



36

September 8, 2008

Date

PUBLIC HEARING ON DANGEROUS  
ANIMAL APPEAL OF JESSICA WRIGHT

WHEREAS, Jessica Wright, 802 SE County Line Road #158, Des Moines, Iowa, 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 dogs as dangerous animals; and

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

WHEREAS, Ms. Wright has 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. Wright's dogs be declared dangerous animals and that they be humanely destroyed.

MOVED BY \_\_\_\_\_ TO UPHOLD DECLARATION AND TO  
HUMANELY DESTROY THE ANIMALS.

Alternative Two: That the order of the hearing officer be reversed and Ms. Wright's dogs not be declared dangerous.

MOVED BY \_\_\_\_\_ TO REVERSE DECLARATION.

FORM APPROVED:

Katharine Massier  
Assistant City Attorney

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

MOTION CARRIED

APPROVED

## 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

\_\_\_\_\_  
Mayor

**EXHIBITS FOR DANGEROUS ANIMALS**

**Kali & Tretch**

**EXHIBIT A**    **Hearing Officer's Decision  
(City Exhibits A-Y)**

**EXHIBIT B**    **Appeal from Ms. Wright**

**EXHIBIT C**    **Letter to Ms. Wright with Administrative  
Hearing Transcript**

August 28, 2008

Jessica Wright  
802 SE County Line Road #158  
Des Moines IA 50320

RE: Administrative Hearing – Declaration of Dangerous Dog(s)

Dear Ms. Wright:

At your request, the City of Des Moines scheduled an Administrative Hearing on August 20, 2008, at 1:00 p.m. regarding the declaration of your brindle and white female Pit Bull dog named Kail and your brindle and white male Pit Bull dog named Tretch, to be "dangerous dogs" by Sergeant Scott Raudabaugh, Chief Humane Officer for the City of Des Moines Animal Control Unit.

Sergeant Raudabaugh entered the following documents into evidence:

- City Exhibit A – Municipal Code Section 18-41. Definitions of vicious dog
- City Exhibit B – Municipal Code Section 18-56. Confinement of vicious dogs
- City Exhibit C – Municipal Code Section 18-196. Definitions of dangerous dog
- City Exhibit D – Municipal Code Section 18-203. Immediate seizure or destruction of animals
- City Exhibit E – Municipal Code Section 202. Seizure, impoundment and disposition of dangerous animals (2 pages)
- City Exhibit F – Letter dated 8-15-08 to Jessica Wright declaring her dogs "dangerous" and setting a date and time for an Administrative Hearing
- City Exhibit G – Document Service form dated 8-15-08 and signed by Jessica Wright
- City Exhibit H – Animal Incident Investigation Report on Case No. 08-29070, 8-12-08 (5 pages)
- City Exhibit I – Animal History Report on Tretch by Gregg W. Berry, DVM, dated 8-14-08, Case No. 08-29070
- City Exhibit J – Animal History Report on Kail by Gregg W. Berry, DVM, dated 4-8-08, Case No. 08-11761
- City Exhibit K – Rabies Examination Submission dated 8-12-08, stray cat referred to in Case No. 08-29070
- City Exhibit L – Report from Veterinary Diagnostic Laboratory dated 8-14-08 showing stray cat in Case No. 08-29070 was negative for the rabies virus
- City Exhibit M – Supplemental Report dated 8-14-08 on Case No. 08-29070



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CITY HALL-2ND FLOOR  
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Jessica Wright  
August 28, 2008  
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- City Exhibit N – Animal Incident Investigation Report dated 4-7-08 on Case No. 08-11761 on animals running-at-large (concerning Kali and a shepherd mix dog named Angel) (3 pages)
- City Exhibit O – Four citations issued for Case No. 08-11761, dated 4-7-08 (4 pages)
- City Exhibit P – Polk County Complaint and Probable Cause Statement for Case No. 08-11761, dated 4-7-08 (2 pages)
- City Exhibit Q – Animal Incident Investigation Report for Case No. 08-11781, of 4-7-08 (2 pages)
- City Exhibit R – Vicious Dog Breed Declaration Letter dated 4-8-08, Case No. 08-11761 from Sgt. Scott Raudabaugh to Jessica Wright on Kali
- City Exhibit S – Document Service dated 4-8-08 and signed by Jessica Wright
- City Exhibit T – Rabies Certificate for Kali
- City Exhibit U – Form indicating license procedures and compliance form dated April 8, 2008 and signed by Jessica Wright
- City Exhibit V – City of Des Moines Animal License form indicating Jessica Wright purchased License No. 20240 on 4-8-08 for Kali
- City Exhibit W – Insurance form required for owning a vicious dog, acquired 4-8-08 and in affect until 4-8-09
- City Exhibit X – Photo of Jessica Wright's dog Kali, taken 4-7-08
- City Exhibit Y – Photo of Jessica Wright's dog Tretch, taken 8-12-08

Sergeant Raudabaugh stated that on August 12, 2008, that Jessica Wright's two Pit Bull dogs, Kali and Tretch, were running-at-large when they bit and killed a domestic rabbit that was owned by a neighbor. The rabbit was outside in a round, circular cage while the owner of the rabbit was cleaning the hutch. The rabbit was killed, drug away and no remains were found. The two dogs then bit and killed a stray cat that was in the trailer court. The cat was subsequently retrieved and as a precautionary act, it was sent to Iowa State to determine if the cat had rabies. These events are documented under Case No. 08-29070. Ms. Wright's dog, Kali, was licensed after it was impounded in a previous incident. However, the other dog, Tretch, who is at or about six months of age, is not currently licensed.

Sergeant Raudabaugh said Ms. Wright's dog, Kali, along with a Shepherd mix dog, were impounded on April 7, 2008, Case No. 08-11761, for running-at-large. Neither dog had current City licenses at that time. Ms. Wright's dog, Kali, was declared a "vicious dog" by breed, and was released to Ms. Wright after she had complied with the necessary procedures to have a vicious dog licensed in the City limits. As part of the paperwork, Ms. Wright signed what



Jessica Wright  
August 28, 2008  
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is termed a "blue sheet" (City Exhibit U) stating she would confine and properly leash the dog.

Jessica Wright attended the Hearing and stated that on the date of the incident (August 12, 2008) the dogs did get out. They were not on a chain, but she had them on shock collars. Ms. Wright said that Tretch is just a puppy and did not have a shock collar on, but Kali did. Ms. Wright said her 13 month old child opened the door and both dogs ran away. Ms. Wright said she tried using the shock collar, but realized she had not turned the shock collar on. Ms. Wright said she and her husband tried to get the dogs to come back, she said they are playful and would not come back.

Ms. Wright said a short while later a lady came to her door and told her that her dogs were running loose and killed her stray cat in front of her grandson and also got into her rabbit's cage and got the rabbit out and killed it. The lady told Ms. Wright that she had called Animal Control, so Ms. Wright said she sat back and waited for Animal Control to arrive.

Ms. Wright asked to see the pictures of the dogs (City Exhibits X and Y), and verified these are her dogs. Ms. Wright asked Sergeant Raudabaugh if the red showing in the pictures is blood. Sergeant Raudabaugh said he could not verify it was blood, but it appeared that it could be blood. Sergeant Raudabaugh said no blood sample was taken from the dog(s). Ms. Wright said she was asking because the last time Kali was picked up, she got into some barbed wire and was cut up in a similar way. Ms. Wright said when Officer Bales got there, she was not cited because the lady that called Animal Control kept changing her story about the cat and the incidents. The lady was holding the cat that had been attacked and thought it was hers and then another cat came up and the lady said the cat she was holding was not her cat; that her cat was the cat that had just come up to her. Ms. Wright said she was not sure her dogs had attacked the cat because she has two cats and the dogs play with her cats all the time.

I asked Ms. Wright if she had signed the "blue sheet" (City Exhibit U) that states how the dogs have to be confined, and she said she remembers signing it. I then asked if she was aware that the dogs have to be on a certain length leash, inside the house or a fenced in yard, according to the document she signed. She agreed she was not complying with the document and had not read the whole document before signing it.

Sergeant Raudabaugh said the only reason Officer Bales did not issue any citations that day is because she was waiting for the veterinarian to determine



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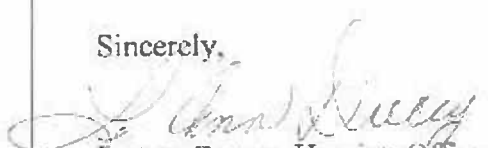
the breed of the dog.

I am upholding Sergeant Raudabaugh's declaration of Jessica Wright's dogs, to be "dangerous dogs." The reasons for this determination are as follows:

- Ms. Wright's dogs are "vicious" dogs as defined by Municipal Code Section 18-41 (1), (2), (3) (8).
- Ms. Wright failed to confine her dogs as defined by Municipal Code Section 18-56 and per her signature of the "blue sheet" (City Exhibit U)
- Ms. Wright's dogs (Kali and Tretch), were both running-at-large at the time of the attacks on August 12, 2008 (Case No. 08-29070)
- Ms. Wright failed to have her dogs in her control or properly restrained at the time of the attacks on August 12, 2008, and testimony provided, shows a pattern of allowing her dogs to run at large
- Ms. Wright failed to have proper licensing for a Pit Bull breed dog, Kali, until after the April 7, 2008 incident
- Ms. Wright's dogs (Kali and Tretch) meet the definition of dangerous dogs
- Ms. Wright's dogs (Kali and Tretch) meet the standards of Municipal Code Section 18-203
- Ms. Wright's dogs (Kali and Tretch) killed a domestic rabbit and a stray cat while running-at-large on August 12, 2008

Additionally, I am ordering Jessica Wright's dogs, Kali and Tretch, to be destroyed in a humane manner by the Chief Humane Officer of the City of Des Moines. If you disagree with this decision, you have three (3) days to appeal the decision to the City Council. The appeal must be made in writing to the City Clerk's Office, and state the reason for the appeal. If you have any questions regarding the appeal or compliance procedure, please contact Animal Control at 248-6051.

Sincerely,

  
LeAnn Ducey, Hearing Officer

Enclosures

Cc: Diane Rauh, City Clerk  
Police Chief Bradshaw  
Sergeant Scott Raudabaugh



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A

**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.

B

**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)



C

**Sec. 18-196. 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:

*Dangerous animal* means any animal, including a dog, except for an illegal animal per se, as listed in the definition of illegal animal, that has bitten or clawed a person while running at large and the attack was unprovoked, or any animal that has exhibited vicious propensities in present or past conduct, including such that the animal:

- (1) Has bitten or clawed a person on two separate occasions within a 12-month period;
- (2) Did bite or claw once causing injuries above the shoulders of a person;
- (3) Could not be controlled or restrained by the owner at the time of the attack to prevent the occurrence; or
- (4) Has attacked any domestic animal or fowl on three separate occasions within a 12-month period.

*Illegal animal* means:

- (1) Any animal which is not naturally tame or gentle and which is of a wild nature or disposition and which is capable of killing, inflicting serious injury upon or causing disease among human beings or domestic animals and having known tendencies as a species to do so.
- (2) Any animal declared to be illegal by the board of health or the city manager or his or her designee.
- (3) Any nondomesticated member of the order Carnivora which as an adult exceeds the weight of 20 pounds.
- (4) The following animals, which shall be deemed to be illegal animals per se:
  - a. Lions, tigers, jaguars, leopards, cougars, lynx and bobcats.
  - b. Wolves, coyotes and foxes.
  - c. Badgers, wolverines, weasels, skunks and mink.
  - d. Raccoons.
  - e. Bears.
  - f. Monkeys and chimpanzees.
  - g. Bats.
  - h. Alligators, crocodiles and caimans.
  - i. Scorpions.
  - j. Snakes and reptiles that are venomous.
  - k. Snakes that are constrictors over six feet in length.
  - l. Gila monsters.
  - m. Opossums.
  - n. All apes, baboons and macaques.
  - o. Piranhas.

(C79, § 7-44; O.10.541; C85, § 7-44; O.10.886, 11,095; C91, § 7-44)

D

**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)

E

**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 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 humane officer, or order the person owning, sheltering, harboring or keeping the animal 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. If the 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 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 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 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 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 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 destroyed 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.

(C79, § 7-50; O 10,541; C85, § 7-50; O 11,095; C91, § 7-50; O 13,854, 13,977, 14,462, 14,677)



F

August 15, 2008

Ms. Jessica Wright  
802 SE County Line Road # 158  
Des Moines, Iowa

Ms. Jessica Wright,

On August 12, 2008 at 2:00 P.M. your brindle and white colored Pit Bull breed dog, named "Kali," and your other brindle and white colored Pit Bull breed dog, named "Tretch," were running at-large when they bit and killed a domestic rabbit that was owned by a neighbor and bit and killed a stray cat. Subsequently your dogs were impounded for quarantine at the animal shelter. (2008-29070)

Previously on April 7, 2008 your dog named "Kali" was impounded during an investigation of it running at-large and being unlicensed. At that time "Kali" was declared a vicious dog and licensed accordingly when you reclaimed it. (2008-11761)

On August 14, 2008 the City Veterinarian evaluated your other dog named "Tretch" 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 dogs are defined as a vicious dog and were not properly confined or leashed, in accordance with the vicious dog ordinance, and were involved in an unprovoked bite they are being declared "Dangerous Animals," in accordance with the dangerous animal ordinance.

An Administrative Hearing to review the "Dangerous Animal" declaration has been scheduled for 1:00 P.M. on Wednesday, August 20, 2008 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 animal shelter at (515) 284-6905 or the City Clerk's Office at (515) 283-4209.

