

★ Roll Call Number

Agenda Item Number
52

Date October 27, 2008

PUBLIC HEARING ON APPEAL OF
VICIOUS ANIMAL DECLARATION

WHEREAS, James Lloyd, 1909 Williams, owns a dog declared vicious by Des Moines Chief Humane Officer, Sgt. Scott Raudabaugh; and

WHEREAS, the declaration was upheld by the Administrative Hearing Officer following Mr. Lloyd's appeal of this declaration; and

WHEREAS, Mr. Lloyd requested an opportunity to address the City Council on the declaration; and

WHEREAS, Mr. Lloyd has been provided with the opportunity to address the City Council on the matter of his appeal of the administrative hearing officer; NOW, THEREFORE,

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

_____ Alternative One: That the administrative hearing officer's ruling be upheld.

MOVED BY _____ TO UPHOLD DECLARATION.

_____ Alternative Two: That the administrative hearing officer's finding be reversed.

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

Mayor

CERTIFICATE

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

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

City Clerk

EXHIBITS FOR VICIOUS ANIMAL**Baby Girl**

- EXHIBIT (A)** **Hearing Officer's Decision
(City Exhibits A-V)**
- EXHIBIT (B)** **Appellant Exhibit (1)**
- EXHIBIT (C)** **Appeal from Mr. Lloyd**
- EXHIBIT (D)** **Letter to Mr. Lloyd
(Setting date for appeal to Council)**
- EXHIBIT (E)** **Administrative Hearing Transcript**

October 16, 2008

James Lloyd
1909 Williams Street
Des Moines IA 50317

RE: Administrative Hearing – Declaration of Vicious Dog

Dear Mr. Lloyd:

At your request the City of Des Moines scheduled an Administrative Hearing on October 9, 2008, at 1:00 p.m. regarding the declaration of your mixed breed dog, Baby Girl, to be a “vicious dog” 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 Sec 18-41 Definitions (Vicious Dog)
- City Exhibit B – Municipal Code Sec 18-59 Seizure, Impoundment and Disposition of Vicious Dogs
- City Exhibit C – Letter dated October 3, 2008 providing date and time of Administrative Hearing
- City Exhibit D – Document Service dated October 3, 2008
- City Exhibit E – Letter dated October 3, 2008 from James Lloyd requesting Administrative Hearing on Vicious Dog Declaration
- City Exhibit F – Letter dated October 1, 2008 from Sergeant Raudabaugh to James Lloyd declaring his dog to be a “Vicious Dog”
- City Exhibit G – Document Service dated October 1, 2008
- City Exhibit H – Animal Incident Investigation Report #08-35803 (3 pages)
- City Exhibit I – Supplemental Report #08-35803 dated October 1, 2008
- City Exhibit J – Supplemental Report #08-35803 dated October 7, 2008
- City Exhibit K – Animal Incident Investigation Report #08-33241, dated September 11, 2008
- City Exhibit L – Rabies Certificate
- City Exhibit M – Supplemental Report #08-33241, dated September 12, 2008
- City Exhibit N – Case Investigation Report #08-33241, dated September 12, 2008 (2 pages)
- City Exhibit O – Citation on case #08-33241, dated September 12, 2008



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

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1949, 1976, 1981,
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James Lloyd
October 16, 2008
Page Two



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- City Exhibit P – Complaint and Probable Cause, case #08-33241, dated September 12, 2008
- City Exhibit Q – Animal Incident Investigation Report case #08-33241
- City Exhibit R – Supplemental Report, case #08-33241, dated September 17, 2008
- City Exhibit S – Supplemental Report, case #08-33241, dated September 18, 2008
- City Exhibit T – Supplemental Report, case #08-33241, dated September 18, 2008
- City Exhibit U – Supplemental Report, case #08-33241, dated September 21, 2008
- City Exhibit V – Animal Incident Supplemental Report, case #08-33241, dated September 22, 2008

Sergeant Raudabaugh said that on September 30, 2008, James Lloyd's dog, a black and brindle mix breed dog named Baby Girl, was running-at-large when it chased after and bit a person jogging by Mr. Lloyd's residence. Animal Control was sent to the residence and found the dog, but Mr. Lloyd was not home. Shortly thereafter, Mr. Lloyd's mother arrived. Mr. Lloyd's dog was impounded because it was running-at-large and was not displaying a current rabies tag or dog license, which had recently been issued.

Sergeant Raudabaugh said that on September 11, 2008, Mr. Lloyd's dog was also running-at-large when it went into a neighbor's yard and attacked the neighbor's dog that was tied in its own yard. The owner of the victim dog was trying to defend his dog, when he was bitten. Sergeant Raudabaugh said that after the September 11, 2008 incident, Mr. Lloyd's dog was brought to the Animal Shelter for breed identification. The City Veterinarian determined Mr. Lloyd's dog did not exhibit the predominate characteristics of a vicious dog and it was released for home quarantine. On September 17, 2008, Animal Control responded to a complaint that Mr. Lloyd's dog was again running-at-large, so it was impounded for the remainder of the quarantine at the Animal Control Shelter.

Sergeant Raudabaugh stated that because there were three bites (two bites to a person and one animal-on-animal bite) and Mr. Lloyd's inability/unwillingness to keep his dog, Baby Girl, under control, Sergeant Raudabaugh declared Mr. Lloyd's dog to be a vicious animal in a letter dated October 1, 2008.

James Lloyd
October 16, 2008
Page Three

Sergeant Raudabaugh said if the declaration is upheld, James Lloyd will be able to reclaim his dog if he gets the proper insurance necessary to license a vicious dog, and agrees to the special confinement of a vicious dog.

James Lloyd submitted two pictures and several letters into evidence (Appellant Exhibit 1). Mr. Lloyd said the man should not have tried to break up two dogs when they are fighting. Mr. Lloyd said he never heard anything from this man and according to the letter from Sergeant Raudabaugh, the jogger said there was a bite that caused a bruise. Mr. Lloyd said the bruise could have been caused by the dog jumping on the jogger, or the bruise might have already been there. Mr. Lloyd said if his dog is returned, he will make sure the backyard is fenced so his dog cannot get out again.

Diane Lorenz testified in Mr. Lloyd's defense and said she has two dogs of her own. Ms. Lorenz said her dogs play together and it sometimes might look like they are fighting, but they are just playing. Ms. Lorenz said she has a foster child who has an 18 month old baby that plays with Baby Girl and has never been hurt. Ms. Lorenz said that sometimes dogs just get loose.

Betty Lloyd, mother of James Lloyd, said she has been around Baby Girl since she was a pup and that the dog likes to play. Ms. Lloyd said no one should put their hand between two dogs that are playing because you would not know who bit you. Ms. Lloyd said regarding the jogger, you can tell a bite and that a bruise would not show up for awhile.

Josy Ennenga said she is James Lloyd's niece and that Baby Girl is not vicious. Ms. Ennenga said she and her boyfriend play and wrestle with Baby Girl and no one has been bitten. Ms. Ennenga said the neighbor children also play with Baby Girl.

Sergeant Raudabaugh said there are approximately 198,000 people and over 40,000 cats and dogs, along with other animals in the City of Des Moines. Animal Control needs to pay attention and take it seriously when a dog is running-at-large, going to neighbors' homes and bothering them and chasing joggers. Sergeant Raudabaugh said that was what happened in this case and the goal is not to destroy Mr. Lloyd's dog, but to control the dog.

I am upholding Sergeant Raudabaugh's declaration of James Lloyd's dog, to be a "vicious dog." The reasons for this determination are as follows:



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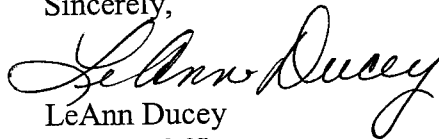
ALL-AMERICAN CITY
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James Lloyd
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Page Four

- Mr. Lloyd's dog, Baby Girl, is a "vicious" dog as defined by Section 18-41 (1), (2), (3).
- Mr. Lloyd's dog, Baby Girl, has bitten on two separate occasions: September 11, 2008, Case #08-33241 (a dog and the dog's owner) and September 30, 2008, Case #08-35803 (a person)
- Mr. Lloyd's dog, Baby Girl, was running-at-large at the time of the above-referenced incidents, and was also picked up for running-at-large on September 17, 2008
- Mr. Lloyd failed to control or restrain his dog at the time of the attacks.

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.

CITY
EXHIBIT

B

Sec. 18-59. Seizure, impoundment and disposition of vicious dogs.

- (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 dog is a vicious dog as defined in this article, may declare such dog a vicious dog by delivering a written notice of declaration to the owner. The notice shall include a description of the dog and the basis for the declaration of viciousness. The notice shall also set forth that the owner shall be required to license and confine the dog as required by this article. 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.
- (b) The person owning, keeping, sheltering, or harboring the dog in question may contest the declaration of viciousness by filing a written request with the city clerk within three business days of the receipt of the chief humane officer's declaration. If at this time the owner agrees to confine the dog pursuant to section 18-56 of this chapter and submits to the clerk proof of insurance as described in section 18-44, the dog shall not be impounded pending appeal. Failure to file a request for hearing shall constitute a waiver of any right to contest the declaration of the chief humane officer, and the chief humane officer or his or her designee shall be authorized to seize and impound the dog. A dog so seized shall be impounded for a period of seven days. If, at the end of the impoundment period, the owner has not licensed and shown ability to confine the dog as required by this article the chief humane officer or his or her designee shall cause the dog to be destroyed.
- (c) The person owning, keeping, sheltering, or harboring the dog 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 dog in question and the basis for the allegation of viciousness. The notice shall also set forth that, if the determination of the chief humane officer is upheld, the owner shall be required to license and confine the dog as required by this article. The notice shall be served in the same manner as the declaration notice.
- (d) If, after hearing, the city manager or his or her designee upholds the determination of the chief humane officer that the dog is a vicious dog or is a vicious dog held in violation of this article, as set out in the notice of hearing, the city manager or his or her designee shall order the person owning, sheltering, harboring or keeping the animal to permanently license and confine the dog as required by this article. 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 order is not complied with within three days of its issuance, the city manager or his or her designee is authorized to seize and impound the dog. A dog 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 or has not complied with the order, the city manager or his or her designee shall cause the dog to be destroyed.
- (e) The order to license and confine a vicious dog 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. 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.
- (f) 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 20 days of the receipt of notice of appeal. The hearing may be continued for good cause. 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. The hearing shall be confined to the record made before the city manager or his or her designee, the arguments of the parties or their representatives, any additional evidence which was not

available at the time of the hearing before the city manager or his or her designee, and any other information the city council deems necessary.

(g) If the city council affirms the action of the city manager or his or her designee, the city council shall order in its written decision that the individual or entity owning, sheltering, harboring, or keeping such vicious dog shall license and confine the dog as required by this article. The decision and order shall immediately be served upon the person against whom rendered in the same manner as the notice set out in subsection (a) of this section. If the original order of the city manager or his or her designee is not appealed and is not complied with within three days or the order of the city council after appeal is not complied with within three days of its issuance, the chief humane officer or his or her designee is authorized to seize and impound such vicious dog. A dog 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 manager or his or her designee or the city council was issued has not petitioned the county district court for a review of the order or has not complied with the order, the city manager or his or her designee shall cause the dog to be destroyed in a humane manner.

(h) 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 is a misdemeanor.

(i) Any dog that is alleged to be vicious and that 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 dog is determined to be vicious. If the dog is not determined to be vicious, the owner shall only pay those costs attributable to initial confinement prior to notice or costs of any required quarantine.

(j) All vicious dogs shall have an identification microchip implant placed under the dogs skin. Prior to the release of a vicious dog from the animal shelter the owner shall pay the fee in the amount set in the schedule of fees adopted by the city council by resolution for the microchip identification procedure. If a contractor microchips a dog pursuant to this section, the contractor shall retain the fee.

(C85, § 7-27.04; O.11,095, 11,401; C91, § 7-27.04; O.13,320, 13,854, 14,462, 14,677)

C

October 3, 2008

Mr. James Lloyd
1909 Williams Street
Des Moines, IA 50317

Re: Administrative Hearing- Vicious Dog


A hearing has been set for **Thursday, October 9, 2008** in the City Council Chambers, south end of the second floor, **City Hall, 400 Robert D. Ray Drive, at 1:00 P.M.**

Parking is available on the streets surrounding City Hall--you will need change to pay the parking meters. Please alert the City Clerk's Office when you arrive.

