

Date October 13, 2008

PUBLIC HEARING ON APPEAL OF
DANGEROUS ANIMAL DECLARATION

WHEREAS, Robert Gourd, 1214 East Walker, owns a dog declared dangerous by Des Moines Chief Humane Officer, Sgt. Scott Raudabaugh; and

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

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

WHEREAS, Mr. Gourd 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: .

K. Massier

Katharine Massier
Assistant City Attorney

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

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

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

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

City Clerk

EXHIBITS FOR DANGEROUS ANIMAL

Bella

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

EXHIBIT B **Appeal from Mr. Gourd**

EXHIBIT C **Letter to Mr. Gourd**
(Setting Date for appeal to Council)

EXHIBIT D **Letter and Administrative Hearing Transcript**
to Mr. Gourd

September 25, 2008

Robert Gourd
1214 Walker Street
Des Moines IA 50316

RE: Administrative Hearing – Declaration of Dangerous Dog

Dear Mr. Gourd:

At your request, the City of Des Moines scheduled an Administrative Hearing on September 23, 2008, at 1:00 p.m. regarding the declaration of your brindle and white female (spayed) Pit Bull dog named Bella, to be a “dangerous 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 – Letter dated September 18, 2008 stating Dangerous Animal Declaration and providing Hearing date and time
- City Exhibit B – Service Document dated September 19, 2008
- City Exhibit C – Picture of Robert Gourd’s dog, Bella
- City Exhibit D – Municipal Code Section 18-41 Definitions (Vicious Animal)
- City Exhibit E – Municipal Code Section 18-56 Confinement of Vicious Dog
- City Exhibit F – Municipal Code Section 18-55 Running At Large
- City Exhibit G – Municipal Code Section 18-196 Definitions (Dangerous Animal)
- City Exhibit H – Municipal Code Section 18-203 Immediate Seizure or Destruction of Animals
- City Exhibit I – Municipal Code Section 18-202 Seizure, Impound and Disposition of Dangerous Animals
- City Exhibit J – Animal Incident Investigation Report Case #08-32691
- City Exhibit K – Police Citation Nos. 283053 and 283054
- City Exhibit L – Complaint and Probable Cause Statement
- City Exhibit M – Supplemental Animal Incident Investigation Report Case #08-32691
- City Exhibit N – Animal History Report dated July 22, 2008
- City Exhibit O – Supplemental Report Case #08-32691
- City Exhibit P – Animal Incident Supplement Report Case #08-32691
- City Exhibit Q – Animal License Form
- City Exhibit R – Confirmation of Insurance
- City Exhibit S – Regulations (Blue Form) For Owning a Vicious/Dangerous Animal



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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Robert Gourd
September 25, 2008
Page Two

- City Exhibit T – Animal Incident Investigation Report Case #08-25348
- City Exhibit U – Supplemental Report Case #08-25348
- City Exhibit V – Animal Incident Investigation Report Case #08-25348
- City Exhibit W – Vicious Dog Breed Declaration Letter dated July 23, 2008, Case #08-25348
- City Exhibit X – Document Service Form dated July 26, 2008, Case #08-25348
- City Exhibit Y – Supplemental Report dated July 28, 2008, Case #08-25348
- City Exhibit Z – Invoice from Hubbell Animal Hospital



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Sergeant Raudabaugh testified that Robert Gourd's dog, Bella, bit an individual on July 16, 2008 and was served with a vicious dog declaration letter on July 26, 2008. Mr. Gourd was allowed to reclaim his dog after getting the proper dog license and insurance. Mr. Gourd signed what is referred to as a "blue form" (City Exhibit S), agreeing to properly confine or leash his dog.

On September 7, 2008, Mr. Gourd's dog, Bella, was running at large when it charged and bit a neighbor who was standing in the alley behind his house. The bite caused injury to the neighbor's leg, and Bella was impounded. After being brought into the Animal Control office, it was determined Bella had been impounded for a bite on July 16, 2008 when a person tried to pet the dog. The person who was bitten said he had permission to pet the dog, but a lady living at the residence where Mr. Gourd lives said permission was not given. In both cases, the dog got free and bit the people on their legs.

After the first bite on July 16, 2008, Mr. Gourd was given the benefit of doubt as to whether the person bit had permission to pet the dog. Sergeant Raudabaugh said he had hoped there would be no further incidents with this dog. Sergeant Raudabaugh said that unfortunately, on September 7, 2008, Mr. Gourd's dog was involved in a second bite while running at large.

Sergeant Raudabaugh said that after the July 16, 2008 bite, Bella was examined by the City Veterinarian and it was determined Mr. Gourd's dog exhibited characteristics of a vicious dog. A Vicious Dog Declaration Letter was issued (City Exhibit W).

Following the second bite, Sergeant Raudabaugh said it was necessary to declare Robert Gourd's dog, Bella, to be a dangerous animal, and a Dangerous Declaration Letter was issued (City Exhibit A).

Robert Gourd
September 25, 2008
Page Three

Robert Gourd of 1214 Walker Street and owner of Bella, stated he was not present at the first bite, but his brother's fiancée, Joann, was present. Mr. Gourd said the kids from the halfway house taunt his dogs all the time. Mr. Gourd said Joann told him one of the kids asked if he could pet Bella. Mr. Gourd said that even though the kid was told "no," he apparently tried to pet Bella anyway.

Mr. Gourd said at the time of the second incident he was outside in the front yard and it happened in the back yard. Mr. Gourd said he admits he did not have Bella confined like she is supposed to be, but he was not going to be outside very long. Mr. Gourd said he was talking to his ex girlfriend and he saw something in the back yard and went to see what was happening. Mr. Gourd said he saw a kid walking back to the halfway house and he was yelling, "You need to keep your dog on a leash. I'm going to call the cops." Mr. Gourd said he did not know the kid had been bitten.

I asked Mr. Gourd if the first incident happened inside or outside. Mr. Gourd said Joann had her on a leash but Bella broke loose. I asked Mr. Gourd if his dog had been licensed before the first bite and he said no. Mr. Gourd said he works about 60 hours a week and had not had time to get the license. Mr. Gourd said Bella is about a year and a half old and he has had her since she was about six weeks old. I asked Mr. Gourd if his other dog is licensed and he said it is not, but he is going to get the license soon.

Joann Brown, fiancée of Robert Gould's brother, stated that both incidents took place with kids from the halfway house. Ms. Brown said she told the first person not to pet the dog, but he tried to anyway. Ms. Brown said the other dog is a six month old black lab.

I am upholding Sergeant Raudabaugh's declaration of Robert Gould's dog, Bella, to be a "dangerous dog." The reasons for this determination are as follows:

- Robert Gourd's dog, Bella, is a "vicious" animal as defined by Municipal Code Section 18-41 (1), (2), (3) (7)
- Robert Gourd's dog, Bella, is a "dangerous" animal as defined by Municipal Code Section 18-196 (1), (3)
- Robert Gourd failed to confine his dog, Bella, as defined by Municipal Code Section 18-56 and per his signature on the "blue form" (City Exhibit S)



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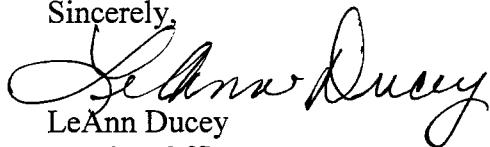
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Robert Gourd
September 25, 2008
Page Four

- Robert Gourd's dog, Bella, was running-at-large (Municipal Code Section 18-55) at the time of the bite on September 7, 2008 (Case #08-32691)
- Robert Gourd failed to have proper licensing for his Pit Bull breed dog, Bella, until after the first bite on July 16, 2008
- Robert Gould's dog, Bella, meets the standards of Municipal Code Section 18-203

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

Sincerely,

A handwritten signature in black ink that reads "LeAnn Ducey".