Sincerely,



Sergeant Scott Raudabaugh  
Chief Humane Officer

cc: City Clerk's Office



ANIMAL CONTROL  
POLICE DEPARTMENT  
1815 S.E. 14TH STREET  
DES MOINES, IOWA 50320-1010  
(515) 248-2729

ALL-AMERICA CITY 1949, 1976, 1985



# Animal Control

## DOCUMENT SERVICE

Case number: 2008-29070

ARL number (If known): \_\_\_\_\_

Animal owner's name: JESSICA WRIGHT

Address: 802 SE COUNTY LINE RD. #158

Location of service: SAME

Name of person receiving document (print):

JESSICA WRIGHT

Their signature: [Signature]

Date and time served: 8/15/08 1858

Animal Control Officer serving document (print):

[Signature] 7235

Animal Control Officer's identification number: 7235

Type of document served: ☐ Vicious dog letter ☒ Dangerous

animal letter ☐ Illegal animal letter ☐ Hearing ruling letter

☐ City Council decision letter ☐ Other: \_\_\_\_\_

KIF AGU



# Animal Incident Investigation Report

Des Moines, Iowa Police Department

32. District: <u>3</u>		33. Beat: <u>33</u>		1. Impounded animal AHR/ARL number:		2. DMPD case number: <u>08-29070</u>	
3. Victim's name (Last, First M.I.):				4. Race: <u>N</u>			
5. Sex: <u>M</u>				6. Age: <u>Ad</u>			
7. Date of birth: <u>UNK</u>				8. Ethnicity: <u>H</u> <input type="checkbox"/> <u>NH</u> <input type="checkbox"/>			
10. Residence address: (City and/or state if not Des Moines or Iowa)				11. Residence phone number:			
12. Business or cellular phone:				13. Place of employment or school:			
14. Type and location of injury:				15. Medical treatment:			
16. Reporting person's name (Last, First M.I.): <u>Gabriel, Melissa</u>				17. Race: <u>W</u>			
18. Sex: <u>F</u>				19. Age: <u>Ad</u>			
20. Date of birth: <u>UNK</u>				21. Ethnicity: <u>H</u> <input type="checkbox"/> <u>NH</u> <input type="checkbox"/>			
22. Specialty: <u>Sob</u> <input type="checkbox"/> <u>H.B.D.</u> <input type="checkbox"/>				23. Residence address: (City and/or state if not Des Moines or Iowa)			
24. Residence phone number: <u>115</u>				25. Business or cellular phone number:			
26. Location of incident (address): <u>802 E. Co. Line #115</u>				27. Location type: <u>Mobile Home Park</u>			
28. Date and time incident occurred: <u>12 Aug 08 1400</u>				29. Date and time incident reported: <u>12 Aug 08 1515</u>			
30. Criminal incident type: <u>Animal Bite</u>				31. Classification:			
34. Animal type: <u>"Kali"</u>				35. Animal breed: <u>Pit Bull</u>			
36. Animal color: <u>Brindle/white</u>				37. Animal fur length: <u>Short</u> <input type="checkbox"/> <u>Medium</u> <input type="checkbox"/> <u>Long</u> <input type="checkbox"/> <u>Other</u> <input type="checkbox"/>			
38. Animal sex: <u>Female</u> <input checked="" type="checkbox"/> <u>Spayed</u> <input type="checkbox"/> <u>Male</u> <input type="checkbox"/> <u>Neutered</u> <input type="checkbox"/> <u>Unknown</u> <input type="checkbox"/>				39. Microchip: <u>No</u> <input type="checkbox"/> <u>Yes</u> <input checked="" type="checkbox"/> (Recoms Personnel: Enter M/C# as a serial number)			
M/C#: <u>0A106F3A29</u>				40. Rabies tag: <u>No</u> <input type="checkbox"/> <u>Yes</u> <input checked="" type="checkbox"/> R/T#: <u>07-4763</u>			
43A. Date of vaccination: <u>8-21-07</u>				43B. Date of vaccination expiration: <u>8-20-08</u>			
43C. Vaccination: <u>Afford-A-Care</u>				41. License: <u>No</u> <input type="checkbox"/> <u>Yes</u> <input checked="" type="checkbox"/> Lic#: <u>08-20240</u>			
42. Other identifiers (Collar, tattoo, etc.): <u>Blk bark Collar, No tags.</u>				44. Impounded or bite animal owner's name (Last, First M.I.): <u>Wright, Jessica</u>			
46. Residence phone number: <u>UNK</u>				47. Place of employment or school: <u>UNK</u>			
48. Business or cellular phone number: <u>NA</u>				49. Person making notification: <u>Personal</u>			
50. Date and time of notification: <u>12 Aug 08 1630</u>				51. Residence address: (City and/or state if not Des Moines or Iowa)			
52. Daytime or cellular phone number: <u>7229</u>				53. Date of notification: <u>Personal</u>			
54. Witness name (Last, first): <u>Paulson, Jim</u>				55. Witness name (Last, first): <u>Gabriel, Melissa</u>			
56. Investigative notifications and/or photographs taken: Detective: <u>No</u> <input type="checkbox"/> <u>Yes</u> <input type="checkbox"/> Ident. Technician: <u>No</u> <input type="checkbox"/> <u>Yes</u> <input type="checkbox"/> ACO Supervisor: <u>No</u> <input type="checkbox"/> <u>Yes</u> <input type="checkbox"/> Photographs taken by ACO or PO: <u>No</u> <input type="checkbox"/> <u>Yes</u> <input type="checkbox"/>				57. Victim animal AHR/ARL number: <u>Impounded: No</u> <input type="checkbox"/> <u>Yes</u> <input type="checkbox"/> AHR/ARL#: <u>Domestic</u>			
58. Animal type: <u>Cat</u> <input type="checkbox"/> <u>Dog</u> <input type="checkbox"/> <u>Other</u> <input checked="" type="checkbox"/>				59. Animal breed: <u>Domestic Rabbit</u>			
60. Animal color: <u>Brown</u>				61. Animal fur length: <u>Short</u> <input checked="" type="checkbox"/> <u>Medium</u> <input type="checkbox"/> <u>Long</u> <input type="checkbox"/> <u>Other</u> <input type="checkbox"/>			
62. Animal sex: <u>Female</u> <input checked="" type="checkbox"/> <u>Spayed</u> <input type="checkbox"/> <u>Male</u> <input type="checkbox"/> <u>Neutered</u> <input type="checkbox"/> <u>Unknown</u> <input type="checkbox"/>				63. Rabies tag: <u>No</u> <input type="checkbox"/> <u>Yes</u> <input type="checkbox"/> R/T#: <u>UNK</u>			
64. Microchip: <u>No</u> <input type="checkbox"/> <u>Yes</u> <input type="checkbox"/> M/C#: <u>UNK</u>				65. License: <u>No</u> <input type="checkbox"/> <u>Yes</u> <input type="checkbox"/> Lic#: <u>UNK</u>			
66. Type and location of injury: <u>Fatal, Killed</u>				67. Medical treatment: <u>None</u>			
68. Confinement/quarantine location: <u>unable to locate body</u>				69. Victim animal owner's name (Last, First M.I.): <u>Gabriel, Melissa</u>			
70. Residence address: (City and/or state if not Des Moines or Iowa): <u>802 E Co. Line #115</u>				71. Residence phone number: <u>515-681-8517</u>			
72. Business or cellular phone number: <u>NA</u>				73. Reporting officer: <u>Bates</u>			
74. Status: <u>Open</u> <input checked="" type="checkbox"/> <u>Closed</u> <input type="checkbox"/> <u>Except. Closed</u> <input type="checkbox"/>				75. Copies made by: <u>Animal Control</u> <input checked="" type="checkbox"/>			
76. Supervisor approving report: <u>4770</u>				77. Reviewed by: <u>UNK</u>			

CITY  
EXHIBIT

## Animal Incident Investigation Report

Des Moines, Iowa Police Department

08-29070

82. Suspect or offender (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 ☐ NHO ☐

91. Height:

92. Weight:

93. Hair color:

94. Eye color:

95. Residence address:

(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. Solitary:

Sub. ☐ H.B.D. ☐

99. Citation number and crime:

100. Citation number and crime:

101. Suspect or offender (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 ☐ NHO ☐

110. Height:

111. Weight:

112. Hair color:

113. Eye color:

114. Residence address:

(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. Solitary:

Sub. ☐ H.B.D. ☐

118. Citation number and crime:

119. Citation number and crime:

120. Narrative:

Tripped 802 E. County Line Rd, Lot #115. Spoke with Mrs. Melissa Gabriel who stated two stray Pit Bulls were running loose in the area. At about 1400 hrs Mrs. Gabriel saw the two dogs come into her yard knock over a small wire cage with an open top and bottom and attack her rabbit and run off with it. She stated a short time later, the dogs came back and attacked a stray cat.

Upon arrival I found the injured and bloodied cat behind a neighboring trailer. The cat was impounded. Mrs. Gabriel was given a case number. I drove the area and was unable to locate the two dogs. Mrs. Gabriel was unsure of the lot number of where the dogs live but was able to show me. I went to Lot #158 to find Jessica Wright and her husband home. They stated their two dogs were still running at large. Mrs. Wright provided current city license for "Kali" and also current rabies

121. Date of this report:

12 Aug 08



# Animal Incident Investigation Report

Des Moines, Iowa Police Department

3 of 5

32. District: <b>3</b>		33. Beat:		1. Impounded animal AHR/ARL number:		2. DMPD case number: <b>08-29070</b>	
3. Victim's name (Last, First M.I.):				(Human victim or society)			
4. Race				5. Sex	6. Age	7. Date of birth	8. Ethnicity: <input checked="" type="checkbox"/> H <input type="checkbox"/> NH <input type="checkbox"/> Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>
<b>Impounded or bite animal</b>				10. Residence address: (City and/or state if not Des Moines or Iowa)			
34. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input :="" <b="" type="checkbox"/> "Tretch"				11. Residence phone number			
35. Animal breed: <b>Pit Bull</b>				12. Business or cellular phone number:			
36. Animal color: <b>Brindle/white</b>				13. Place of employment or school:			
37. Animal fur length: Short <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>				14. Type and extent of injury:			
38. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input checked="" type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>				15. Medical treatment:			
39. Microchip: <b>UNK</b> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> (Records Personnel: Enter MIC# as a serial number) MIC#: <b>UNK</b>				16. Reporting person's name (Last, First M.I.): <b>Gabriel, Melissa</b>			
40. Rabies tag: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> R/T#:				17. Race	18. Sex	19. Age	20. Date of birth
40A. Date of vaccination:				21. Ethnicity: <input checked="" type="checkbox"/> H <input type="checkbox"/> NH <input type="checkbox"/> Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>	22. Specialty		
40B. Date of vaccination expiration:				23. Residence address: (City and/or state if not Des Moines or Iowa)			
40C. Veterinarian:				24. Residence phone number: <b>1081-8517</b>			
41. License: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Lic#:				25. Business or cellular phone number: <b>NA</b>			
42. Other identifiers (Collar, tattoo, etc.): <b>Thin blue collar, no tags</b>				26. Location of incident (address): <b>802 E Co. Line #115</b>			
43. Confinement/quarantine location: <b>1615 SE14 N-14</b>				27. Location type: <b>Mobile Home Park</b>			
44. Impounded or bite animal owner's name (Last, First M.I.): <b>Wright, Jessica</b>				28. Date and time incident occurred: <b>12 Aug 08 1400</b>			
45. Residence address: <b>802 E. Co. Line #158</b>				29. Date and time incident reported: <b>12 Aug 08 1515</b>			
46. Residence phone number: <b>UNK</b>				30. Crime/Incident type: <b>Animal Bite 0</b>			
47. Place of employment or school: <b>UNK</b>				31. Classification:			
48. Business or cellular phone number: <b>UNK</b>				49. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>			
49A. Date and time of notification: <b>12 Aug 08 1630</b>				49B. Person making notification: <b>Bates 7229</b>			
50. Witness name (Last, first):				50A. Date and time of notification:			
51. Residence address: (City and/or state if not Des Moines or Iowa)				50B. Person making notification:			
52. Daytime or cellular phone number:				50C. Means of notification:			
53. Witness name (Last, first):				51. Residence address: (City and/or state if not Des Moines or Iowa)			
54. Residence address: (City and/or state if not Des Moines or Iowa)				52. Daytime or cellular phone number:			
56. Investigative notifications and/or photographs taken: Detective: No <input type="checkbox"/> Yes <input type="checkbox"/> Ident Technician: No <input type="checkbox"/> Yes <input type="checkbox"/> ACO Supervisor: No <input type="checkbox"/> Yes <input type="checkbox"/> Photographs taken by ACO or PO: No <input type="checkbox"/> Yes <input type="checkbox"/>							
<b>Victim animal</b>		57. Victim animal AHR/ARL number: Impounded: No <input type="checkbox"/> Yes <input type="checkbox"/> AHR/ARL#:		58. Animal type: Cat <input checked="" type="checkbox"/> Dog <input type="checkbox"/> Other <input type="checkbox"/>		59. Animal breed: <b>DLH</b>	
60. Animal color: <b>Blk/white</b>		61. Animal fur length: Short <input type="checkbox"/> Medium <input type="checkbox"/> Long <input checked="" type="checkbox"/> Other <input type="checkbox"/>		62. Animal sex: Female <input checked="" type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>		63. Rabies tag: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> R/T#:	
64. Microchip: <b>UNK</b> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> MIC#:		65A. Date of vaccination:		65B. Date of vaccination expiration:		65C. Veterinarian: <b>A</b>	
65. License: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Lic#:		66. Type and location of injury: <b>Fatal, Killed</b>		67. Medical treatment: <b>NA</b>		68. Confinement/quarantine location: <b>1615 SE14</b>	
69. Victim animal owner's name (Last, First M.I.): <b>UNK</b>		70. Residence address: (City and/or state if not Des Moines or Iowa): <b>UNK</b>		71. Residence phone number: <b>UNK</b>		72. Business or cellular phone number: <b>UNK</b>	
73. Reporting officer: <b>Bates 7229</b>		74. Status: <input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Excep. Closed		75. Copy/copies made by:		76. Referred to: <input checked="" type="checkbox"/> Animal Control	
77. Second officer:		76. Supervisor approving report: <b>4710</b>		78. Reviewed by:		79. Other: <input type="checkbox"/> Detective <input type="checkbox"/> PIO <input type="checkbox"/> Chief <input type="checkbox"/> OPS <input type="checkbox"/> Other:	