Pursuant to Section 18-59 of the Municipal Code, (copy enclosed), you will be given an opportunity to be heard at the hearing.

If you have questions in this regard, please call.

Sincerely,

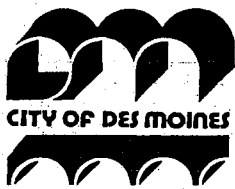


Diane Rauh
City Clerk

DR/kh

Enclosure

cc: Hearing Officer
Legal Assistant
Assistant City Attorney
Staff Notification
File



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

ALL-AMERICA CITY 1949, 1976, 1981



Animal Control

DOCUMENT SERVICE

Case number: 2008-35803

ARL number (If known): A06016183

Animal owner's name: JAMES LLOYD

Address: 1909 WILLIAMS ST.

Location of service: SAME

Name of person receiving document (print):

Their signature: James A Lloyd

Date and time served: 10/31/08 1925

Animal Control Officer serving document (print):

SHANNON SUFFY

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: APPEAL

HEARING DATE/TIME NOTICE

2008 OCT -6 PM 5:33

575-266-0298

2008-358032

James A. Lloyd
1909 Williams St.
W.S.M. - IA 50317

FILED

2008 OCT -3 PM 4: 50

CITY CLERK
DES MOINES, IOWA

CITY
EXHIBIT

E

Dear sirs,

I am requesting/demanding a hearing to prove to you that "Baby Girl" is not a vicious dog. merely a very lovable puppy who is excellent w/kids. a very friendly animal.

Sincerely
James Lloyd

KF ACC

F

October 1, 2008

Mr. James Lloyd
1909 Williams Street
Des Moines, Iowa

Mr. Lloyd,

On September 30, 2008 your black colored mixed breed dog, named "Baby Girl," was running at-large when it chased after and bit a person that was jogging by your residence. The bite caused a bruise but did not cause a broken skin injury. (2008-35803) Your dog was impounded and taken to the animal shelter because it was running at-large, it was not displaying the current city pet license and because of another similar and recent incident.

On September 11, 2008 your dog was running at-large when it entered a neighbor's yard and attacked and bit the neighbor's dog that was tied in its own yard, which caused injury to the neighbor's dog. During the attack the neighbor tried defending his dog when your dog bit him, which caused injury to your neighbor. (2008-33241)

Your dog was impounded and taken to the animal shelter for quarantine and for evaluation of breed characteristics. On September 12, 2008 you were allowed to "Home Quarantine" your dog. On September 17, 2008 your dog was again impounded and taken to the animal shelter because it was seen running at-large and your dog was kept at the animal shelter for the remainder of the quarantine.

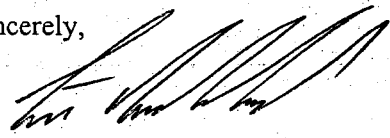
Because your dogs behavior it is being declared a "Vicious Dog," as defined by city ordinance 18-41. You may reclaim your dog by properly licensing it as a vicious dog with the City Clerk's Office and properly confining/leashing it as a vicious dog, however, if your dog is found unlicensed as a vicious dog in the City of Des Moines twice 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



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

ALL-AMERICA CITY 1949, 1976, 1981

G



Animal Control

DOCUMENT SERVICE

Case number: 2008 - 35803

ARL number (If known): _____

Animal owner's name: JAMES LLOYD

Address: 1909 WILLIAM S ST.

Location of service: SAME

Name of person receiving document (print):
James Lloyd

Their signature: X James Lloyd

Date and time served: 01 Oct 08 2015 hrs.

Animal Control Officer serving document (print):
DP SALES

Animal Control Officer's identification number: 7229

Type of document served: Vicious dog letter Dangerous animal letter Illegal animal letter Hearing ruling letter City Council decision letter Other: KE ACU

2008 OCT -1 PM 2:34

Animal Incident Investigation Report
Des Moines, Iowa Police Department

H

32. District: 2		33. Beat: 26		1. Impounded animal AHR/ARL number:		2. DMPC case number: 08-35803																									
3. Victim's name (Last, First M.I.): Baldrich, Ken (Human victim or society)				4. Race: W M A				5. Sex: M				6. Age: 4-8-8				7. Date of birth:				8. Ethnicity: H O N H A				9. Sobriety: Sob. <input checked="" type="checkbox"/> H.B.D. <input type="checkbox"/>							
Impounded or bite animal								10. Residence address: 2007 Williams (City and/or state if not Des Moines or Iowa)																							
34. Animal type: Other: "Baby Girl" Cat <input type="checkbox"/> Dog <input type="checkbox"/> Other <input checked="" type="checkbox"/>								11. Residence phone number: 963-5393								12. Business or cellular phone number:															
35. Animal breed: MIX								13. Place of employment or school: TRAFFIC MEADOWS.																							
36. Animal color: BRINK								14. Type and location of injury: (C) upper thigh																							
37. Animal fur length: Short <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>								15. Medical treatment: ADVISED																							
38. Animal sex: Female <input checked="" type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>								16. Reporting person's name (Last, First M.I.): Baldrich, Jackie																							
39. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> (Records Personnel: Enter M/C# as a serial number) M/C#:								17. Race: W F A				18. Sex: F				19. Age: A				20. Date of birth:				21. Ethnicity: H O N H A				22. Sobriety: Sob. <input checked="" type="checkbox"/> H.B.D. <input type="checkbox"/>			
40. Rabies tag: No <input type="checkbox"/> Yes <input type="checkbox"/> RT CURRENT NOT ON DES								23. Residence address: 2007 Williams (City and/or state if not Des Moines or Iowa)																							
40A. Date of vaccination:								40B. Date of vaccination expiration:								24. Residence phone number: 963-5393								25. Business or cellular phone number:							
40C. Veterinarian:								26. Location of incident (address): PO BOX OF WILLIAMS																							
41. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#: CURRENT NOT ON DES								27. Location type: RESIDENTIAL																							
42. Other identifiers (Collar, tattoo, etc.): BIR W SILVER BONS								28. Date and time incident occurred: 30 SEPT 08 1450								29. Date and time incident reported: 30 SEPT 08 1450															
43. Confinement/quarantine location: ISOB								30. Crime/incident type: INJURED PERSON								31. Classification:															
44. Impounded or bite animal owner's name (Last, First M.I.): Global James								45. Residence address: PO BOX WILLIAMS (City and/or state if not Des Moines or Iowa)																							
46. Residence phone number: 266-0298				47. Place of employment or school: UNEMPLOYED				48. Business or cellular phone number: 266-0298																							
49. Animal owner notification: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/>				49A. Date and time of notification: 30 SEPT 08				49B. Person making notification: BERNHARD				49C. Means of notification: DISPO PERSONAL																			
50. Witness' name (Last, first): Baldrich - Ken				51. Residence address: 2007 WILLIAMS (City and/or state if not Des Moines or Iowa)				52. Daytime or cellular phone number: 963-5393																							
53. Witness' name (Last, first): Baldrich - Jackie				54. Residence address: 2007 WILLIAMS (City and/or state if not Des Moines or Iowa)				55. Daytime or cellular phone number: 963-5393																							
56. Investigative notifications and/or photographs taken: Detective: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Ident. Technician: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> ACO Supervisor: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Photographs taken by ACO or PIO: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/>																															
Victim animal								57. Victim animal AHR/ARL number: Impounded: No <input type="checkbox"/> Yes <input type="checkbox"/> AHR/ARL#:								58. Animal type: Cat <input type="checkbox"/> Dog <input type="checkbox"/> Other <input type="checkbox"/>															
59. Animal breed:				60. Animal color:				61. Animal fur length: Short <input type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>																							
62. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>								63. Rabies tag: No <input type="checkbox"/> Yes <input type="checkbox"/> RT#:																							
64. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> M/C#:								63A. Date of vaccination:								63B. Date of vaccination expiration:															
65. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#:								63C. Veterinarian:																							
66. Type and location of injury:								67. Medical treatment:																							
68. Confinement/quarantine location:								69. Victim animal owner's name (Last, First M.I.):																							
70. Residence address: PO BOX (City and/or state if not Des Moines or Iowa)								71. Residence phone number:				72. Business or cellular phone number:																			
73. Reporting officer: BERNHARD 7232				I.D. No. 7232				74. Status: <input type="checkbox"/> Open <input type="checkbox"/> Closed <input checked="" type="checkbox"/> Excep. Closed <input type="checkbox"/> Case file <input type="checkbox"/> Suspended <input type="checkbox"/> Unfounded				75. Copy/copies made by:				76. Referred to: <input checked="" type="checkbox"/> Animal Control <input type="checkbox"/> Detectives <input type="checkbox"/> PIO <input type="checkbox"/> Chief <input type="checkbox"/> OPS <input type="checkbox"/> Other:															
77. Second officer:				I.D. No. 7232				78. Supervisor approving report: Tom Van...				I.D. No. 1470				79. Reviewed by: [Signature]															

80. Page: 2 of 3		Animal Incident Investigation Report Des Moines, Iowa Police Department				81. DMFD case number: 08-35803		
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. 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 <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. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>	
118. Citation number and crime:				119. Citation number and crime:				
120. Narrative: <p>Mr. Balduch, was jogging past 1900 BIR of Williams when the dog that lives at 1909 Williams (loose in the yard) chased after him and bit his (L) upper leg. There was no broken skin but bruising and swelling where there are tooth marks. I gave Mr. Balduch's wife a case number since her husband was en route to work, for an injured person. I then tried to catch the bite dog that was still loose. After several attempts I called for assistance from Officer Bauer (mechanic). As we approached the back yard, the mother of the dog owner arrived and caught the dog for us. Since dog owner was not at home to write citations, his mother put the dog on the truck for us to impound. This dog has been loose on several occasions and has bitten twice very recently, the dog should be reviewed by Sgt. Ruckelshaus for a possible vicious/dangerous status. Also when dog owner arrives please issue citations for dog at large, and no tags displayed.</p>								
						121. Date of this report: 30 Sept 08		

Animal Incident Supplemental Report
Des Moines, Iowa Police Department

1. Human victim or reporting person or animal owner name (Last, First M.I.):

Baldrich, Ken

2. Case number:

3585308-

3. Form used as a continuation of an Animal Incident Investigation Report:

4. Date of this report:

20 Sept 08

5. Date incident occurred:

20 Sept 08

6. Form used to report a follow-up investigation or additional information:

7. Crime/incident type:

INJURED PERSON.

Changed: Yes

8. Page: 3 of 3

9. If this report is a continuation of another report then indicate the box number(s) continued below:

As myself and officer Bauer were leaving the dog owner arrived very upset w/ his dog. He was advised to come to the shelter or call to speak with our Sgt. Reference a declaration upon this dog. He was given a case number and advised to keep in contact with us.

10. Reporting officer:

I.D. No.

Blanchard 7232

11. Status: Open Closed Excep. Closed

Case file Suspended Unfounded

12. Copy/copies made by:

13. Referred to:

Animal Control

Detectives PIO

Chief OPS

Other: _____

14. Second officer:

I.D. No.

15. Supervisor approving report:

I.D. No.

[Signature]

16. Reviewed by:

SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

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

2. Arrest No.

3. Case No. **08-35803**

<input type="checkbox"/> Form used as Continuation Sheet for Current Report		4. Date this Report 1 Oct 08	5. Date Original Occurrence 30 Sept 08
<input checked="" type="checkbox"/> Form used to Report Follow up Investigation or Supplemental Information		Officer Case Invest. Photos Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	6. Correct offense or Incident Classification Injured Person
7. Kind of Report Continued <input type="checkbox"/> Follow up or Supplemental or Prosecution <input type="checkbox"/> Traffic Accident		Witness Statement <input type="checkbox"/> Offense <input type="checkbox"/> Arrest <input type="checkbox"/>	8. Multiple Clear Up? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (list other case numbers in narrative)
9. Page No. 1 of 1	10. Traffic Citation No. N/A	11. Value of Property Recovered and Type \$ N/A	

CITY EXHIBIT
I

INSTRUCTIONS FOR FOLLOWUP OR SUPPLEMENTAL USAGE

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

ITEM NO.

on a previous report I stated Mr. Lloyd's dog was not showing proof of a current license, rabies tag. What I was trying to state was the fact that Mr. Lloyd's dog was current on shots and tags because it was previously involved in a bite and was allowed to home quarantine the dog. However he had neglected to put the current tags on the dog's collar when I picked him up, so the dog was in violation.