LeAnn Ducey
Hearing Officer

Enclosures

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



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A

September 18, 2008

Mr. Robert Gourd
1214 Walker Street
Des Moines, Iowa

Mr. Robert Gourd:

On September 7, 2008 your brindle and white colored Pit Bull breed dog, named "Bella," was running at-large when it charged and bit a neighbor that was standing in the alley behind his house, the bite caused injury to his leg. Subsequently your dog was impounded for quarantine at the animal shelter. (2008-32691)



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

ALL-AMERICA CITY 1949, 1976, 1981

Previously on July 16, 2008 the same dog bit another person when the person tried to pet the dog. At that time the person that was bit claimed to have permission to pet the dog but your mother claimed he was told he could not pet the dog. That bite caused injury to the person's leg also. Subsequently the dog was impounded for quarantine at the animal shelter. (2008-25348)

On July 22, 2008 the City Veterinarian evaluated your dog and determined that it exhibits predominate characteristics of a "Vicious Dog," defined by city ordinance as a Staffordshire Terrier or an American Pit Bull Terrier or an American Staffordshire Terrier or a dog which has the appearance and characteristics of being predominately of those breeds.

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

An Administrative Hearing to review the "Dangerous Animal" declaration has been scheduled for **1:00 P.M. on Tuesday, September 23, 2008 in the City Council Chambers in the Des Moines City Hall at 400 Robert D. Ray Drive.**

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

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

Sincerely,


Sergeant Scott Raudabaugh,
Chief Humane Officer

cc: City Clerk's Office

B



Animal Control

DOCUMENT SERVICE

Case number: 2008 - 32691

ARL number (If known): A05533144

Animal owner's name: ROBERT GOURV

Address: 1214 WALKER ST.

Location of service: SANIE

Name of person receiving document (print):

David Blanchard Jr (Brother)

Their signature: X David Blanchard Jr

Date and time served: 9/19/08 1652

Animal Control Officer serving document (print):

Blanchard

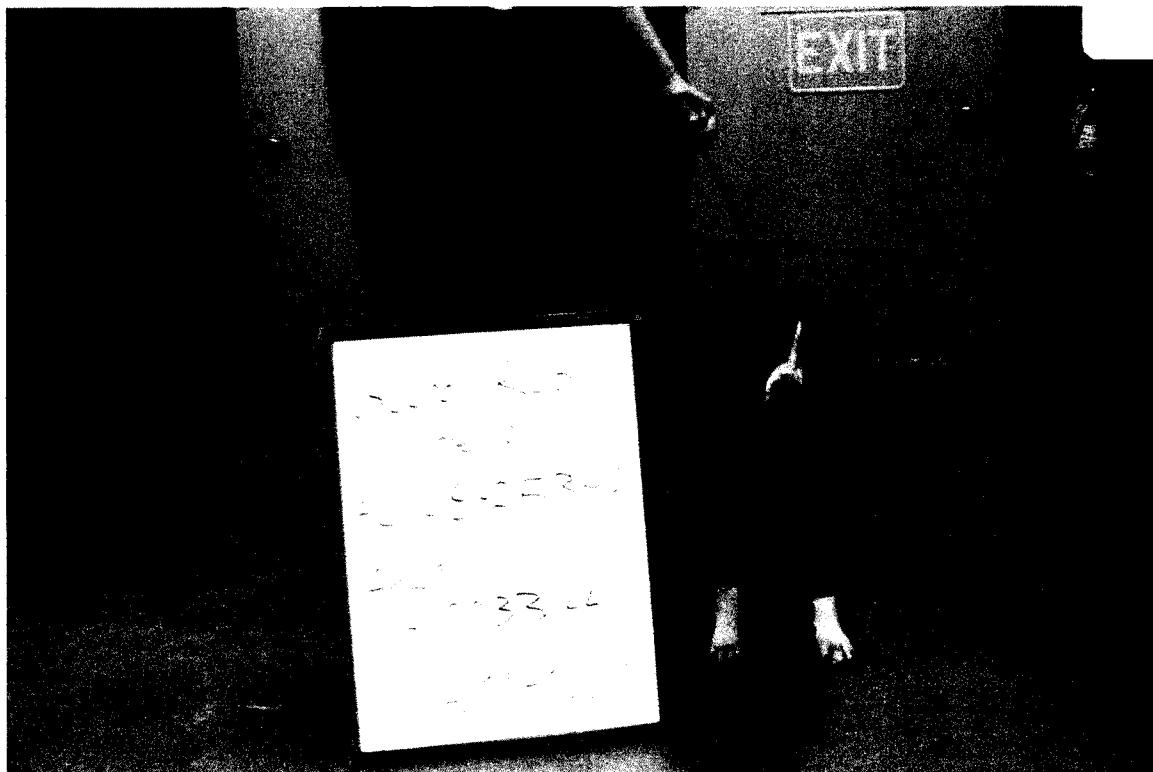
Animal Control Officer's identification number: 7232

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

KFE ACU

2008 SEP 22 PM 4:55

C



D

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.

E

Sec. 18-56. Confinement of vicious dogs.

- (a) All vicious dogs shall be securely confined within an occupied house or residence or in a securely enclosed and locked pen or kennel, except when leashed as provided in this section. Such pen, kennel or structure must have secure sides and a secure top attached to the sides or, in lieu of a top, walls at least six feet in height and at least six feet taller than any internal structure.
- (b) All pens or other structures designed, constructed or used to confine vicious dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom, floor or foundation attached to the sides of the pen, or the sides of the pen must be embedded in the ground no less than two feet so as to prevent digging under the walls by the confined dog.
- (c) All structures erected to house vicious dogs must comply with all city zoning and building regulations. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition. No vicious dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition.
- (d) No person shall permit a vicious dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than six feet in length. No person shall permit a vicious dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless both the dog and the leash are under the actual physical control of a person 18 years of age or older.
- (e) Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, or any other object or structure.
- (f) Violation of this section is a misdemeanor.

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

CITY
EXHIBIT

F

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.

(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 when attacking persons, domestic animals, destroying property, or on a public school ground except when under restraint as set out in subsection (a)(2) 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)

CITY
EXHIBIT*G***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 references: Definitions generally, § 1-2.

CITY
EXHIBIT*H***Sec. 18-203. Immediate seizure or destruction of animals.**

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

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

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

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

(b) If, after hearing, the city manager or his or her designee determines that an animal is dangerous, the city manager or his or her designee shall either order the animal destroyed in a humane manner by the chief human 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)

2008 SEP -8 PM 2:37

CITY
EXHIBIT

Animal Incident Investigation Report

Des Moines, Iowa Police Department

32. District:	33. Beat:	1. Impounded animal AHR/ARL number:	2. DMPD case number: CB-38691				
Impounded or bite animal		3. Victim's name (Last, First M.I.): Knapp, Anthony	(Human victim or society)				
34. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/> : "Belle"		4. Race: WM	5. Sex: M	6. Age: 18	7. Date of birth: 7/21/90	8. Ethnicity: <input type="checkbox"/> NH <input checked="" type="checkbox"/> H.B.D.	9. Sobriety: <input type="checkbox"/> Sob. <input checked="" type="checkbox"/> H.B.D.
35. Animal breed: Pitbull		10. Residence address: (City and/or state if not Des Moines or Iowa) 1219 Buchanan					
36. Animal color: Brown Brindle		11. Residence phone number: N/A					
37. Animal fur length: Short <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>		12. Business or cellular phone number: 729-0048					
38. Animal sex: Female <input checked="" type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>		13. Place of employment or school: N/A					
39. Microchip: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> (Records Personnel: Enter M/C# as a serial number) LINK		14. Type and location of injury: lacerations to @calf					
40. Rabies tag: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> R/T#:		15. Medical treatment: None					
40A. Date of vaccination:		23. Residence address: (City and/or state if not Des Moines or Iowa) 1219 Buchanan					
40B. Date of vaccination expiration:		24. Residence phone number: N/A					
40C. Veterinarian: LINK		25. Business or cellular phone number: 729-0048					
41. License: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Lic#: LINK		26. Location of incident (address): 1219 Buchanan					
42. Other identifiers (Collar, tattoo, etc.): LINK		27. Location type: Presidential					
43. Confinement/quarantine location: LINK		28. Date and time incident occurred: Sept 08 1658					
44. Impounded or bite animal owner's name (Last, First M.I.): Gould, Robert Glen		29. Date and time incident reported: Sept 08 1655					
45. Residence phone number: PKA		30. Crime/incident type: Animal Bite: Dog					
46. Residence phone number: PKA		31. Classification: Personal					
47. Place of employment or school: N/A		48. Business or cellular phone number: 480-0389					
49. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> #29		49A. Date and time of notification: #29					
49B. Person making notification: #73		49C. Means of notification: Personal					
50. Witness' name (Last, first): N		51. Residence address: (City and/or state if not Des Moines or Iowa)					
52. Witness' name (Last, first):		53. Residence address: (City and/or state if not Des Moines or Iowa)					
54. Residence address: (City and/or state if not Des Moines or Iowa)		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"/>							
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 checked="" 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 checked="" type="checkbox"/> R/T#:					
64. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> M/C#:		65A. Date of vaccination:					
65. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#:		65C. 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: (City and/or state if not Des Moines or Iowa)		71. Residence phone number:			72. Business or cellular phone number:		
73. Reporting officer: J. Barr 733		I.D. No.	74. 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	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.	78. Supervisor approving report: 733 907	I.D. No.	79. Reviewed by: 733 907		

