

**EXHIBITS FOR DANGEROUS ANIMAL
"REMINGTON"**

**William E. Shimer
3302 Simms Drive
Des Moines, IA 50317**

- EXHIBIT A** Letter from Police Animal Control
Declaring the Dogs "Dangerous/Vicious"
(Pages 1 – 5)
- EXHIBIT B** Letter Rescheduling Date of Administrative
Hearing & Municipal Code Sections
(Pages 6 – 14)
- EXHIBIT C** Animal Incident Investigation Reports
(Chief Humane Officer)
(Pages 15 – 21) Case No. 12-20629
(Pages 22 - 24) Case No. 11-22926
Two Photos – Case No. 11-22926
(Pages 25 – 34) Case No. 11-18080
- Exhibit C (A) – William Shimer's Exhibits
- EXHIBIT D** Administrative Hearing Officer's Ruling
(Pages 1 – 7)
- EXHIBIT E** Appeal from William Shimer
(Page 1)
- Letter setting date for appeal to
City Council
(Page 2)
- EXHIBIT F** Letter & Administrative Hearing
Transcript
(Pages 1 -16)

EXHIBIT A

EX. A

July 10, 2012

Mr. Bill Shimer
3302 Simms Drive
Des Moines, Iowa



Dear Mr. Shimer,

On July 5, 2012 your black colored male Labrador Retriever breed dog, named "Remington," ran to your fence, when your son told the dog to "get the fence." The dog jumped on the fence and bit the hand of an eleven year old boy that was standing on the outside of the fence, which resulted in a puncture and tear to his hand. The victim said he plays with the boys at your house daily. Your dog was impounded for quarantine at the city animal shelter. (2012 - 20629)

On July 18, 2011 your dog named "Remington" bit a nine year old boy when he arrived for day care at your residence. The victim said he backed away from your dog after it acted in an aggressive manner but your dog lunged forward and bit him in the arm, which resulted in a puncture, scrapes and bruising. At that time you claimed the boy provoked the dog by walking up behind the dog and striking it. (2011 - 22926)

On June 9, 2011 your dog named "Remington" bit a ten year old boy in the face, which resulted in lacerations. The victim said he was petting your dog when another boy stepped on your dog's tail or kicked your dog (2011 - 18080)

Because your dog named "Remington" bit a person on two separate occasions within a 12 month period and bit a person in the face and caused injuries it is being declared a **"Dangerous Animal,"** as defined by city ordinance 18-196.

An **Administrative Hearing** to review the Dangerous Animal declaration has been scheduled for **1:00 P.M. on Wednesday, July 18, 2012** in the City Council Chambers in the Des Moines City Hall at 400 Robert D. Ray Drive. Your dog will remain in impound pending a decision by the Hearing Officer.

If the Dangerous Animal declaration is upheld your dog may be ordered destroyed in a humane manner or you may be given the option to cause it to be destroyed in a humane manner, in accordance with city ordinance 18-202.

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

Ex. A

2012 JUL 11 PM 3:34

2



Chief Humane Officer

DOCUMENT SERVICE

DMPD Case number: 2012-20629

ARL number (if known): A13CP14802

Animal owner's name: BILL SHIMER

Address: 3302 SIMMS DR.

Location of service: SAME

Date and time served: 10 JULY 2012

Official serving document (print name):
Sgt. RAUDABAUGH

Official's identification number: 470

Type of document served: ☐ Vicious dog letter ☒ Dangerous

animal letter ☐ Illegal animal letter ☐ Hearing ruling letter

☐ City Council decision letter ☐ Other: _____

Name of person receiving document (they print their name):

Naomi Shimer

Their signature: X Naomi F. Shimer
KF ACU

EX. A

3

July 10, 2012

Mr. Bill Shimer
3302 Simms Drive
Des Moines, Iowa



Dear Mr. Shimer,

On July 5, 2012 your black colored male Labrador Retriever breed dog, named "Remington," ran to your fence, when your son told the dog to "get the fence." The dog jumped on the fence and bit the hand of an eleven year old boy that was standing on the outside of the fence, which resulted in a puncture and tear to his hand. The victim said he plays with the boys at your house daily. Your dog was impounded for quarantine at the city animal shelter. (2012 - 20629)

On July 18, 2011 your dog named "Remington" bit a nine year old boy when he arrived for day care at your residence. The victim said he backed away from your dog after it acted in an aggressive manner but your dog lunged forward and bit him in the arm, which resulted in a puncture, scrapes and bruising. At that time you claimed the boy provoked the dog by walking up behind the dog and striking it. (2011 - 22926)

On June 9, 2011 your dog named "Remington" bit a ten year old boy in the face, which resulted in lacerations. The victim said he was petting your dog when another boy stepped on your dog's tail or kicked your dog (2011 - 18080)

Because your dog named "Remington" has attacked a human being without provocation and has a history, tendency or disposition to attack, to cause injury or to otherwise endanger the safety of human beings and snaps, bites or manifests a disposition to snap or bite your dog is being **declared a "Vicious Dog," as defined by city ordinance 18-41.**

This declaration is an alternate filed in conjunction with a Dangerous Animal declaration, in accordance with city ordinance 18-202. The facts of the incidents for both declarations will be heard at the Dangerous Animal hearing.

If after the hearing the Dangerous Animal declaration is overturned but the Vicious Dog declaration is upheld you may within seven days 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. If your dog is found unlicensed as a Vicious Dog in the City of Des Moines you will **NOT** be able to reclaim it and it will be destroyed in a humane manner, in accordance with city ordinance 18-58. Also if your dog is found not properly confined/leashed as a Vicious Dog more than twice you will **NOT** be able to reclaim it and it will be destroyed in a humane manner, in accordance with city ordinance 18-57.

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

Vicious Dog Requirements

Licensing

Dogs declared vicious, whether by breed or behavior, must at all times be currently licensed and display the current license tag and the rabies vaccination tag.

There is *no* "grace period" for licensing a cat or dog, which means all cats and dogs must be licensed by January 1st of every year. The March 31st deadline only applies to the late license fee that will be applied after that date when licensing a cat or dog after that date.

Cat and dog licenses are sold throughout the year and cat and dog licenses for the next year go on sale in December of each year.

Rabies vaccination

Current rabies vaccination must be maintained for all cats and dogs.

Insurance

Current liability insurance (\$100,000 minimum) must be maintained for dogs declared vicious, whether by breed or behavior.

Confinement

Dogs declared vicious, whether by breed or behavior, must be securely confined in one of the following:

- 1) Inside a house or residence. Not on a porch or patio that would allow the dog to exit the building on its own.
- 2) Inside a kennel/pen with an attached top *or* inside a kennel/pen without a top but with walls six (6) feet tall and the kennel/pen must be locked with a padlock and the walls of the kennel must be attached to a floor/foundation or be embedded in the ground no less than two (2) feet. An open top kennel/pen must be six (6) feet taller than any internal structure.

Leashing

Dogs declared vicious, whether by breed or behavior, and on a leash must be leashed in accordance with all of the following:

- 1) The person holding the leash must be eighteen (18) years old or older.
- 2) The leash cannot be longer than six (6) feet long.
- 3) The leash cannot be tied to an inanimate object; such as a tree, pole or tie-out.

Ex. A

5



Chief Humane Officer

DOCUMENT SERVICE

DMPD Case number: 2012-20629

ARL number (if known): A136014802

Animal owner's name: BILL SHIMER

Address: 3302 SIMMS DR.

Location of service: SAME

Date and time served: 10 JULY 2012

Official serving document (print name):

Sgt. PAUL ABALLAH

Official's identification number: 470

Type of document served: ☒ Vicious dog letter ☐ Dangerous

animal letter ☐ Illegal animal letter ☐ Hearing ruling letter

☐ City Council decision letter ☐ Other: _____

Name of person receiving document (they print their name):

-NAOMI Shimer

Their signature: X

Naomi Y. Shimer
KF ACU

EXHIBIT B

EX. B
6



July 17, 2012

Bill Shimer
3302 Simms Drive
Des Moines, IA 50317

Re: Administrative Hearing- Dangerous Animal

A hearing has been rescheduled for **Monday, July 23, 2012** in the City Council Chambers, south end of the second floor, **City Hall, 400 Robert D. Ray Drive**, at **10:00 A.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.

Note: You must bring hard copy prints of any photographs you wish to have considered as evidence to the administrative hearing. Images on cell phones and computers will not be considered as they cannot be entered into the official record.