OFFICE USE ONLY

14. Reporting Officer Blanchard 7232	No.	15. Status (check one) <input checked="" type="checkbox"/> Ex. Closed <input type="checkbox"/> Closed <input type="checkbox"/> Suspended <input type="checkbox"/> Open	13. Date/Time Typed No.	Reproduced No.
17. Unit Referred To: ACU	18. UCR Disposition	19. Reviewer DA	No.	

SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

1. Complainant, Driver #1, Victim, or Arrestee	2. Arrest No.	3. Case No.
LLOYD JAMES		08-35803
4. Date this Report	5. Date Original Occurrence	
7 OCT 08	8 OCT 08	
6. Correct offense or Incident Classification	Changed <input type="checkbox"/> Yes	
Vicious Dog	<input checked="checked" type="checkbox"/> No	
7. Kind of Report Continued	8. Multiple Clear Up?	
<input type="checkbox"/> Follow up or Supplemental or Prosecution	<input type="checkbox"/> Yes (list other case numbers in narrative)	
9. Page No.	10. Traffic Citation No.	11. Value of Property Recovered and Type
1 of 1	NN	\$ NK

CITY EXHIBIT
J

Form used as Continuation Sheet for Current Report

Form used to Report Follow up Investigation or Supplemental Information

Officer Case Invest. Photos Yes No

Taken by

Witness Statement

Offense

Arrest

INSTRUCTIONS FOR FOLLOWUP OR SUPPLEMENTAL USAGE

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

ITEM NO.	
	ON TUESDAY OCTOBER 3RD AT APPROXIMATELY 1925 HOURS I DELIVERED A LETTER TO JAMES LLOYD AT 1909 WILLIAMS. THE LETTER WAS TO ADVISE MR LLOYD OF THE APPEAL HEARING DATE AND TIME.

OFFICE USE ONLY

14. Reporting Officer	No.	15. Status (check one)	16. Date/Time Typed No.	Reproduced No.
[Signature]	7235	<input type="checkbox"/> Suspended <input type="checkbox"/> Open		
Second Officer	No.	<input type="checkbox"/> Ex. Closed <input type="checkbox"/> Closed		
		Supervisor Approving	17. Unit Referred To:	18. UCR Disposition
		[Signature]	ACV	
			19. Reviewer	No.
			[Signature]	

2008 SEP 12 PM 5:24

1 of 3 52

Animal Incident Investigation Report
Des Moines, Iowa Police Department

32. District: 2		33. Beat: 26		1. Impounded animal AHR/ARL number:		2. DMPD case number: 08-33241			
34. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/> "Baby Girl"				3. Victim's name (Last, First M.I.): Wiano, Bruce (Human victim or society)				8. Ethnicity: <input type="checkbox"/> N <input checked="" type="checkbox"/> H <input type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> B <input type="checkbox"/> D <input type="checkbox"/>	
35. Animal breed: Pit Bull mix				4. Race: W M A		5. Sex: A			
36. Animal color: Brindle				6. Age: 8-4-52		7. Date of birth: 8-4-52			
37. Animal fur length: Short <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>				10. Residence address: 1918 E 42 (List city and/or state if not Des Moines or Iowa)				CITY EXHIBIT K	
38. Animal sex: Male <input type="checkbox"/> Neutered <input type="checkbox"/> Female <input checked="" type="checkbox"/> Spayed <input type="checkbox"/> Unknown <input type="checkbox"/>				11. Residence phone number: 262-8568		12. Business or cellular phone number: NA			
39. Microchip: UNK No <input type="checkbox"/> Yes <input type="checkbox"/> (Records Personnel: Enter M/C# as a serial number)				13. Place of employment or school: NA				15. Medical treatment: None	
M/C#:				14. Type and location of injury:					
40. Rabies tag: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> RT#: 08-896927				16. Reporting person's name (Last, First M.I.): Wiano, Bruce				17. Race: W M A	
40A. Date of vaccination:				17. Sex: A					
40B. Date of vaccination expiration:				18. Age: 8-4-52				19. Date of birth: 8-4-52	
40C. Veterinarian:				20. Ethnicity: <input type="checkbox"/> N <input checked="" type="checkbox"/> H <input type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> B <input type="checkbox"/> D <input type="checkbox"/>				21. Sobriety: <input checked="" type="checkbox"/> H.B.D. <input type="checkbox"/>	
41. License: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Lic#: 08-18157				23. Residence address: 1918 E 42nd (List city and/or state if not Des Moines or Iowa)				24. Residence phone number: 262-8568	
42. Other identifiers (Collar, tattoo, etc.): Silver chain rabies tag				24. Business or cellular phone number: NA				25. Business or cellular phone number: NA	
43. Confinement/quarantine location: 1615 SE 14 Isol				26. Location of incident (address): 1918 E 42nd				27. Location type: Residential	
44. Impounded or bite animal owner's name (Last, First M.I.): Lloyd, James				28. Date and time incident occurred: 11 Sept 08 1725				29. Date and time incident reported: 11 Sept 08 1918	
46. Residence phone number: 262-0298				30. Crime/incident type: Animal Bite				31. Classification:	
47. Place of employment or school: unemployed				45. Residence address: 1909 Williams (List city and/or state if not Des Moines or Iowa)				48. Business or cellular phone number: NA	
49. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>				49A. Date and time of notification: 11 Sept 08 2015				49B. Person making notification: Bales 7229	
49C. Means of notification: Personal				50. Witness' name (Last, first): Wiano, Bruce				51. Residence address: 1918 E 42nd (List city and/or state if not Des Moines or Iowa)	
52. Daytime or cellular phone number: 262-8568				53. Witness' name (Last, First): Wiano, Bruce				54. Residence address: 1918 E 42nd (List city and/or state if not Des Moines or Iowa)	
55. Daytime or cellular phone number:				56. Investigative notifications and/or photographs taken: Detective: No <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"/>				57. Victim animal AHR/ARL number: Impounded: No <input type="checkbox"/> Yes <input type="checkbox"/> AHR/ARL#:	
58. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/> "Sheba"				59. Animal breed: Whippet X				60. Animal color: tan/white	
61. Animal fur length: Short <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>				62. Animal sex: Male <input type="checkbox"/> Neutered <input type="checkbox"/> Female <input checked="" type="checkbox"/> Spayed <input type="checkbox"/> Unknown <input type="checkbox"/>				63. Rabies tag: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> RT#: 08-879598	
64. Microchip: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> M/C#:				63A. Date of vaccination:				63B. Date of vaccination expiration:	
65. License: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Lic#: 08-14342				63C. Veterinarian:				67. Medical treatment: None	
66. Type and location of injury: Punctures to both front legs & neck				68. Confinement/quarantine location: 1918 E 42nd Home Ct				69. Victim animal owner's name (Last, First M.I.): Wiano, Bruce	
70. Residence address: 1918 E 42nd (List city and/or state if not Des Moines or Iowa)				71. Residence phone number: 262-8568				72. Business or cellular phone number: NA	
73. Reporting officer: No. Bales 7229				74. Status: <input type="checkbox"/> Open <input type="checkbox"/> Suspended <input type="checkbox"/> Closed <input type="checkbox"/> Exceptionally closed				75. Copy/copies made by:	
77. Second officer:				78. Supervisor approving report: I.D. No.				79. Reviewed by: [Signature]	
76. Referred to: <input type="checkbox"/> Animal Control <input type="checkbox"/> PIO <input type="checkbox"/> Chief <input type="checkbox"/> OPS <input type="checkbox"/> Other									

80. Page: 2 of 3		Animal Incident Investigation Report Des Moines, Iowa Police Department				81. DMPD case number: 08-33241				
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: W	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>(List 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 <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: <small>(List 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: A Tripped to 1918 E 42nd. Spoke with dog owners Bruce Wiana who stated he was in his backyard drinking coffee while his dog "Sheba" was on her cable. At about 1725 hours the brindle colored dog from the house directly behind him came running from behind the garage and attacked "Sheba." Bruce attempted to defend his dog when the dog also bit him causing one puncture to the back of Bruce's ankle. Someone from 1909 Williams came to get the dog but she broke free several times in attempts to get at "Sheba." Bruce stated this person was not the dog owner. Sheba sustained one puncture to her neck and several punctures to both her front legs. At time of report, medical treatment had not been sought for either Mr. Wiana or "Sheba." Mr. Wiana showed me rabies tag and city license tag. Rabies: 08-879598. City License: 08-14342. "Sheba" has been home quarantined. Went to 1909 Williams to quarantine										
121. Report date: <small>(List if other than date incident was reported)</small> 11 Sept 08										

SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

1. Complainant, Driver #1, Victim, or Arrestee Wiana, Bruce		2. Arrest No. -	3. Case No. 08-33241
<input checked="" type="checkbox"/> Form used as Continuation Sheet for Current Report		4. Date this Report 11 Sept 08	5. Date Original Occurrence 11 Sept 08
<input type="checkbox"/> Form used to Report Follow up Investigation or Supplemental Information	Officer Case Invest. Photos Yes <input type="checkbox"/> No <input type="checkbox"/>	6. Correct offense or Incident Classification Animal Bite Change? <input type="checkbox"/> Yes	
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 numbers in narrative)	
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.	<p>bite dog. Spoke with bite dog owner, James Lloyd. He stated his dog "Baby Girl" is current on shots showing a rabies tag, 08-896927 which is on a chain around the dog's neck and a city license envelope with 2008-18157. When asked what breed the dog is, Mr. Lloyd stated she is a Pit Bull, Lab mix.</p> <p>"Baby Girl" was impounded for quarantine at the shelter, 1615 SE 14, and also impounded for breed verification. Mr. Lloyd was advised if his dog "Baby Girl" is not deemed a Pit Bull, it would be the Sgt's decision if Home quarantine would be approved.</p> <p>Mr. Wiana stated this was not the first time this dog "Baby Girl" was running loose.</p> <p>Case numbers were given to both parties.</p>
----------	---

OFFICE USE ONLY

14. Reporting Officer Bales 7729 No.		15. Status (check one) <input type="checkbox"/> Suspended <input type="checkbox"/> Open <input type="checkbox"/> Ex. Closed <input type="checkbox"/> Closed		13. Date/Time Typed No.		Reproduced No.	
Second Officer No.		Supervisor Approving No.		17. Unit Referred To:		18. UCR Disposition	
				19. Reviewer		No.	

2008-33241

STARCH & UNIVERSITY WEST PET CLINICS
2222 UNIVERSITY DES MOINES, IA 50311
8145 UNIVERSITY CLIVE, IA 50325
SPH: (515) 283-1576 UW: (515) 223-8185

CITY
EXHIBIT

L

Rabies Certificate

Client ID: 23690
Client Name: James A. Lloyd
Address: 1909 Williams

Des Moines, IA 50317

Phone: (515)299-8959

Patient ID: 9204
Patient Name: TRIPPER (BABY GIRL)
Species: CANINE
Breed: LAB. RETRIEVER, MIX
Sex: Spayed Female
Color: Brindle
Markings:
Birthday: 06/10/2007
Weight: 40.50 pounds on 1/10/2008

Tag Number: 896927
Lot Number: S716100
Producer: PFIZER
K / MLV: Killed Virus

Vaccination Date: 1/10/2008
Expiration Date: 1/10/2009

Staff Name: Lori J. Halligan, DVM
License Number: 6833

RFACK

M

SUPPLEMENTAL REPORT Des Moines Iowa Police Department		1. Complainant, Driver #1, Victim, or Arrestee Wian, Bruce	2. Arrest No. N/A	3. Case No. 08-33241
<input type="checkbox"/> Form used as Continuation Sheet for Current Report		4. Date this Report 12 September 2008	5. Date Original Occurrence 11 September 2008	
<input checked="" type="checkbox"/> Form used to Report Follow-up Investigation or Supplemental Information		6. Correct offense or Incident Classification Animal bite/ dog Changed <input type="checkbox"/> Yes		
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 numbers in narrative)		
9. Page No. 1 of 1	10. Traffic Citation No. N/A	11. Value of Property Recovered and Type \$N/A		

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

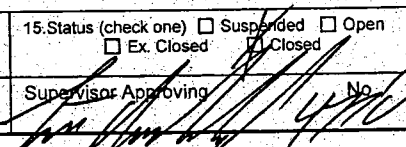

Item No.
6

The owner of the aggressor dog came to the shelter to request home quarantine on his Pitbull/Lab mixed dog. He provided proof of current rabies shots and has a 2008 city license on the dog. Dr. Berry determined the dog to be not a predominate Pitbull so Sgt. Raudabaugh allowed the dog to be home quarantined.