80. Page: <b>4</b> of <b>5</b>		<b>Animal Incident Investigation Report</b> Des Moines, Iowa Police Department				81. DMPD case number: <b>08-29070</b>					
82. Suspect or offender one (1) name (Last, first Middle):						83. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>		84. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>		85. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>	
86. Race:	87. Sex:	88. Age:	89. Date of birth:	90. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	91. Height:	92. Weight:	93. Hair color:	94. Eye color:			
95. Residence address: <small>(City and/or state if not Des Moines or Iowa)</small>											
96. Residence or alternate phone number:			97. Driver license number or social security number:				97A. State:		98. Sobriety: Sob <input type="checkbox"/> H.B.D. <input type="checkbox"/>		
99. Citation number and crime:						100. Citation number and crime:					
101. Suspect or offender two (2) name (Last, first Middle):						102. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>		103. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>		104. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>	
105. Race:	106. Sex:	107. Age:	108. Date of birth:	109. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	110. Height:	111. Weight:	112. Hair color:	113. Eye color:			
114. Residence address: <small>(City and/or state if not Des Moines or Iowa)</small>											
115. Residence or alternate phone number:			116. Driver license number or social security number:				116A. State:		117. Sobriety: Sob <input type="checkbox"/> H.B.D. <input type="checkbox"/>		
118. Citation number and crime:						119. Citation number and crime:					
120. Narrative: <p>information for her too. The younger, male was identified as to be about 6 months old. Ms. Wright had no paper work on "Tretch" but phoned All-Pets Hospital on 2nd Av. for me to check rabies information. The person on the phone from All Pets stated the last time "Tretch" was seen there was 21 May 08 and too young to get a rabies shot. Ms. Wright was advised her two dogs, Kali &amp; Tretch have been identified as running loose and being involved in two animal bites. A written notice was given with case number and she was advised to bring the dogs in to the Shelter. Ms. Wright's husband stated he would call Animal Control to come back out and pick them up, rather than bring them in.</p> <p>I then went back to Lot #115 to speak with Melissa when Mr. Jim Paulson from Lot #120 told me he had two stray dogs under his trailer. When I looked, I did not see anything. I spoke with Melissa again. A few moments later Mr. Paulson stated the dogs were</p>											
										121. Date of this report: <b>12 Aug 08</b>	



SUPPLEMENTAL REPORT  
Des Moines Iowa Police Department

1. Complainant, Driver #1, Victim, or Arrestee

Society

2. Arrest No

3. Case No

08-29070

☒ Form used as Continuation Sheet for Current Report

4. Date this Report

12 Aug 08

5. Date Original Occurrence

12 Aug 08

☐ Form used to Report Follow up Investigation or Supplemental Information

Officer Case Invest.  
Phone Yes ☐ No ☐

Taken by

6. Current offense or Incident Classification

Changed ☐ Yes

Animal Bite

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

5 of 5

10. Traffic Citation No

NA

11. Value of Property Recovered and Type

\$

NA

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 all 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.

still under his trailer. As I went to look the two dogs in question headed around the back side of his trailer. When I reached the street again Mrs. Gabriel had a hold of one. With her assistance the other dog Kali was also confined. Both dogs were impounded for quarantine. Mr. Paulson had stated he had seen the dogs running loose the day before also.

Mrs. Gabriel was asked if these two dogs were the ones she saw attack her rabbit and the stray cat. She identified these two dogs as being the same two dogs involved in both attacks.

The victim cat was dead on arrival at the shelter. It is in the refrigerator awaiting testing.

OFFICE USE ONLY

14. Reporting Officer

No

Bales

7209

15. Status (check one) ☐ Suspended ☒ Open

☐ Ex. Closed ☐ Closed

13. Data Time Typed No.

Reproduced No.

17. Unit Referred To:

18. UCR Disposition

19. Supervisor

No.

Second Officer

No.

Supervisor Approving

No.

*[Signature]*

*[Signature]*

"Tretch"

CITY OF DES MOINES  
ANIMAL CONTROL UNIT

Wright, Jessie  
ARL# A05668689

CITY  
EXHIBIT

I

DATE: 8-14-08

REFERENCE: ANIMAL HISTORY REPORT #

08-29070

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 - *pref*

☒ MODERATE SIZE FEET

COLOR: brindle + white

COMMENTS:

*male  
around 6 mos old*

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: 17.5 INCHES AT SHOULDERS

36.5 LBS.

*Angie W Benz, DVM*

*KF ACM*

2008 AUG 14 PM 6:23



"Kali"



CITY OF DES MOINES  
ANIMAL CONTROL UNIT

Wright, Jessica

ARL# A04411434

PTO 4/8/08

DATE: 4-8-08

REFERENCE: ANIMAL HISTORY REPORT #

08/1761

ARL# A04411434

CITY  
EXHIBIT

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

SHOULDERS: ☒ STRONG  
☒ MUSCULAR  
NECK: ☒ HEAVY  
☒ SLIGHTLY ARCHED

MUZZLE: ☒ MEDIUM LENGTH  
☒ JAW'S WELL DEFINED  
☒ BLACK NOSE

☒ TAPERS FROM BACK OF  
SKULL TO SHOULDERS

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

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

COAT: ☒ SHORT  
☒ CLOSE  
☒ GLOSSY

BODY: ☒ WELL SPRUNG RIBS  
☒ FORELEGS SET RATHER  
FAR APART  
☒ CHEST DEEP AND BROAD  
LEGS: ☒ STRAIGHT FRONT LEGS  
☒ HINDQUARTERS WELL MUSCLED  
☒ MODERATE SIZE FEET

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

SIZE: 20 INCHES AT SHOULDERS  
43 LBS.

COLOR:

brindle with white

COMMENTS:

Several puncture wounds  
head + chest

female

over 6 mos old

Tag w Benz, DVM

KF ACU

2008 AUG 14 PM 6:23

36

LABORATORY

CITY  
EXHIBIT

ISU Case #: \_\_\_\_\_

VDL Vet.: \_\_\_\_\_

K



# Animal Control

## RABIES EXAMINATION SUBMISSION

(Original to DMPD Records & copy to ISU)

City of Des Moines Animal Control Unit  
1615 S.E. 14<sup>th</sup> Street  
Des Moines, Iowa 50320

Telephone number: (515) 248-6054  
Fax telephone number: (515) 242-2854  
Dispatch telephone number (515) 283-4811

Date: 12 Aug 08 DMPD case number: 08 - 29070

Animal type: Cat ☒ Dog ☐ Other ☐

Date of animals death: 12 Aug 08 Euthanized ☐ Natural ☒

Animal owner (Last, First): N

Phone number(s): \_\_\_\_\_

Rabies vaccination expiration date: A

☐ Human exposure (Last, First): \_\_\_\_\_

Phone number(s): \_\_\_\_\_

Area of body bitten: \_\_\_\_\_

☒ Exposure to another animal (type of animal): Killed by dogs (2)

Date and time of (human or animal) exposure: 12 Aug 08 1400 hrs.

ACO (Name & ID number): Poles 7229

☐ HOLD REMAINS FOR CREMATION BY THE ANIMAL RESCUE LEAGUE

KF ACM

2008 AUG 13 PM 6:00

2008 AUG 15 PM 8:38

2008-29070

34

Accession: 2008026284

**Veterinary Diagnostic Laboratory**

Iowa State University  
College of Veterinary Medicine  
Ames, Iowa 50011-1250  
Phone: 515-294-1950  
Fax: 515-294-3564

CITY  
EXHIBIT

Final Report  
Report Date: 8/14/2008

L

Sgt. Scott Raudabaugh  
City of Des Moines Animal Control Unit  
1615 SE 14th St

Owner: City of Des Moines,  
1615 SE 14th St  
Des Moines, IA 50320

Des Moines, IA 50320

Reference: 08-29070 CDM-0000019538  
Diagnostician: Kyoungjin Yoon

Client Phone: 1-515-248-6052  
Client Fax: 1-515-242-2854  
Client Account#: 400260  
Date Received: 8/13/2008  
Preliminary Report: NA

Species: Feline  
Breed: Unknown  
Sex: NA  
Previous Case:

Age: NA  
Weight: NA  
Received:  
1 Dead - RABIES NHE

Test results are listed below. This report supplements the email to Sgt. Raudabaugh on August 14, 2008.

Kyoungjin Yoon, D.V.M., Ph.D.

Test Ordered	Laboratory Result(s) Order Date	Current Status Result Released	Complete Date
FA - Rabies virus	8/14/2008	Result Released	8/14/2008

**Virology**

Test: FA - Rabies virus  
Result: Negative  
Technician: SFK

Human Exposure Information:  
Exposed Person's Name: No human exposure  
Exposed Person's Town: Des Moines

Comments:

KF All



36

SUPPLEMENTAL REPORT  
Des Moines Iowa Police Department

1. Complainant, Driver #1, Victim, or Arrestee <b>Gabriel, Melissa</b>		2. Arrest No. N/A	3. Case No. <b>08-29070</b>
<input type="checkbox"/> Form used as Continuation Sheet for Current Report		4. Date this Report <b>14 August 2008</b>	5. Date Original Occurrence <b>12 August 2008</b>
<input checked="" type="checkbox"/> Form used to Report Follow-up Investigation or Supplemental Information		6. Correct offense or Incident Classification <b>Animal bite/ dog</b>	City <b>EXHIBIT</b>
7. Kind of Report Continued <input checked="" type="checkbox"/> Follow-up or Supplemental or Prosecution <input type="checkbox"/> Traffic Accident		8. Multiple Clear Up? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (list other case number)	
9. Page No. <b>1 of 1</b>		10. Traffic Citation No. <b>N/A</b>	11. Value of Property Recovered and Type <b>\$N/A</b>

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**

Per Sgt. Raudabaugh's instruction, I called and spoke with Melissa Gabriel further about the incident involving her pet rabbit. Although she never found the rabbit, she observed the incident occur when the rabbit was taken out of her yard. They were cleaning the rabbit hutch and had the rabbit in a exercise pen (a circular set of wire panels that sit directly on the ground confining the animal) when the dog ran into her yard, knocked the pen over trapping the rabbit under the wire, then snatched the rabbit by the head and dragged it out from under the wire and took off running with it. Gabriel stated the entire time the dog had the rabbit in it's mouth the younger dog was tearing at the rabbit trying to get it away from the adult. Both dogs had blood around their mouths as they disappeared down the street with the rabbit.

Gabriel states they have have continuous trouble with these two dogs running for at least six months. Approximately two months ago, Officer Bales chased the dogs for at least an hour and then cited the owner for them at large.

Gabriel states about 9 months ago, she had been at Wright's trailer and saw a litter of puppies belonging to the female Pit that was running and believes the smaller one is her puppy. She states the pup has been at the address since it was very very tiny and she believes that to have been about nine months ago.

Gabriel recounted the story of the attack that occurred. She stated that after her rabbit had been snatched the dogs returned a couple times and became quite aggressive to her, charging and snapping as if they were protecting each other or the animals they were attacking. At one point, the adult dog jumped up on the bench on Gabriel's deck in front of the window and began snarling and lunging at Gabriel's dog it saw inside the house through the window.

Gabriel recounts another incident the same day when she tried to keep the dogs, both dogs, from getting to a small child that had appeared at her house and the dogs were lunging at. She stated she had to take a "stick" and beat on the deck to keep the dogs at bay so they would not come close enough to bite. She stated they were snarling and snapping and acting like she was interfering with them.

Gabriel also states there are frequently dead animals laying around in various stages of decay that the dogs have killed and carried around.

Gabriel states the dogs run loose on the average of 3-5 times a week for hours at a time. She states that when she confronted the adult male at the Wright residence he refused to try to catch the dogs saying "I'm done with the dogs, do what you want with them."

2008 AUG 15 PM 8:39

14. Reporting Officer <b>Susan R. Stropes</b>		No. <b>7219</b>	15. Status (check one) <input type="checkbox"/> Suspended <input checked="" type="checkbox"/> Open <input type="checkbox"/> Ex. Closed <input type="checkbox"/> Closed	16. Date/Time Typed No.	Reproduced No
Second Officer		No.	Supervisor Approving	17. Unit Referred To <b>ACU</b>	18. UCR Disposition



2008 APR -8 PM 3:57

1083

36

# Animal Incident Investigation Report

Des Moines, Iowa Police Department

32. District: <u>3</u>		33. Beat: <u>33</u>		1. Impounded animal AHR/ARL number:		2. DMPP case number: <u>08-11761</u>	
34. Victim's name (Last, First M.I.): <u>Society</u>				3. Victim's name (Last, First M.I.): (Human victim or society)			
4. Race:		5. Sex:	6. Age:	7. Date of birth:	8. Ethnicity: <u>HO NH</u>	9. Specially: <u>Sob</u>	
10. Residence address: (City and/or state if not Des Moines or Iowa)				11. Residence phone number:			
12. Business or cellular phone number:				13. Place of employment or school:			
14. Type and location of injury:				15. Medical treatment: <u>A</u>			
16. Reporting person's name (Last, First M.I.): <u>Crime Alert</u>				17. Race:			
18. Sex:		19. Age:	20. Date of birth:	21. Ethnicity: <u>HO NH</u>	22. Specially: <u>Sob</u>		
23. Residence address: (City and/or state if not Des Moines or Iowa)				24. Residence phone number:			
25. Business or cellular phone number:				26. Location of incident (address): <u>802 E. County Lines</u>			
27. Location type: <u>Mobile Home Park</u>				28. Date and time incident occurred: <u>07 April 08 0900</u>			
29. Date and time incident reported: <u>07 April 08 0900</u>				30. Crime/Incident type: <u>Dog At Large</u>			
31. Classification:				32. Impounded or bite animal owner's name (Last, First M.I.):			
33. Residence phone number:		34. Place of employment or school:		35. Business or cellular phone number:		36. Animal owner notification: <u>No</u>	
37. Date and time of notification:		38. Person making notification:		39. Means of notification:		40. Witness name (Last, First):	
41. Residence address: (City and/or state if not Des Moines or Iowa)		42. Daytime or cellular phone number:		43. Witness name (Last, First):		44. Residence address: (City and/or state if not Des Moines or Iowa)	
45. Daytime or cellular phone number:		46. Investigative notifications and/or photographs taken: <u>Detected: No</u>		47. Ident. Technician: <u>No</u>		48. ACO Supervisor: <u>No</u>	
49. Photographs taken by ACO or PO: <u>No</u>		50. Victim animal AHR/ARL number: <u>Impounded: No</u>		51. Animal type: <u>Cat</u>		52. Animal breed:	
53. Animal color:		54. Animal sex: <u>Female</u>		55. Spayed: <u>Male</u>		56. Neutered: <u>Unknown</u>	
57. Microchip: <u>No</u>		58. M/C#:		59. License: <u>No</u>		60. Type and location of injury:	
61. Date of vaccination:		62. Date of vaccination expiration:		63. Veterinarian:		64. Medical treatment:	
65. Victim animal owner's name (Last, First M.I.):				66. Residence address: (City and/or state if not Des Moines or Iowa)			
67. Residence phone number:		68. Business or cellular phone number:		69. Reporting officer: <u>Bales 7229</u>		70. Status: <u>Open</u>	
71. Case file: <u>Case file</u>		72. Suspended: <u>Suspended</u>		73. Unfounded: <u>Unfounded</u>		74. Copies made by: <u>Referred to: Animal Control</u>	
75. Supervisor reviewing report: <u>Supervisor</u>		76. I.D. No.:		77. Reviewed by: <u>Reviewed</u>		78. Chief: <u>Chief</u>	
79. OPS: <u>OPS</u>		80. Other: <u>Other</u>		81. Other: <u>Other</u>		82. Other: <u>Other</u>	