If you have questions in this regard, please call.

Sincerely,

A handwritten signature in black ink that reads "Diane Rauh". The signature is fluid and cursive.

Diane Rauh
City Clerk

DR/kh

Enclosure

cc: Hearing Officer
Attorney Spellman
Staff Notification
File

7

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.

Service dog or service animal means a dog that is individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being or companionship do not constitute work or tasks for the purposes of this definition.

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, 15,001)

Cross reference— Definitions generally, § 1-2.

Sec. 18-55. - Running at large.

- (a) A dog, properly licensed as required by law, shall not be deemed at large if:
- (1) The dog is on the premises of the owner or a person given charge of the dog by the owner and is either:
 - a. Restrained on those premises by an adequate protective fence or by leash,

- cord, chain or other similar restraint that does not allow a dog to go beyond the owner's real property line; or
- b. At all times within the actual physical presence of and immediately obedient to the commands of the owner or person given charge of the dog by the owner. At no time shall the dog be more than six feet from such person.
- (2) The dog is off the premises of the owner and is:
- a. On a leash, cord, or chain or other similar restraint not more than six feet in length and under the control of a person competent to restrain and control the dog; or
- b. Properly restrained within a motor vehicle.
- (3) The dog is properly housed in a veterinary hospital or registered kennel.
- (4) The owner and the dog are participating in a regularly scheduled competitive or exhibition event sanctioned or sponsored by a nationally recognized organization, local chapter thereof, or other generally recognized local organization.
- (5) The dog and the owner are actively engaged in a generally recognized dog obedience training program or training for a generally recognized kennel club event, provided:
- a. The dog is in the actual physical presence of the owner or trainer at all times;
- b. The owner or trainer is at no time more than 50 feet from the dog;
- c. The dog is immediately obedient to the commands of the owner or trainer; and
- d. The owner or trainer has, at all times, on his or her person a leash of sufficient strength to restrain the dog.
- (6) The dog and owner, or a person given charge of the dog by the owner, are in a designated off leash area of a city park or other city property, or in other non-city park property, provided:
- a. The owner or person in charge of the dog and dog are at all times abiding by all the rules and regulations of such designated off leash area; and
- b. The dog is in the actual physical presence of the owner or person given charge of the dog.
- c. The dog has a current:
1. Dog park permit which is visible on the owner or person given charge of the dog; and
2. City of Des Moines or other valid government issued dog license from the dog owner's place of residence; and
3. Rabies vaccination.
- The license and rabies vaccination tags must be visible on the dog or the owner or person given charge of the dog has such license and proof of rabies vaccination in their possession.
- d. In addition to the requirements in subsection (6)a.—c. of this section, vicious dogs must be on a leash in compliance with section 18-56(d) of this chapter and the owner or person given charge of a vicious dog must have a certificate of insurance in their possession which meets the requirements of section 18-44 of this chapter.
- (7) The annual license fee for a dog park permit shall be in the amounts set in the schedule of fees adopted by the city council by resolution.
- (b) A dog shall be deemed to be at large if it is not properly licensed or if it is not housed, restrained or controlled in one of the methods set forth in subsection (a) of this section.
- (c) Notwithstanding any other section of this article, any dog shall be deemed at large at any time

9

when attacking persons, domestic animals, destroying property, or on a public school ground except when under restraint as set out in subsection (a)(2) or when in a designated off leash area in compliance with subsection (a)(6) of this section. Furthermore, any female dog in heat shall be deemed at large at any time except:

- (1) When housed in a building which is completely enclosed;
- (2) When housed in a veterinary hospital or registered kennel; or
- (3) When on the premises of the owner, provided the area on which such dog is located is:
 - a. Completely enclosed in a locked, enclosed fence, pen or other structure having a height of at least six feet; such fence, pen or structure must have secure sides which are imbedded into the ground, if the bottom of the structure is not integrally connected to the structure; or
 - b. If the fence, pen or structure is less than six feet in height, it must have a secure top in addition to securely imbedded sides as described in subsection (c)(3)a of this section.

Nothing in this subsection, however, shall be construed as prohibiting any owner of a female dog in heat from walking such dog with a leash, cord, chain or other similar restraint not more than six feet in length or from transporting such dog within a motor vehicle.

- (d) No owner of any dog shall permit such dog to be at large at any time.

(C42, §§ 114-5, 114-6, 114-9; O.5385, 5506; C54, §§ 5-19, 5-20; O.6002, 6234; C62, §§ 5-19, 5-20; O.7499; C75, § 7-27; O.9098, 9376; C79, C85, § 7-27; O.10,855, 10,867, 10,886, 11,095; C91, § 7-27; O.11,807, 15,024)

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 except as provided in section 18-66 of this chapter.
- (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 except as provided in section 18-66 of this chapter.

- (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 except as provided in section 18-66 of this chapter.
- (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, 14,951)

Sec. 18-66. - Vicious dogs by breed evaluated for adoption.

Notwithstanding sections 18-57, 18-58 and 18-59 a vicious dog by breed as defined in this chapter shall not be destroyed until after it is evaluated for adoption by the contractor. If contractor determines the dog is not fit for adoption it shall be destroyed. If contractor determines the dog is fit for adoption then the dog shall be released to the contractor for adoption to a person who does not reside with the owner at the time of impoundment. If the owner at the time of impoundment or someone residing with the owner is found to have custody, control, or is otherwise harboring the dog after its adoption pursuant to this section, the dog shall be immediately impounded and destroyed.

(O. 14,951)

17

Sec. 18-196. - Definitions.

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

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

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

Illegal animal means:

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

(C79, § 7-44; O.10,541; C85, § 7-44; O.10,886, 11,095; C91, § 7-44)

Cross reference—Definitions generally, § 1-2.

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

- 13
- (a) The chief humane officer or his or her designee, in his or her discretion or upon receipt of a complaint alleging that a particular animal is a dangerous animal as defined in this article, may initiate proceedings to declare such animal a dangerous animal. A hearing on the matter shall be conducted by the city manager or his or her designee. The person owning, keeping, sheltering, or harboring the animal in question shall be given not less than 72 hours' written notice of the time and place of the hearing. The notice shall set forth the description of the animal in question and the basis for the allegation of dangerousness. The notice shall also set forth that if the animal is determined to be dangerous it may be ordered destroyed or the owner may be given the option to cause it to be destroyed. The notice shall be served upon any adult residing at the premises where the animal is located or may be posted on those premises if no adult is present to accept service. A notice that a dog is a dangerous animal may include as an alternative an allegation that a dog is a vicious dog under sections 18-41 and 18-59 of this chapter, and the hearings shall proceed together under this section.
 - (b) If, after hearing, the city manager or his or her designee determines that an animal is dangerous, the city manager or his or her designee shall either order the animal destroyed in a humane manner by the chief humane officer, or order the person owning, sheltering, harboring or keeping the animal to cause it to be destroyed in a humane manner. The order shall immediately be served upon the individual or entity against whom issued in the same manner as the notice of hearing. If the animal is ordered to be destroyed by the chief humane officer such order shall be carried out after the appeal period in subsection (c) of this section has expired. If the animal is ordered to be destroyed by the owner, such order must be complied with within three days of its issuance, otherwise the city manager or his or her designee is authorized to seize and impound the animal. An animal so seized shall be impounded for a period of seven days. If, at the end of the impoundment period, the individual or entity against whom the order of the city manager or his or her designee was issued has not appealed such order to the city council, the city manager or his or her designee shall cause the animal to be destroyed in a humane manner.
 - (c) The order to destroy a dangerous animal issued by the city manager or his or her designee may be appealed to the city council. In order to appeal such order, written notice of appeal must be filed with the city clerk within three days after receipt of the order to destroy the dangerous animal. Failure to file such written notice of appeal shall constitute a waiver of the right to appeal the order of the city manager or his or her designee.
 - (d) The notice of appeal shall state the grounds for such appeal and shall be delivered personally or by certified mail to the city clerk. The hearing of such appeal shall be scheduled within seven days of the receipt of notice of appeal. The hearing may be continued for good cause. The hearing shall be confined to the record made before the city manager or his or her designee and the arguments of the parties or their representatives, but no additional evidence shall be taken. After such hearing the city council may affirm or reverse the order of the city manager or his or her designee. Such determination shall be contained in a written decision and shall be filed with the city clerk within three days after the hearing or any continued session thereof.
 - (e) If the city council affirms the action of the city manager or his or her designee, the city council shall either order the animal destroyed by the chief humane officer, or order that the individual or entity owning, sheltering, harboring, or keeping such dangerous animal shall cause it to be destroyed in a humane manner. The decision and order shall immediately be served upon the person or entity against whom rendered in the same manner as the order to destroy. If the animal is ordered to be destroyed by the chief humane officer the order shall be effective on the fourth day after receipt of the order by the owner unless the county district

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

- (f) Failure to comply with an order of the city manager or his or her designee issued pursuant to this section and not appealed or of the city council after appeal shall constitute a misdemeanor offense.
- (g) Any animal which is alleged to be dangerous and which is under impoundment or quarantine at the animal shelter shall not be released to the owner, but shall continue to be held at the expense of the owner pending the outcome of the hearing. All costs of such impoundment or quarantine shall be paid by the owner if the animal is determined to be dangerous. If the animal is not determined to be dangerous and was found at large, the owner shall only pay those costs attributable to the initial confinement and any required quarantine. If the animal is not determined to be dangerous and was not at large at the time of confinement, the owner shall only pay those costs attributable to any required quarantine.