Owner cited for dog at large.

MORE FOLLOW-UP NEEDED.

2008 SEP 12 PM 5:30

14. Reporting Officer Susan R. Stropes		No. 7219	15. Status (check one) <input type="checkbox"/> Suspended <input type="checkbox"/> Open <input type="checkbox"/> Ex. Closed <input checked="" type="checkbox"/> Closed	17. Unit Referred To: Acc	18. UCR Disposition
Second Officer		No.	Supervisor Approving  No	19. Reviewer 	No.

CASE INVESTIGATION REPORT
DES MOINES, IOWA POLICE DEPARTMENT

2008 SEP 12 PM 5:41 * SUPP CIR *

DOMESTIC ABUSE HATE/BIAS LEOKA

17. DISTRICT 2			18. BEAT 26			19. REP. AREA			1. NAME (LAST, FIRST, MIDDLE) LLOYD, JAMES ALLEN			2. CASE NUMBER 08-33241		
20. OCCUPATION NONE			21. HOURS NA			22. SOBRIETY DINK			3. ADDRESS 1909 WILLIAMS, DEM			4. RES. PHONE 262-8568		
23. DESCRIBE LOCATION OF OFFENSE OR TYPE OF PREMISE RESIDENCE						7. R/S/A WITHD 10/3/07 NH			8. LOCATION OF OFFENSE (ADDRESS) 1918 E 42ND			6. BUS. PHONE NA		
24. VEHICLE USED LIC. NO. STATE YEAR SUSPECTS						9. REPORTING PERSON BAGES, D 7329			10. RES. PHONE			12. BUS. PHONE 248-6054		
25. IDENTIFYING CHARACTERISTICS OF VEHICLE						11. REPORTING PERSON'S ADDRESS DMPO-ACU			13. DATE AND TIME OCCURRED 11 SEPTEMBER 08 1725			14. DATE AND TIME REPORTED 11 SEPTEMBER 08 1918		
26. VICTIM (OTHER THAN IN BLOCK #1) AND SHOW SEX, RACE, AGE W-WITNESS, P-PARENT OR GUARDIAN						15. PRIME ANIMAL BITE / DOG			16. CLASSIFICATION			CITY EXHIBIT N		
27. NAME WIAND, BRUCE			CODE W/V			RESIDENCE ADDRESS 1918 E 42ND ST, DEM			CITY DEM			RES. PHONE 262-8560?		

28. NOTIFICATIONS
INVESTIGATOR'S YES NO IDENTIFICATION UNIT YES NO OFFICE CASE INVEST PHOTOGRAPHS YES NO

PROPERTY & INJURIES	29. TOOL OR WEAPON USED		30. METHOD USED		31. POINT OF ENTRY		32. VICTIM'S VEHICLE LIC. NO. STATE/YEAR			
	33. TYPE PROPERTY TAKEN ITEM 63		34. TOTAL VALUE ITEM 63		35. LOCATION OF VICTIM'S PROPERTY		36. DEGREE OF INJURY AND VICTIM'S CONDITION			
	37. TYPE OF INJURY AND LOCATION ON BODY						38. HOSPITAL		39. TRANSPORTED BY	
WORTHLESS DOCUMENTS	40. COLOR OF DOC.		41. TYPE OF DOC.		42. DATE OF DOC.		43. DOCUMENT NO.		44. FIRM NAME OF DOCUMENT	
	45. NAME OF NO. OF BANK		46. MADE PAYABLE TO				47. SIGNATURE ON FACE			
	48. REASON NOT HONORED		49. TYPE OF PROPERTY OR SERVICES OBTAINED				50. AMOUNT OF DOCUMENT			
DOMESTIC ABUSE	51. DO YOU HAVE A CURRENT NO CONTACT ORDER? YES <input type="checkbox"/> NO <input type="checkbox"/>				52. HAS THE SUSPECT BEEN CHARGED WITH DOMESTIC ABUSE ASSAULT ON THE VICTIM OR OTHERS IN THE PAST? YES <input type="checkbox"/> NO <input type="checkbox"/>		53. NOTICE OF ABUSED PERSON RIGHTS GIVEN? YES <input type="checkbox"/> NO <input type="checkbox"/> I REQUEST A NO CONTACT ORDER: SIGNATURE OF VICTIM			

CITATION ISSUED: PC# 284025 - 18-55-DOG AT LARGE
DOG OWNER CAME IN TO IDENTIFY HIS DOG IN IMPOUND AND WAS ISSUED CITATION FOR HIS DOG RUNNING LOOSE 1900 BLK E. 42ND ST AND BITTING A PERSON AND ANOTHER DOG. LLOYD STATED HIS EX-ROOMMATE WAS MOVING OUT AND MAY HAVE LET DOG LOOSE WHILE HE WAS DOING SO.

54. REPORTING OFFICER Susan D. Hayes 1219		55. STATUS (CHECK ONE) <input type="checkbox"/> SUSPENDED <input type="checkbox"/> OPEN		56. SUPERVISOR APPROVING [Signature] 4770		57. REPRODUCED BY NO.		58. REVIEWER [Signature]		59. UCR DISPOSITION		60. UNIT REFERRED TO: <input type="checkbox"/> CIB <input type="checkbox"/> V/NCU <input type="checkbox"/> IA <input type="checkbox"/> CO. ATT. <input type="checkbox"/> PIO <input type="checkbox"/> SO <input type="checkbox"/> CHIEF <input checked="" type="checkbox"/> OTHER:	
--	--	---	--	--	--	-----------------------	--	-----------------------------	--	---------------------	--	--	--

ACU

SUSPECT/PROPERTY INFORMATION
DES MOINES, IOWA POLICE DEPARTMENT

61. CASE NUMBER
08-33241

62. HAIR/STYLE, LENGTH, FACIAL, FEATURES, SCARS, MARKS, TATTOOS, BUILD/MUSCULAR, SHORT, TALL, THIN, FAT, ETC.

SUS 1	NAME/ALIAS <u>LLOYD, JAMES ALLEN</u>	R/S/A <u>WM40</u>	DOB <u>10/23/67</u>	HT. <u>6'1"</u>	WT. <u>163</u>	HAIR <u>BR</u>	EYES <u>HAZ</u>
	ADDRESS <u>1909 WILLIAMS, DEN</u> <u>(NO DL)</u>	PHONE NO. <u>262-8568</u>		ARRESTED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	WARRANT NEEDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CHARGES FILED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
			ETHNIC H <input type="checkbox"/> NH <input checked="" type="checkbox"/>				
SUS 2	NAME/ALIAS	R/S/A	DOB	HT.	WT.	HAIR	EYES
	ADDRESS	PHONE NO.		ARRESTED?	WARRANT NEEDED?	CHARGES FILED?	
			ETHNIC H <input type="checkbox"/> NH <input type="checkbox"/>				
SUS 3	NAME/ALIAS	R/S/A	DOB	HT.	WT.	HAIR	EYES
	ADDRESS	PHONE NO.		ARRESTED?	WARRANT NEEDED?	CHARGES FILED?	
			ETHNIC H <input type="checkbox"/> NH <input type="checkbox"/>				
SUS 4	NAME/ALIAS	R/S/A	DOB	HT.	WT.	HAIR	EYES
	ADDRESS	PHONE NO.		ARRESTED?	WARRANT NEEDED?	CHARGES FILED?	
			ETHNIC H <input type="checkbox"/> NH <input type="checkbox"/>				

PROPERTY DESCRIPTION

QTY	ARTICLE	BRAND	MODEL	SERIAL NO.	MISC. DESCRIPTION COLOR, SIZE, INSCRIPTIONS, CALIBRE, ETC.	VALUE

CASE SCREENING

64. CITATION ISSUED:
1. DOES THE NATURE OF THE OFFENSE POSE A SERIOUS THREAT OF HARM OR INJURY TO AN INDIVIDUAL OR TO THE COMMUNITY? (ITEM 15)
YES NO
 2. WAS THE VICTIM SERIOUSLY INJURED? (ITEM 36)
YES NO
 3. WAS THERE A WITNESS TO THE OFFENSE? (ITEM 25)
YES NO
 4. CAN A SUSPECT EITHER BE NAMED, LOCATED, IDENTIFIED, OR AN IDENTIFIABLE DESCRIPTION BE PROVIDED? (ITEM 25)
YES NO
 5. CAN A SUSPECT VEHICLE EITHER BE IDENTIFIED, OR AN IDENTIFIABLE DESCRIPTION BE PROVIDED? (ITEM 24 OR 32)
YES NO
 6. IS THERE A REASONABLE EXPECTATION THAT PHYSICAL EVIDENCE CAN BE OBTAINED? (ITEM 28)
YES NO
 7. WAS IDENTIFIABLE PROPERTY TAKEN? (ITEM 63)
YES NO
 8. WAS THERE A SUBSTANTIAL LOSS OF PROPERTY? (ITEM 63)
YES NO
 9. WERE CERTAIN EVENTS OR ACTIONS IN THE OFFENSE DISTINCTIVE OR UNUSUAL AND/OR RELATED TO OTHER OFFENSES? (ITEM 29, 30 AND 31)
YES NO
 10. IS THERE REASON TO BELIEVE THAT THE CRIME IS SUCH THAT PUBLIC INTEREST AND SUPPORT OR FURTHER INVESTIGATION MAY PRODUCE MORE INVESTIGATIVE LEADS, AND MAY RESULT IN SOLVING THE CRIME?
YES NO
 11. WAS THE OFFENSE, OTHER THAN DOMESTIC ABUSE, A SIMPLE MISDEMEANOR THAT OCCURRED IN THE OFFICER'S PRESENCE? (ITEM 15)
YES NO

IF ALL OF THESE QUESTIONS ARE ANSWERED NO, THE REPORTING OFFICER WILL SUSPEND THE CASE THE VICTIM WILL BE INFORMED BY THE REPORTING OFFICER THAT THE CASE IS BEING SUSPENDED AND NO FURTHER ACTION WILL BE TAKEN UNLESS FURTHER LEADS ARE PRODUCED.

REPORTING OFFICER: [Signature] IDENT. NO. 1219 DATE 9/12/08 SUSPENDED YES NO

IOWA POLICE CITATION AND COMPLAINT
Law Enforcement Agency

STATE OF IOWA
COUNTY OF POLK
COUNTY OF WARREN

Nº PC 284025

CITY OF DES MOINES Docket No. _____
IN THE COURT AT POLK COUNTY COURTHOUSE, 5TH & MULBERRY, DES MOINES, IOWA 5030
 WARREN COUNTY COURTHOUSE, 115 NORTH HOWARD, INDIANOLA, IOWA 50125

THE STATE OF IOWA Agency Case No. 08-33241
 CITY OF DES MOINES (IA0779300) A MUNICIPALITY, PLAINTIFF v.

NAME: CLOD, JAMES ALLEN
Defendant Last First Middle

ADDRESS: 1909 WILLIAMS
Street

CITY: DES MOINES STATE: IOWA

BIRTH DATE: 10/23/67 Sex M Race C
Mo. Day Yr.

Ht. 6'1" Wt. 163 Eyes HAZEL Hair BROWN

The Defendant is accused of the crime DOG AT LARGE

in violation of: _____, Iowa Code, 20 18-55, Local Ordinance

for that on or about 9/11/08 a.m. 5:25
Mo. Day Yr. p.m.

Defendant did: OWN A PITBULL LAB MIX DOG THAT WAS RUNNING LOOSE AND INVOLVED IN A BITE TO A HUMAN AND A DOG, IN 1900 BLK, E 42ND

DATE: 9/12/08 Susan R. Strope 7219
Mo. Day Yr. Officer's Signature I.D. No.