80. Page: 2 of 3		<b>Animal Incident Investigation Report</b> Des Moines, Iowa Police Department				81. DMID case number: 08-117761	
82. Suspect or offender (1) name (Last, first Middle): White, Jessica Rae						83. Arrested: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>	
84. Warrant needed: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/>		85. Charges filed: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>					
86. Race: W	87. Sex: F	88. Age: A	89. Date of birth: 03-06-84	90. Ethnicity: H <input type="checkbox"/> NH <input checked="" type="checkbox"/>	91. Height: 60 in	92. Weight: 145 lbs	93. Hair color: Lt Brn
94. Eye color: Haz							
95. Residence address: 802 E County Line, Lot 158 (City and/or state if not Des Moines or Iowa)							
96. Residence or alternate phone number: 256-9003				97. Driver license number or social security number: DL# 480V13230		98. State: IA	
99. Citation number and crime: PC 282708 Dog At Large, 18-55				100. Citation number and crime: PC 282709 Vicious Dog At Large, 18-57			
101. Suspect or offender (2) name (Last, first Middle):						102. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>	
103. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>		104. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>					
105. Race:	106. Sex:	107. Age:	108. Date of birth:	109. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	110. Height:	111. Weight:	112. Hair color:
113. Eye color:							
114. Residence address: (City and/or state if not Des Moines or Iowa)							
115. Residence or alternate phone number:				116. Driver license number or social security number:		117. State:	
118. Citation number and crime: A				119. Citation number and crime:			
120. Narrative: The following citations were issued: PC 282708, Dog At Large, 18-55 PC 282709, Vicious Dog At Large, 18-57 PC 282710, Dog License Required, 18-42 PC 282711, Unlicensed vicious dog, 18-58  Tripped to 802 E County Line Road regarding 2 dogs running loose in the mobilehome park. As I drove through the park I noticed a Shepard mix and a pit bull running loose. I attempted to get a hold of the two dogs but was unable to do so. Both dogs were very friendly, wanting to play and staying just out of reach. The owner, Mr. Courtney Wright, appeared and clearly had been chasing his dogs in an attempt to get control of them. He told me he lived at Lot #158. When we both caught sight of the dogs, Mr. Wright went running after them again. I got into my truck in an attempt to locate the dogs. Being unable to locate the dogs again, I went to Lot #158 and spoke with Jessica White. She stated one of the							
121. Date of this report: 07 April 08							



SUPPLEMENTAL REPORT  
Des Moines Iowa Police Department

1. Complainant, Driver #1, Victim, or Arrestee

Society

2. Arrest No.

3. Case No.

08-11761

☐ Form used as Continuation Sheet for Current Report

4. Date this Report

07 April 08

5. Date Original Occurrence

07 April 08

☒ Form used to Report Follow up Investigation or Supplemental Information

Officer Case Invest.

Photos Yes ☐ No ☐

Taken by

6. Correct offense or Incident Classification

Changed ☐ Yes

Dog At Large

7. Kind of Report Contained

☐ Witness Statement

☒ Follow up or Supplemental or Prosecution

☐ Offense

8. Multiple Case List?

☐ Yes (list other case numbers in narrative)

☐ Traffic Accident

☐ Arrest

9. Page No.

3 of 3

10. Traffic Citation No.

NA

11. Value of Property Recovered and Type

\$ NA

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.

Dogs jumped at the door pushing it open and that's how the dogs got loose. It advised her citations will need to be issued for the dogs running loose. She provided current rabies vaccination certificates for both dogs but did not have current city licenses. Both Mr. Wright and Ms. White stated the smaller of the two dogs, "Kali," is a Boxer, Pit Bull mix. I advised when they get a hold of the two dogs, they will need to bring "Kali" to the shelter, 4615 SE 14, for breed vaccination. If they did not do this Animal Control will be out to impound her. Both Mr. Wright and Ms. White were very cooperative and stated they will bring her in to the shelter. A case number was given along with a "Frequently Asked Questions" flyer.

OFFICE USE ONLY

13. Date/Time Typed No.

Reproduced No.

14. Reporting Officer

No.

Balas 7029

Second Officer

No.

15. Status (check one) ☒ Suspended ☐ Open

☐ Ex. Closed ☒ Closed

17. Unit Referred To:

ACU

18. UCR Disposition

Supervisor Approving

No.

19. Reviewer

No.



IOWA POLICE CITATION AND COMPLAINT  
Law Enforcement AgencySTATE OF IOWA ☐  
COUNTY OF POLK ☐  
COUNTY OF WARREN ☐

No PC 282709

CITY OF DES MOINES

Docket No. \_\_\_\_\_

IN THE COURT AT ☒ POLK COUNTY COURTHOUSE, 5TH & MULBERRY, DES MOINES, IOWA 50309  
☐ WARREN COUNTY COURTHOUSE, 115 NORTH HOWARD, INDIANOLA, IOWA 50125☐ THE STATE OF IOWAAgency Case No. 08-11761  
A MUNICIPALITY, PLAINTIFF v.☒ CITY OF DES MOINES

(IA0779300)

NAME: White, Jessica Rae  
Defendant, Last First MiddleADDRESS: 802 E. County Line, Lot 15B  
SchoolCITY: Des Moines STATE: IABIRTH DATE: 03/06/84 Sex F Race WHt. 68 in Wt. 110 Eyes HaZ Hair LT BroThe Defendant is accused of the crime of Vicious Dog At LargeIn violation of: \_\_\_\_\_, Iowa Code, 20 or B-57, Local Ordinancefor that on or about: 04/07/08 9:30 AM  
Mo. Day Yr. ☒ a.m. ☐ p.m.Defendant did: Not have her Boxer/Pit Bull  
mix confined. The dog was running  
loose in the mobile home park.  
DL # 480VV3230DATE: 04/07/08 Not Signed 7229  
Mo. Day Yr. Officer's Signature I.D. No.

REPORT TO THE ABOVE NAMED COURT AND SAID PLACE.

05/13/08 ☐ a.m. ☒ p.m. 1:15pm  
Mo. Day Yr.

I PROMISE TO APPEAR IN SAID COURT AT SAID TIME AND PLACE

I swear that the foregoing citation is true and correct.

Subscribed and sworn to before me by DDALES 7229At Des Moines, Iowa this 07 day of April, 20 08

Notar Public, District Court, Justice, Magistrate, Clerk District Court

605. Failure to appear. Any person who willfully fails to appear in court as specified by the citation shall be guilty of a simple misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars or by imprisonment in the County jail not exceeding thirty days.

COURT

2008 APR -8 PM 3:54

IOWA POLICE CITATION AND COMPLAINT  
Law Enforcement Agency

STATE OF IOWA ☐  
COUNTY OF POLK ☐  
COUNTY OF WARREN ☐

N<sup>o</sup> PC 282708

CITY OF DES MOINES

Docket No.

IN THE COURT AT ☒ POLK COUNTY COURTHOUSE, 5TH & MULBERRY, DES MOINES, IOWA 50309  
☐ WARREN COUNTY COURTHOUSE, 115 NORTH HOWARD, INDIANOLA, IOWA 50125

☐ THE STATE OF IOWA

Agency Case No. 08-11761  
A MUNICIPALITY, PLAINTIFF v.

☒ CITY OF DES MOINES  
(IA0770300)

NAME: White Jessica Rae  
Defendant First Middle

ADDRESS: 802 E. County Line Lot 158  
Street

CITY: Des Moines STATE: IA

BIRTH DATE: 03/06/84 Sex F Race W  
Mo. Day Yr.

Ht. 60 in Wt. 110 lb Eyes Haz Hair LT Brn

The Defendant is accused of the crime of Dog At Large

In violation of: 28-55 Iowa Code, 20 or Local Ordinance

for that on or about 04/07/08 9:30 am  
Mo. Day Yr. ☐ a.m. ☒ p.m.

Defendant did: Not have her Shepard mix  
dog "Angel" confined. The dog was  
running loose in the mobile home park  
DL # 480 VV 3230

DATE: 04/07/08 N. Bales 7229  
Mo. Day Yr. Officer's Signature I.C. No.

REPORT TO THE ABOVE NAMED COURT AND SAID PLACE.

05/13/08 1:15 pm  
Mo. Day Yr. ☐ a.m. ☒ p.m.

I PROMISE TO APPEAR IN SAID COURT AT SAID TIME AND PLACE

[Signature]  
Signature of Defendant

I, the undersigned, do hereby certify that the foregoing citation is true and correct.

[Signature]  
(Officer's Signature)

Said and sworn to before me by D. Bales 7229

At Des Moines, Iowa this 07 day of April, 20 08

[Signature] Notary Public Seal of Office Magistrate District Court

805. Failure to appear. Any person who willfully fails to appear in court as specified by the citation shall be guilty of a simple misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars or by imprisonment in the County Jail not exceeding thirty days.

COURT

IOWA POLICE CITATION AND COMPLAINT  
Law Enforcement Agency

STATE OF IOWA ☐  
COUNTY OF POLK ☐  
COUNTY OF WARREN ☐

N<sup>o</sup> PC 282710

CITY OF DES MOINES

Docket No. 08-11761

IN THE COURT AT ☒ POLK COUNTY COURTHOUSE, 5TH & MULBERRY, DES MOINES, IOWA 50309  
☐ WARREN COUNTY COURTHOUSE, 115 NORTH HOWARD, INDIANOLA, IOWA 50125

☐ THE STATE OF IOWA

Agency Case No. 08-11761  
A MUNICIPALITY, PLAINTIFF v.

☒ CITY OF DES MOINES  
(IA0770300)

NAME: White, Jessica Rae 08-11761

ADDRESS: 802 E. County Line Lot 158

CITY: Des Moines STATE: IA

BIRTH DATE: 03/06/84 Sex F Race W

Ht. 6'8" in Wt. 140 lb Eyes Haz Hair Blk

The Defendant is accused of the crime of Dog License Req.

in violation of: Iowa Code, 20 or 18.42, Local Ordinance,

for that on or about 04/07/08 9:30 AM

Defendant did: Not provide proof of current city license for her Shepard mix.

DL# 480 VV 3230

DATE: 04/07/08 D. Bales 7229

REPORT TO THE ABOVE NAMED COURT AND SAID PLACE.

05/13/08 1:15 PM

I PROMISE TO APPEAR IN SAID COURT AT SAID TIME AND PLACE

D. Bales 7229

I swear that the foregoing citation is true and correct.

D. Bales 7229

Subscribed and sworn to before me by D. Bales 7229

At Des Moines, Iowa this 07 day of April, 20 08

Notary Signature (Not Optional) [Signature] Judge [Signature] Clerk District Court [Signature]

805.5 Failure to appear. Any person who willfully fails to appear in court as specified by the citation shall be guilty of a simple misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars or by imprisonment in the County jail not exceeding thirty days.

COURT



IOWA POLICE CITATION AND COMPLAINT  
Law Enforcement Agency

STATE OF IOWA ☐  
COUNTY OF POLK ☐  
COUNTY OF WARREN ☐

N<sup>o</sup> PC 282711

CITY OF DES MOINES

Docket No.

☒ IN THE COURT AT ☒ POLK COUNTY COURTHOUSE, 5TH & MULBERRY, DES MOINES, IOWA 50309  
☐ WARREN COUNTY COURTHOUSE, 115 NORTH HOWARD, INDIANOLA, IOWA 50125

☐ THE STATE OF IOWA

Agency Case No. 02-11741  
A MUNICIPALITY PLAINTIFF v.

☒ CITY OF DES MOINES  
(IA0770390)  
NAME: White, Jessica Rae S

ADDRESS: 802 E County Line Rd.  
Lot 158 Street  
CITY: Des Moines STATE: IA

BIRTH DATE: 03/06/84 Sex F Race W

Ht. 6'0" Wt. UNK Eyes HAZ Hair BLK

The Defendant is accused of the crime of Unlicensed Vicious

in violation of: 18-5B, Iowa Code, 20 or 18-5B, Local Ordinance

for that on or about 04/07/08 a.m. 9:30 AM  
Mo. Day Yr. ☐ a.m. ☒ p.m.

Defendant did: Not Provide proof of a current  
city license for her Boxer/Pit Bull  
mix "Kali."  
DL # 480 VV 3230

DATE: 04/07/08 Bales  
Mo. Day Yr. Officers Signature Co. No.

REPORT TO THE ABOVE NAMED COURT AND SAID PLACE.

05/13/08 ☐ a.m. ☒ p.m. 1:15pm  
Mo. Day Yr. ☐ a.m. ☒ p.m.

I PROMISE TO APPEAR IN SAID COURT AT SAID TIME AND PLACE

[Signature]  
Signature Defendant

I swear that the foregoing citation is true and correct.

[Signature]  
Officer's Signature

Subscribed and sworn to before me by BALES 7229

at Des Moines, Iowa this 07 day of April, 20 08

[Signature]  
Notary Seal Notary Public State of Iowa

805.5 Failure to appear. Any person who willfully fails to appear in court as specified by the citation shall be guilty of a simple misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars or by imprisonment in the County jail not exceeding thirty days.

COURT

256-900B

IN THE IOWA DISTRICT COURT FOR POLK COUNTY  
COMPLAINT AND PROBABLE CAUSE STATEMENT

CITY  
EXHIBIT

36

P

CITY OF DES MOINES

COURT CASE NO. \_\_\_\_\_

VS.