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

EXHIBIT C

Animal Incident Investigation Report
Des Moines, Iowa

2012 JUL 10 PM 1:27

EXC

Impounded or bite animal		1. ARL case number: C01246172		2. DMPD case number (if applicable): 12-20629	
32. Impounded or bite animal ARL number: Impounded: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> ARL# A13614802		3. Victim's name (Last, First M.I.): DEAL, ZACHARY		(Human victim or society)	
33. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/> RIMINGTON		4. Race: W	5. Sex: M	6. Age:	7. Date of birth: 01/16/2001
34. Animal breed: LAB		8. Ethnicity: H <input type="checkbox"/> NH <input checked="" type="checkbox"/>			
35. Animal color: BLACK		9. Sobriety: Sob. <input checked="" type="checkbox"/> H.B.D. <input type="checkbox"/>			
36. Animal fur length: Short <input type="checkbox"/> Medium <input checked="" type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>		10. Residence address: 1215 E. 33 ST (City and/or state if not Des Moines or Iowa)			
37. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input checked="" type="checkbox"/> Unknown <input type="checkbox"/>		11. Residence phone number: 887-7627		12. Business or cellular phone number:	
38. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> (Records Personnel: Enter M/C# as a serial number)		13. Place of employment or school:			
M/C#:		14. Type and location of injury: PUNCTURE AND TEAR TO RIGHT FATTY PORTION OF PALM			
39. Rabies tag: No <input type="checkbox"/> Yes <input type="checkbox"/> R/T#: NOT DISPLAYED		15. Medical treatment: LUTHER ER-STITCHES			
39A. Date of vaccination:		39B. Date of vaccination expiration:		16. Reporting person's name (Last, First M.I.): HARVEY, THERESA & DEAL, DANNY	
39C. Veterinarian:		17. Race:	18. Sex:	19. Age:	20. Date of birth:
40. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#: NOT DISPLAYED		21. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>		22. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>	
41. Other identifiers (Collar, tattoo, etc.): NYLON COLLAR		23. Residence address: 1215 E 33 ST (City and/or state if not Des Moines or Iowa)			
42. Confinement/quarantine location: ARL CCC		24. Residence phone number: 887-7627(MOM)		25. Business or cellular phone number: 975-3903 (DAD)	
43. Impounded or bite animal owner's name (Last, First M.I.): SHIMER, BILL		26. Location of incident (address): 3302 SIMS			
44. Residence address: 3302 SIMS (City and/or state if not Des Moines or Iowa)		27. Location type: RESIDENCE			
45. Residence phone number:		28. Date and time incident occurred: 5 JULY 12 1200		29. Date and time incident reported: 5 JULY 12 1549	
46. Place of employment or school:		30. Crime/incident type: ANIMAL BITE-DOG			
47. Business or cellular phone number:		31. Classification:			
48. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>		48A. Date and time of notification: 5 JULY 12 1810		48B. Person making notification: T. UPDEGROVE AR4	
49. Witness' name (Last, first):		50. Residence address: (City and/or state if not Des Moines or Iowa)		51. Daytime or cellular phone number:	
52. Witness' name (Last, First):		53. Residence address: (City and/or state if not Des Moines or Iowa)		54. Daytime or cellular phone number:	
55. Investigative notifications and/or photographs taken: ARL Supervisor: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Sergeant: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Police Officer: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Photographs taken by ARL or PO: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/>					
Victim animal		56. Victim animal ARL number: Impounded: No <input type="checkbox"/> Yes <input type="checkbox"/> ARL#:		57. Animal type: Cat <input type="checkbox"/> Dog <input type="checkbox"/> Other <input type="checkbox"/>	
58. Animal breed:		59. Animal color:		60. Animal fur length: Short <input type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>	
61. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>		62. Rabies tag: No <input type="checkbox"/> Yes <input type="checkbox"/> R/T#:			
63. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> M/C#:		62A. Date of vaccination:		62B. Date of vaccination expiration:	
64. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#:		62C. Veterinarian:			
65. Type and location of injury:		65. Medical treatment:			
67. Confinement/quarantine location:		68. Victim animal owner's name (Last, First M.I.):			
69. Residence address: (City and/or state if not Des Moines or Iowa)		70. Residence phone number:		71. Business or cellular phone number:	
72. Reporting official: T. UPDEGROVE AR4		73. Status: <input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Excep. Closed <input type="checkbox"/> Case file <input type="checkbox"/> Suspended <input type="checkbox"/> Unfounded		74. Copy/copies made by:	
76. Second reporting official:		77. Supervisor approving report: T. Updegrave AR-1		78. Reviewed by:	
I.D. No.		I.D. No.		75. 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	

