that the individual or entity owning, sheltering, harboring, or keeping such dangerous animal shall remove such animal from the city or cause it to be destroyed in a humane manner. The decision and order shall immediately be served upon the person or entity against whom rendered in the same manner as the order to remove or destroy.If the animal is ordered to be destroyed by the chief humane officer the order shall be effective on the fourth day after receipt of the order by the owner unless the county district court has been petitioned to review the order within the first three days after receipt. If the animal is ordered to be removed from the city or to be destroyed

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by the owner and such order is not appealed to the county district court and is not complied with within three days after receipt of the order by the owner, the chief humane officer or his or her designee is authorized to seize and impound such dangerous animal. An animal so seized shall be impounded for a period of seven days. If, at the end of the impoundment period, the individual or entity against whom the decision and order of the city council was issued has not petitioned the county district court for a review of the order, the city manager or his or her designee shall cause the animal to be destroyed in a humane manner.

(f) Failure to comply with an order of the city manager or his or her designee issued pursuant to this section and not appealed or of the city council after appeal shall constitute a misdemeanor offense.

(g) Any animal which is alleged to be dangerous and which is under impoundment or quarantine at the animal shelter shall not be released to the owner, but shall continue to be held at the expense of the owner pending the outcome of the hearing. All costs of such impoundment or quarantine shall be paid by the owner if the animal is determined to be dangerous. If the animal is not determined to be dangerous and was found at large, the owner shall only pay those costs attributable to the initial confinement and any required quarantine. If the animal is not determined to be dangerous and was not at large at the time of confinement, the owner shall only pay those costs attributable to any required quarantine.

(h) All dangerous animals shall have an identification microchip implant placed under the animals skin. Prior to the release of a dangerous animal from the animal shelter the owner shall pay the fee specified at section 18-15 of this chapter for the microchip identification procedure.

(C79, § 7-50; O.10,541; C85, § 7-50; O.11,095; C91, § 7-50; O.13,854, 13,977, 14,462)

EXHIBIT
"B"

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We have had the pitbull jump the fence when we let our dog out in the back yard. We feel if he would have made it into our yard he would have attacked our dog. We also worry about our children playing in the back yard while these dogs are out side.

Victoria Keeling

Animal Emergency and Referral Center

Proudly Serving the Public for 25 Years

6110 Creston Avenue
Des Moines, IA 50321
Emergency Department: (515) 280-3051
Internal Medicine Services: (515) 280-3100

Ashley Andrews (# 32272)
1502 Clinton
Des Moines, IA 50313
Home Phone: 953-9849 (515)
Work Phone: - ( ) ext:

Mar 12, 2007

Invoice Number: 17793

Jessie (# A)
Species: Canine
Age: 7 years old.
Breed: Min Pin
Coat Color: Black and Tan
Weight: 15.25 lbs.
Rabies Tag Number:
Sex: Female

Date	Code	Description	Quantity		Price
03/12/2007	1	Emergency Fee	1	$	21.00
	2	Exam Fee	1	$	38.50
	285	*SQ Injection Ampicillin	1	$	35.70
	285	*SQ Injection Metacam	1	$	35.70
	366	Wound Management	1	$	48.80
	4003	Amoxicillin Tabs 100mg	6 EA	$	16.96 +tx

Dr. Karl W. Bolser

Total for Jessie:	$	196.66
Total Products:	$	196.66
State Sales Tax:	$	1.02
Total Invoice:	$	197.68
Previous Balance:	$	0.00
Total Amount Due:	$	197.68
Cash	$	197.68
Total Payments - Thank you:	$	197.68
New Balance Due:	$	0.00

Cashier:CH

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Animal Emergency and Referral Center
6110 Creston Avenue
Des Moines, IA 50321
Emergency Department: (515) 280-3051
Internal Medicine Services: (515) 280-3100
03/12/2007

CLIENT INFORMATION:

Name: Ashley Andrews
Address: 1502 Clinton
Des Moines, IA 50313
Phone: H: 953-9849 (515) W: - ( ) ext:

Spouse:

Balance: $ 0.00

PATIENT CHART

PATIENT INFORMATION:

Name: Jessie
Sex: F
Birthday: 03/12/2000
ID A
Color Black and Tan

Species: Canine
Breed: Min Pin
Age: 7 years, 0 months
Rabies Tag:
Weight: 15.25 lbs.

REASON FOR VISIT: _____

Reminders for: **Jessie**

Last Done

MEDICAL HISTORY:

Date	By	Code	Description	Qty	Amount
03/12/2007	*Call 1 dy				
03/12/2007	1	4003	Amoxicillin Tabs 100mg	6	$ 16.96
04/12/2007		04/12/2007	Give one (1) capsule orally twice daily (every 12 hours) until gone. Start this medication Tuesday morning.		
03/12/2007	1	366	Wound Management	1	$ 48.80
03/12/2007	1	285	*SQ Injection Metacam	1	$ 35.70
03/12/2007	1	285	*SQ Injection Ampicillin	1	$ 35.70
03/12/2007	1	2	Exam Fee	1	$ 38.50
03/12/2007	1	1	Emergency Fee	1	$ 21.00

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Animal Emergency and Referral Center
6110 Creston Avenue
Des Moines, IA 50321
Emergency Department: (515) 280-3051
Internal Medicine Services: (515) 280-3100

"Jessie"
Account ID: 32272A
Age: 7 years
Species: Canine
Breed: Min Pin

Owner: Ashley Andrews
Home: 953-9849 (515)
Cell: 953-9849 (515)
1502 Clinton
Des Moines, IA 50313

PHYSICAL EXAMINATION RECORD

Date: 03/12/2007
Time: 20:54:41

WEIGHT: 15.25 HR: 160 MM: pink

TEMP 102.0 RR: pant CRT: <2 sec

Tech Comments

Bit by bigger dog at 5:45p today, wounds on neck, chest, and ears

Doctor Comments

PE: mm pink<2. Alert. Not clinically dehydrated. Thorax auscults normal. Abdomen palpates normal.
Puncture wound near the right jugular furrow.