DMPD. CASE NO. 08-11761

SOC. SEC. NO. DL #480VV3230

DATE OF BIRTH 03-06-84

DESCRIPTION W F 68in. UNK

FACE SEX HGT WGT

EYES HAIR MARKS

Jessica Rae White  
(DEFENDANT)  
802 E. County Line #158  
(ADDRESS)  
Des Moines, IA  
(CITY & STATE)

IA0770300

THE DEFENDANT IS ACCUSED OF THE CRIME(S) OF: ① Dog At Large,  
② Vicious Dog At Large

AT: 802 E. County Line  
(ADDRESS OR LOCATION)

IN VIOLATION OF SECTION(S): ① 18-55, ② 18-57

OF THE MUNICIPAL CODE OF THE CITY OF DES MOINES, 2008 COMMITTED ON OR ABOUT  
THE 7<sup>th</sup> DAY OF April, 2008 IN THE CITY OF DES MOINES, POLK COUNTY, IOWA.

SIGNED AND SWORN TO ON THIS 7<sup>th</sup> DAY OF April, 2008

[Signature] 7229  
FILING COMPLAINANT

NOTARY PUBLIC, ASSOCIATE JUDGE OR MAGISTRATE

THE DEFENDANT WAS:

- ☒ CAUGHT IN THE ACT  
☒ IDENTIFIED BY PRINTS  
☒ NAMED BY WITNESSES  
☒ HAD PROPERTY ASSOCIATED WITH CRIME  
☒ ARRESTED FOLLOWING INVESTIGATION  
☒ WEAPON INVOLVED CRIME

BASIS OF PROBABLE CAUSE

- ☒ IDENTIFIED IN PERSON  
☒ CONFESSED TO CRIME  
☒ ACCUSED BY CO-DEFENDANT

- ☐ IDENTIFIED BY PHOTO  
☐ ARRESTED AT SCENE  
☐ OTHER (SPECIFY BELOW)

☐ VICTIM INJURED

☐ PROPERTY / MONEY TAKEN

VALUE OF PROPERTY TAKEN \$ \_\_\_\_\_

DAMAGE EST. VALUE \$ \_\_\_\_\_

OTHER FACTS IMPORTANT TO PROBABLE CAUSE AND BAIL

Ms. White did not have her  
Shepard mix and Boxer/Pit Bull mix confined.  
Both dogs were running loose in the mobile home  
park.

[Signature] 7229  
SIGNATURE OF ARRESTING OFFICER NO.

04.07.08  
(DATE OF ARREST)

DATED: 04.07.08

WITNESS INFORMATION

NAME ADDRESS HM PHONE WK PHONE  
Officer Bales 1615 SE14 — 248-6054

BOND AMOUNT \$ \_\_\_\_\_

CASH ONLY ( )

CASH OR SURETY ( )

OTHER CONDITIONS IMPOSED WITH BAIL: \_\_\_\_\_

(JUDGE, ASSOCIATE JUDGE OR MAGISTRATE)

DMPD (88-982)

WHITE • COURT FILE

YELLOW • CITY ATTORNEY

PINK • DEFENDANT OR DEFENDANT ATTORNEY



IN THE IOWA DISTRICT COURT FOR POLK COUNTY  
COMPLAINT AND PROBABLE CAUSE STATEMENT

CITY OF DES MOINES

COURT CASE NO. \_\_\_\_\_

VS.

DMPD. CASE NO. 08-11761

Jessica Rae White

IA0770300

SOC. SEC. NO. DL# 480 VV3230

802 E. County Line #158

DATE OF BIRTH 03-06-84

Des Moines, IA

DESCRIPTION W F 68 in unk

RACE

SEX

HGT

WGT

EYES

HAIR

MARKS

Haz Lt. Bro.

THE DEFENDANT IS ACCUSED OF THE CRIME(S) OF:

Unlicense & vicious dog

AT: 802 E County Line

(ADDRESS OR LOCATION)

IN VIOLATION OF SECTION(S): 18-42, 18-58

OF THE MUNICIPAL CODE OF THE CITY OF DES MOINES, 20 08. COMMITTED ON OR ABOUT  
THE 07 DAY OF April, 20 08 IN THE CITY OF DES MOINES, POLK COUNTY

SIGNED AND SWORN TO ON THIS 07 DAY OF April, 20 08

7229

FILING COMPLAINANT

(NOTARY PUBLIC, ASSOCIATE JUDGE OR MAGISTRATE)

THE DEFENDANT WAS:

- ☒ CAUGHT IN THE ACT  
☒ IDENTIFIED BY PRINTS  
☒ NAMED BY WITNESSES  
☒ HAD PROPERTY ASSOCIATED WITH CRIME  
☐ ARRESTED FOLLOWING INVESTIGATION  
☐ WEAPON INVOLVED CRIME

BASIS OF PROBABLE CAUSE

- ☒ IDENTIFIED IN PERSON  
☒ CONFESSED TO CRIME  
☒ ACCUSED BY CO DEFENDANT

- ☐ IDENTIFIED BY PHOTO  
☐ ARRESTED AT SCENE  
☐ OTHER (SPECIFY BELOW)

- ☐ VICTIM INJURED

- ☐ PROPERTY / MONEY TAKEN

VALUE OF PROPERTY TAKEN \$ \_\_\_\_\_

DAMAGE EST. VALUE \$ \_\_\_\_\_

OTHER FACTS IMPORTANT TO PROBABLE CAUSE AND BAIL:

Ms. White was unable to provide  
proof of a current 2008 city dog license for her Shepard  
mix nor could she provide proof of a current 2008 city  
dog license for her Boxer/Pit Bull mix

7229

SIGNATURE OF ARRESTING OFFICER

NO.

04.07.08

(DATE OF ARREST)

DATED: 04.07.08

WITNESS INFORMATION

NAME

ADDRESS

HM PHONE

WK PHONE

Officer Bales 1615 SE 14

—

248-6054

BOND AMOUNT \$ \_\_\_\_\_

CASH ONLY ( )

CASH OR SURETY ( )

OTHER CONDITIONS IMPOSED WITH BAIL: \_\_\_\_\_

(JUDGE, ASSOCIATE JUDGE OR MAGISTRATE)

DMPD (88-342)

WHITE - COURT FILE

YELLOW - CITY ATTORNEY

PINK - DEFENDANT OR DEFENDANT ATTORNEY



**2008 APR -8 PM 5:47**  
**Animal Incident Investigation Report**  
 Des Moines, Iowa Police Department

CITY  
EXHIBIT

36

32. District: <b>3</b>		33. Beat:		1. Impounded animal AHR/ARL number:		2. DMPD case number: <b>08-11761</b>	
34. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/>				3. Victim's name (Last, First M.I.): <b>SOCIETY</b>			
35. Animal breed: <b>Pitbull</b>				4. Race:		5. Sex:	
36. Animal color: <b>brindle/white</b>				6. Age:		7. Date of birth:	
37. Animal fur length: Short <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>				8. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>		9. Society: Sub <input type="checkbox"/> H.S.D. <input type="checkbox"/>	
38. Animal sex: Female <input checked="" type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>				10. Residence address: (City and/or state if not Des Moines or Iowa)			
39. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> (Records Personnel: Enter M/C# as a serial number) <b>M/C# none</b>				11. Residence phone number:		12. Business or cellular phone number:	
40. Rabies tag: No <input type="checkbox"/> Yes <input type="checkbox"/> R/T# <b>4763 - Not on dog</b>				13. Place of employment or school:		14. Type and location of injury:	
40A. Date of vaccination: <b>8-21-07</b>				15. Medical treatment:		16. Reporting person's name (Last, First M.I.): <b>Howser 7226</b>	
40B. Date of vaccination expiration: <b>8-20-08</b>				17. Race: <b>W</b>		18. Sex: <b>F</b>	
40C. Veterinarian: <b>Afford-a-care - Dr. J. Rhodes</b>				19. Age: <b>Ad</b>		20. Date of birth:	
41. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic# <b>NA</b>				21. Ethnicity: H <input type="checkbox"/> NH <input checked="" type="checkbox"/>		22. Society: Sub <input type="checkbox"/> H.S.D. <input type="checkbox"/>	
42. Other identifiers (Color, tattoo, etc.):				23. Residence address: (City and/or state if not Des Moines or Iowa) <b>1615 SE 14th</b>		24. Residence phone number: <b>NA</b>	
43. Confine/containment location: <b>taken back by ARL</b>				25. Location of incident (address): <b>802 E Countyline #158</b>		26. Business or cellular phone number: <b>248-6054</b>	
44. Impounded or bite animal owner's name (Last, First M.I.): <b>Wright, Jessica</b>				27. Location type: <b>trailer park</b>		28. Date and time incident occurred: <b>7 Apr 08 0930</b>	
45. Residence address: (City and/or state if not Des Moines or Iowa) <b>802 E. Countyline #158</b>				29. Date and time incident reported: <b>7 Apr 08 0930</b>		30. Crime/incident type: <b>Vicious Dog</b>	
46. Residence phone number: <b>256-9003</b>				31. Classification:		32. Person making notification: <b>Sgt Raudabaugh / ARL</b>	
47. Place of employment or school: <b>NA</b>				48. Means of notification: <b>personal</b>		49. Person making notification: <b>Sgt Raudabaugh / ARL</b>	
48. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 48A. Date and time of notification: <b>4-7-08 1400</b>				50. Witness' name (Last, First):		51. Residence address: (City and/or state if not Des Moines or Iowa)	
50. Witness' name (Last, First):				52. Daytime or cellular phone number:		53. Witness' name (Last, First):	
51. Residence address: (City and/or state if not Des Moines or Iowa)				54. Daytime or cellular phone number:		55. Investigative notifications and/or photographs taken: Detective: No <input type="checkbox"/> Yes <input type="checkbox"/> Ident. Technician: No <input type="checkbox"/> Yes <input type="checkbox"/> ACO Supervisor: No <input type="checkbox"/> Yes <input type="checkbox"/> Photographs taken by ACO or PO: No <input type="checkbox"/> Yes <input type="checkbox"/>	
52. Daytime or cellular phone number:				56. Victim animal AHR/ARL number: Impounded: No <input type="checkbox"/> Yes <input type="checkbox"/> AHR/ARL#:		57. Animal type: Cat <input type="checkbox"/> Dog <input type="checkbox"/> Other <input type="checkbox"/>	
53. Witness' name (Last, First):				58. Animal breed:		59. Animal color:	
54. Daytime or cellular phone number:				60. Animal fur length: Short <input type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>		61. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>	
55. Investigative notifications and/or photographs taken: Detective: No <input type="checkbox"/> Yes <input type="checkbox"/> Ident. Technician: No <input type="checkbox"/> Yes <input type="checkbox"/> ACO Supervisor: No <input type="checkbox"/> Yes <input type="checkbox"/> Photographs taken by ACO or PO: No <input type="checkbox"/> Yes <input type="checkbox"/>				62. Rabies tag: No <input type="checkbox"/> Yes <input type="checkbox"/> R/T#:		63. Date of vaccination:	
56. Victim animal AHR/ARL number: Impounded: No <input type="checkbox"/> Yes <input type="checkbox"/> AHR/ARL#:				64. Date of vaccination expiration:		65. Veterinarian:	
57. Animal type: Cat <input type="checkbox"/> Dog <input type="checkbox"/> Other <input type="checkbox"/>				66. Type and location of injury:		67. Medical treatment:	
58. Animal breed:				68. Confine/containment location:		69. Victim animal owner's name (Last, First M.I.):	
59. Animal color:				70. Residence address: (City and/or state if not Des Moines or Iowa)		71. Residence phone number:	
60. Animal fur length: Short <input type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>				72. Business or cellular phone number:		73. Reporting officer: <b>Howser 7226</b>	
61. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>				74. Status: <input type="checkbox"/> Open <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Excep. Closed		75. Copies made by:	
62. Rabies tag: No <input type="checkbox"/> Yes <input type="checkbox"/> R/T#:				76. Case file <input type="checkbox"/> Suspended <input type="checkbox"/> Unopened		77. Retained by: <input checked="" type="checkbox"/> Animal Control	
63. Date of vaccination:				78. Supervisor approving report:		79. Chief <input type="checkbox"/> OPS <input type="checkbox"/>	
64. Date of vaccination expiration:				80. Other:		81. Second officer: <b>Howser 7226</b>	
65. Veterinarian:				82. Retained by: <input type="checkbox"/> Detectives <input type="checkbox"/> PIO		83. Chief <input type="checkbox"/> OPS <input type="checkbox"/>	
66. Type and location of injury:				84. Other:		85. Supervisor approving report:	
67. Medical treatment:				86. Retained by: <input type="checkbox"/> Detectives <input type="checkbox"/> PIO		87. Chief <input type="checkbox"/> OPS <input type="checkbox"/>	
68. Confine/containment location:				88. Other:		89. Second officer: <b>Howser 7226</b>	
69. Victim animal owner's name (Last, First M.I.):				90. Retained by: <input type="checkbox"/> Detectives <input type="checkbox"/> PIO		91. Chief <input type="checkbox"/> OPS <input type="checkbox"/>	
70. Residence address: (City and/or state if not Des Moines or Iowa)				92. Other:		93. Supervisor approving report:	
71. Residence phone number:				94. Retained by: <input type="checkbox"/> Detectives <input type="checkbox"/> PIO		95. Chief <input type="checkbox"/> OPS <input type="checkbox"/>	
72. Business or cellular phone number:				96. Other:		97. Second officer: <b>Howser 7226</b>	
73. Reporting officer: <b>Howser 7226</b>				98. Retained by: <input type="checkbox"/> Detectives <input type="checkbox"/> PIO		99. Chief <input type="checkbox"/> OPS <input type="checkbox"/>	
74. Status: <input type="checkbox"/> Open <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Excep. Closed				100. Other:		101. Supervisor approving report:	
75. Copies made by:				102. Retained by: <input type="checkbox"/> Detectives <input type="checkbox"/> PIO		103. Chief <input type="checkbox"/> OPS <input type="checkbox"/>	
76. Case file <input type="checkbox"/> Suspended <input type="checkbox"/> Unopened				104. Other:		105. Second officer: <b>Howser 7226</b>	
77. Retained by: <input checked="" type="checkbox"/> Animal Control				106. Supervisor approving report:		107. Retained by: <input type="checkbox"/> Detectives <input type="checkbox"/> PIO	
78. Chief <input type="checkbox"/> OPS <input type="checkbox"/>				108. Other:		109. Second officer: <b>Howser 7226</b>	
79. Supervisor approving report:				110. Retained by: <input type="checkbox"/> Detectives <input type="checkbox"/> PIO		111. Chief <input type="checkbox"/> OPS <input type="checkbox"/>	
80. Other:				112. Other:		113. Second officer: <b>Howser 7226</b>	