Ex.C

Animal Incident Investigation Report										80. DMPD case number (if applicable): 12-20629					
79. Page: 2 of 3		Des Moines, Iowa				82. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>		83. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>		84. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>					
81. Suspect or offender <u>one</u> (1) name (Last, first Middle):															
85. Race:	86. Sex:	87. Age:	88. Date of birth:	89. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	90. Height:	91. Weight:	92. Hair color:	93. Eye color:	10						
94. Residence address: (City and/or state if not Des Moines or Iowa)															
95. Residence or alternate phone number:				96. Driver license number or social security number:				96A. State:				97. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>			
98. Citation number and crime:				99. Citation number and crime:											
100. Suspect or offender <u>two</u> (2) name (Last, First Middle):										101. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>		102. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>		103. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>	
104. Race:	105. Sex:	106. Age:	107. Date of birth:	108. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	109. Height:	110. Weight:	111. Hair color:	112. Eye color:							
113. Residence address: (City and/or state if not Des Moines or Iowa)															
114. Residence or alternate phone number:				115. Driver license number or social security number:				115A. State:	116. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>						
117. Citation number and crime:				118. Citation number and crime:											
119. Narrative:															
<p>R.O WAS CALLED TO LUTHERN HOSPITAL ON A REPORT OF A DOG BITE. I ARRIVED TO SPEAK TO VICTIM DEAL, ZACHARY (AGE 11) AND HIS FATHER DEAL, DANNY. I WAS INFORMED DEAL'S MOTHER IS THE ONE THAT BROUGHT HIM TO THE HOSPITAL HER NAME BEING HARVEY, THERESA HOWEVER HAD TO LEAVE AND DEAL, DANNY TOOK HER PLACE. ZACHARY STATED HE WAS OVER AT HIS FRIENDS HOUSE AS HE PLAYS WITH THE BOYS THERE DAILY. ZACHARY STATED HE WAS STANDING ON THE OUTSIDE OF THE DOGS FENCE, THE DOG NAMED RIMINGTON A BLACK LAB WAS IN HIS YARD WITH HIS FRIEND RILEY (THE TEENAGE SON OF THE OWNER OF THE DOG). ZACHARY STATED RILEY TOLD THE DOG RIMINGTON TO GET THE FENCE, THE DOG THEN RAN OVER TOWARDS HIM AND JUMPED ON THE FENCE BITING HIM ON HIS RIGHT HAND. ZACHARY STATED HE PULLED HIS HAND BACK AWAY FROM THE DOG. R.O FOUND THE INJURY TO ZACHARY'S RIGHT HAND ON THE FATTY PORTION. THE WOUND WAS CONSISTANT WITH A TOOTH PUNCTURE AND TEAR. THERE WERE STITCHES CLOSING A PORTION OF THE WOUND AS THE OTHER PORTION THEY WERE LEAVING OPEN FOR DRAINAGE. I ASKED ZACHARY IF HE WAS SURE RILEY DIDNT TELL THE DOG TO GET HIM, HE STATED "NO, HE TOLD HIM TO GET THE FENCE."</p> <p>ZACHARY STATED THE PARENTS WERE NOT HOME AT THE TIME OF THE BITE THAT RILEY TOLD HIM HIS DAD AND MOM WERE AT THE HOSPITAL GETTING A BB REMOVED FROM HIS DAD. ZACHARY STATED HE THEN WENT HOME AND TOLD HIS MOTHER. ZACHARY ALSO STATED THAT HIS BROTHER WENT BACK OVER TO THE DOGS RESIDENCE TO AGAIN SEE IF AN ADULT WAS HOME, AGAIN TO FIND NO ADULTS HOME. I WAS ADVISED BY DEAL, DANNY THIS IS THE SECOND TIME THAT THIS DOG HAS BITTEN HIS SON, INDICATING IT WAS ABOUT THE SAME TIME LAST YEAR WHEN HIS SON WAS FIRST BITTEN AND IT WAS ALSO REPORTED. I WAS GIVEN DIRECTIONS TO THE RESIDENCE AND WAS ABLE TO FIGURE OUT 3302 SIMS. R.O FOUND 2 PREVIOUS BITES ON FILE SEE CASE # 11-18080 AND 11-22926. I THEN WENT TO 3302 SIMS WHERE CONTACT WAS MADE WITH SHIMER, BILL. AT FIRST BILL WAS COOPERATIVE, I ADVISED RIMINGTON HAD BITTEN WHICH HE STATED HE WAS UNAWARE OF. I ADVISED THAT DUE TO THIS BEING THE DOGS 3RD BITE I WOULD HAVE TO Q/T THE DOG AT THE SHELTER. BILL STATED HE WOULD Q/T THE DOG AT HIS HOUSE, I AGAIN ADVISED THAT I COULDNT DO THAT, A HOME Q/T WOULD HAVE TO BE DISCUSSED WITH THE SGT. THE WINDOW HAD OPENED NEXT TO THE FRONT DOOR AND A FEMALE PARTY STARTED YELLING NO, YOU ARNT TAKING MY DOG. THE FEMALE PARTY THEN STATED THEY HAVE A PROBLEM WITH THE SGT AND WANTED TO KNOW IF THE DOG COULD BE Q/T AT ARL'S MAIN LOCATION. I ADVISED THAT THIS WOULD HAVE TO BE DISCUSSED WITH THE SGT TOMORROW BUT FOR NOW I WOULD HAVE TO IMPOUND THE DOG. I ALSO ASKED FOR PROOF OF A CURRENT RABIES VACCINATION. BILL WENT INSIDE HIS RESIDENCE THEN BROUGHT ME OUT A RABIES TAG FROM THE SPAY CLINIC FROM THIS YEAR. I WAS THEN TOLD BY THE FEMALE PARTY TO GET THE SGT ON THE PHONE "NOW". I TOLD HER THAT WAS NOT GOING TO HAPPEN, THEY COULD DISCUSS THIS ALL WITH HIM TOMORROW.</p>															
120. Date of this report 5 JULY 12															

EX.C

Animal Incident Supplemental Report
Des Moines, Iowa

1. Human victim or reporting person or animal owner name (Last, First M.I.): DEAL, ZACHARY		2. Case number: 12-20629
4. Date of this report: 5-Jul-12		5. Date incident occurred: 5-Jul-12
3. Form used as a continuation of an Animal Incident Investigation Report: <input checked="" type="checkbox"/>		Changed: <input type="checkbox"/> Yes
6. Form used to report a follow-up investigation or additional information: <input type="checkbox"/>		7. Crime/incident type: ANIMAL BITE-DOG
8. Page: 3 of 3	9. If this report is a continuation of another report then indicate the box number(s) continued below:	

THE FEMALE PARTY THEN STATED TO BILL TO "GET MY FUCKING DOG" THEN SAID "STEVEN GET THE FUCKING DOG NOW." PARTIES THEN STATED THAT THEY WERE TOLD THAT IF THE DOG EVER WALKED THROUGH THE DOORS OF ARL CCC THE DOG WOULD BE DEAD. I THEN CALLED FOR POLICE ASSIST AND WENT TO MY AC VEHICLE TO WAIT AS I WAS NOT GOING TO ARGUE.

WHILE WAITING FOR PD 2 PARTIES GOT INTO VEHICLES PARKED ON THE WEST SIDE OF THE HOUSE. I COULD NOT TELL MALE OR FEMALE BUT ONE LEFT IN A BLUE EXPLORER TYPE VEHICLE THE OTHER IN A WHITE PLUMBING VAN. I ADVISED DISPATCH I HAD TWO VEHICLES LEAVING EAST ON UNIVERISTY BUT TO STILL SEND AN OFFICER.

A SHORT TIME LATER DMPD OFFICER MANN ARRIVED AND I EXPLAINED WHAT WAS GOING ON. MANN WENT TO THE FRONT DOOR WITH NO CONTACT.

WE THEN WENT TO THE SIDE DOOR WHERE A FEMALE PARTY CAME TO THE DOOR, MANN ASKED WHERE THE DOG WAS AT, THE FEMALE PARTY STATED "I DONT KNOW", SHE WAS ASKED AGAIN WHERE THE DOG WAS AT, SHE AGAIN STATED "DONT HAVE A CLUE." MANN ASKED WHO TOOK OFF WITH THE DOG, THE FEMALE PARTY THEN TRIED TO SHUT THE DOOR IN HIS FACE. MANN BLOCKED THE DOOR WITH HIS FOOT, THAT IS WHEN A LIGHT SKIN BLACK TEENAGE MALE AND ANOTHER WHITE MALE STEPPED IN FRONT OF ME BLOCKING THE DOOR.

MANN THEN CAME OUT OF THE RESIDENCE STATING WE COULD JUST FILE A WARRANT. WE THEN WENT TO OUR VEHICLES AND WERE GETTING READY TO LEAVE WHEN SHIMER, BILL CAME WALKING INTO THE YARD. MYSELF AND MANN THEN APPROACED SHIMER AND I ASKED WHERE THE DOG WAS, BILL STATED THE DOG WILL NEVER BE BACK HERE AND THE DOG TOOK OFF. I SAID THAT WAS NOT TRUE, WHERE DID THE DOG GO. BILL STARTED BECOMING AGGITATED SO I BACKED OFF TOWARDS MY TRUCK. OFFICER MANN WAS ASKING QUESTIONS TO BILL HOWEVER I COULD NOT HEAR WHAT WAS BEING SAID. I THEN SAW BILL PUSH OFFICER MANN, OFFICER MANN HAD TO TAKE A STEP BACK, BACKED OFF AND CALLED FOR OTHER DMPD OFFICERS.

ONCE DMPD SPOKE WITH ME AS TO WHAT I SAW BETWEEN SHIMER AND OFFICER MANN I LEFT THE SCENE AS THE DOG WAS NOT ON THE PROPERTY. I WAS THEN CALLED BACK TO THE PROPERTY AS THE TEENAGE SON BROUGHT THE DOG BACK TO THE PROPERTY. I WAS THEN ABLE TO IMPOUND THE DOG AND TRANSPORTED HIM TO ARL CCC.

AT THE RESIDENCE I DID HAVE THE TEENAGE SON OF THE OWNER LOAD THE DOG INTO MY AC TRUCK. ONCE AT THE SHELTER I WAS ABLE TO UNLOAD THE DOG WITH JUST A LEASH HOWEVER WHEN I WENT BACK TO FEED THE DOG, THIS DOG POSTURED PLACING ALL HIS WEIGHT ON HIS TOES, HIS HAIR HACKLED AND HE HAD A LOW DEEP GROWL. I BACKED OFF THE KENNEL AND APPROACHED AGAIN, MAKING EYE CONTACT WITH THE DOG, AGAIN THE DOG TOOK THE SAME STANCE. I BACKED OFF THE LAST TIME THEN APPROACHED SPEAKING TO HIM LIKE A "BABY" WITH NO EYE CONTACT, THE DOG SETTLED AND I WAS ABLE TO GIVE HIM HIS BOWL OF FOOD.