REPORT TO THE ABOVE NAMED COURT AND SAID PLACE.

10/9/08 a.m. p.m. 9:15
Mo. Day Yr.

PROMISE TO APPEAR IN SAID COURT AT SAID TIME AND PLACE

James Lloyd
Signature Defendant

I swear that the foregoing citation is true and correct.

Susan R. Strope 7219
Officer's Signature

Subscribed and sworn to before me by SUSAN R. STROPE 7219

At Des Moines, Iowa this 12 day of SEPT, 20 08

Notary Signature (See Opt.) _____ Judge _____ Magistrate _____ Clerk District Court

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

CITY EXHIBIT

0

08-33241
18223-00

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

CITY EXHIBIT

52

P

CITY OF DES MOINES

COURT CASE NO. _____

VS.

DMPD. CASE NO. 2008-33241

JAMES ALEN LLOYD
(DEFENDANT)

IA0770300

SOC. SEC. NO. UNKNOWN

1909 WILLIAMS
(ADDRESS)

DATE OF BIRTH 10/23/67

DES MOINES, IA
(CITY & STATE)

DESCRIPTION W M 6'1" 163
RACE SEX HGT WGT

HAZ BR
EYES HAIR MARKS

THE DEFENDANT IS ACCUSED OF THE CRIME(S) OF: DOG AT LARGE

AT: 1900 BLK E 42 ST., DES MOINES, IA
(ADDRESS OR LOCATION)

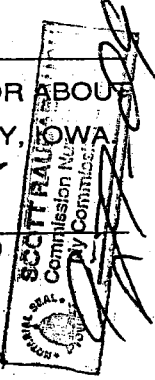
IN VIOLATION OF SECTION(S): 18-55

OF THE MUNICIPAL CODE OF THE CITY OF DES MOINES, 2008 COMMITTED ON OR ABOUT
THE 11 DAY OF SEPTEMBER, 2008 IN THE CITY OF DES MOINES, POLK COUNTY, IOWA

SIGNED AND SWORN TO ON THIS 12 DAY OF SEPTEMBER, 2008

Andrew R. Strope 7219
FILING COMPLAINANT

(NOTARY PUBLIC, ASSOCIATE JUDGE OR MAGISTRATE)



BASIS OF PROBABLE CAUSE

- THE DEFENDANT WAS:
- CAUGHT IN THE ACT
 - IDENTIFIED BY PRINTS
 - NAMED BY WITNESSES
 - HAD PROPERTY ASSOCIATED WITH CRIME
 - ARRESTED FOLLOWING INVESTIGATION
 - WEAPON INVOLVED CRIME
- IDENTIFIED IN PERSON
 - CONFESSED TO CRIME
 - ACCUSED BY CO-DEFENDANT
 - VICTIM INJURED
- IDENTIFIED BY PHOTO
 - ARRESTED AT SCENE
 - OTHER (SPECIFY BELOW)
 - PROPERTY / MONEY TAKEN

VALUE OF PROPERTY TAKEN \$ _____ DAMAGE EST. VALUE \$ _____

OTHER FACTS IMPORTANT TO PROBABLE CAUSE AND BAIL: DOG OWNER CAME IN AND IDENTIFIED THE DOG IN IMPOUND FOR A BITE AS HIS. CITED AS ABOVE.

Andrew R. Strope 7219
SIGNATURE OF ARRESTING OFFICER NO.

9.12.08
(DATE OF ARREST)

DATED: 9.12.08

WITNESS INFORMATION

NAME	ADDRESS	HM PHONE	WK PHONE
<u>WIAND, BRUCE</u>	<u>1908 E 42ND ST., DSM</u>	<u>262-8560</u>	
<u>BALBS, D 7229</u>	<u>DMPD-ACU</u>		
<u>STROPES, S 7219</u>	<u>DMPD-ACU</u>		

BOND AMOUNT \$ _____ CASH ONLY () CASH OR SURETY ()

OTHER CONDITIONS IMPOSED WITH BAIL: _____

(JUDGE, ASSOCIATE JUDGE OR MAGISTRATE)

Animal Incident Investigation Report
Des Moines, Iowa Police Department

Q

32. District: <u>2</u>		33. Beat: <u>26</u>		1. Impounded animal AHR/ARL number:		2. DMPP case number: <u>08-33241</u>	
34. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/> : <u>"Baby Girl"</u>				3. Victim's name (Last, First M.I.): <u>WIGAND, BRUCE</u> (Human victim or society)			
35. Animal breed: <u>Pitbull X</u>				4. Race: <u>WMA</u>		5. Sex: <u>M</u>	
36. Animal color: <u>Brindle</u>				6. Age: <u>8-4-52</u>		7. Date of birth: <u>8-4-52</u>	
37. Animal fur length: Short <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>				8. Ethnicity: <u>H</u>		9. Sobriety: <u>N</u>	
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) <u>1718 E. 42nd</u>			
39. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> (Records Personnel: Enter M/C# as a serial number) M/C#:				11. Residence phone number: <u>262-8568</u>		12. Business or cellular phone number:	
40. Rabies tag: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> R/T#: <u>08-896927</u>				13. Place of employment or school:			
40A. Date of vaccination:				40B. Date of vaccination expiration:		14. Type and location of injury:	
40C. Veterinarian:				15. Medical treatment:			
41. License: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Lic#: <u>08-18157</u>				16. Reporting person's name (Last, First M.I.): <u>WIGAND, BRUCE</u>			
42. Other identifiers (Collar, tattoo, etc.): <u>Silver chain w/ Rabies</u>				17. Race: <u>WMA</u>		18. Sex: <u>M</u>	
43. Confinement/quarantine location: <u>ISO #3</u>				19. Age: <u>8-4-52</u>		20. Date of birth: <u>8-4-52</u>	
44. Impounded or bite animal owner's name (Last, First M.I.): <u>LLOYAL JAMES</u>				21. Ethnicity: <u>H</u>		22. Sobriety: <u>N</u>	
45. Residence address: (City and/or state if not Des Moines or Iowa) <u>1709 WILLIAMS</u>		46. Residence phone number: <u>262-6298</u>		47. Place of employment or school: <u>unemployed</u>		48. Business or cellular phone number:	
49. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>		49A. Date and time of notification: <u>17 Sept 08 1607</u>		49B. Person making notification: <u>BLANCHARD</u>		49C. Means of notification: <u>Personal</u>	
50. Witness' name (Last, first): <u>WIGAND, BRUCE</u>		51. Residence address: (City and/or state if not Des Moines or Iowa) <u>1718 E 42nd</u>		52. Daytime or cellular phone number: <u>262-8568</u>		31. Classification: <u>Animal Bite</u>	
53. Witness' name (Last, First):		54. Residence address: (City and/or state if not Des Moines or Iowa)		55. Daytime or cellular phone number:		56. Investigative notifications and/or photographs taken: Detective: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Ident. Technician: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> ACO Supervisor: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Photographs taken by ACO or PO: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/>	
57. Victim animal AHR/ARL number: Impounded: No <input type="checkbox"/> Yes <input type="checkbox"/> AHR/ARL#: <u>"Shuba"</u>		58. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/>		59. Animal breed: <u>Whippet X</u>		60. Animal color: <u>tan/whit</u>	
61. Animal fur length: Short <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>		62. Animal sex: Female <input checked="" type="checkbox"/> Spayed <input checked="" type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>		63. Rabies tag: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> R/T#: <u>08-87598</u>		64. Microchip: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> M/C#:	
65. License: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Lic#: <u>08-14342</u>		63A. Date of vaccination:		63B. Date of vaccination expiration:		63C. Veterinarian:	
66. Type and location of injury: <u>punctures to both front legs, one to neck</u>				67. Medical treatment: <u>none</u>			
68. Confinement/quarantine location: <u>1718 E 42nd HMOI</u>				69. Victim animal owner's name (Last, First M.I.): <u>WIGAND, BRUCE</u>			
70. Residence address: (City and/or state if not Des Moines or Iowa) <u>1718 E 42nd HMOI</u>		71. Residence phone number: <u>262-8560</u>		72. Business or cellular phone number:		73. Reporting officer: <u>Blanchard 232</u>	
74. Status: <input checked="" type="checkbox"/> Open <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Excep. Closed		75. Copy/copies made by:		76. Referred to: <input checked="" type="checkbox"/> Animal Control <input type="checkbox"/> Detectives <input type="checkbox"/> PIO <input type="checkbox"/> Chief <input type="checkbox"/> OPS <input type="checkbox"/> Other:		77. Second officer: <u>James [Signature]</u>	
78. Supervisor approving report: <u>[Signature]</u>		79. Reviewed by: <u>[Signature]</u>		79. Reviewed by: <u>[Signature]</u>			

80. Page: 2 of 2

Animal Incident Investigation Report
Des Moines, Iowa Police Department

81. DMPD case number: 08-33241

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

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

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

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

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

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

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

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

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

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

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

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

120. Narrative: See Supplemental Report

(Empty lines for narrative continuation)

121. Date of this report: 17 Sept 08

SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

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

2. Arrest No.

3. Case No. **08-33241**

Form used as Continuation Sheet for Current Report

4. Date this Report: **17 Sept 08**

5. Date Original Occurrence: **11 Sept 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: **Animal Bite** Changed Yes

7. Kind of Report Continued Witness Statement

Follow up or Supplemental or Prosecution Offense

Traffic Accident Arrest

8. Multiple Clear Up? No Yes (list other case numbers in narrative)

9. Page No. **1 of 1**

10. Traffic Citation No. **N/A**

11. Value of Property Recovered and Type **\$ N/A**

CITY EXHIBIT
R

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.

I was tripped to victims house at 118 E 42nd St. who started last pm. the dog that attacked his dog was loose again and in his garage staring at him. He was concerned for his safety as he was cornered in his garage. A few minutes later the dog owner "James Lloyd" apologized and retrieved his dog. I explained to him today that the dog would be impounded for the remainder of quarantine. I went then to 1509 Williams and spoke to dog owner James Lloyd who was barely coherent. He placed the dog on the truck for me and I asked for his license, at which he had no idea where it was. I advised him on retrieval of his dog he would be issued for failure to get and dog at large - he didn't respond. Dog was impounded to shelter for remainder of quarantine.

OFFICE USE ONLY

14. Reporting Officer Blanchard 7032		15. Status (check one) <input type="checkbox"/> Suspended <input type="checkbox"/> Open <input type="checkbox"/> Ex. Closed <input checked="" type="checkbox"/> Closed		13. Date/Time Typed No.		Reproduced No.	
17. Unit Referred To: ACU		18. UCR Disposition		19. Reviewer		No.	



SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

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

Woland, Bruce

2. Arrest No.

3. Case No.

08-33241

Form used as Continuation Sheet for Current Report

4. Date this Report

18 Sept 08

5. Date Original Occurrence

11 Sept 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

Animal bite

CITY EXHIBIT

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 narr)

S

9. Page No.

1 of 1

10. Traffic Citation No.

N/A

11. Value of Property Recovered and Type

\$ N/A

INSTRUCTIONS FOR FOLLOWUP OR SUPPLEMENTAL USAGE

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

ITEM NO. Owner of bite dog, James Woyd came into the shelter this morning at around 0955 hrs to pick up his dog that Officer Blanchard had impounded on 17 Sept 08 at around 1600 hrs. According to Blanchard's report the dog was at large while under home quarantine. I advised Mr. Woyd that at any time a dog is found to be running at large while quarantined the dog is impounded and will remain under quarantine at the shelter. Mr. Woyd and his mother both state that the dog never got out as they were in Iowa City yesterday morning for surgery to Mr. Woyd's hand and his mother was with him all night. I advised that I would have Sgt. Raudabough review the case and he would make the final decision on whether the dog stays or goes home, and then someone would call them to let them know what was going on.

2:00 SEP 16 PM 8:28

OFFICE USE ONLY

13. Date/Time Typed No.

Reproduced No.

14. Reporting Officer

No.

M. Bauer 7227

15. Status (check one) Suspended Open

Ex. Closed Closed

17. Unit Referred To:

AC

18. UCR Disposition

Second Officer

No.

Supervisor Approving

No.

[Signature]

19. Reviewer

No.