80. Page: <u>2 of 2</u>		<b>Animal Incident Investigation Report</b> Des Moines, Iowa Police Department				81. DMPD case number: <u>08-11761</u>		
82. Suspect or offender <u>one</u> (1) name (Last, first Middle):						83. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>	84. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>	85. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>
86. Race:	87. Sex:	88. Age:	89. Date of birth:	90. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	91. Height:	92. Weight:	93. Hair color:	94. Eye color:
95. Residence address: (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. Specialty: Sub. <input type="checkbox"/> H.B.D. <input type="checkbox"/>	
99. Citation number and crime:				100. Citation number and crime:				
101. Suspect or offender <u>two</u> (2) name (Last, first Middle):						102. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>	103. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>	104. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>
105. Race:	106. Sex:	107. Age:	108. Date of birth:	109. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	110. Height:	111. Weight:	112. Hair color:	113. Eye color:
114. Residence address: (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. Specialty: Sub. <input type="checkbox"/> H.B.D. <input type="checkbox"/>	
118. Citation number and crime:				119. Citation number and crime:				
120. Narrative: <p>Officer Bales had been to 802 E. Countyline earlier in the day on a pitbull running at large. She could not catch the dog and the owner was having trouble catching the dog. She wrote citations and advised the owners to bring the dog to shelter for breed determination when they got it caught.</p> <p>Sgt Raudabaugh determined the dog predominate pitbull and after my viewing felt the dog to be predominately pit, when the owners brought the dog to the shelter to be evaluated.</p> <p>The dog has scratches to the face area. The owners told Sgt Raudabaugh that they thought the scratches were from a barbed wire fence or brambles.</p>								
						121. Date of this report: <u>4-7-08</u>		



Vicious Dog Breed Declaration Letter  
(Over Six Months Old)

CITY  
EXHIBIT

R

4-8-2008

(Date)

JESSICA WRIGHT

(Dog owner's name)

802 SE 80TH AVE. #158

(Owner's address)

DSM, IA

(City, state & zip code)



ANIMAL CONTROL  
POLICE DEPARTMENT  
15 S.E. 14TH STREET  
DES MOINES, IOWA 50319-1010  
(515) 242-2790

ALL AMERICA CITY 1948 1976 1983

Your dog was impounded and is at the animal shelter. Your dog was evaluated and determined to be over six months old and a vicious dog breed, defined by city ordinance as a Staffordshire Terrier, an American Pit Bull Terrier, an American Staffordshire Terrier or any dog which has the appearance and characteristics of being predominately of the breeds of Staffordshire Terrier, American Pit Bull Terrier or an American Staffordshire Terrier.

Because of that determination your dog is being declared to be a "Vicious Dog."

You may reclaim your dog by properly licensing it as a vicious dog with the City Clerk's Office and properly confining/leashing it as a vicious dog, however, if your dog is found unlicensed as a vicious dog in the City of Des Moines a second time it will be destroyed in a humane manner. Also if your dog is found not properly confined/leashed more than twice it will be destroyed in a humane manner.

You may appeal this declaration by filing a written appeal within three (3) business days with the City Clerk's Office in City Hall at 400 Robert D. Ray Drive in Des Moines, Iowa, however, during an appeal your dog will remain in impound at the animal shelter.

If you do nothing your dog will be destroyed in a humane manner.

If you have any questions please call me at (515) 248-6052 or the animal shelter at (515) 284-6905 or the City Clerk's Office at (515) 283-4209.

Sincerely,

Sergeant Scott Raudabaugh,  
Chief Humane Officer

cc: City Clerk's Office

Case number: 2008-11761

Dog's name: KALI

Dog's color(s): BLENDED

+ WHITE

Dog's sex: female ☒ male ☐

ARI number: A04411434



2008 APR -8 PM 5:48

CITY  
EXHIBIT

36



# Animal Control

## DOCUMENT SERVICE

Case number: 2008 — 11761

ARL number (If known): A04411434

Animal owner's name: JESSICA WRIGHT

Address: 802 SE 80TH AV. #158

Location of service: ANIMAL SHELTER

Name of person receiving document (print):

Jessica B. Wright

Their signature: [Signature]

Date and time served: 08 APRIL 2008 1525

Animal Control Officer serving document (print):

SGT. SCOTT RANDA BAUMH

Animal Control Officer's identification number: 4770

Type of document served: ☒ Vicious dog letter ☐ Dangerous

animal letter ☐ Illegal animal letter ☐ Hearing ruling letter

☐ City Council decision letter ☐ Other: \_\_\_\_\_

KF ACU

2008 APR -8 PM 5:48

Bumps 2008 - 11761

30

CITY  
EXHIBIT

CERTIFICATE OF VACCINATION

Date of Rabies Vaccination: 8/21/2007  
Next Rabies Vaccination On: 8/20/2008

Certificate No: 0  
Previous Rabies Vaccination:

**VETERINARY CLINIC**  
Afford-A-Care Pet Hospital  
3003 S.E. 14th Street  
Des Moines, IA 50320  
515-280-5336

**OWNER OF ANIMAL**  
JESSICA WRIGHT  
802 E COUNTYLINE RD #158  
DES MOINES, IA 50320  
County:

This is to certify...

THAT I HAVE VACCINATED AGAINST RABIES THE ANIMAL DESCRIBED BELOW.

Patient information...

PATIENT: KALI  
SPECIES: Canine  
SEX: F

TAG NO: 4763  
WEIGHT: 7.50  
AGE: 5 months

COLOR & MARKINGS... BRINDLE & WHITE  
BREED...POXER

Signed

*Dr. Jill Rhoden*

JILL RHODEN, D.V.M.

License: 6669

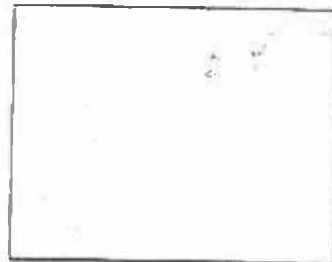
Vaccinations done...

8/21/2007 JR Rabies K-9 1-Year, #4763

Rabies Vaccine Information...

MFG BY: MER  
LOT EXP: 1-13-08

SER.NO: 12511A  
ADM:



KF ACA

2008-9070

310

## Regulations regarding Animals defined as Vicious under City of Des Moines Municipal Code:

CITY  
EXHIBIT

K

## Licensing Procedure

1. Provide current rabies certificate.
2. Provide written proof of spaying/neutering, if applicable, to qualify for a reduced fee.
3. Provide certificate of insurance, policy declaration or current homeowner's/renter's policy page, providing personal liability insurance coverage, with a minimum liability amount of \$100,000. If a certificate of insurance or policy is not immediately available, a binder indicating the above coverage may be accepted for up to thirty days.
4. Provide a letter from the applicant's insurance agent, on the agency's letterhead, stating that the insured's vicious dog, by name, is specifically covered by the policy in force. Such letter must be provided annually when the policy is renewed.

## Compliance Form

I, Jessica Wirth 8009 Courtland Rd lot 158, agree to license my dog,  
Name and Address

Kali - Pit Bull in accordance with City of Des Moines Municipal Code.  
Name and Breed

In complying with the Ordinance I agree to: (Please read and initial each of the following items)

[initials] Keep my dog in the house at all times unless the dog is securely leashed with a leash no longer than six (6) feet in length and under the actual physical control of a person eighteen (18) years of age or older.

[initials] Keep my dog securely enclosed and locked in a pen or kennel having 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. All pens or kennels 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.

[initials] Keep \$100,000 liability coverage protecting against animal bites in effect at all times, and I understand that failure to do so will result in the license being suspended and the animal will be impounded.

1. Name of insurance agency: State Farm

2. Name of agent: Gott Kunder Agent's Phone: (515) 223-3566

[initials] Display the current City license and rabies tag on the dog at all times.

These requirements are subject to inspection by Des Moines Animal Control Officers.

[Signature]  
Signature

02-08-2008  
Date

00 11 13 8-334 811

8/14/08 only one dog licensed = Kali "SLO"



2008-29070

34

City of Des Moines  
Office of the City Clerk  
PO Box 10326  
Des Moines, IA 50306-0326

CITY  
EXHIBIT

V



Please check here if you have changes to any information below.

JESSICA WRIGHT  
802 E COUNTLINE RD  
#158  
DES MOINES, IA 50320  
Phone: 515-2569003

Location: 802 E COUNTY LINE RD 802  
Case: PET2008-00569  
Project: ZOO2008-00303

**2008 CITY OF DES MOINES ANIMAL LICENSE**

*License due January 1, \$50 penalty added to each license after March 31*  
**DON'T WAIT - APPLY TODAY**

08/18/08  
GJN

PET2008-00569

KALI

Dog

BOXER PITBULL &gt; Female

4763

08/20/2008

35150 20240

2008-29070 30

State Farm Fire and Casualty Company

Applicant Name:  
Binder Effective Date:  
15-BB-G023-1WRIGHT, COURTNEY  
04-05-2008CITY  
EXHIBIT

IA

Renters  
Application / Binder-Receipt

W

## NEW BUSINESS

APPLICANT: WRIGHT, COURTNEY

CO-APPLICANT(S):

WRIGHT, JESSICA

MAILING ADDRESS: 802 E COUNTY LINE RD TRLR 158  
DES MOINES, IA 50320-6607PROPERTY LOCATION: 802 E COUNTY LINE RD TRLR 158  
DES MOINES, IA 50320-6607

## COVERAGES / PREMIUM SECTION:

Type: RENTERS	Policy Deductible:	500		
	Limit	Premium	Endorsements	Limit Premium
<b>Policy Coverage</b>				
<b>Section I</b>				
Personal Property (Coverage B)	30,000	91.00		
<b>Section II</b>				
Personal Liability (Coverage L) each occurrence	500,000	17.00		
Medical Payments (Coverage M) each occurrence	5,000	3.00		
Credit Card / Bank Card and Forgery	1,000			
Damage to Property of Others (Each Occurrence)	500			
Loss of Use (Actual Loss Sustained)				
<b>Loss Settlement Options</b>				
Loss Settlement Option - Personal Property	B1 - Limited Replacement Cost	22.00		
<b>Accepted Options</b>			<b>Declined Options / Endorsements</b>	
Jewelry and Furs	2,500 / 5,000 Option JF	32.00	Add Insured - Special Event	
Silver/Goldware Theft - Option SG	2,500 Included		Back-Up Dwelling/Property	10,000
Business Property - Option BP	1,000 Included		Back-Up Dwelling/Property	10,000 / 25,000
Firearms - Option FA	2,500 Included		Back-Up Dwelling/Property	10,000 / 10,000
Home Computer - Option HC	5,000 Included		Business Property - Option BP	2,500
			Business Property - Option BP	5,000
			Business Pursuits - Option BU	
			Earthquake Endorsement	
			Firearms - Option FA	5,000
			Home Computer - Option HC	10,000
			Incidental Business - Option IO	
			Jewelry and Furs	1,000 included
			Jewelry and Furs	1,500 / 2,500 Option JF
			Nurses' Professional Liability	
			Off Premises Structures	15,000
			Personal Injury	
			Rented Personal Property	
			Silver/Goldware Theft - Option SG	5,000
			Silver/Goldware Theft - Option SG	7,500
			Silver/Goldware Theft - Option SG	10,000
			Waterbed Liability	

## Discounts / Charges

Claim free discount	(5.00)
Home alert	(4.00)
<b>Total Premium:</b>	<b>\$162.00</b>

2008-29070

## State Farm Fire and Casualty Company

Applicant Name: WRIGHT, COURTNEY  
 Binder Effective Date: 04-08-2008  
 15-BB-G023-1

1A

Renters  
 Application / Binder-Receipt

Amount Paid: \$162.00  
 Credit Amount: \$0.00  
 Balance Due: \$0.00

## UNDERWRITING:

Has applicant had any losses, insured or not, in the past 5 years: No  
 Has any insurer or agency canceled or refused to issue or renew similar insurance to the named applicant or any household member within the past 3 years: No  
 Has the applicant been convicted of arson, fraud, or other insurance related offenses: No

## APPLICANT(S) ACKNOWLEDGEMENT:

By submission of this application, you agree that: (1) You have read this application, (2) your statements on this application are correct, (3) the coverages, including options and endorsements, and the amounts of coverage on this application are those chosen by you, and (4) the premium charged must comply with State Farm's rules and rates and may be revised.

## BINDER:

State Farm will provide coverage to the applicant and his or her legal representative on the property described for up to ninety (90) days from the Effective Date, subject to all terms and conditions of the policy and endorsements for which application has been made. If no Effective Date is indicated, this Binder does not provide any coverage. This Binder will be void when the declarations page is issued on the policy for which application has been made or when coverage under this Binder is canceled in accordance with policy provisions.

The premium due State Farm for the coverage provided by this Binder will be the full annual premium for the policy for which application has been made, and will be pro-rated for the length of time coverage is provided under this Binder.

## AGENT INFORMATION:

App date and time: 04-08-2008, 11:22 AM

Agent: Glenn Waterhouse III

Agent / AFO Code: 3821 / F179

Agent Phone: (515) 223-5566

Location Address: 5501 NW 95 Ste 700  
 Johnston, IA 52131-1820

## IMPORTANT NOTICES

## REGARDING CLAIM FREE DISCOUNT...

If you are a new applicant, the Claim Free Discount Plan, if in effect in your state, provides a premium discount if you have not had any claims considered for the Plan in the five-year period before applying for coverage with State Farm. When rating new applicants, State Farm considers all claims, including weather-related claims, that resulted in property damage or injury.