DEAL, DANNY WAS CONTACTED TO ADVISE THE DOG WAS IMPOUNDED AND DID HAVE A CURRENT RABIES VACCINATION.

Q/T RELEASE ON 07/15/12 @ NOON.

10. Reporting official: T. UPDEGROVE AR4	I.D. No.	11. Status: <input type="checkbox"/> Open <input 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 type="checkbox"/> Animal Control <input type="checkbox"/> Detectives <input type="checkbox"/> PIO <input type="checkbox"/> Chief <input type="checkbox"/> OPS <input type="checkbox"/> Other:
14. Second reporting official:	I.D. No.	15. Supervisor approving report:	I.D. No.	16. Reviewed by:

2012 JUL 11 PM 3:59

EX.C

Animal Incident Supplemental Report
 Des Moines, Iowa

1. Human victim or reporting person or animal owner name (Last, First M.I.): DEAL, ZACHARY		2. Case number: 12-20629	
3. Form used as a continuation of an Animal Incident Investigation Report: <input type="checkbox"/>		4. Date of this report: 9-Jul-12	5. Date incident occurred: 5-Jul-12
6. Form used to report a follow-up investigation or additional information: <input checked="" type="checkbox"/>		7. Crime/incident type: ANIMAL: BITE/DOG	
8. Page: 1 of 1		9. If this report is a continuation of another report then indicate the box number(s) continued below:	
<p>R/O MADE CONTACT WITH VICTIM'S FATHER, DEAL, DANNY. HE SAID THAT HE REALLY WASN'T INVOLVED IN THIS INCIDENT OTHER THAN BEING AT THE HOSPITAL WITH HIS SON. HE DOES NOT LIVE WITH MOM HARVEY, THERESA OR HIS SON. HE SAYS THAT THERESA HAS ZACH RIGHT NOW AND WE ARE GOING TO HAVE TO GET AHOLD OF HER TO GET ZACH DOWN TO THE SHELTER. HE SAID IT IS OBVIOUS THAT WE HAVE THE RIGHT DOG UNDER QT. I EXPLAINED THAT IT WOULD APPEAR SO, BUT WE NEED TO MAKE SURE. HE SUPPLIED ME WITH A CORRECTED PHONE NUMBER FOR HARVEY, THERESA: 712-887-7627. HE SAYS THAT HE JUST TALKED TO HER AND SHE TOLD HIM SHE WROTE A LETTER SAYING THAT SHE WAS IN FAVOR OF SHIMER GETTING THE DOG BACK AFTER THE QT PERIOD. THIS ANGERS DEAL, DANNY AS HE DOESN'T UNDERSTAND WHY THERESA WOULD PUT HER SON AT RISK ALLOWING THE BOY TO BE AROUND A DOG THAT HAS BITTEN HIM TWICE. HE ASKED THAT WE NOTIFY HIM WITH THE RESULTS OF THE CASE AT THE END OF QT. I ADVISED THAT WE WOULD AND THANKED HIM FOR HIS TIME. I CALLED THERESA HARVEY AT THE CORRECTED #. THE FIRST TIME, THE PHONE PICKED UP AND IMMEDIATELY HUNG UP. I CALLED THE NUMBER BACK AND RECEIVED VOICEMAIL. I LEFT A MESSAGE STATING THAT WE NEEDED ZACH TO COME TO THE SHELTER TO IDENTIFY REMINGTON FOR US AND PROVIDED THE SHELTER HOURS.</p>			
10. ARL reporter: CINDY GERKE AR2		11. Status: <input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Excep. Closed <input type="checkbox"/> Case file <input type="checkbox"/> Suspended <input type="checkbox"/> Unfounded	
14. Second ARL reporter:		15. Supervisor approving report: J. Colvin AR-1	
16. Reviewed by: BS		13. 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	

Exc

2012 JUL 11 PM 3:36

Animal Incident Supplemental Report
Des Moines, Iowa

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

2. Case number:
12-20629

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

4. Date of this report:

10-Jul-12

5. Date incident occurred:

5-Jul-12

Changed: ☐ Yes

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

7. Crime/incident type:

ANIMAL: BITE/DOG

8. Page: 1 of 1

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

THIS DATE I ATTEMPTED CONTACT WITH HARVEY, THERESA REGARDING BRINGING HER SON TO ARLCCC TO IDENTIFY THE DOG THAT BIT HIM. THE PHONE WENT TO VOICE MAIL AFTER 2 RINGS. I LEFT A VOICE MAIL STATING THAT WE NEEDED HER MANDATORY COMPLIANCE WITH THIS INVESTIGATION OR FURTHER ACTION MAY BE TAKEN.

10. Reporting official:

CINDY GERKE AR2

I.D. No.

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 reporting official:

I.D. No.

15. Supervisor approving report:

I.D. No.

16. Reviewed by:

J. Coli AR-1

BS

Ex. C

2012 JUL 12 PM 2:38

Animal Incident Supplemental Report
Des Moines, Iowa

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

2. Case number:
12-20629

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

4. Date of this report:

11-Jul-12

5. Date incident occurred:

5-Jul-12

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

7. Crime/incident type:

ANIMAL DOG-BITE

Changes: ☐ Yes

8. Page: 1 of 1

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

THE NIGHT IN WHICH THE BITE OCCURED AND I MET WITH VICTIM DEAL, ZACHARY AND HIS FATHER DEAL, DANNY. ZACHARY STATED HE KNEW THE FAMILY AS WELL AS THE DOG CALLING THE DOG RIMMINGTON. DEAL STATED THERE WAS NO ADULT AT HOME ONLY THE CHILDREN, ONE IN PARTICULAR NAMED "RILEY." DEAL STATED HE KNOWS THE DOG AS THE DOG HAS BITTEN HIM IN THE PAST, DEAL STATED HE HAS ALSO PETTED THIS DOG IN THE PAST.

AFTER I HAD LEFT THE OWNERS PROPERTY, BEFORE THE DOG WAS RETURNED HOME. I SPOKE TO DEAL, DANNY ON THE PHONE TO ADVISE THAT AS OF NOW THE DOG COULD NOT BE LOCATED. I ADVISED DEAL I WAS TRYING TO GET AHOLD OF HARVEY, THERESA BUT SHE WOULD NOT PICK UP HER PHONE. DEAL, DANNY STATED THAT HE HAD JUST SPOKEN TO HARVEY WHO HAD TOLD HIM THAT SHIMERS WIFE (NAME UNKNOWN) HAD CALLED HARVEY SCREAMING AND YELLING AT HER ABOUT THE DOG RIMMINGTON.

10. Reporting official:

T. UPDEGROVE AR4

I.D. No.

771

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 reporting official:

I.D. No.

15. Supervisor approving report:

I.D. No.

16. Reviewed by:

A. Colvin AR4

BS

Ex. c

Animal Incident Supplemental Report
Des Moines, Iowa

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

DEAL, ZACHARY

2. Case number:

12-20629

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

4. Date of this report:

15-Jul-12

5. Date incident occurred:

5-Jul-12

Changed: ☐ Yes

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

7. Crime/incident type:

ANIMAL BITE-DOG

8. Page: 1 of 1

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

R.O VIEWED THE DOG IN THIS CASE, A BLACK LAB NAMED RIMMINGTON. THIS DOG APPEARED HEALTHY AND FREE OF DISEASE; I RELEASED THE DOG FROM Q/T AT THAT TIME. I THEN TRIED CALLING HARVEY, THERESA HOWEVER IT SAID MY CALL COULD NOT BE COMPLETED AS DIALED. I THEN CALLED DEAL, DANNY, FATHER TO VICTIM DEAL, ZACHARY, I ONLY RECEIVED V/M-I DID LEAVE A MESSAGE ADVISING THE DOG WAS RELEASED FROM Q/T AND HEALTH WISE WAS OK, IF HE HAD ANY QUESTIONS HE COULD CALL MY CELL PHONE.
I DID NOT CALL SHIMER, BILL.

10. ARL reporter:

T. UPDEGROVE AR4

I.D. No.

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 ARL reporter:

I.D. No.

15. Supervisor approving report:

I.D. No.