[Signature]

2008 SEP 18 PM 8:29

0

2008

SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

1. Complainant, Driver #1, Victim, or Arrestee WEAVER, BRUCE		2. Arrest No. NIA	3. Case No. 33241
<input type="checkbox"/> Form used as Continuation Sheet for Current Report		4. Date this Report 18 SEP 08	5. Date Original Occurrence 11 SEP 08
<input checked="" type="checkbox"/> Form used to Report Follow up Investigation or Supplemental Information		6. Correct offense or Incident Classification ANIMAL BITE - DOG Changed <input type="checkbox"/> Yes	
Officer Case Invest. Photos Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		8. Multiple Clear Up? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (list other case numbers in narrative)	
7. Kind of Report Continued <input type="checkbox"/> Follow up or Supplemental or Prosecution <input type="checkbox"/> Traffic Accident		11. Value of Property Recovered and Type \$ NIA	
9. Page No. 1 of 1		10. Traffic Citation No. NIA	

CITY EXHIBIT T

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 a property recovered, names and arrest numbers of any persons arrested. Explain any offense classification change. Clearly show disposition of recovered property and inventory number. Recommend to supervisor case status and to reviewer UCR disposition. Indicate "Item Number Continued" at left, if any.

ITEM NO.

ON 18 SEPTEMBER 2008 AT 1554 HOURS I RETURNED A CALL TO JAMES LLOYD. I ASKED HIM WHEN HE HAD SURGERY? HE SAID TUESDAY AND GOT HOME AT 1230 ON TUESDAY. I ASKED HIM WHO WAS WATCHING THE DOG WHILE HE WAS UNDER THE INFLUENCE OF PAIN MEDICINE? HE SAID HIS MOTHER. I ASKED HIM WHY THE NEIGHBOR WOULD CLAIM THE DOG WAS LOOSE? HE SAID NEIGHBOR HAS A PROBLEM GETTING ALONG.

I TOLD MR. LLOYD THE DOG WOULD REMAIN HERE FOR THE REMAINDER OF THE QUARANTINE.

OFFICE USE ONLY

14. Reporting Officer S. RAULABAWAL 4770		15. Status (check one) <input type="checkbox"/> Ex. Closed <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Suspended <input type="checkbox"/> Open		13. Date/Time Typed No.	Reproduced No.
17. Unit Referred To: ACU		18. UCR Disposition		19. Reviewer RS	
Second Officer NIA		Supervisor Approving [Signature]		No.	

2008 SEP 22 PM 4:40

SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

1. Complainant, Driver #1, Victim, or Arrestee Wiand, Bruce		2. Arrest No.	3. Case No. 08-33241
<input type="checkbox"/> Form used as Continuation Sheet for Current Report		4. Date this Report 21 Sept 08	5. Date Original Occurrence 11 Sept 08
<input checked="" type="checkbox"/> Form used to Report Follow up Investigation or Supplemental Information	Officer Case Invest. Photos Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	6. Correct offense or Incident Classification Animal bite (dog's dog) Changed <input type="checkbox"/> Yes	
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 numbers in narrative)	
9. Page No. 1 of 1	10. Traffic Citation No. N/A	11. Value of Property Recovered and Type \$ N/A	

CITY
EXHIBIT
U

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 property recovered, names and arrest numbers of any persons arrested. Explain any offense classification change. Clearly disposition of recovered property and inventory number. Recommend to supervisor case status and to reviewer UCR disp. Indicate "Item Number Continued" at left, if any.

ITEM NO. **The pitbull mix, "Baby Girl" being held for quarantine was released today in good health, showing no signs of the rabies virus.**

More follow-up needed to release victim dog and notify human victim of dogs release.

OFFICE USE ONLY

14. Reporting Officer M. Bauer No. 7227	15. Status (check one) <input type="checkbox"/> Ex. Closed <input type="checkbox"/> Closed <input type="checkbox"/> Suspended <input type="checkbox"/> Open	13. Date/Time Typed No.	Reproduced No.
Second Officer	Supervisor Approving <i>[Signature]</i>	17. Unit Referred To: ACU	18. UCR Disposition
		19. Reviewer <i>[Signature]</i>	No.

Animal Incident Supplemental Report
Des Moines, Iowa Police Department

1. Human victim or reporting person or animal owner name (Last, First M.I.): Wiand, Bruce
2. Case number: 08-33241

3. Form used as a continuation of an Animal Incident Investigation Report:
4. Date of this report: 22 Sept 08
5. Date incident occurred: 11 Sept 08

CITY
EXHIBIT

6. Form used to report a follow-up investigation or additional information:
7. Crime/incident type: Animal bite

8. Page: 1 of 1
9. If this report is a continuation of another report then indicate the box number(s) continued below: V

I went to 1918 E. 42nd where I released the Whippet mix there from quarantine in good health. MR. Wiand, our victim, is also owner of victim dog and was advised of not only his dogs release but also of aggressor dogs release. Aggressor dog is still at the APL-CCC awaiting pickup by owner, and was released from quarantine on 21 Sept 08.

This report will close this case.

10. Reporting officer: <u>M. Bauer</u>	I.D. No. <u>7227</u>	11. Status: <input type="checkbox"/> Open <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Excep. Closed <input type="checkbox"/> Case file <input type="checkbox"/> Suspended <input type="checkbox"/> Unfounded	12. Copy/copies made by:	13. Referred to: <input checked="" type="checkbox"/> Animal Control <input type="checkbox"/> Detectives <input type="checkbox"/> PIO
14. Second officer:	I.D. No.	15. Supervisor approving report: <u>[Signature]</u>	I.D. No.	18. Reviewed by: <u>[Signature]</u>
				<input type="checkbox"/> Chief <input type="checkbox"/> OPS <input type="checkbox"/> Other: _____

52

APPELLANT
EXHIBIT

EXHIBIT

B

1

22 Mon...



BBY 67PA



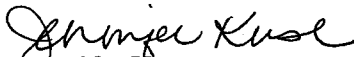
+Broadlawns Medical Center
Caring for **Our Community**. *Caring for you!*

October 7th, 2008

To Whom It May Concern:

Hello. I am writing to state that I have been at James Lloyd's home at least once per month since he got his dog. I have not witnessed the dog display any violence towards myself or anyone else. The dog has been playful or content lying down during my visits. Please consider this information during the hearing. Thank you.

Sincerely,


Jennifer Kruse
CAP Case Manager
282-6825

October 8, 2008

To Who It May Concern:

I have worked with Mr Lloyd for the past 6 months and have not had any issues or concerns with his dog "Baby Girl". I have been in Mr Lloyds home numerous times and have never been growled at or felt threatened in any way by Mr Lloyds dog.

The dog in question would often sit across the room or lay in front of his door. If contact was wanted with this dog a simple come here would bring his dog wagging its tail waiting to be petted.

I do not feel that his dog is a threat to me or others that work with him and enter his home and it should be spared.



Harold Rooker

Community Support Staff

ResCare Inc.

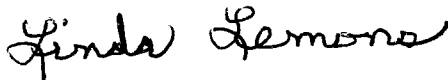
(515) 441-0966

October 8, 2008

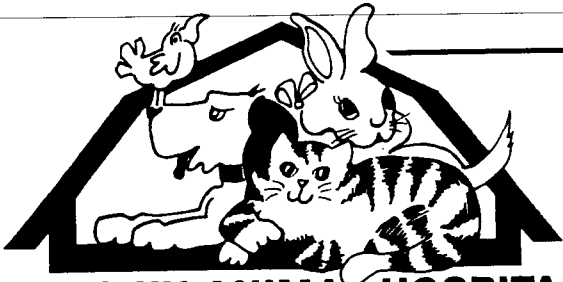
To Whom It May Concern:

This letter is to inform you that I provide individual therapy services to James Lloyd. He has recently informed me that a hearing will be held to decide if his dog Baby Girl, is determined to be unsafe and to decide if Baby Girl should be humanly destroyed. I am requesting that the court also consider the value that Baby Girl brings to James's life. James does not believe Baby Girl is unsafe and vicious. In fact Baby Girl is a safe attachment for James and brings great comfort to his life. I do believe that the loss of Baby Girl would create much more harm to James than the risk of harm to others. James has also assured me that he is also willing to problem solve to address concerns about this dog's safety.

Sincerely,



Linda Lemons LISW



EASTOWN ANIMAL HOSPITAL

James D. Denhart D.V.M.
3709 E. UNIVERSITY DES MOINES, IOWA 50317
262-1882

October 8, 2008

To Whom It May Concern:

I am writing this letter at the request of Mr. James Lloyd concerning his dog "Baby Girl," a spayed 13 month old Labrador Retriever mix.

Mr. Lloyd brought "Baby Girl" to our practice one time on August 28, 2008 for a medical evaluation. I examined the dog that day for hairloss and itching. "Baby Girl" did not bite anyone on our staff. I cannot comment any further about her behavior based on that one visit.

A handwritten signature in black ink, appearing to read "Mark T. Severs, D.V.M.", written in a cursive style.

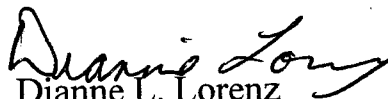
Mark T. Severs, D.V.M.

6 October 2008

To whom it may concern:

I Dianne L. Lorenz, James Lloyd sister, am writing this letter concerning his dog Baby Girl. I visit James at his house at least twice a week. Every time that I come over to James house I see Baby Girl. She is no different than my two dogs, she likes to play and jump. She has never even growled at me. I can't see where any one would think that she is a vicious dog.

I can be reached at (515) 401-7974. I also can be reached at my residence, 427 College Street, Boone, IA 50315. Thank you.


Dianne L. Lorenz
427 College Street
Boone, IA 50315

8 Oct 08

I Andrew Casner, James Lloyd
uncle. I go to James house once a week
to mow his grass. I see his dog Baby Girl
every time. The dog has never been mean
to me. The dog plays with me. She likes
to play and jump up to get my attention.
She does not even growl at me. Baby
Girl is a nice dog.

Andrew Casner

8 OCT 2008

My name is Betty Johnson. I am James Lloyd's older sister. I am also Andrew Casner's mom. I go to James house when my son mows the grass and usually a couple of other times throughout the week. Baby girl is always there when I go over there. She tries to play with me. She is a very playful dog. She never growls at me. ~~It~~ she is a good dog. She is not vicious.

Betty Johnson

My name is Shawn Lincoln.
I have been to James Lloyd house
with my girlfriend Josie Emmons. She is
James Lloyd niece. I have played with
his dog Baby Girl. I play with Baby
Girl just like I play with Josie's dog
Scruffy at her house. We played tug a
war with a stick. She has very growled
at me. She is very playful. I looked forward
to playing with Baby Girl when I go to
James house.

Shawn Lincoln
Shawn Lincoln

My name is Daniel Lloyd
me and my uncle Darra Pnt
in this fence for James Lloyd so
that his dog could be free. This
dog was a jumpy dog but all dogs
are, I mean I don't really care
for dogs but she didn't bother us
at all. She likes really well to
Jim. While we were putting up the
fence next door there was the
two kids about seven and nine yrs
old, they were telling me how they
always play with baby girl how
she so fun to play with.

This dog is like Jim's kid
so to take away this dog or make
it where he can't get it would
be stupid. You wouldn't like it if
some one took your kid away.

Baby girl is harmless.

Daniel Lloyd
Dannie Langel

10-8-08

To whom it may concern,

I am a neighbor of "Babygirl".
The dog has never acted aggressively
to myself or my roommate anytime,
that I seen "Babygirl" loose I
have never seen her act with
aggression towards others. When
directed by me "to go home" she
goes to her yard or to the front
porch of ~~the~~ her home.

Thank you

Mary Kaylee
1901 Williams
Des Moines, Ia 50317

10-9-08

I CINDY SCOTT MANAGER OF THE
GIT-N-GO RIGHT UP THE STREET FROM
JAMES LLOYD. HIS DOG "BABY GIRL" HAS
ACCOMPANIED HIM ON MANY OCCASIONS, TO
MY STORE. JAMES HAS TIED HER OUT FRONT
AND SHE HAS NEVER SHOWN ANY AGGRESSION
TOWARDS MYSELF OR ANYONE ENTERING OR
LEAVING THE STORE.