Animal Incident Investigation Report

Des Moines, Iowa Police Department

08-32691

82. Suspect or offender one (1) name (Last, first Middle): Gourd, Robert Glen				83. Arrested: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>	84. Warrant needed: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>	85. Charges filed: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>		
86. Race: W	87. Sex: M	88. Age: A	89. Date of birth: 4/14/82	90. Ethnicity: H <input type="checkbox"/> NH <input checked="" type="checkbox"/>	91. Height: 5'2"	92. Weight: 140	93. Hair color: Brown	94. Eye color: Green
95. Residence address: 1214 Walker (City and/or state if not Des Moines or Iowa)								
96. Residence or alternate phone number: 729-0048		97. Driver license number or social security number: DL# 28300 3117				97A. State: IA	98. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input checked="" type="checkbox"/>	
99. Citation number and crime: Vicious dog at large 18-57 283053 Improper confinement 18-56 283053								
101. Suspect or offender two (2) name (Last, First, Middle): Card, Patti				102. Arrested: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>	103. Warrant needed: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>	104. Charges filed: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>		
105. Race:	106. Sex:	107. Age:	108. Date of birth:	109. Ethnicity: H <input type="checkbox"/> NH <input checked="" 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 checked="" type="checkbox"/>	
118. Citation number and crime: A								
120. Narrative: Tripped to 1214 Buchanan reference an animal bite. Upon arrival spoke to Knapp. Knapp said he was standing in alley behind his house when the pitbull from across the alley got loose from chain, charged him and bit him causing punctures to right calf. Card and case number given, & explained. Knapp said dogs name is Bella, a brown pitbull from 1214 Walker. Then drove to 1214 Walker and spoke to dog owner Gourd. Gourd admitted his dog was out running at large and had cpt off her chain. I explained bite situation and quarantine. Card and case numbers given. I wrote citation for vicious dog at large and improper confinement. I advised Gourd he had to find dog to twin over for qt or he would be cited for failure to quarantine. More follow-up needed to locate and quarantine bite dog.								

121. Date of this report
7 Sept 08

IWA POLICE CITATION AND COMPLAINT
Law Enforcement Agency

WA
POLK
WARREN

Nº PC 283053

MOINES Docket No. _____
 POLK COUNTY COURTHOUSE, 5TH & MULBERRY, DES MOINES, IOWA 50309
 COURTHOUSE, 115 NORTH HOWARD, INDIANOLA, IOWA 50125

ATE OF IOWA Agency Case No. CB-32691
DES MOINES A MUNICIPALITY, PLAINTIFF v.

Guard Robert Glen
First Middle
214 Walker Street

Moines STATE: IA
4/14/82 Sex M Race W
Wt. unk Eyes Green Hair Brown

I accused of the crime of Improper Confinement
Iowa Code, 20 or 1857, Local Ordinance,
DUT 9/7/08 a.m. 454
Mo. Day p.m.

not have dog properly confined
ous ord. resulting in vicious
large and animal bite
3U13117

17/08 T-Bauer 7233
Day Yr. Officer's Signature I.D. No.

ABOVE NAMED COURT AND SAID PLACE.

0/08 a.m. p.m. 1:15

PEAR IN SAID COURT AT SAID TIME AND PLACE

X Robert B. Bauer
Signature Defendant

foregoing citation is true and correct.

Bauer
(Officer's Signature)

sworn to before me by T. Bauer

va this 7 day of Sept., 2008

If Optional) Judge Magistrate Clerk District Court

MARK P. STUEMPFIG
Any person who fails to appear in court as specified by the
citation shall be guilty of a misdemeanor and upon conviction shall be punished by a fine
of not more than one thousand dollars or by imprisonment in the County jail not exceeding thirty
days.
P-25-10 COURT

IWA POLICE CITATION AND COMPLAINT
Law Enforcement Agency

STATE OF IOWA
COUNTY OF POLK
COUNTY OF WARREN

Nº PC 283054

CITY OF DES MOINES Docket No. _____
 IN THE COURT AT POLK COUNTY COURTHOUSE, 5TH & MULBERRY, DES MOINES, IOWA 50309
 WARREN COUNTY COURTHOUSE, 115 NORTH HOWARD, INDIANOLA, IOWA 50125

THE STATE OF IOWA
 CITY OF DES MOINES
(IA0770300)

Agency Case No. CB-32691
A MUNICIPALITY, PLAINTIFF v.

NAME: Guard Robert Glen
Defendant Last First Middle
ADDRESS: 4023 E Seneca/1014 Walker Street

CITY: Des Moines STATE: IA
BIRTH DATE: 4/14/82 Sex M Race W
Mo. Day Yr.

Ht. 72 Wt. 180 Eyes Green Hair Brown

The Defendant is accused of the crime of Vicious dog at large
in violation of: Iowa Code, 20 or 1857, Local Ordinance,
for that on or about 9/7/08 a.m. 454
Mo. Day Yr. p.m.

Defendant did: not have dog properly
confined resulting in dog at
large resulting in animal bite
DL#283U113117

DATE: 9/7/08 T-Bauer 7233
Mo. Day Yr. Officer's Signature I.D. No.

REPORT TO THE ABOVE NAMED COURT AND SAID PLACE.

10/16/08 a.m. p.m. 1:15
Mo. Day Yr.

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

X Robert B. Bauer
Signature Defendant

I swear that the foregoing citation is true and correct.

T-Bauer
(Officer's Signature)

Subscribed and sworn to before me by T-Bauer

At Des Moines, Iowa this 7 day of Sept., 2008

Notary Signature (Seal/Optional) Judge Magistrate Clerk District Court

MARK P. STUEMPFIG
Any person who fails to appear in court as specified by the
citation shall be guilty of a misdemeanor and upon conviction shall be punished by a fine
of not more than one thousand dollars or by imprisonment in the County jail not exceeding thirty
days.
IOWA P-25-10 COURT

K
CITY
EXHIBIT

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

CITY
EXHIBIT

CITY OF DES MOINES

VS.

Robert Glen Gourd

(DEFENDANT)

IA0770300

COURT CASE NO.

DMPD. CASE NO. CG-32691

1214 Walker

(ADDRESS)

Des Moines IA

(CITY & STATE)

SOC. SEC. NO. DL#283LU3117

DATE OF BIRTH 4/14/82

DESCRIPTION W M Fair Link

RACE SEX HGT WGT

Green Brown
EYES HAIR MARKS

①

THE DEFENDANT IS ACCUSED OF THE CRIME(S) OF: Vicious dog at large,

Improper confinement

AT: 1214 Walker

(ADDRESS OR LOCATION)

IN VIOLATION OF SECTION(S): ① 18-57, ② 18-66

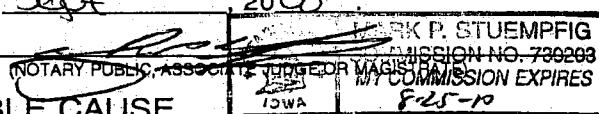
OF THE MUNICIPAL CODE OF THE CITY OF DES MOINES, 2008. COMMITTED ON OR ABOUT

THE 7 DAY OF Sept, 2008 IN THE CITY OF DES MOINES, POLK COUNTY, IOWA.