If you are a current policyholder and have been insured by State Farm for three or more years, the Claim Free Discount Plan provides a premium discount if you have not had any claims considered for the Plan in the most recent three year period since becoming insured with State Farm. Claims considered for the Plan generally include claims resulting in a paid loss and, depending on the Claim Free Discount Plan that applies in your state, may include weather-related claims. Additionally, if you have been insured with State Farm for less than three years, your claim record in the five-year period before applying for coverage with State Farm may affect your eligibility for the Claim Free Discount. To find out whether a Claim Free Discount Plan is in effect in your state and to learn more about the Plan and the claims we consider for the Plan, please contact your State Farm agent.

## REGARDING CONSUMER REPORTS...

Consumer reports, including credit and insurance loss history reports, may be ordered in conjunction with this application. We may also obtain and use a credit-based insurance score developed from information contained in these reports. We may use a third party in connection with the development of your insurance score. These reports provide information that assists with determining your eligibility for insurance and the price you are charged.

## REGARDING YOUR COVERAGE AMOUNT...

The State Farm replacement cost is an estimated replacement cost based on general information about your residence. It is developed from models assuming a variety of contents in a typical unit. The actual cost to replace your personal property may be significantly different. State Farm does not guarantee that this figure will represent the actual cost to replace your personal property. You are responsible for selecting the appropriate amount of coverage. Higher coverage amounts may be selected and will result in higher premiums.

Page 03 of 03  
 KFAH



2008-39070

State Farm Fire and Casualty Company

Applicant Name:

WRIGHT, COURTNEY

Binder Effective Date:

04-06-2008

15-BB-G023-1

IA

Renters

Application / Binder-Receipt

## IMPORTANT NOTICES (Continued)

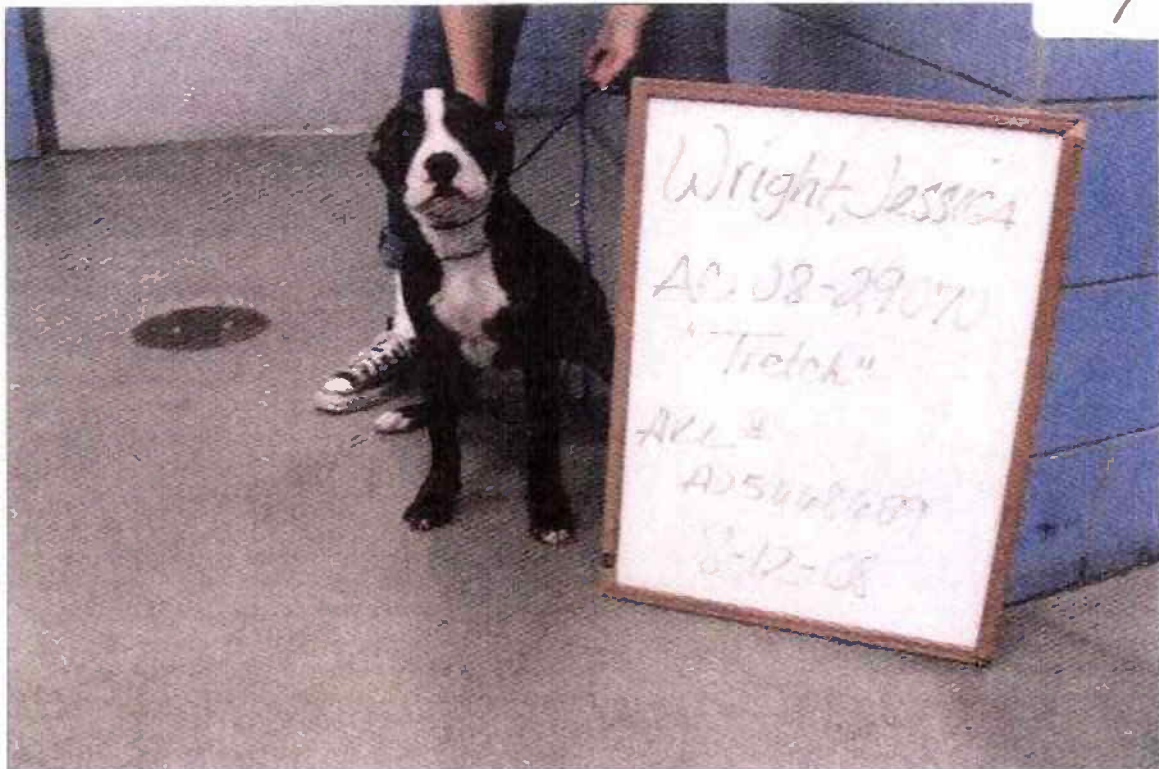
## REGARDING CLAIM RECORD RATING PLAN...

The longer you are insured with State Farm, and the fewer claims you have, the lower your premium. Our Claim Record Rating Plan determines if a premium discount or premium increase applies. The premium adjustment is based on the number of years you have been insured with State Farm and on the number of claims that we consider for the Plan. Depending on the Claim Record Rating Plan that applies in your state, claims considered for the Plan generally include claims with State Farm resulting in a paid loss. And depending on your state's Plan and your tenure with State Farm, any claims with your prior insurer resulting in property damage or injury may also influence your premium. For further information about whether a Claim Record Rating Plan applies in your state and to learn about the claims we consider for the Plan, please contact your State Farm agent.

X



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08/28/2008

To Whom It May Concern--

I received a letter from the City of Des Moines stating that they had made a decision after a hearing held on 08/20/2008, to destroy my 2 dogs Kali and Tretch. I'm writing to let you know that my husband and I are appealing this decision because my dogs are not vicious or dangerous. I have witness statements from neighbors in the area as well as my vet and our maintenance man who state that on numerous occasions they have played with and encountered my dogs and state that they are not dangerous animals. I also have a written statement from a neighbor who witnessed the events on the day in question who saw and heard the accuser admit to harassing us with letters and threats to have our dogs taken and us put out of the place we live as well as her throwing dead animals in my yard such as kittens and rotten cat fish heads. She stated that my dogs had blood all over their faces from supposedly killing a "stray" cat and a rabbit, which, by the way, was never found. She said that they broke in the cage originally then said to the sergeant when he called that they were cleaning out the cage and my dogs jumped in got the rabbit and took off with it. If this was true then why did my dogs not have blood on them shortly after when she and officer Bales confined them and why at court did they bring the picture of Kali from April where she had wounds from barbed wire instead of one from this incident? This lady also told the sergeant that she has seen a litter of puppies in my yard and that my puppy Tretch was one of Kali's puppies. Well this is another lie that she told that you believed because Kali has never had puppies and I have proof that we got Tretch from one of our friends in Osceola when he was 6 weeks old (which was when I took him to my vet in May and they couldn't give him his rabies shot because he was too young which would make him under 5 months now which is why he has not been licensed.) I would also like to bring officer Bales in because she said that she would be a witness that our dogs are not violent, just playful, and she also stated to me the day she was called over that the women who accused my dogs of this changed her story so since the things she was saying were faulty she found it hard to believe her. I understand that you believe that this is a serious thing and if my dogs had really done this I would understand that it was semi serious; however my dogs would never hurt a human. My dogs have never tried to hurt my cats or my neighbor across the streets cats so how is it that my dogs are singling this lady and all her animals out? If I felt that my dogs were dangerous I sure would not have them around my baby (14mo.) or our other 3 kids under the age of 6. So the letter sent said if I wished to appeal this decision that I needed to notify the City Clerks Office before 3 days and state why I'm appealing. So, this is my appeal letter and the reasons why. All you see is a dog that seems to the sergeant to be predominately a pit bull. Not a puppy and not family dogs, my children's pets or a loving, good, dog that's part of our family. I know that some pit bulls are dangerous, due to the fact that that's how the owners trained them, but my dogs are not like those dogs!

Jessica Wright,

08/28/2009

DES MOINES, IOWA  
CITY CLERK

2008 AUG 29 AM 11:30

FILED

September 2, 2008

Jessica Wright  
802 SE County Line Road #158  
Des Moines, IA 50320

RE: Dangerous Animal Declarations

This is to acknowledge your appeal of the Hearing Officer's decision regarding declarations of Kali and Tretch as a "dangerous animals."

Your hearing before the City Council has been scheduled for Monday, September 8, 2008. The meeting starts at 4:30 p.m. Parking is available on the streets surrounding City Hall. Enclosed is a copy of the Administrative Hearing transcript.

If you have any questions regarding this matter, please contact me at 283-4209.

Sincerely,



Diane Raue  
City Clerk

DR:kh

cc: Hearing Officer  
Legal  
Assistant City Attorney  
Sgt Raudabaugh



DIANE RAUE  
CITY CLERK  
CITY HALL 2ND FLOOR  
400 ROBERT D. RAY DRIVE  
DES MOINES, IOWA 50309-1691  
(515) 283-4209  
FAX (515) 237-1645  
www.dmo.gov

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## ADMINISTRATIVE HEARING TRANSCRIPT

August 20, 2008

City v. Wright

Vicious Dog

HEARING OFFICER LEANN DUCEY: Good afternoon. My name is LeAnn Ducey and I'm an Administrative Hearing Officer. It is 1:00 p.m. on August 20, 2008 and we are conducting an administrative hearing on dangerous dog declarations. The appellant is Jessica Wright. When I call you to give testimony today please come up to the podium, speak into the microphone and state your full name and address for the record. You will then be sworn in. This is an informal hearing and to that matter the hearing is now open. Would the representative from the City please come forward, identify yourself and present any information you have pertaining to this hearing.

SERGEANT SCOTT RAUDABAUGH: I'm Sergeant Scott Raudabaugh with the Des Moines, Iowa, Police Department. I'm assigned to the animal patrol unit as the supervisor and by City ordinance I serve in the capacity of the Chief Humane Officer for the City of Des Moines, Iowa.

HEARING OFFICER LEANN DUCEY: Please raise your right hand. Do you Sergeant Raudabaugh, swear or affirm the testimony you are about to give is the truth, the whole truth and nothing but the truth?

SERGEANT SCOTT RAUDABAUGH: Yes.

HEARING OFFICER LEANN DUCEY: Go ahead.

SERGEANT SCOTT RAUDABAUGH: I'd like to start out by submitting some documents for the record.

HEARING OFFICER LEANN DUCEY: Okay.

SERGEANT SCOTT RAUDABAUGH: I've got just one set of pictures rather than three.

HEARING OFFICER LEANN DUCEY: Okay.

SERGEANT SCOTT RAUDABAUGH: I'm going to submit them for the record and if Ms. Wright would like to take a look at them, I'll retrieve them from you or she can retrieve them from you.

HEARING OFFICER LEANN DUCEY: Okay.

SERGEANT SCOTT RAUDABAUGH: I've got three sets of the actual written documents. One for you that I'd like to submit, one for Ms. Wright if she'd like to look at it and one for myself.



HEARING OFFICER LEANN DUCEY: Okay. Thank you. I'll submit these as City Exhibits A through, I'm not sure what it's going to go through. Go ahead and I'll look at these while you're talking.

SERGEANT SCOTT RAUDABAUGH: Okay. I'll kinda start out and explain a few things, uh, and then also as I'm going we'll kind of go through the information that's relevant to this issue. The first documents there are copies of a City ordinance pertinent to what is happening today. The definition of a vicious dog, uhm, and I'm not going to go through all that, uhm. The next is how a vicious dog is supposed to be confined or leashed. The next is a definition of a dangerous animal. Following that is, it talks about processing a vicious dog that is not properly confined and involved in an unprovoked bite and then last but not least as far as City ordinances, uh, the processing and disposition and seizure of a dangerous animal.

HEARING OFFICER LEANN DUCEY: Okay.

SERGEANT SCOTT RAUDABAUGH: On August 12, 2008, Mr. Wright's brindle and white colored Pit Bull breed dog named Kali and her other brindle and white colored Pit Bull breed dog named Tretch were running at large when they bit and killed a domestic rabbit that was owned by a neighbor. That rabbit was within a round circular cage, if you will, while the owner was cleaning out the hutch. Uh, the rabbit was never located. Either the rabbit was killed and drug away and left some place or actually possibly eaten by the two dogs. Also the two dogs bit and killed a stray cat that was in the trailer court. That cat was retrieved and was subsequently sent to Iowa State for rabies testing as a precaution and tested negative. That was all, that information was all documented under Des Moines Case 2008-29070. Ms. Wright's two dogs, one of them, Kali as I mentioned before, uhm, was licensed after it was impounded on a previous incident. Uhm, like I say, it was licensed. However, the other dog, Tretch, is at or about six months of age and is not licensed. I checked with the City Clerk's Office and that dog is not listed on, in the paperwork for Ms. Wright. Kali is, but Tretch is not. Uhm, back to the paperwork. The document following the City ordinance is a copy of the dangerous animal declaration letter that was, that was served on Ms. Wright and there's a form behind that. I've got copies of the pertinent case relevant to the bit. The evaluation sheets by the City Veterinarian that evaluated both dogs, both Kali and Tretch and indicate that they both are exhibited, exhibit characteristics of being predominately Pit Bull breed type dogs, or vicious dogs. There's some miscellaneous documents relevant to the rabies examination of the cat. Uhm, some other documents. And then as I mentioned, Ms. Wright's, one of her dogs, Kali was impounded on the 7<sup>th</sup> of April under Des Moines Case 2008-11761, that's 11761. At that time, Ms. Wright's Pit Bull breed dog named Kali and also a, Shepard mix dog belonging to Ms. Wright were running at large on that date. It was found that neither dog was licensed at that time. Information relevant to that incident is documented in that report. And, a, on that incident, Ms. Wright, her dog Kali was evaluated by the Veterinarian, the City Veterinarian, and determined to exhibit predominant characteristics of a Pit Bull breed dog. Ms. Wright was, was served with a, a letter to that effect back in April and subsequently she reclaimed the dog and licensed it with the City Clerk's Office. And part of that process is that she signed what's called a blue letter and there's a photocopy of it. It's kind of a, not a clear copy, but it's certainly clear enough to show that she signed that she would properly confine and leash it and that was prior to this recent incident. And that's all I have at this point.

HEARING OFFICER LEANN DUCEY: Okay. Thank you. Jessica Wright, do you want to come up please? Please state your name and address.

JESSICA WRIGHT: Uh, Jessica Wright, 802 East County Line Road, Lot 158, Des Moines, Iowa, 50320.

HEARING OFFICER LEANN DUCEY: Please raise your right hand. Do you Jessica Wright, swear or affirm the testimony you are about to give is the truth, the whole truth and nothing but the truth?