16. Reviewed by:

J. Collier AR-1

Ex.C

Animal Incident Investigation Report

Des Moines, Iowa

1. ARL case number: 00862148		2. DMPD case number (if applicable): 11-22926	
3. Victim's name (Last, First M.I.): KELLER, KALEB A. (Human victim or society)			
32. Impounded or bite animal ARL number: Impounded: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> ARL# 1713614802		4. Race: W	5. Sex: M
33. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/>		6. Age: 22-Sep-01	8. Ethnicity: <input type="checkbox"/> H <input checked="" type="checkbox"/> NH <input type="checkbox"/> Sob. <input checked="" type="checkbox"/> H.B.D. <input type="checkbox"/>
34. Animal breed: Labrador Retriever "Remington"		10. Residence address: (City and/or state if not Des Moines or Iowa) 825 Jerlynn Ave. 50313	
35. Animal color: Black		11. Residence phone number: 515-664-9007	12. Business or cellular phone number: 77
36. Animal fur length: Short <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>		13. Place of employment or school: School	
37. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input checked="" type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>		14. Type and location of injury: Dog bite, right upper arm	
38. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> (Records Personnel: Enter M/C# as a serial number) M/C#:		15. Medical treatment: Mercy Peds ER	
39. Rabies tag: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> R/T#: 2763		16. Reporting person's name (Last, First M.I.): KELLER, JOE T.	
39A. Date of vaccination: 2011		17. Race: W	18. Sex: M
39B. Date of vaccination expiration:		19. Age: 08-Feb-79	20. Date of birth: 08-Feb-79
39C. Veterinarian: Spay Clinic		21. Ethnicity: <input type="checkbox"/> H <input checked="" type="checkbox"/> NH <input type="checkbox"/> Sob. <input checked="" type="checkbox"/> H.B.D. <input type="checkbox"/>	22. Sobriety: <input type="checkbox"/> H.B.D. <input type="checkbox"/>
40. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#:		23. Residence address: (City and/or state if not Des Moines or Iowa) 825 Jerlynn Ave. 50313	
41. Other identifiers (Collar, tattoo, etc.): Black and white nylon collar		24. Residence phone number: 515-664-9007	25. Business or cellular phone number:
42. Confinement/quarantine location: ARL ACCC		26. Location of incident (address): 3302 Sims Dr. 50317	
43. Impounded or bite animal owner's name (Last, First M.I.): SHIMER, BILL		27. Location type: Residence	
44. Residence address: (City and/or state if not Des Moines or Iowa) 3302 Sims Dr. 50317		28. Date and time incident occurred: 18-Jul-11 0630 hrs.	
45. Residence phone number: 515-577-7810		29. Date and time incident reported: 18-Jul-11 1845 hrs.	
46. Place of employment or school: Self		30. Crime/incident type: Animal Bite - Dog	
47. Business or cellular phone number: 515-577-3252		31. Classification:	
48. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>		48A. Date and time of notification: 18-Jul-11 1940 hrs.	
48B. Person making notification: WILSON, J. AR5		48C. Means of notification: Verbal	
49. Witness' name (Last, first):		50. Residence address: (City and/or state if not Des Moines or Iowa)	
51. Daytime or cellular phone number:		52. Witness' name (Last, First):	
53. Residence address: (City and/or state if not Des Moines or Iowa)		54. Daytime or cellular phone number:	
55. Investigative notifications and/or photographs taken: ARL Supervisor: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Sergeant: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Police Officer: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Photographs taken by ARL or PO: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>			
Victim animal Impounded: No <input type="checkbox"/> Yes <input type="checkbox"/> ARL#:		57. Animal type: Cat <input type="checkbox"/> Dog <input type="checkbox"/> Other <input type="checkbox"/>	
58. Animal breed:		59. Animal color:	
60. Animal fur length: Short <input type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>		61. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>	
62. Rabies tag: No <input type="checkbox"/> Yes <input type="checkbox"/> R/T#:		63. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> M/C#:	
64. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#:		65. Type and location of injury:	
66. Medical treatment:		67. Confinement/quarantine location:	
68. Victim animal owner's name (Last, First M.I.):		69. Residence address: (City and/or state if not Des Moines or Iowa)	
70. Residence phone number:		71. Business or cellular phone number:	
72. Reporting official: WILSON, J. ID No. AR5		73. Status: <input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Excep. Closed <input type="checkbox"/> Case file <input type="checkbox"/> Suspended <input type="checkbox"/> Unfounded	
74. Copy/copies made by:		75. 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:	
76. Second reporting official: J. Colin AR-1 ID No.		77. Supervisor approving report: J. Colin AR-1 ID No.	
78. Reviewed by: W		79. Date and time reviewed:	

2011 JUL 21 PM 3:08

EX. C

79. Page: 2 of 2		Animal Incident Investigation Report Des Moines, Iowa			80. DMPD case number (if applicable): 11-22926	
81. Suspect or offender <u>one</u> (1) name (Last, first Middle):				82. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>	83. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>	84. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>
85. Race:	86. Sex:	87. Age:	88. Date of birth:	89. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	90. Height:	91. Weight:
94. Residence address: (City and/or state if not Des Moines or Iowa)				92. Hair color:	93. Eye color:	
95. Residence or alternate phone number:			96. Driver license number or social security number:		96A. State:	97. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>
98. Citation number and crime:				99. Citation number and crime:		
100. Suspect or offender <u>two</u> (2) name (Last, First Middle):				101. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>	102. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>	103. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>
104. Race:	105. Sex:	106. Age:	107. Date of birth:	108. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	109. Height:	110. Weight:
113. Residence address: (City and/or state if not Des Moines or Iowa)				111. Hair color:	112. Eye color:	
114. Residence or alternate phone number:			115. Driver license number or social security number:		115A. State:	116. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>
117. Citation number and crime:				118. Citation number and crime:		
119. Narrative:						
<p>Reporting Officer WILSON, J/JAR5 was dispatched to Mercy Pediatrics ER on 18-Jul-11 to investigate a report of a bite. On arrival, R/O met with the victim KELLER, KALEB A. and his father KELLER, JOE T. The victim related that when he arrived at his day care this morning, after he had entered the residence at 3302 Sims Dr., he had gone to pet a Labrador Retriever, male, black in color, named "Remington". The dog "Remington" began to behave in a manner the victim described as aggressive (growling, stiff posture) and the victim began to back away from the dog. At this point, the dog "Remington" lunged forward and bit the victim on the right upper arm. The owner the restrained the dog and the victim remained at the day care the remainder of the day. His father picked him up at the end of the day and transported him to Mercy Pediatrics ER. R/O observed a puncture wound in the right upper arm of the victim consistent with a bite wound along with some scrapes and bruising. The victim mentioned to R/O that this same dog had bitten a male juvenile at this address in the face approximately one month ago and the victim had required stitches. The father identified the owner of the dog by the name SHIMER, BILL but was not sure of the exact address of the day care.</p> <p>R/O ran a record check through the ARL database and found a bite case for the name of SHIMER, BILL, the owner of a Labrador Retriever named "Remington" at 3302 Sims Dr. ARL records show that this dog had previously bitten a child in the face on 10-Jun-11 under DMPD case number 11-18080. In this case, the dog had been placed under home quarantine.</p> <p>R/O proceeded to 3302 Sims Dr. and there contacted SHIMER, BILL, the owner of the above dog named "Remington". SHIMER was aware of the bite incident but claims that it was provoked by the victim walking up behind the dog and striking the dog. R/O explained to SHIMER that this does not negate the need to quarantine the dog "Remington" and, as this was the second time in 2011 that the dog had bitten, that the dog would have to be quarantined at ARL ACCC. SHIMER was cooperative and assisted R/O in loading the dog "Remington" into the A.C. vehicle. R/O explained the quarantine procedures to SHIMER.</p> <p>Need to hold the dog "Remington" for quarantine through 28-Jul-11 after 0630 hrs.</p>						
				120. Date of this report: 18-Jul-11		

2011 JUL 21 PM 3:08

EX. C

2011 JUL 29 PM 12:59

Animal Incident Supplemental Report
Des Moines Iowa

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

KELLER, KALEB A.