SIGNED AND SWORN TO ON THIS 7 DAY OF Sept 2008.

T. Bauer

FILING COMPLAINANT



BASIS OF PROBABLE CAUSE

- 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 defendant did not have vicious dog
properly confined to property resulting in dog at large
resulting in animal bite

T. Bauer 7233

SIGNATURE OF ARRESTING OFFICER

NO.

9/7/08

(DATE OF ARREST)

DATED: 9/7/08

2008 SEP -8

P.M. 2:37

WITNESS INFORMATION

NAME

ADDRESS

HM PHONE

WK PHONE

T. Bauer

1615 SE 14th St

248-6053

BOND AMOUNT \$

CASH ONLY ()

CASH OR SURETY ()

OTHER CONDITIONS IMPOSED WITH BAIL:

(JUDGE, ASSOCIATE JUDGE OR MAGISTRATE)

DMPD (88-962)

WHITE • COURT FILE

YELLOW • CITY ATTORNEY

PINK • DEFENDANT OR DEFENDANT ATTORNEY

Animal Incident Investigation Report

Des Moines, Iowa Police Department

Supplemental

2008 SEP -9 PM 5:56

32. District:	33. Beat:	1. Impounded animal AHR/ARL number:		2. DMPD case number:	
2	43	3. Victim's name (Last, First M.I.):		(Human victim or society)	
Impounded or bite animal		4. Race:	5. Sex:	6. Age:	7. Date of birth:
		8. Ethnicity: <input type="checkbox"/> NH <input checked="" type="checkbox"/>	9. Sobriety: <input type="checkbox"/> Sob. <input type="checkbox"/> H.B.D.		
		10. Residence address: (List city and/or state if not Des Moines or Iowa)			
		11. Residence phone number:		12. Business or cellular phone num	
		13. Place of employment or school:			
		14. Type and location of injury:			
		15. Medical treatment:			
		16. Reporting person's name (Last, First M.I.):			
		17. Race:	18. Sex:	19. Age:	20. Date of birth:
				21. Ethnicity: <input type="checkbox"/> NH <input checked="" type="checkbox"/>	
				22. Sobriety: <input type="checkbox"/> Sob. <input type="checkbox"/> H.B.D.	
		23. Residence address: (List city and/or state if not Des Moines or Iowa)			
		24. Residence phone number:		25. Business or cellular phone number:	
		26. Location of incident (address):			
		27. Location type:			
		28. Date and time incident occurred:		29. Date and time incident reported:	
		30. Crime/incident type:		31. Classification:	
		41. Licensee: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Lic#: 08-21404			
		42. Other identifiers (Collar, tattoo, etc.): Red collar & tags			
		43. Confinement/quarantine location: 16015 SE 14 IS 02			
		44. Impounded or bite animal owner's name (Last, First M.I.): Gourde, Dave			
		45. Residence address: (List city and/or state if not Des Moines or Iowa)			
		46. Residence phone number: 988-2819			
		47. Place of employment or school: uavic			
		48. Business or cellular phone number: unc			
		49. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 49A. Date and time of notification: 08Sept08 1305			
		49B. Person making notification: Bates 7229			
		49C. Means of notification: Personal			
		50. Witness' name (Last, first):			
		51. Residence address: (List city and/or state if not Des Moines or Iowa)			
		52. Daytime or cellular phone number:			
		53. Witness' name (Last, First):			
		54. Residence address: (List city and/or state if not Des Moines or Iowa)			
		55. Daytime or cellular phone number:			
56. Investigative notifications and/or photographs taken: Detective: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Tech: 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"/>					
Victim animal		57. Victim animal AHR/ARL number: Impounded: No <input type="checkbox"/> Yes <input type="checkbox"/> AHR/ARL#:		58. Animal type: <input type="checkbox"/> Cat <input type="checkbox"/> Dog <input type="checkbox"/> Other	
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: Male <input type="checkbox"/> Neutered <input type="checkbox"/> Female <input type="checkbox"/> Spayed <input type="checkbox"/> Unknown <input type="checkbox"/>		63. Rabies tag: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> R/T#:			
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: (List city and/or state if not Des Moines or Iowa)		71. Residence phone number:		72. Business or cellular phone number:	
73. Reporting officer: No. Bates 7229		I.D. 74. Status: <input checked="" type="checkbox"/> Open <input type="checkbox"/> Suspended <input type="checkbox"/> Closed <input type="checkbox"/> Exceptionally closed		75. Copy/copies made by: <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. 78. Supervisor approving report: F. J. 11/14/08		I.D. No. 79. Reviewed by: Q	

80. Page:
2 of 2

Animal Incident Investigation Report

Des Moines, Iowa Police Department

81. DMPD case number:
08-32691

82. Suspect or offender <u>one</u> (1) name (Last, first Middle):				83. Arrested: <input type="checkbox"/> No <input type="checkbox"/> Yes		84. Warrant needed: <input type="checkbox"/> No <input type="checkbox"/> Yes		85. Charges filed: <input type="checkbox"/> No <input type="checkbox"/> Yes	
86. Race:	87. Sex:	88. Age:	89. Date of birth:	90. Ethnicity: <input type="checkbox"/> H <input type="checkbox"/> NH	91. Height:	92. Weight:	93. Hair color:	94. Eye color:	
95. Residence address: (List city and/or state if not Des Moines or Iowa)									
96. Residence or alternate phone number:			97. Driver license number or social security number:			97A. State:	98. Sobriety: Sob. <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: <input type="checkbox"/> No <input type="checkbox"/> Yes		103. Warrant needed: <input type="checkbox"/> No <input type="checkbox"/> Yes		104. Charges filed: <input type="checkbox"/> No <input type="checkbox"/> Yes	
105. Race:	106. Sex:	107. Age:	108. Date of birth:	109. Ethnicity: <input type="checkbox"/> H <input type="checkbox"/> NH	110. Height:	111. Weight:	112. Hair color:	113. Eye color:	
114. Residence address: (List city and/or state if not Des Moines or Iowa)									
115. Residence or alternate phone number:			116. Driver license number or social security number:			116A. State:	117. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>		
118. Citation number and crime:				119. Citation number and crime:					
120. Narrative: <p>Tripped to 1214 Walker to speak with dog owner who is wanting to turn his dog in for quarantine from a bite the dog was involved in last night. Picked up one dog for quarantine. Dog has a red collar with the following tags. City License: 08-21604 Rabies: 07-818220 Microchip: OA106F385C</p>									
121. Report date: (List if other than date incident was reported) 08 Sept 08									

2008-32691

Gound, Rob

"Bella"



DA106F385C

CITY OF DES MOINES
ANIMAL CONTROL UNIT

ARLT A05533144

P TO 8/1/08

2nd IMPOUND QT.