JESSICA WRIGHT: Yes.

HEARING OFFICER LEANN DUCEY: Okay. Is, a, Stretch...

JESSICA WRIGHT: Tretch.

HEARING OFFICER LEANN DUCEY: Tretch, I'm sorry. Does Tretch have current rabies?

JESSICA WRIGHT: No, and Officer Bales, the, uhm, lady that came, that was called that day, she knows, she called my vet so they could confirm it. Uhm, I took Tretch into the vet to get his shots and rabies, but he was too young. He was only six weeks when I took him in in May. Uhm, and I've been in between jobs so I haven't been able to get back. But when she called him that day cause I didn't have, I didn't have proof of shots or rabies cause I didn't get his rabies.

HEARING OFFICER LEANN DUCEY: Okay.

JESSICA WRIGHT: Uhm, they confirmed to her that, that that was true. That was the reason he had not had his rabies and I can't, as far as I was aware of, get him registered until I have his rabies.

HEARING OFFICER LEANN DUCEY: Right. I just didn't see a rabies vaccination.

JESSICA WRIGHT: Yeah, I know. That's true.

HEARING OFFICER LEANN DUCEY: So go ahead and tell me why you're here today.

JESSICA WRIGHT: Uhm, well because I got a letter to come here. Can I just tell you like what happened as far as like what I was aware of?

HEARING OFFICER LEANN DUCEY: Uhm, huh.

JESSICA WRIGHT: Okay. On that day, I don't remember the exact date, but whatever date he told you. Uhm, dogs did get out. I did not have them on a chain. I had them on shock collars cause that's what I do because they can break the chains. Uhm, I forgot to turn it on. I only had Kali on it cause Tretch, you know, he's still a puppy, he doesn't

usually go anywhere. We just got him not that long ago when he was six weeks. Uhm, they ran away. I tried to do the shock collar thing and that's when I realized it wasn't on cause it didn't work. So my husband and I, we went outside. We tried to get the dogs. I saw them and I went to try to grab them and she still ran away. She's playful. She runs away you know. I don't just let her out. Like, I have had her confined. You know what I mean. She got out. I have a 13-month old. He opened the door and that's how it actually happened. But anyways, uhm, the lady that called on me, and I don't know her name and I don't know her address or anything like that. Uhm, a little while later came and pounded on my door and she was like, you know, using profane language and, you know, your dogs got out. They got in my yard. They killed my stray cat in front of my grandson. They also got in my rabbit's cage and got my rabbit out and killed my rabbit and I'm gonna get you put out of here and I'm gonna get your dogs put out of here and blah, blah, blah, and I got a shotgun and I'm gonna use it and stuff like that, you know. She was mad understandably, you know. So I was like, okay, you know. And she said she called Animal Control so I just kinda sat back and waited for Animal Control. Uhm, previous to this I have had incidents of people throwing dead cats in my yard. I have incidences, and you could ask the office, you can ask any of my neighbors, people have been throwing like catfish heads in my yard. It's just stuff. And coincidentally, a couple days later my dogs attacked a cat. Whether it happened or not I don't know cause I never saw my dogs afterwards. I, that's, those pictures are from, you know, I would like to see them just to see if they had any blood cause I don't know. Uhm, just step up here?

HEARING OFFICER LEANN DUCEY: You can just.....

JESSICA WRIGHT: So.

HEARING OFFICER LEANN DUCEY: Are those your dogs?

JESSICA WRIGHT: Yeah, yeah, yeah. These are my dogs. That's correct. Is that,

HEARING OFFICER LEANN DUCEY: You need to go up to the microphone so we make sure we get it recorded, okay. Yes, Sergeant Raudabaugh can come up.

JESSICA WRIGHT: Do you know if this, if it's blood or if it's like, what is it? I can't really tell. Is it blood? Like did you guys, like, confirm that it was blood? (Inaudible)

HEARING OFFICER LEANN DUCEY: Can you please come up closer to the microphone cause we are recording this.

JESSICA WRIGHT: Sorry. Cause the reason I'm asking is because, uhm, I'll keep talking if. Did you know...

SERGEANT SCOTT RAUDABAUGH: Let me answer your question. I don't know if it's blood. It certainly has the appearance that it could be consistent with blood. I don't know if it is. Uh, we certainly didn't take a blood sample off of the dog, but, like I say, I cannot say with certainty that that is blood, no, but it certainly has the consistency of it.

JESSICA WRIGHT: The reason I asked is because the last time she ran away there's these fields up here that she runs into and there's barb wire. And last time, I don't know if



it's documented or not, she was cut up similar to that and had blood all over her from that so I just didn't know. You know, I wanted to know if there was proof that she had blood on her or not because, uhm, like I said, I sat back and I waited for Animal Control to come. Uhm, coincidently it was the same Animal patrol lady, Officer Bales, uhm, that had came the last time the lady called and said my dogs got out, which they did get out. You know I'm not going to sit here and say they didn't, they did. Uhm, she did not cite me because the lady she was talking to changed her story so much during her interview or whatever. She told her that, when she first went up she was mad and she had a cat. And the cat wasn't dead yet but it had been attacked ya know but it was still alive at that point. Uhm, I don't know if it ever died or not, but, it looked like it was probably gonna die. Uhm, she was holding the cat and she told, from what officer Bales told me, she was like ya know, her dogs got out. She has two Pit Bulls. They killed my cat. They broke into my rabbit's cage. They took my rabbit out. They killed my rabbit. And so officer Bales was like okay and then she was like, ya know, how did they break into the cage? I'm not sure what she said but she didn't show her the cage. And then, uhm, she was like so where's the rabbit? Well, they dropped the cat and they took the rabbit and ran off with the rabbit. Okay. No rabbit was found. And then she told, proceeded to tell her that this other tiger cat came up and then she was like, oh wait, this cat isn't mine. This is a stray cat. This cat's mine, and put it inside. And officer Bales, ya know, was like well you just told me that was your cat. No it's a stray cat. But they killed the dog - , the dogs killed the cat in front of me. So she come up and she was telling me the story and I let her know, ya know, about the previous instance with her about how she's been putting letters on my car. And I didn't save any of that because, I probably should have but I didn't. Uhm, I just have people that could document it, but I felt like that was pretty much irrelevant at this point. Anyways, after that, uhm, she told me that she wasn't gonna cite me. She was gonna go back down. She was interested in seeing the cage because my dogs are kennel trained. They live in a kennel when I'm at work from 9 to 6 when my husband's at work all day. They can't get in their kennel, they can't get out of their kennel unless we let them in or out of the kennel. So I was talking to her about that and like I said the lady that called in the report never showed her, ya know, was quick to show her her cat and quick to tell her everything else she did, but didn't have a cage to show her. She told me she was going to go down and say she'd like to see the cage because the people at my office said the day prior to this that her daughter was out there spraying out a cage. There was no rabbit. There was no rabbit around, but her daughter was out there spraying out a cage that day, uhm, is what Katharine from my office told me cause she went and complained to Katharine as well. She was upset. Uhm, so officer Bales told me she was gonna go down and she'd like to see the cage, to see the cage. She told me, ya know, she would come back up and let me know if there was a cage or anything else and she didn't. So to my knowledge what I'm assuming is there wasn't even a cage to show. The reason I don't know if I believe that my dogs really attacked her cat is because I have two cats. You know, my neighbor who lives right across the street from me, he has cats. My dogs play with his cats. They never tried to attack his cats. They've never attacked anything. You know, I'm not gonna say they didn't because I didn't get to see my dogs afterwards so I don't know what they looked like. But, ya know, I have a 13-month old. They lay with him. I have cats. They're nice to them. They play with them. Especially Tretch is really playful, you know so I just, I don't know. That's just why I'm here I guess. They were at large, I, I do admit. They were.

HEARING OFFICER LEANN DUCEY: You previously signed this, what Sergeant Raudabaugh referred to as a blue sheet.

JESSICA WRIGHT: Right.

HEARING OFFICER LEANN DUCEY: Do you know what he's talking about?

JESSICA WRIGHT: Uhm, I know I signed it when I picked him up. I kinda got the gist of what it says.

HEARING OFFICER LEANN DUCEY: And you are aware that, uh, the dogs either have to be inside or they have to be on a leash or in a fenced in yard? You are aware of all that?

JESSICA WRIGHT: Uh, huh.

HEARING OFFICER LEANN DUCEY: Nowhere does it say anything about a shock.

JESSICA WRIGHT: Right.

HEARING OFFICER LEANN DUCEY: And you signed this?

JESSICA WRIGHT: Right.

HEARING OFFICER LEANN DUCEY: And you still had your dog, you weren't complying with this blue sheet, correct?

JESSICA WRIGHT: Right, yes.

HEARING OFFICER LEANN DUCEY: Can you tell me why?

JESSICA WRIGHT: Well, because my shock collars work better than the leashes. Like they're usually always inside.

HEARING OFFICER LEANN DUCEY: That's not what you signed. That's not what you agreed to.

JESSICA WRIGHT: Right. Well, I didn't read every little thing when I signed it. I, I'm, I know I'm supposed to have, that anybody's supposed to have their dog on a leash. I understand that. My dogs break their leashes so to me a shock collar worked better because all I had to do was push a button and they wouldn't go anywhere. So I figured that was a better training tool to make them stay around than just to put them on a leash that they're just going to break.

HEARING OFFICER LEANN DUCEY: Okay. Alright. Do you have anything else to present today?

JESSICA WRIGHT: No.



HEARING OFFICER LEANN DUCEY: Sergeant Raudabaugh, do you have anything else to present today?

SERGEANT SCOTT RAUDABAUGH: About the only thing I'd like to add is officer Bales mentioned that she didn't issue citations. She was, that particular day she was waiting for the City Veterinarian to evaluate the dogs for their breed.

HEARING OFFICER LEANN DUCEY: Okay. Alright. Okay. I'm not going to issue a ruling today. I, uh, just very quickly looked over all the information that Sergeant Raudabaugh provided to me so I need to carefully look that over. I take, uhm, these dangerous dog declarations very seriously as does Sergeant Raudabaugh, I know. So I want to, before I do any ruling, I want to review everything very thoroughly. So, uhm, I will try to get a ruling out this week. I'm not sure if I will be able to. If not it will be Monday or Tuesday of next week and that will be hand-delivered to you. Upon receipt of that, that will be my final, uhm, determination. Should you disagree, you do have the right to request a hearing before the City Council, okay. So I will get this information to you as soon as possible.

JESSICA WRIGHT: Uhm, I guess, can I ask a question?

HEARING OFFICER LEANN DUCEY: Uh, huh.

JESSICA WRIGHT: Because I mean I understand that my dogs are vicious by breed and I understand that you guys deemed them dangerous even though, in my opinion, they are not. But, any dog will chase a cat. You know what I mean? Yes, my dog was at large, but, yes, her, stray, what she had told me at first was her cat was at large too. So I don't know,

HEARING OFFICER LEANN DUCEY: Cats can be at large. Cats do not have to be tied up.

JESSICA WRIGHT: Right, but in our, like, trailer court, on our lease, it said that no cats or dogs are allowed to be at large and if the cats are at large then they need to have their collars that have their rabies and stuff too.

HEARING OFFICER LEANN DUCEY: So you were not following that either?

JESSICA WRIGHT: No I wasn't, but neither was she, you know and for it being a stray cat, I mean I understand that the dogs killed a cat. Dogs do that. So, ya know, I don't feel like my dogs should be killed for, ya know, something that I don't believe that they did unless like someone can give me proof that, ya know, there's blood. They really did do that. Especially with the rabbit because...

HEARING OFFICER LEANN DUCEY: You don't feel responsible for what happened?

JESSICA WRIGHT: I feel responsible in the fact that they're my dogs and they got out because of me.



HEARING OFFICER LEANN DUCEY: And you were, and that you were not following the information that you signed.

JESSICA WRIGHT: Right, but I feel like she was also at fault as well.

HEARING OFFICER LEANN DUCEY: Okay.

JESSICA WRIGHT: You know, and if it's a stray cat, I mean, I understand, but any dog can chase a cat and any dog can kill a cat. And I've seen other dogs do things like that, ya know, but since my dogs happen to be predominately Pit Bulls, which my vet said they don't even have the bone structure of an actual Pit Bull. They do, ya know, they are, ya know, mixed or whatever, mixed with a breed of them, but they're not predominant. They are predominately, but not, ya know, she said they don't have the bone structure to be 100% a Pit Bull. But it doesn't really matter.

HEARING OFFICER LEANN DUCEY: Okay. Alright. Thank you very much. I will review everything thoroughly before I make a decision.

SERGEANT SCOTT RAUDABAUGH: Your option to look at it here.

HEARING OFFICER LEANN DUCEY: Did she want the pictures? I can make photocopies of the pictures if you wish.

JESSICA WRIGHT: Uhm, yeah, can you do that for me please?

HEARING OFFICER LEANN DUCEY: Yes, I will.

JESSICA WRIGHT: Will they be in color?

HEARING OFFICER LEANN DUCEY: Yes.

JESSICA WRIGHT: I mean, is a dog attack as serious like if a dog attacks a stray cat? Is it, to me it's not as serious as if the dog were to bite a human cause I know that my dogs wouldn't bite a human. Do you know what I mean?

SERGEANT SCOTT RAUDABAUGH: I understand what you're saying. Certainly an animal bite, an animal biting another animal is not as serious.

JESSICA WRIGHT: Okay. I just don't want them to put my dog to sleep. And like, as far as the rabbit goes, like just because that lady said they killed the rabbit, like, I mean, do you guys just automatically believe that?

SERGEANT SCOTT RAUDABAUGH: There is supporting evidence that's consistent with that.

JESSICA WRIGHT: Like what?

SERGEANT SCOTT RAUDABAUGH: The cage was there and...

JESSICA WRIGHT: (Inaudible).

HEARING OFFICER LEANN DUCEY: Okay. Here's copies of everything, and you can take a copy, set of that other. I will also be sending a set with you.

JESSICA WRIGHT: Of the same thing.

HEARING OFFICER LEANN DUCEY: Okay. Thank you everyone for coming in.

I, Renae Lampkin, certify that I transcribed the minutes of the August 20, 2008 Administrative Hearing pertaining to a vicious dog owned by Jessica Wright.

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Renae Lampkin