2. Case number:

11-22926

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

4. Date of this report:

28-Jul-11

5. Date incident occurred:

18-Jul-11

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

7. Crime/incident type:

ANIMAL: BITE/DOG

Changed: ☐ Yes

8. Page: 1 of 1

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

ON THIS DATE I VIEWED THE BITE DOG IN THIS CASE AT ARLCCC AND OWNED BY BILL SHIMER. THE DOG APPEARS HEALTHY AND THE QT PERIOD HAS EXPIRED. THIS DATE I CALLED THE BITE VICTIM'S PARENT IN THIS CASE, JOE KELLER. I ADVISED KELLER THAT THE QT PERIOD HAD EXPIRED AND THE DOG APPEARS TO BE HEALTHY. JOE SAID KALEB IS DOING FINE NOW. THIS DATE I CALLED THE BITE DOG OWNER IN THIS CASE, BILL SHIMER. I ADVISED THAT THE DOG APPEARS HEALTHY AND THE QT PERIOD HAS EXPIRED. CINDY ALLEY AR2

10. Reporting official:

CINDY ALLEY AR2

I.D. No.

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 reporting official:

I.D. No.

15. Supervisor approving report:

I.D. No.

16. Reviewed by:

A. Colin AR-1

10

Ex. C.

11-22926



Ex. C

11-22926



Animal Incident Investigation Report
Des Moines, Iowa

EX. C

Impounded or bite animal		1. ARL case number:		2. DMPD case number (If applicable): 11-18080	
		3. Victim's name (Last, First M.I.): deal, zackary (Human victim or society)			
32. Impounded or bite animal ARL number: Impounded: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> ARL#:		4. Race: w	5. Sex: m	6. Age:	7. Date of birth: 1-16-01
33. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/>		10. Residence address: 1215 e 35th (City and/or state if not Des Moines or Iowa)		8. Ethnicity: H <input type="checkbox"/> NH <input checked="" type="checkbox"/>	
34. Animal breed: lab		11. Residence phone number: 712-887-7627		9. Sobriety: Sob. <input checked="" type="checkbox"/> H.B.D. <input type="checkbox"/>	
35. Animal color: black		12. Business or cellular phone number:			
36. Animal fur length: Short <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>		13. Place of employment or school:			
37. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input checked="" type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>		14. Type and location of injury: 3 3 inch lacerations on the face			
38. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> (Records Personnel: Enter M/C# as a serial number) M/C#:		15. Medical treatment: luthern er			
39. Rabies tag: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> R/T#: 2763		16. Reporting person's name (Last, First M.I.): harley, theresa			
39A. Date of vaccination: 5-31-11		39B. Date of vaccination expiration: 5-30-12		17. Race: w	
39C. Veterinarian: spay clinic		18. Sex: f		19. Age:	
40. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#:		20. Date of birth:		21. Ethnicity: H <input type="checkbox"/> NH <input checked="" type="checkbox"/>	
41. Other identifiers (Collar, tattoo, etc.): nylon		22. Sobriety: Sob. <input checked="" type="checkbox"/> H.B.D. <input type="checkbox"/>		23. Residence address: 1215 e 35th (City and/or state if not Des Moines or Iowa)	
42. Confinement/quarantine location: home		24. Residence phone number:		25. Business or cellular phone number:	
43. Impounded or bite animal owner's name (Last, First M.I.): shimer, bill		26. Location of incident (address): 3302 sims dr <i>50317</i>			
44. Residence address: 3302 sims dr (City and/or state if not Des Moines or Iowa)		27. Location type: house			
45. Residence phone number: 577-7810		28. Date and time incident occurred: 9 june 11 1030		29. Date and time incident reported: 9 june 11 1200	
46. Place of employment or school:		30. Crime/incident type: animal bite dog		31. Classification:	
47. Business or cellular phone number:		48. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>			
48A. Date and time of notification: 9 june 11 1230		48B. Person making notification: kris wilder ar3		48C. Means of notification: in person	
49. Witness' name (Last, first):		50. Residence address: (City and/or state if not Des Moines or Iowa)		51. Daytime or cellular phone number:	
52. Witness' name (Last, First):		53. Residence address: (City and/or state if not Des Moines or Iowa)		54. Daytime or cellular phone number:	
55. Investigative notifications and/or photographs taken: ARL Supervisor: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Sergeant: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Police Officer: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Photographs taken by ARL or PO: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>					
Victim animal		56. Victim animal ARL number: Impounded: No <input type="checkbox"/> Yes <input type="checkbox"/> ARL#:		57. Animal type: Cat <input type="checkbox"/> Dog <input type="checkbox"/> Other <input type="checkbox"/>	
		58. Animal breed:		59. Animal color:	
60. Animal fur length: Short <input type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>		61. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>			
62. Rabies tag: No <input type="checkbox"/> Yes <input type="checkbox"/> R/T#:		63. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> M/C#:			
64. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#:		65. Type and location of injury:			
66. Medical treatment:		67. Confinement/quarantine location:			
68. Victim animal owner's name (Last, First M.I.):		69. Residence address: (City and/or state if not Des Moines or Iowa)			
70. Residence phone number:		71. Business or cellular phone number:			
72. Reporting official: kris wilder <i>[Signature]</i>		I.D. No. ar3	73. Status: <input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Excep. Closed <input type="checkbox"/> Case file <input type="checkbox"/> Suspended <input type="checkbox"/> Unfounded	74. Copy/copies made by:	
75. Second reporting official: david randall		I.D. No. ar6	77. Supervisor approving report: <i>[Signature]</i> AR-1	78. Reviewed by: <i>[Signature]</i>	
79. 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:					

Ex. C

79. Page: 2 of 2		Animal Incident Investigation Report Des Moines, Iowa			80. DMPD case number (if applicable): 11-18080					
81. Suspect or offender <u>one</u> (1) name (Last, first Middle):					82. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>		83. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>		84. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>	
85. Race:	86. Sex:	87. Age:	88. Date of birth:	89. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	90. Height:	91. Weight:	92. Hair color:	93. Eye color:	70	
94. Residence address: (City and/or state if not Des Moines or Iowa)										
95. Residence or alternate phone number:			96. Driver license number or social security number:				96A. State:		97. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>	
98. Citation number and crime:					99. Citation number and crime:					
100. Suspect or offender <u>two</u> (2) name (Last, First Middle):					101. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>		102. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>		103. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>	
104. Race:	105. Sex:	106. Age:	107. Date of birth:	108. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	109. Height:	110. Weight:	111. Hair color:	112. Eye color:		
113. Residence address: (City and/or state if not Des Moines or Iowa)										
114. Residence or alternate phone number:			115. Driver license number or social security number:				115A. State:		116. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>	
117. Citation number and crime:					118. Citation number and crime:					
119. Narrative: We were sent out on a dog bite at the er. We arrived and spoke to the mom of the victim and the victim. The victim was at the friends house petting the dog and then the kid that was with him at the house stepped on the tail or kicked the dog and that's when the dog bite him in the face. The bite caused lacerations to the face and the victim was taken to the er. Then we went to the house where the dog lived at and the dog was up to date on the shots and was ok with us at the house. The kids said the same thing about the dog getting stepped on or kicked not sure. The dog was up to date on the shots and was placed under home qt till the 19 June after 1030 hrs.										
						120. Date of this report: 9 June 11				

Ex.C

SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

1. Complainant, Driver #1, Victim, or Arrestee Deal, Zachary		2. Arrest No. N/A	3. Case No. 11-18080
<input type="checkbox"/> Form used as Continuation Sheet for Current Report		4. Date this Report 6-10-11 0928	5. Date Original Occurrence 6-9-11
<input type="checkbox"/> Form used to Report Followup Investigation or Supplemental Information		6. Correct offense or Incident Classification Dog Bite	
7. Kind of Report Continued <input type="checkbox"/> Witness Statement <input type="checkbox"/> Followup or Supplemental or Prosecution <input type="checkbox"/> Traffic Accident		8. Multiple Clear Up? <input type="checkbox"/> No <input type="checkbox"/> Yes (list other case numbers in narrative)	
9. Page No. 1 of 1	10. Traffic Citation No.	11. Value of Property Recovered and Type \$	

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>I received a trip to 700 East University Avenue, the Iowa Lutheran Hospital on Thursday June 9, 2011 at 1210 hours. I arrived on scene at 1240 hours.</p> <p>I met the victim Zachary Deal DOB 1-16-01 in Emergency Room # 16 with his Mother Theresa Harvey. An image of the victim's face was taken for identification. Images of the two injured areas on the nose and one area on the upper lip were taken to include a scale.</p> <p>I left the scene at 1305 hours.</p>	

2011 JUN 13 AM 11:27

14. Reporting Officer <i>Jim Snel</i> No. 8609		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.
17. Unit Referred To: CIB		18. UCR Disposition		
Second Officer	Supervisor Approving <i>[Signature]</i> No. 483	19. Reviewer <i>rk</i>		No.