DATE: 7-22-08

REFERENCE: ANIMAL HISTORY REPORT # 08-~~5348~~

08-32691

ALL 5533144

CITY
EXHIBIT

N

TO WHOM IT MAY CONCERN:

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

HEAD: MEDIUM LENGTH

SHOULDERS: STRONG

DEEP TROUGH

MUSCULAR

BROAD SKULL

NECK: HEAVY

PRONOUNCED CHEEK MUSCLES

SLIGHTLY ARCHED

MUZZLE: MEDIUM LENGTH

TAPERS FROM BACK OF
SKULL TO SHOULDERS

JAWS WELL DEFINED

TAIL: LOW SET

BLACK NOSE

TAPERS TO FINE POINT

BACK: FAIRLY SHORT

NOT CURLED OVER BACK

SLIGHT SLOPING FROM
WITHERS TO RUMP

COAT: SHORT

BODY: WELL SPRUNG RIBS

CLOSE

FORELEGS SET RATHER
FAR APART

GLOSSY

CHEST DEEP AND BROAD

EYES: DARK AND ROUND

LEGS: STRAIGHT FRONT LEGS

LOW DOWN IN SKULL

HINDQUARTERS WELL MUSCLED

SET FAR APART

MODERATE SIZE FEET

SIZE: 21 INCHES AT SHOULDERS

56 LBS.

COLOR: brindle + white

COMMENTS: granulating wound (~1")
left lateral abdomen

Aug 2008

- female

- over 10 years old

KF ACU

2008 SEP - 9 PM 5:57

SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

		1. Complainant, Driver #1, Victim, or Arrestee Knapp, Anthony	2. Arrest No. N/A	3. Case No. 08-32691
<input type="checkbox"/> Form used as Continuation Sheet for Current Report		4. Date this Report 18 September 2008	5. Date Original Occurrence 7 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		
7. Kind of Report Continued <input type="checkbox"/> Witness Statement <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	<p>The Pitbull involved in the bite to Knapp is healthy and without the signs or symptoms of the rabies virus.</p> <p>I attempted to contact the victim to tell him of the dog's release, but the number was "temporarily disconnected." An ACO will be dispatched to advise of the end of quarantine at the residence.</p> <p>The dog owner is aware of the results of quarantine, but the dog has been declared "Dangerous" and will remain at the shelter until the hearing.</p> <p style="text-align: right;">CITY EXHIBIT</p> <p style="text-align: right;">O</p> <p>MORE FOLLOW-UP NEEDED.</p>			
		13. Date/Time Typed No.	Reproduced No.	
14. Reporting Officer Susan R. Stropes	No. 7219	15. Status (check one) <input type="checkbox"/> Ex. Closed <input type="checkbox"/> Suspended <input type="checkbox"/> Closed <input type="checkbox"/> Open	16. Unit Referred To: <i>ACO</i>	18. UCR Disposition
Second Officer	No.	Supervisor Approving No. <i>JM</i>	19. Reviewer No. <i>AS</i>	

Animal Incident Supplemental Report
Des Moines, Iowa Police Department

1. Human victim or reporting person or animal owner name (Last, First M.I.):	2. Case number:
Knepp, Anthony	08- 32691

3. Form used as a continuation of an Animal Incident Investigation Report: <input type="checkbox"/>	4. Date of this report: 18 Sept 08	5. Date incident occurred: 7 Sept 08
6. Form used to report a follow-up investigation or additional information: <input checked="" type="checkbox"/>	7. Crime/incident type: Animal Bite	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:	

I met with youth service specialist "Mia Williams" regarding this bite. Anthony was currently at work so I advised "Mia" that the dog was healthy and released from quarantine. She asked if the dog has went home yet and I advised it was still at our shelter. I also advised her if Anthony had any questions she could contact our shelter.

CITY
EXHIBIT

P

10. Reporting officer: Blanchard 7232	I.D. No.	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 <input type="checkbox"/> Chief <input type="checkbox"/> OPS <input type="checkbox"/> Other: _____
14. Second officer:	I.D. No.	15. Supervisor approving report: J. H. Y. M.	I.D. No.	16. Reviewed by: AS

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

2008-
32691

CITY
EXHIBIT



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

Location: 4023 E SENECA AVE
Project: ZOO2008-01785

Phone: 480-0389

ROBERT GOURD
4023 E SENECA AVE
DES MOINES, IA 50317

Q

2008 CITY OF DES MOINES ANIMAL LICENSE
License due January 1, \$50 penalty added to each license after March 31
DON'T WAIT - APPLY TODAY

ZOO2008-01785	Breed	Rabies	Date	Annual License Fee
BELLA	Dog PITBULL X	Female	818220 12/09/2008	<u>35 + 50 21004</u>

\$85

2008 SEP - 9 PM 6:01

KF ACV

09/09/2008 13:03 5152371645

JUL-30-2008(WED) 15:19 McCarter Insurance Group, Inc. DSMCLERK (FAX) 515-2371645

PAGE
1 OF 1

Joel Akers - 633-2273

CITY
EXHIBIT

CONFIRMATION OF INSURANCE

AGENCY: LESTER KALMANSON AGENCY INC.
P.O. BOX 940008 MAITLAND, FL. 32794-0008 U.S.A.
PH) 407-645-5000 - FAX) 407-645-2810

DATE: 7-30-08

POLICY #: NCM07844

IN ACCORDANCE WITH YOUR INSTRUCTIONS, WE HAVE EFFECTED THE FOLLOWING
INSURANCE COVERAGE. THE PREMIUM FOR THIS INSURANCE IS DUE AND PAYABLE
AS OF THE ATTACHMENT DATE, UNLESS OTHERWISE AGREED.

NAMED INSURED / ADDRESS: ROBERT GOURD
4023 E SENECA AVE
DES MOINES, IA 50317

(DESIGNATED) INSURED LOCATION: SAME AS ABOVE ONLY

PERIOD OF INSURANCE: FROM: 8-1-08 TO: 8-1-09 TERM: (ANNUAL)
(BOTH DAYS FROM 12:01 AM LOCAL STANDARD TIME)

DESCRIPTION OF INSURANCE: SEE ATTACHED ADDENDUM "A" FOR DETAILS

POLICY FORM: OWNERS', LANDLORDS', & TENANTS' LIABILITY INSURANCE
(A MANUSCRIPT POLICY FORM !)

LIMIT OF LIABILITY: \$100,000 PER OCCURRENCE / \$100,000 AGGREGATE

PRIOR ACTS COVERAGE AFFORDED: NONE

TERRORISM: DENIED

RETRO ACTIVE DATE: 8-1-08 /DATE OF INCEPTION 812:01 AM LOCAL STD TIME

DEDUCTIBLE: \$5,000 PER CLAIM (BODILY INJURY/PROPERTY DAMAGE)
INCLUDING L.A.E.

PREMIUM: \$1,148 (INCLUDING FEES) (PREMIUM IS 100% FULLY EARNED) + 11.98 SL TAX
BROKER RESPONSIBLE FOR COLLECTING & FILING IA SURPLUS LINES TAX + 50 FILING FEE

CONDITIONS: SUBJECT TO POLICY ISSUANCE, RECEIPT OF THE ORIGINAL TOTAL \$1209.98
COMPLETED, SIGNED APP, TRIA, DED'T, CANINE WARRANT & PREMIUM WITHIN 7
DAYS

ADDITIONAL INSURED'S: \$150 + TAX EACH IF REQUESTED

CARRIER: 100% - CERTAIN UNDERWRITERS AT LLOYDS / LONDON

THIS DOCUMENT IS INTENDED AS EVIDENCE THAT THE INSURANCE DESCRIBED
HEREUNDER HAS BEEN EFFECTED AS STATED. IMMEDIATE ADVICE MUST BE GIVEN
OF ANY DISCREPANCIES, INACCURACIES OR NECESSARY CHANGES.

7-30-08
DATE ISSUED

X MITCHELL KALMANSON - PRES.

PAGE 1 OF 2

PS4-B 4/98 CM-COI

P. 02

FAX NO. 407 645 2810

JUL-30-2008 MED 01:46 PM

8-1-08 *[Signature]* - Joel McCarter

effective 8-1-08 - pd 1 year

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

Licensing Procedure

FILED

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

2008 AUG - 1 PM 12: 53

CITY CLERK

IOWA

Compliance Form

I, Robert Gourd, 4023 E. Seneca Ave., agree to license my dog,
Bella Name and Address Pitbull/Boker, in accordance with City of Des Moines Municipal Code.
Name and Breed

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

- R7 A. Keep my dog in the house at all times unless the dog is securely leashed with a leash no longer than six (6) feet in length and under the actual physical control of a person eighteen (18) years of age or older.
- R7 B. Keep my dog securely enclosed and locked in a pen or kennel having secure sides and a secure top attached to the sides, or in lieu of a top, walls at least six feet in height and at least six feet taller than any internal structure. All pens or kennels must have a secure bottom, floor or foundation attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet.
- R7 C. Keep \$100,000 liability coverage protecting against animal bites in effect at all times, and I understand that failure to do so will result in the license being suspended and the animal will be impounded.
1. Name of insurance agency: McCurtain Insurance Group, Inc
 2. Name of agent: Joel Akers Agent's Phone (515)633-7273
- R7 D. Display the current City license and rabies tag on the dog at all times.