SINCERLY,

Cindy Scott
3323 AMHERST
DSM 58314

to who it may concern

my name is Dan Flanders

I live up the street from James I

haven't ever seen his dog be
violent to any one, its allways
playfull & loveany

Daniel
Flanders

My name is Rebekah Figgins.
I was Dianne Lorenz's foster
child. I have been over
to James Lloyd's house a
couple of times with Dianne.
I brought my 18 month old
daughter over there. James'
dog baby girl played just
fine with my daughter
and was fine around me.

Rebekah Figgins

10.09.08

EXHIBIT

C

James A. Lloyd
1909 Williams
W.M. - IA 50317

266-0298
371-1249 (cel)

Dear City Council.

I would like to appeal your decision concerning my "Baby Girl (Puppy)

I Do not believe the dog to

Be vicious or even harmful in

any-way, I would like the chance

to prove it, so "Baby Girl" can

return to the only home she

has known & is very loved

there.

FILED

2008 OCT 20 AM 11:56

CITY CLERK
DES MOINES, IOWA

Sincerely

James Lloyd

October 22, 2008

James Lloyd
1909 Williams Street
Des Moines, IA 50317

RE: Appeal of Vicious Animal Declaration

This is to acknowledge your appeal of the Hearing Officer's decision regarding declaration of Baby Girl as a "vicious animal."

Your hearing before the City Council has been scheduled for Monday, October 27, 2008. The meeting starts at 4:30 p.m. **Failure to appear at the scheduled hearing will be deemed as a waiver of your rights to a hearing.** Parking is available on the streets surrounding City Hall. A copy of the Administrative Hearing transcript is enclosed.

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

Sincerely,



Diane Rauh
City Clerk

DR:kh

cc: Hearing Officer
Legal
Assistant City Attorney
Sgt Raudabaugh



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

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ALL-AMERICAN CITY
1949, 1976, 1981,
2003

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

EXHIBIT

E

HEARING OFFICER: Good afternoon.

My name is Leann Ducey, and I'm an administrative hearing officer.

It is 1:00 P.M. on October -- let's see, what is this? Today is the 9th and we are conducting an administrative hearing on a vicious dog declaration.

The appellant is James Lloyd.

When I call you to speak today, please come up to the podium, state your full name and address and you will then be sworn in.

This is a formal hearing and to that matter the hearing is now opened.

Will the representative from the city please come forward, identify yourself and present any information you have pertaining to this hearing?

SERGEANT Raudabaugh: My name is Scott Raudabaugh, a police sergeant assigned to the animal control unit as a supervisor and in that capacity serve as a chief humane officer for the city of Des Moines, Iowa.

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

SERGEANT SCOTT Raudabaugh: Yes.

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

HEARING OFFICER: Thank you.

Go ahead.

SERGEANT Raudabaugh: I'd like to start out by submitting some records or some documents, I'm sorry, for the record.

HEARING OFFICER: OK.

I will enter these as city exhibits starting with A.

SERGEANT Raudabaugh: I'd like to just kind of briefly go through what they are for the proceedings.

The first document is a copy of City Ordinance 18-41 which defines a vicious dog.

The next article or documents are the City Ordinance 18-59 which states about "seizure, impoundment and disposition of vicious dogs."

Behind that is a letter given, served on Mr. Lloyd informing him of the hearing today and his appeal behind that.

And behind that is the letter that was served on Mr. Lloyd identifying that the dog -- his dog was declared vicious and why.

Behind that is Des Moines Case 2008-35803 which is documentation of the bite that occurred on the 30th of September, 2008.

And there are various supplemental reports behind that as well.

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

Behind that is a copy of Des Moines Case 2008-33241 which documents the bite that occurred on the 11th of September, 2008.

And also with that is various supplemental reports.

On -- did you have any questions about those documents, ma'am?

HEARING OFFICER: No, I didn't.

SERGEANT Raudabaugh: On September 30th, 2008, Mr. Lloyd's black colored -- it's kind of a black and bread dough colored mixed breed dog named Baby Girl was running at large when it chased after and bit a person that was jogging by his residence. The bite did not break the skin. However, it did cause a bruising type injury. When the animal control officers arrived, they found the dog, but Mr. Lloyd was not at home. Shortly thereafter, Mr. Lloyd's mother arrived. The dog was impounded because, one, it was running at large and two, it was not displaying current rabies tag or current city license which had been issued recently. On September 11th, Mr. Lloyd's dog, Baby Girl, was also running at large when it jumped -- went into a neighbor's yard and attacked the neighbor's dog that was tied in its own yard.

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

The owner of the other dog attempted to defend his dog when Mr. Lloyd's dog bit him as well.

After the September 11th bite, the dog was impounded for breed identification.

It was brought to the animal shelter and the city veterinarian evaluated it and found that it did not -- did not exhibit predominant characteristics of a vicious dog.

So Mr. Lloyd was allowed to home quarantine the dog.

However, on September 17th, we responded to a complaint that the dog was again running at large and the dog was impounded for quarantine for the remainder of the quarantine at the animal shelter.

It's because of three bites and Mr. Lloyd's inability or unwillingness to keep this dog under control that the dog was declared vicious and ultimately the -- his appeal brought us to this point here.

That's all I have.

HEARING OFFICER: OK.

Now, you said there were three bites and now, first one was dog on dog?

SERGEANT Raudabaugh: That is correct -- no, September 30th, the dog was running at large when it bit somebody that was jogging by the house.

HEARING OFFICER: OK, perfect

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

SERGEANT Raudabaugh: On September 11th, it bit a neighbor's dog in its own yard -- in the neighbor's yard and while the owner of the other dog was trying to break up the incident, that neighbor was bit by Mr. Lloyd's dog as well.

HEARING OFFICER: OK, all right.

SERGEANT RAUDABAUGH: So two different dates but a total of three bites.

HEARING OFFICER: OK.

SERGEANT RAUDABAUGH: OK.

HEARING OFFICER: Thank you.

SERGEANT RAUDABAUGH: I'll leave a copy of these documents up here in case Mr. Lloyd would like to look through them.

HEARING OFFICER: OK.

SERGEANT RAUDABAUGH: Thank you.

HEARING OFFICER: James Lloyd?

Please state your name and address for the record.

JAMES LLOYD: My name is James A. Lloyd.
My address is 1909 Williams Street here in Des Moines,
Iowa.

HEARING OFFICER: Please raise your right hand.
Do you, James Lloyd, swear or affirm the testimony you're about to give is the truth, the whole truth and nothing but the truth?

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

JAMES LLOYD: Yes.

HEARING OFFICER: OK.

Go ahead.

Tell me why you're here today.

JAMES LLOYD: I'm here to hopefully -- I'm here to save my Baby Girl's life.

She's been more than a puppy to me.

She's been my life.

I would like to submit the two pictures that I have of her and showing that she's a very friendly dog.

HEARING OFFICER: OK.

I can photocopy the pictures and then give the originals back to you.

JAMES LLOYD: OK.

Here, I also have a letter from my Broadlawns social worker, my rest care social worker, my case manager, all Broadlawns people.

HEARING OFFICER: OK.

JAMES LLOYD: My neighbor lady, the manager of the store where I got Baby Girl from the store and if they've had any problems there.

This is another one of my neighbor's and then this is the vet and then the one time he looked at him

(unintelligible).

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

And then I have a note here from my nephew who helped install a fence around my backyard so the dog would not be able to get out in the future at all.

And then I also have documentation here from my niece-in-law.

Her daughter was -- her daughter is 18 months old and her dog used to come -- my kid.

She seems a lot like it.

She spends a lot of time. They used to play with Baby Girl and there was never ever an incident.

And then I have documentation from my sister who happens to know me and somebody who just -- this is my house and also, this is from my oldest sister who comes over when my nephew is here who comes over once a week to mow my yard and he has no problems with the dog or anything like that.

I would like to submit this documentation.

HEARING OFFICER: Thank you.

JAMES LLOYD: Well, I have a cold and stuff like that and this morning, I just heard a program and they had a listeners poll.

And the question was should dogs be put to sleep if you're teasing it and you get bit?

And the poll was no, if you're teasing it, you're bringing it upon yourself.

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

That's just like how -- talking about the man when he was breaking the dogs up.

I went to -- done that with my bare hands, tried to break up the two dogs that were fighting, you know.

That to me doesn't make a lot of sense.

And when I went over to talk to him, he didn't have any proof of whether he was actually injured or anything else and as far as the jogger goes, I never heard anything from the jogger.

In the letter that I got from the Animal Rescue League said there was a bruise on this kid.

Well, a bruise could be from anything.

It could have been from the dog jumping on the jogger or, you know, it could have been anything as far as that goes.

It could have happened in any sort of way.

I'm begging you to save my Baby Girl's life.

I'm not going to be able to replace her.

I've gone through, with family and stuff, I've gone through the expense of fencing my backyard completely and if she's going to come live with me, she'll be secure.

And -- I got to stop talking.

HEARING OFFICER: You need to tell me whatever you want to.

This is your chance now to talk.

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

So if you need a few minutes or if you have anything more to say or other people can speak, also.

OK?

DIANE LORENZ: May I speak?

HEARING OFFICER: Yes, I need your name and your address.

DIANE LORENZ: My name is Diane L. Lorenz.

HEARING OFFICER: How do you spell your last name?

DIANE LORENZ: It's L-o-r-e-n-z.

HEARING OFFICER: OK.

And your address?

DIANE LORENZ: It's 427 College Street.

I live in Boone but I've lived here in Des Moines.

HEARING OFFICER: What's the zip code there?

DIANE LORENZ: 50036.

HEARING OFFICER: OK.

If you'll please raise your right hand.

Do you Diane -- is it Lorenz?

DIANE LORENZ: L. Lorenz, yes.

HEARING OFFICER: L. Lorenz, swear or affirm the testimony you're about to give is the truth, the whole truth and nothing but the truth?

DIANE LORENZ: I do.

HEARING OFFICER: OK.

Go ahead.

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

DIANE LORENZ: I have two dogs of my own that live in the house, and they're normally in the kennel during the daytime while we're at work but a lot of times they'll be in the front room playing, and when two dogs are playing together, they get kind of - somebody might say they get rough.

But they're back and forth.

It looks like they might be trying to bite each other.

Especially my younger dog.

My older dog does that and, you know, somebody would see them outside playing, they might think one dog is attacking the other one, but my dogs do that every day just while they're playing.

And I know -- I've been at Jim's house.

I go there at least a couple of times a week to visit him and make sure everything is OK.

As you can tell, my brother is younger than me, but he's had a lot of problems in life.

He used to be a drug addict and so he used to do drugs and Baby Girl is kind of like his salvation so he can have something to nurture and take care of instead of go after the drugs so that's kind of like a life saver for Jim.

We call him Jim but it's James.

So his dog is his life saver and I know when my dog, they bark at everybody and so dogs are going to bark.

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

Dogs are going to run up and jump on people.

Every time I've been at the house and seen Baby Girl, she would come up to me.

She'd kind of jump on me and sometimes if their claws are long, it's just, you know, scratch you and stuff but she just jumps on me and I play with her and I pet her and she likes to play.

I mean, all dogs do.

Then when they see another dog, they're going to want to play.

They don't realize they're not supposed to be playing and when somebody tries to break up two dogs when they're playing, it's going to seem like one of the dogs is trying to bite at you.

So not really biting at you, they're just trying to play with the other dog.

HEARING OFFICER: Right.

DIANE LORENZ: So I don't understand how one person could try to say you bit my dog -- your dog bit my dog. If you weren't there to see it all, you don't know how they were playing or anything.

I've seen my dogs do it all the time.

And the one that says he was playing with his niece, she was my foster child.

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

She has an 18-month-old baby and me and the mom and the baby, we go over to Jim's house.

And, you know, the baby is just starting to walk and she walks all over the place and sometimes she's starting to run and we're like, you got to slow down because of the dog.

And the dog would just play with her.

Dog would let her pet him -- I mean, pet her.

Sorry.

HEARING OFFICER: That's OK.

DIANE LORENZ: Would let her pet -- Braylin would pet Baby Girl and have no problems.

You know, and I know sometimes when I'm walking, because I try to walk outside, and if the dog comes up near me, it's walking fast, I slow down to a moderate pace or a slow pace because otherwise, when you're running, the dog thinks there's something wrong.