Ex.C ,

28

Animal Incident Supplemental Report
Des Moines, Iowa

1. Human victim or reporting person or animal owner name (Last, First M.I.): Shimer, Bill	2. Case number: 11-18080
---	------------------------------------

3. Form used as a continuation of an Animal Incident Investigation Report: <input type="checkbox"/>	4. Date of this report: 19-Jun-11	5. Date incident occurred: 9-Jun-11
---	---	---

6. Form used to report a follow-up investigation or additional information: <input checked="" type="checkbox"/>	7. Crime/incident type: Animal: Bite - Dog	Changed: <input type="checkbox"/> Yes
---	--	---------------------------------------

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

On this date, I went to 3302 Sims Dr and viewed the bite dog in this case. The dog appeared healthy and free of disease, and is released from Q/T. I informed the owners of this. I then left a vm for the minor victim's family at 712-887-7627 informed of this information. I left the phone# for the ARL CCC. No further f/u needed at this time.

10. ARL reporter: D.Randall <i>[Signature]</i> I.D. No. AR6	11. Status: <input type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Excep. Closed <input checked="" 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 <input type="checkbox"/> Chief <input type="checkbox"/> OPS <input type="checkbox"/> Other: _____
14. Second ARL reporter: I.D. No.	15. Supervisor approving report: <i>[Signature]</i> AR-1 I.D. No.	16. Reviewed by: <i>[Signature]</i>	

2011 JUN 27 PM 5:00

12-39-1035
DES MOINES POLICE DEPARTMENT
REQUEST FOR EXAMINATION



EX.C
29

REQUEST # _____

TO: IDENTIFICATION SECTION

FROM: ANIMAL CONTROL

VICTIM: ZACKARY DEAL

DATE: 09 JULY 2012

CASE NO: 11-18080

CRIME: DOG BITE

One Property Report Number per Request: _____ Item Number(s): _____

Suspect/Witnesses/Elimination Prints

	S	W	E	DMPD #	DOB
1. _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
2. _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
3. _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
4. _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
5. _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

EXAMINATION REQUESTED:

☐ To D.C.I.
Complete the Reverse Side

☒ In-House Processing

☐ Process Evidence for Latent Prints
☐ Fingerprint Comparisons
☒ Photographs
☒ Prints 2-SETS
☐ Negatives
☐ Video Copy/Freeze Frame

SGT. RAUDABAUGH
Officer Submitting Request

SGT. RAUDABAUGH
Supervisor Approving Request

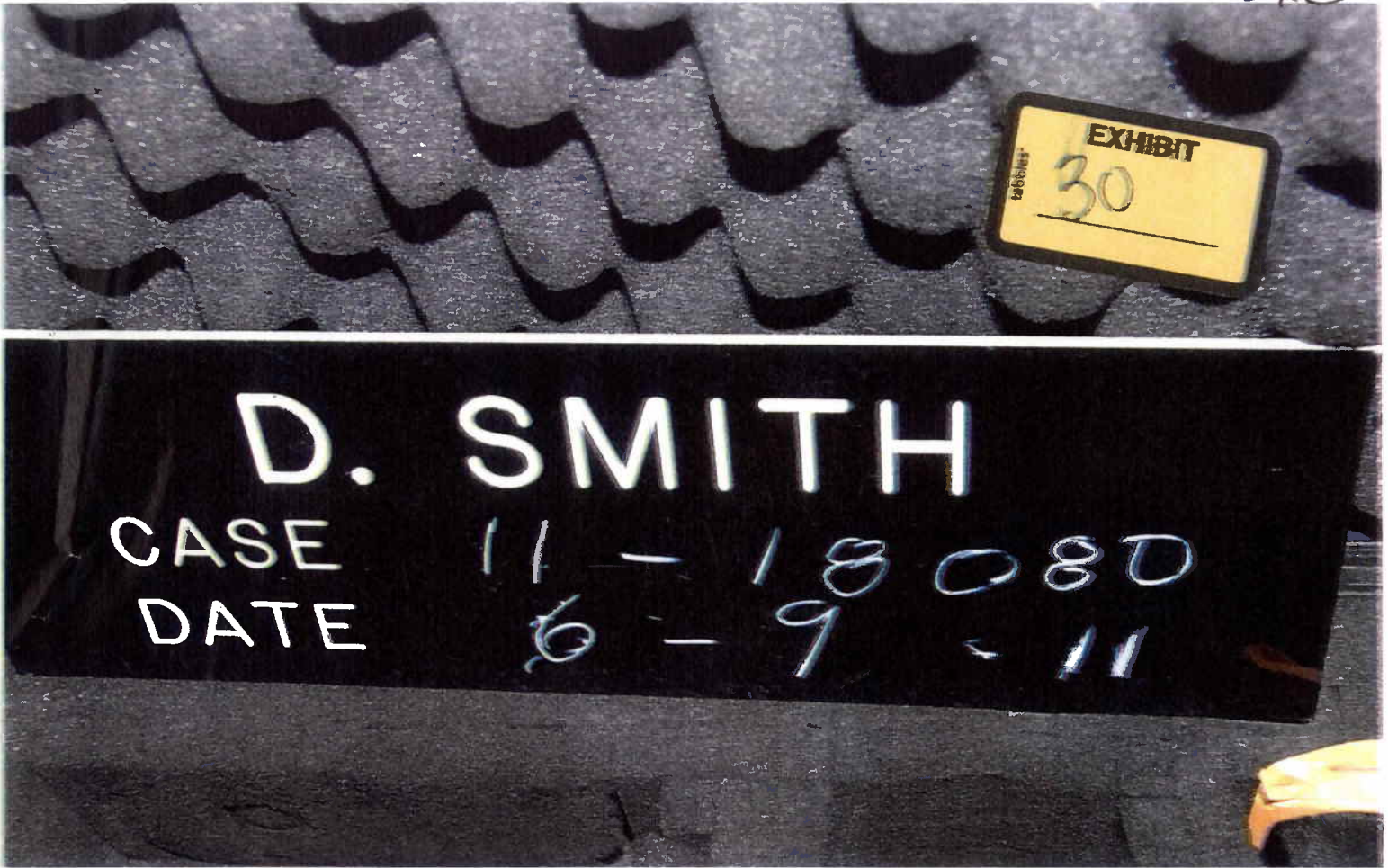
TO: SGT. RAUDABAUGH DATE: 7/12/2012

RESULTS OR REQUESTED EXAMINATION: TWO (2) SETS COLOR

PHOTOS PRINTED. E-MAIL SENT TO YOUR CITY EMAIL
ACCOUNT.

Carl Tycoff #8615
Examining Technician

Exc.



Ex.C



Exc



EXHIBIT C

(A) Shimer Exhibits

Ex. C
(A)



240

EX. A

Ex. C. (A)
(B)



Ex B

EX.C(A)

(EX C)

to whom it may Concern

I'm writing this letter to inform you that on Thursday July 5th. My son was on Sun Street feeding a stray dog - a black and white stray dog. his hand got bite on his hand. at the Hospital there had to have been a mix up with the information given, because somewhere the All went to the Shines and told their dog. I did not at anytime say it was their dog. I told the Hospital that I would have to see where the dog was and around what house. I would like to see the Shines dog released back to them. I believe that if my son would not have feed a stray dog candy he wouldnt have been bitten in the first place. I feel that the dog didnt intentionally hurt my son. I know that the Shines dog was kennelled up inside a fence, and on a chair at the time. If you have any questions please call me at any time. 712-887-7627.

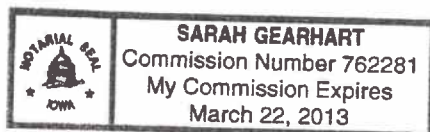
Thank you
Theresa Dany

EXC(A)
(EX D)

To Whom it may concern,

I, Ronald Runsey, live at 3332 Sims Dr. Des Moines, Ia. 50317, have an adjoining yard with William Shimer, living at 3302 Sims Dr. Des Moines, Ia. 50317. I was home on the afternoon of July 5, 2012. My step-son, Samuel Harper, and I were doing yardwork. And I am certain that Remington, the dog in question, was confined to his kennel all afternoon. This includes the time period of the biting incident. And there was an unfamiliar black and white dog running freely in the immediate area.

Ronald Runsey



Sl. Gearhart
7/21/12