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

Robert G. Gourd
 Signature

8/1/2008
 Date

Animal Incident Investigation Report

Des Moines, Iowa Police Department

CITY
EXHIBIT

2008 JUL 17 AM 4:58

32. District:	43	33. Beat:										
Impounded or bite animal						1. Impounded animal AHR/ARL number:						
						2. DMPPA case number: <u>08-05348</u>						
						(List human victim or society)						
						3. Victim's name (Last, First M.I.): <u>HODAK, DANIEL</u>						
						4. Race:	5. Sex:	6. Age:	7. Date of birth:	8. Ethnicity:	9. Sobriety:	
						<u>W</u>	<u>M</u>	<u>19</u>	<u>5/26/89</u>	<input type="checkbox"/> NH	<input checked="" type="checkbox"/> Sob.	<input checked="" type="checkbox"/> H.B.D. <input type="checkbox"/>
						10. Residence address: (List city and/or state if not Des Moines or Iowa) <u>1219 BUCHANAN</u>						
						11. Residence phone number: <u>266-3966</u>						
						12. Business or cellular phone number: <u>N/A</u>						
						13. Place of employment or school: <u>N/A</u>						
						14. Type and location of injury: <u>DOG BITE, BACK RIGHT LEG</u>						
						15. Medical treatment: <u>GOING TO MERCY CAPITOL</u>						
						16. Reporting person's name (Last, First M.I.): <u>HODAK, DANIEL</u>						
						17. Race:	18. Sex:	19. Age:	20. Date of birth:	21. Ethnicity:	22. Sobriety:	
						<u>W</u>	<u>M</u>	<u>19</u>	<u>5/26/89</u>	<input type="checkbox"/> NH	<input checked="" type="checkbox"/> Sob.	<input checked="" type="checkbox"/> H.B.D. <input type="checkbox"/>
						23. Residence address: (List city and/or state if not Des Moines or Iowa) <u>1219</u>						
						24. Residence phone number: <u>266-3966</u>						
						25. Business or cellular phone number:						
40A. Date of vaccination:		40B. Date of vaccination expiration:				26. Location of incident (address): <u>1214 WALKER</u>						
						27. Location type: <u>LAWN</u>						
						28. Date and time occurred: <u>16 JULY 08 2150</u>						
						29. Date and time reported: <u>16 JULY 08</u>						
						30. Crime/incident type: <u>ANIMAL BITE</u>						
						31. Classification:						
						44. Residence address: (List City and/or state if not Des Moines or Iowa) <u>1214 WALKER</u>						
						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:						
						48B. Person making notification:						
						48C. Means of notification:						
						50. Residence address: (List city and/or state if not Des Moines or Iowa)						
						51. Daytime or cellular phone number:						
						53. Residence address: (List city and/or state if not Des Moines or Iowa)						
						54. Daytime or cellular phone number:						
						55. Investigative notifications and/or photographs taken: Detective: No <input type="checkbox"/> Yes <input checked="" 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"/>						
Victim animal		56. Victim animal AHR/ARL number: Impounded: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> AHR/ARL#: <u>5083</u>				57. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other:						
58. Animal breed:		59. Animal color:				60. Animal fur length: Short <input type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other:						
61. Animal sex: Male <input type="checkbox"/> Neutered <input type="checkbox"/> Female <input type="checkbox"/> Spayed <input type="checkbox"/> Unknown <input type="checkbox"/>		62. Rabies tag: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> R/T#: <u>5083</u>										
63. Microchip: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> M/C#: <u>A</u>		62A. Date of vaccination:				62B. Date of vaccination expiration:						
64. License: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Lic#: <u></u>		62C. Veterinarian:										
						66. Medical treatment:						
						68. Residence address (List city and/or state if not Des Moines or Iowa):						
69. Residence phone number:		70. Place of employment:				71. Business or cellular phone number:						
72. Reporting officer: <u>BUDD B</u>		I.D. No. <u>5083</u>		73. Status: <input checked="" type="checkbox"/> Open <input type="checkbox"/> Suspended <input type="checkbox"/> Closed <input type="checkbox"/> Exceptionally closed		74. Copy/copies made by:			75. Referred to: <input checked="" type="checkbox"/> Animal Control			
76. Second office:		I.D. No.		77. Supervisor/approving report: <u>Daf Dwyer Walker 4830</u>		I.D. No.			78. Reviewed by: <u>B</u>			

2008 JUL 18 PM 3:39

SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

1. Complainant, Driver #1, Victim, or Arrestee <i>Hudak, Daniel</i>		2. Arrest No. <i>NIA</i>	3. Case No. <i>OB-2534B</i>
<input type="checkbox"/> Form used as Continuation Sheet for Current Report		4. Date this Report <i>18 July 08 120</i>	5. Date Original Occurrence <i>16 July 08 2150</i>
<input checked="" type="checkbox"/> Form used to Report Follow up Investigation of Supplemental Information		Officer Case Invest. Photos Yes <input type="checkbox"/> No <input type="checkbox"/> Taken by <i>Animal B&R</i>	6. Correct offense or Incident Classification <input type="checkbox"/> 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		Witness Statement <input type="checkbox"/> Offense <input type="checkbox"/> Arrest	8. Multiple Clear Up? <input type="checkbox"/> No <input type="checkbox"/> Yes (list other case numbers in narrative)
9. Page No. of	10. Traffic Citation No. <i>NIA</i>	11. Value of Property Recovered and Type <i>\$N/A</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.	<i>Went to address to quarantine bite dog. Nobody appeared home, no cars in drive. No dog was seen or heard. More follow up is needed.</i>		
CITY EXHIBIT <i>U</i>			
OFFICE USE ONLY			
		13. Date/Time Typed No.	Reproduced No.
14. Reporting Officer <i>Gordon</i>	No. <i>72-11</i>	15. Status (check one) <input type="checkbox"/> Suspended <input checked="" type="checkbox"/> Open <input type="checkbox"/> Ex. Closed <input type="checkbox"/> Closed	16. Unit Referred To: <i>ACD</i>
Second Officer	No.	Supervisor Approving <i>J. W. M. J. M.</i>	17. UCR Disposition
		18. Reviewer <i>D</i>	No.