So sometimes they go after you not knowing.

I mean, Jim does always tries to keep his dog in the fence or in the house.

Sometimes dogs get loose.

My dog has gotten loose before.

We usually take him in the house and we have to go out the door and walk about five feet before I can put him in my

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

fenced-in yard and there was a couple of times that I let go by accident and the next thing I know the dog is gone. I have to go walk around the neighborhood and try to find the dog.

It just happens that in this case, the dog got out when he wasn't home.

It's not like he intended it to.

Dogs do that sometimes.

As soon as you get home, you go to find the dog.

That's what they did.

My mom was there to get the dog in the house.

They didn't know that the jogger jogged by and the dog ran out to meet the jogger.

He tried -- Baby Girl probably thought oh, I'm going to run out and play with you.

Dogs don't know any better.

They're like small children.

They don't know.

I played with the dog many times and everything.

It's never hurt me.

And sometimes I worry more about my own dogs.

My one dog Shelby, she's part shepherd and another part, and my sister came out of the house last night and as soon as we walked in the door, she started growling and barking and going crazy at her.

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

I said "Shelby, shut up, knock it off" and then she stops.
But it's only because she thought somebody was coming in
the house that she didn't know.

I walked in the house and Baby Girl didn't even jump.
She came to meet me and play with her.

So I mean, my dog walks and growls and I come in Jim's
house, Baby Girl doesn't do that.

She comes up and lets me play and pet her.

And it doesn't make any sense.

HEARING OFFICER: Thank you.

Anyone else want to talk today?

Please state your name and address.

BETTY LLOYD: Betty Lloyd, 626 Southeast 26th Court.

HEARING OFFICER: 626 --

BETTY LLOYD: 646 Southeast 26th Court.

HEARING OFFICER: What did you say your first name
was?

BETTY LLOYD: Betty.

HEARING OFFICER: Please raise your right hand.

Do you, Betty Lloyd, swear or affirm the testimony you're
about to give is the truth, the whole truth and nothing but
the truth?

BETTY LLOYD: I do.

HEARING OFFICER: OK.

Tell me why you're here today.

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

BETTY LLOYD: Well, I've been with Baby Girl since she was just a pup.
And she likes to play.
She went back where the dog was to play.
I've got two dogs, the youngest one will jump on the older one.
She's not jumping.
She's playing with her.
And when you get your hand between two dogs that are playing, you don't know who bit you, who got your hand or nothing.
Well, then, the second one supposedly, he was bit but they called it a bruise.
If it's just been bit within a half-hour, it would not be just a big bruise.
After a couple of days, it might look like a bruise.
But when it first happens, you can tell the difference between whether it's a bruise or a dog bite.
This was just a bruise right down in their own paperwork and that dog just loves to play.
She's just a playful pup and, you know, we're sorry that the people thought they got bit, but they did not.
I mean, they picked her up a couple of times.
They weren't afraid of her.
The kids next door come over and pet her and play with her.

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

Little baby in the house with her.

She's not a vicious dog.

And just to put her down because she likes to play?

That's what you call cruelty.

Now, they're supposed to be humane.

That's cruelty.

And none of them doesn't know what the other one's doing.

Like one hand don't know what the other hand is doing.

HEARING OFFICER: I don't understand that.

BETTY LLOYD: You don't follow that?

HEARING OFFICER: What are you referring to?

I'm sorry.

BETTY LLOYD: When she picked her up from the house.

HEARING OFFICER: Animal control?

BETTY LLOYD: Yes.

There was two women.

The woman is the one that picked her up.

And she said, well, it depends on what the sergeant has to say, but I know what he's going to say.

So we went in the next day to talk to the sergeant.

And he said, "Well, I got to wait until I talk to her first."

So one was going along with what the other one had to say but yet, she wasn't afraid of the dog.

But it's just a playful pup.

ADMINISTRATIVE HEARING
OCTOBER 9, 2008

HEARING OFFICER: OK.

Thank you.

Anyone else?

Please state your name and address.

JOSIE ENNENGA: Josie Ennenga.

HEARING OFFICER: Josie.

How do you spell your last name?

JOSIE ENNENGA: E-N-N-E-N-G-A.

HEARING OFFICER: A-N-N-E-N-G-A?

JOSIE ENNENGA: No, E before that.

Like at the beginning.

It's E-N-N.

HEARING OFFICER: E-N-N and then what?

JOSIE ENNENGA: And then E-N again and then G-A.

HEARING OFFICER: And your address?

JOSIE ENNENGA: 1065 230th street.

It's in Boone.

HEARING OFFICER: OK.

1065 what street?

You need to speak up because we are recording this.

JOSIE ENNENGA: 230th street.

HEARING OFFICER: 230th?

JOSIE ENNENGA: Uh-huh.

HEARING OFFICER: OK.

And how do you pronounce your last name again?

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JOSIE ENNENGA: Ennenga.

HEARING OFFICER: OK.

Please raise your right hand.

Do you, Josie Ennenga, swear or affirm the testimony you're about to give is the truth, the whole truth and nothing but the truth.

JOSIE ENNENGA: Yeah.

HEARING OFFICER: Are you related in some way?

JOSIE ENNENGA: Yeah, I'm his niece.

HEARING OFFICER: His niece.

Tell me why you're here today.

JOSIE ENNENGA: To prove that Baby Girl isn't vicious because like we -- me and my boyfriend go down there like quite often and like he gets along with us. When we get out of the car, she'll meet with us and we play with her all the time but then my boyfriend and her will wrestle in the house. When she plays, they'll wrestle and all this stuff and he doesn't like offend or nothing because he knows she's just playing, and we would go outside and the little kids next door would play with her, too. And she always plays with us when we come over there, but she never bit us like traumatically or nothing. It's like when she was playing with us.

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And like she played in the backyard with us and we played like ball with her and stuff.

She doesn't like -- she just meets us and plays with us and she's not like -- she's just a normal puppy that likes to play.

She doesn't like attack anybody like traumatically.

HEARING OFFICER: OK.

Thank you.

Anyone else?

Sergeant?

SERGEANT RAUDABAUGH: Just want to address a couple of issues that were mentioned.

In the city of Des Moines, there is 198,000 people and over 40,000 cats and dogs that we're aware of.

There is a multitude of other animals besides raccoons and cows and horses and everything else.

When it comes to our attention that a dog is running at large, going over to neighbors and bothering them, chasing after joggers and bothering them, it's -- it would be inappropriate for us to take that in a nonchalant manner and just dismiss it that dogs will be dogs.

There's a need to look out for 198,000 people and 40,000 plus animals.

The -- and that was done in this case.

We looked out for those people and those animals.

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The goal here is not to destroy the dog.

It is to control the dog.

Mr. Lloyd has an opportunity to get his dog back if he complies with city ordinance and does follow special rules for a dog that is -- that is acting in a special way.

He can get the dog back.

He can -- as long as he keeps it confined or leashed and insures it, then he can have the dog.

We're not trying to destroy the dog.

And last but not least, there is -- there was a comment about one hand not knowing what the other was doing.

The animal control officer went out there on a dog that was running at large.

Called me and asked me what we wanted to do.

I said impound it because of all the things that were going on.

The next day, Mr. Lloyd and his mother came in.

The paperwork, I did not have the paperwork in hand.

Before I released the dog or took any action, I wanted to read the report.

Pretty reasonable thing to do.

I wanted to make sure all this -- I knew all of the circumstances that the animal control officer experienced, witnessed, was informed about.

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Once I got that paperwork, I reviewed the previous paperwork and subsequently created and had distributed the vicious dog declaration letter.

There was no confusion over what was going on.

I did not have the paperwork in hand and didn't want to make a decision without it.

Pure and simple.

HEARING OFFICER: OK.

SERGEANT RAUDABAUGH: Thank you.

HEARING OFFICER: Anyone else?

You need to come up to the microphone.

OK.

Are you Diane?

DIANE LORENZ: Yes, I am.

HEARING OFFICER: Go ahead.

DIANE LORENZ: I realize that they have to look out for other people but to name a dog vicious from what we were told that they would put her to sleep and he couldn't have it back.

This is what we were told.

And that's why we're fighting the vicious part.

We want to bring his dog home.

HEARING OFFICER: OK.

DIANE LORENZ: When my mom said about one person not knowing what the other person was talking about -- one hand

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not talking to the other hand, what she meant is when she went to the office, she asked to talk to the sergeant, to talk to the sergeant.

Sergeant had to sign the paperwork.

Paperwork was not in the office.

It was supposedly from what she was told with the person that was not at work.

I work in an office, in a government office, our paperwork no matter what we do has to be in the office.

Not be at my home, not be on me some place else.

This should be filed.

For him not to be able to get the paperwork then to look at it and have to wait, I don't understand that.

It doesn't make any sense.

The paperwork should have been there and he sounded like -- he made an opinion off what she said, not his own opinion.

He didn't even comment did the dogs hurt them when they picked them up?

No, the dog did not.

Try to make it sound like the dog is vicious but yet, when the female officer picked up the dog, the dog just went.

So how is that a vicious dog?

I don't understand.

HEARING OFFICER: OK.

OK.

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This is James.

Go ahead.

JAMES LLOYD: This is James Lloyd again.

HEARING OFFICER: Please speak up, sir.

We've got to make sure we get this clear.

JAMES LLOYD: Sorry.

HEARING OFFICER: That's OK.

JAMES LLOYD: I'm really not quite sure where I am, but I just really wanted to emphasize the fact that she's only like a year and 4 months old.

She's just a puppy and since this incident, I have put stronger fencing up.

At this point, the only way that I could possibly get around it is have this humongous amount of insurance on the dog which I've got that fence in, she's going to be chained but I just -- the insurance they're requiring is extravagant so there's no way possible for me to get my Baby Girl back and she -- I just think she's very special and she should not have to go through what she's going through.

She's just a very lovable dog so she'll sit up on your lap and she's just a very lovable dog.

I hope you will spare my dog, please.

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HEARING OFFICER: Are you very clear on if the dog is determined to be vicious, what the requirements would be for you to own a vicious dog?

Are you clear?

Would you like to have Sergeant Raudabaugh come up and explain that to you so you are very clear what would be involved.

Do you understand completely?

JAMES LLOYD: I'm clear enough to know that there's no way that I can do that so that's why I need the viciousness taken off of my dog.

HEARING OFFICER: OK.

Would you just -- for me, just explain what -- why you think you couldn't -- if it's something to do with the insurance.

I'm not real clear on that.

The cost of the insurance or what?

JAMES LLOYD: Once your dog is deemed vicious, a lot of insurance company -- I haven't found any insurance company that will even carry it.

When you have a dog and then, if it's declared vicious, they're already covered but my dog is not vicious.

HEARING OFFICER: OK.

I just wanted to make sure I was clear in my mind what you were saying about that.

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JAMES LLOYD: Yeah.

Yeah, I can't get the insurance.

HEARING OFFICER: Thank you.

JAMES LLOYD: You're welcome.

HEARING OFFICER: OK, this is Betty Lloyd.

BETTY LLOYD: I don't think it's fair to put this dog down as a vicious dog to begin with.

HEARING OFFICER: When you say -- what do you mean, "put it down"?

BETTY LLOYD: Trying to say it's a vicious dog, period.

OK, it's not a vicious dog.

So why should it have the title as a vicious dog?

HEARING OFFICER: OK.

BETTY LLOYD: I understand what you're saying.

HEARING OFFICER: OK.

Thank you.

Anyone else?

HEARING OFFICER: OK.

I was given a lot of paperwork, listened to what everyone had to say.

I need to go very thoroughly through the paperwork.

I need to listen to the tapes again because this is -- these are very important hearings and so I don't like to rule quickly on something like this.

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So I am not going to make a ruling today.

I'm going to very thoroughly review all the information that was provided to me.

I will take everything into consideration and what was said and given before I make a ruling, so it will be sometime next week before I get that ruling out.

It will be a written ruling and it will be hand delivered to you.

Once you have that ruling, that will be my final administrative decision.

Should you disagree, you do have the right to appeal to the city council but all that information will be in the letter.

But like I said, I have a very open mind right now, and I'm going to review everything very thoroughly before I make any decision.

I appreciate everyone coming in.

Thank you.