Plan: Clip and clean, Abx, Metacam Inj..

Clipped and cleaned the puncture wound with dilute Chlohex.
Inj 150mg Ampicillin SQ. Inj 1.4mg Metacam SQ.

Bolser DVM.

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ANKENY ANIMAL & AVIAN CLINIC, INC.

742 S. ANKENY BLVD.
Ankeny, IA. 50023
(515) 964-7387

Ashley Andrews
1523 Euclid Ave
Des Moines, IA 50313

Client ID: 6129
Invoice #: 118646
Date: 3/16/2007

Patient ID:	6129-1	Weight:	15.60 pounds
Patient Name:	JESSIE	Birthday:	03/24/2000
Species:	CANINE	Sex:	Female
Breed:	MINIATURE PINSCHER		

	Description	Staff Name	Quantity	Total
3/16/2007	EXAMINATION-BRIEF OR RECHECK	Dr. Shawn A. Bierman	1.00	$34.68
3/16/2007	CLAVAMOX 62.5 mg		28.00	$29.06 T
3/16/2007	NAIL TRIM		1.00	$16.80
3/16/2007	THANK YOU- MARK		1.00	$0.00
			Patient Subtotal:	**$80.54**

Instructions

YOU HAVE BEEN GIVEN AN ANTIBIOTIC TO USE AT HOME. IT IS A GOOD IDEA TO GIVE THIS MEDICATION WITH FOOD. OCCASIONALLY, A PET THAT IS SENSITIVE TO AN ANTIBIOTIC MAY SHOW SOME SIDE EFFECTS, INCLUDING VOMITING, LOOSE STOOLS, LOSS OF APPETITE, OR A RASH. SHOULD ANY OF THESE OCCUR, STOP THE MEDICATION AND CALL THE HOSPITAL.

Reminder

03/24/2007	LEPTOVIRUS 4 WAY BOOSTER
03/24/2007	EXAM/COMPREHENSIVE PHYSICAL
03/24/2007	COMPREHENSIVE WELLNESS EXAM
03/24/2009	RABIES BOOSTER - 3 YR
03/24/2009	PARVOVIRUS BOOSTER - 3 YR
03/24/2009	DALP BOOSTER - 3 YR

Invoice Total:	**$80.54**
Not Taxable :	$0.00
Sales Tax :	$1.74
Total:	$82.28
Balance Due:	$82.28
Previous Balance:	$0.00
Balance Due:	$82.28
Cash :	($82.28)
Less Payment:	($82.28)
Balance Due:	**$0.00**

WE WANT TO "THANK YOU" FOR BRINGING YOUR PETS TO US HERE AT ANKENY ANIMAL & AVIAN CLINIC. WE APPRECIATE YOUR BUSINESS AND TRULY CARE ABOUT YOUR PETS.
WWW.ANKENYANIMALANDAVIAN.COM

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Ankeny Animal & Avian Clinic
Examination Report Card

Date: 3-16-07
Client ID#: 10129
Client Name: Andrews

Pet ID#: 10129-1
Pet Name: Jessie

Weight: 15.6#
☐Normal ☐Underweight
☑Overweight ☐Ideal Weight 12#
☐Diet Recommendations_____

Mouth, Teeth & Gums
☐Normal ☐Gingivitis
☐Broken Teeth ☑Tartar Buildup
☐Ulcers ☐Loose Teeth
☐Pyorehea ☐Tumors

Eyes
☑Normal ☐Cataract L R
☐Discharge L R ☐Lenticular Sclerosis
☐Eyelid Deformities ☐Other_____

Coat & Skin
☑Normal ☐Oily ☐Fleas
☐Scaly ☐Matted ☐Hair Loss

Legs & Paws
☐Normal ☐Lameness_____
☐Nail Problems ☐Hair Discoloration_____
Grade 2 Medial patellar lux left leg

Ears
☑Normal ☐Infection L R
☐Mites ☐Excessive Hair

Heart & Lungs
☑Normal ☐Murmur
☐Congestion ☐Breathing Difficulty
☐Other_____

Nose & Throat
☑Normal ☐Inflamed Throat
☐Nasal Discharge ☐Other_____
☐Enlarged Lymph Glands

Abdomen
☑Normal ☐Abnormal Mass
☐Enlarged Organs ☐Tense/Painful
☐Other_____

Special Instructions
☐Bathing Not Permitted
☐No Food or Water for 2 Hours After Arriving Home
☐Leash Excerise Only For _____Days/Weeks
☐Call If Questions Arise About Health Care

☐Bathing Permitted
☐Keep Sutures Dry And Clean
☐Finish All Medications Dispensed
☐Refill

Comments

T=99.5

- Recommend Clavamox, one tablet orally twice daily for 14 days. Give with food to prevent stomach upset

- Monitor at home for limping in her back left leg

- Recommend weight loss with goal weight of 12#, spay as soon as you are able.

Sweet dog!


13/03/2007


12/03/2007


13/03/2007


13/03/2007


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13/03/2007


13/03/2007