2000 JUL 22 PM 8:52

Supplemental
10F2 CX

Animal Incident Investigation Report

Des Moines, Iowa Police Department

32. District:		33. Beat:		1. Impounded animal AHR/ARL number:		2. DMPD case number:	
				3. Victim's name (Last, First M.I.):		(Human victim or society)	
34. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/>		35. Animal breed: <u>Boxer/Pitbull X</u>		4. Race: <input type="checkbox"/> 5. Sex: <input type="checkbox"/> 6. Age: <input type="checkbox"/> 7. Date of birth: <input type="checkbox"/>		8. Ethnicity: <input type="checkbox"/> NH <input checked="" type="checkbox"/> 9. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>	
36. Animal color: <u>Brindle/white</u>		37. Animal fur length: Short <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>		10. Residence address: (City and/or state if not Des Moines or Iowa)		11. Residence phone number: 12. Business or cellular phone number:	
38. Animal sex: Female <input checked="" type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>		13. Place of employment or school:		14. Type and location of injury:		CITY EXHIBIT	
39. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> (Records Personnel: Enter M/C# as a serial number) M/C#: <u>unk</u>		15. Medical treatment:		16. Reporting person's name (Last, First M.I.): <u>Brown Joanne</u>			
40. Rabies tag: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> R/T#:		23. Residence address: (City and/or state if not Des Moines or Iowa)		17. Race: <input type="checkbox"/> 18. Sex: <input type="checkbox"/> 19. Age: <input type="checkbox"/> 20. Date of birth: <input type="checkbox"/>		21. Ethnicity: <input type="checkbox"/> NH <input checked="" type="checkbox"/> 22. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>	
40A. Date of vaccination:		40B. Date of vaccination expiration:		24. Residence phone number: <u>unk</u>		25. Business or cellular phone number: <u>447-9202</u>	
40C. Veterinarian: <u>unk</u>		26. Location of incident (address): <u>1014 Walker</u>		27. Location type: <u>residential</u>		28. Date and time incident occurred: <u>16 July 08</u>	
41. License: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Lic#: <u>unk</u>		29. Date and time incident reported: <u>01 July 08</u>		30. Crime/incident type: <u>Animal Bite: Dog</u>		31. Classification:	
42. Other identifiers (Collar, tattoo, etc.): <u>Brown</u>		32. Date and time incident occurred: <u>16 July 08</u>		33. Date and time incident reported: <u>01 July 08</u>		34. Impounded or bite animal owner's name (Last, First M.I.): <u>Guard, Rob</u>	
43. Confinement/quarantine location:		35. Residence address: (City and/or state if not Des Moines or Iowa)		36. Residence address: (City and/or state if not Des Moines or Iowa)		37. Residence phone number: <u>1014 Walker</u>	
44. Impounded or bite animal owner's name (Last, First M.I.): <u>Guard, Rob</u>		38. Place of employment or school: <u>NA</u>		39. Residence phone number: <u>480-0389</u>		40. Business or cellular phone number:	
45. Residence phone number: <u>unk</u>		46. Residence phone number: <u>unk</u>		47. Place of employment or school: <u>NA</u>		48. Business or cellular phone number: <u>480-0389</u>	
49. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>		49A. Date and time of notification: <u># 29</u>		49B. Person making notification: <u># 73</u>		49C. Means of notification: <u>Personal</u>	
50. Witness' name (Last, first): <u>unk</u>		51. Residence address: (City and/or state if not Des Moines or Iowa)		52. Daytime or cellular phone number:			
53. Witness' name (Last, First): <u>unk</u>		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 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"/>							
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"/> R/T#:		64. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> M/C#:		65A. Date of vaccination: 65C. 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: (City and/or state if not Des Moines or Iowa)		71. Residence phone number:		72. Business or cellular phone number:			
73. Reporting officer: <u>T. Bauer 7233</u>		I.D. No.	74. 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	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.	78. Supervisor approving report: <u>T. Bauer 7233</u>	I.D. No.	79. Reviewed by: <u>447-9202 RS</u>		

80. Page:

2 of 2

Animal Incident Investigation Report

Des Moines, Iowa Police Department

81. DMPC case number:

88-25348

82. Suspect or offender <u>one</u> (1) name (Last, first Middle):				83. Arrested: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>	84. Warrant needed: No <input type="checkbox"/> Yes <input checked="" 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: <input checked="" 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 checked="" 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 checked="" type="checkbox"/>	103. Warrant needed: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>	104. Charges filed: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>	
105. Race:	106. Sex:	107. Age:	108. Date of birth:	109. Ethnicity: <input checked="" 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 checked="" type="checkbox"/>	
118. Citation number and crime: <i>A</i>				119. Citation number and crime:				
120. Narrative: <i>Upon arrival spoke to resident Joanne Brown, who said she was aware of the bite since she was there when it happened. Brown said she told the male he could not pet the dog Bella but the man tried to do so anyway. I asked if dog owner was home and she said Rob Goart was at work. I asked what type of dog Bella was and she said Boxer/Pit mix. I explained qt. as well as pit ordinance. She then got dog owner on phone and I explained all to him. Dog was impounded for qt. and breed determination.</i>								
					121. Date of this report:			

Vicious Dog Breed Declaration Letter
(Over Six Months Old)

W

7-23-2008

(Date)

ROB GOVRO

(Dog owner's name)

1214 WALKER ST.

(Owner's address)

8511, IA

(City, state & zip code)



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

ALL-AMERICA CITY 1949, 1976, 1981

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

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

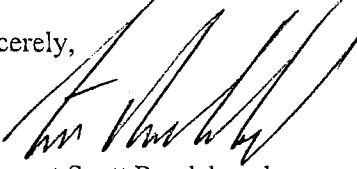
You may reclaim your dog by properly licensing it as a vicious dog with the City Clerk's Office and properly confining/leashing it as a vicious dog, however, if your dog is found unlicensed as a vicious dog in the City of Des Moines twice it will be destroyed in a humane manner. Also if your dog is found 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

Revised 01 January 2007

Case number:	2008-25348
Dog's name:	BELLA
Dog's color(s):	BLACK & WHITE
Dog's sex: female	<input checked="" type="checkbox"/> male <input type="checkbox"/>
ARL number:	AOSS 3314



Animal Control

DOCUMENT SERVICE

Case number: 2008 - 25348

ARL number (If known): A0553314

Animal owner's name: ROB GODRB

Address: WALKER ST. 1214

Location of service: SAME

Name of person receiving document (print):
NOT, dropped letter inside of front door near
mail box

Their signature: X _____

Date and time served: 7/26/08 13:06

Animal Control Officer serving document (print):

BKinchard

Animal Control Officer's identification number: 7232

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

KF ACV

2008 JUL 28 PM 8:52

SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

			1. Complainant, Driver #1, Victim, or Arrestee Hudak, Daniel	2. Arrest No.	3. Case No. 08-25348
<input type="checkbox"/> Form used as Continuation Sheet for Current Report			4. Date this Report 28 July 08	5. Date Original Occurrence 16 July 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"/> Taken by			6. Correct offense or Incident Classification Animal bite 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 na: X)		
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.					
<p>ITEM NO. Viewed the boxer/pitbull mix being held for quarantine at the shelter, the dog appears normal, showing no signs of the rabies virus. I then called victim, Daniel Hudak and left a message advising him of dogs release</p> <p>This report will close this case.</p>					
OFFICE USE ONLY					
			13. Date/Time Typed No. CF	Reproduced No.	
14. Reporting Officer M Bauer No. 7227		15. Status (check one) <input type="checkbox"/> Ex. Closed <input checked="" type="checkbox"/> Suspended <input type="checkbox"/> Closed <input type="checkbox"/> Open	17. Unit Referred To: ACU	18. UCR Disposition	
Second Officer No.		Supervisor Approving No.	19. Reviewed No. JAN 2008		

2008 JUL 29 PM 3:22

2008-25348

INVOICE

Hubbell Animal Hospital, P.C.

3415 Hubbell Avenue
Des Moines, IA 50317
515-265-4239

CITY
EXHIBIT

Z

FOR: Robert Gourd
4023 E. Seneca Ave
Des Moines, IA 50317
(515)

Printed: 06-20-08 at 11:29a
Date: 06-20-08
Account: 4331
Invoice: 17448

Date	For	Qty	Description	Net Price
06-20-08	Bella	1	Medical Evaluation	40.15
06-20-08		1	Regulatory/Medical Waste Fee	3.00
06-20-08		1	Cytology-ears	24.88
06-20-08		1	Heartworm, Lyme, Ehrlichia Test	41.90
	Items used...		1 Heartworm Tests	
06-20-08		1	Ear Cleaning	23.62
06-20-08		1	Mometamax 15gm Bottle*	24.22
06-20-08		1	Interceptor 51-100#*	13.99
			Total charges, this invoice...	171.76
			*Tax...	2.29
			Total, this invoice...	174.05
			Your old balance...	0.00
			Total payment(s) received...	174.05
			06-20-08 Mastercard payment	174.05
			Your new balance...	0.00

Reminders for: Bella (Weight: 55.2 lbs - 12m)		Last done
06-20-09	Heartworm Test	06-20-08
12-09-08	Rabies Vacc Canine 3 Year	
12-09-08	Fecal Float- Annual	12-10-07
10-10-08	DHPP Vacc- Annual	
07-20-08	Interceptor 51-100#	06-20-08

Bella's weight history (in lbs)

06-20-08	55.20
12-10-07	42.40
10-11-07	22.20
09-12-07	14.40
08-20-07	8.00

Thank You!

Hubbell Animal Hospital
3415 Hubbell Avenue
Des Moines, IA 50317
515-265-4239

RECEIVED
KX

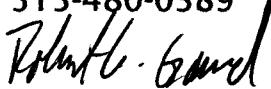
Bella Gourd

To whom it may concern!

This is my request for an appeal regarding my beloved dog Bella in that I don't think I represented my case as well as I could have. I would like to see cold hard documented evidence instead of you going on simple allegations that my dog did in fact harm anyone. I would like to see pictures of the bite in question, statements that the subjects in question positively identified my dog as the culprit, not just words but them pointing at my dog saying yes she was the one that did it. If I do not get a fair hearing I will request this be brought in front of the court system. You based your decision on one testimony for a government official even though you heard two stories of great consistency about the people of the house this happened at. I will try to have my personal vet there at the next "meeting" to testify about her personal opinion of my dogs "dangerous" tendencies in question. I honestly feel that you are just biased, by maybe horror stories about my dogs breed which is only 50%. She came from two pure bred dogs one of which is pit bull and one is a boxer. I have researched pit bull attacks and the only attacks I've ever heard of was outright mauling not "scratches" or "bites". If necessary I can produce a list of many numerous people who have been in personal contact with my dog. I can provide names, numbers of them. My dog does NOT deserve to be put to death. This is unfair and is a great injustice. To close I would like to state she's part of a family.

Thank you

Robert G. Gourd
1214 Walker St.
Des Moines, IA 50316
515-480-0389



Admin Hearing
3 days to appeal

2008 OCT - 3 PM 2:19
CITY CLERK
DES MOINES, IOWA

FILED

October 3, 2008

Robert Gourd
1214 Walker Street
Des Moines, IA 50316



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

RE: Appeal of Dangerous Animal Declaration

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

Your hearing before the City Council has been scheduled for Monday, October 13, 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 will be sent under separate cover.

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

Sincerely,

A handwritten signature in cursive script that reads "Diane Rauh".

Diane Rauh
City Clerk

DR:kh

cc: Hearing Officer
Legal
Assistant City Attorney
Sgt Raudabaugh

EXHIBIT D

October 7, 2008

Robert Gourd
1214 Walker
Des Moines, IA 50316

RE: Administrative Hearing Transcript

Per the letter sent to you on October 3, 2008, enclosed is a copy of the administrative hearing transcript that was held on September 23, 2008 at 1:00 p.m.

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

Sincerely,



Diane Rauh
City Clerk

DR:kh
Enc.

cc: Hearing Officer
Assistant City Attorney
Sgt. Raudabaugh



DIANE RAUH
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2003

ADMINISTRATIVE HEARING TRANSCRIPT

September 23, 2008

City v. Gourd
Dangerous Dog

HEARING OFFICER LEANN DUCEY: Good afternoon. My name is LeAnn Ducey and I'm an Administrative Hearing Officer. It is 12:55 p.m. on September 23, 2008 and we are conducting an administrative hearing on a dangerous dog declaration. The appellant is Robert Gourd. When I call you to give testimony today please come up to the podium, speak into the microphone and state your full name and address for the record. You will then be sworn in. This is an informal hearing and to that matter the hearing is now open. Would the representative from the City please come forward, identify yourself and present any information you have pertaining to this hearing.

SERGEANT SCOTT RAUDABAUGH: My name is Scott Raudabaugh. I'm a police sergeant with the City of Des Moines Police Department and I'm assigned to the animal control unit as the supervisor and as such, I'm, under City ordinance, I'm the Chief Humane Officer for the City of Des Moines.

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

SERGEANT SCOTT RAUDABAUGH: Yes ma'am.

HEARING OFFICER LEANN DUCEY: Go ahead.

SERGEANT SCOTT RAUDABAUGH: I'd like to submit some documents for the record. I'll have a copy that I'll submit to you and then a copy I'll refer to here at the podium and then I'll leave that copy up here for Mr. Gourd to look at if he chooses to.

HEARING OFFICER LEANN DUCEY: Okay. I'll make these as City exhibits starting with A. Thank you.

SERGEANT SCOTT RAUDABAUGH: I'd like to first just kinda go through these and explain a couple of things about the documents. The first thing there is the dangerous animal declaration letter as well as a document service form in which the letter was served. Behind that is a photograph of the dog that's the issue of discussion today. Behind that is a variety of City ordinances, 18-41 is the definition of a vicious dog by breed or behavior. Behind that is City ordinance 18-56 which talks about the requirements of confinement or leashing for a vicious dog. Behind that is City ordinance 18-55 which defines what running at large is for a dog. City ordinance 18-196 is the definition of, it includes two definitions, but one really applies here. It has the definition for dangerous animal and illegal animal. Illegal animal doesn't apply but it's included in that same definition in the City ordinance. 18-203 is immediate seizure or destruction of animals which talks about vicious dogs, a previously declared vicious dog or a vicious dog by breed, uh, that is not properly confined and involved in an unprovoked bite. It talks about that the dog can be processed as a dangerous animal. 18-202 refers to seizure,

impoundment and disposition of dangerous animals. Behind that there are two sets of reports so to speak. There's police case 2008-32691 which documents the information relative to the bite that occurred on September 7, 2008 and then behind that a ways is a second case, 2008-25348 which documents information about a bite that occurred on July 16, 2008 involving the same dog. I do want to make special mention while we're looking at the documents in a, under case 2008-25348 towards the back. There was a vicious dog breed declaration letter that was served on Mr. Gourd on July 26th after the first bite and before the second bite and Mr. Gourd was allowed to reclaim his dog and on August 1st he signed what is referred to in the City Clerk's Office as a blue letter which is required by City ordinance to license a vicious dog whether by breed or behavior in which he agrees to properly confine or leash the dog. I'll refer back to the initial dangerous animal declaration letter at this point. On September 7, 2008, Mr. Gourd's brindle and white colored pit bull breed dog named Bella was running at large when it charged and bit a neighbor that was standing in the alley behind his house, behind the neighbor's house. The injury, the, I'm sorry, the bite caused injury to the neighbor's leg. During the investigation the animal control officer impounded the dog for quarantine at the animal shelter. This dog was identified not only by owner, by dog name, but also by microchip that, as a dog that had been impounded because it was involved in a bite on July 6th, or July 16, 2008. The same dog bit a person when that person tried to pet the dog. There's a, a difference of opinion on that previous bite on July 16th. The person that was bit claimed that he had permission to pet the dog. A person at Mr. Gourd's house, and I believe it was Mr. Gourd's mother, maybe he can clarify whether it was his mother or somebody else, told the animal control officer that the person that was bit on July 16th was not given permission to pet the dog. Uh, the fact that does remain is the dog broke free somehow and did a similar bite on that other person, bit the person on the leg which caused injury. So we have two similar type bites. Uhm, after the bite on July 16th, I gave Mr. Gourd and the dog the benefit of the doubt that there was some discrepancy and whether this person had permission to pet the dog or not. And I'd hoped that we wouldn't have another incident with Mr. Gourd's dog, but unfortunately we did. On September 7th the dog was involved in a second bite while it was running at large. And as I mentioned before, after the bite on July 16th, uh, the dog was impounded and Mr. Gourd was served with a vicious dog breed declaration letter. That resulted out of an evaluation done by the City veterinarian in which he evaluated the dog's characteristics and found that it exhibited predominant Pit Bull Breed type characteristics or vicious dog breed characteristics. Because of all of the factors involved, it was appropriate to declare Mr. Gourd's dog a dangerous animal given all the circumstances. And that was done on September 18, 2008. And as I said before, Mr. Gourd, the letter was served on him. His brother received the letter on September 19th. And that's all I have at this point.

HEARING OFFICER LEANN DUCEY: Okay. Mr. Gourd. Please state your name and address for the record.

ROBERT GOURD: Robert Gourd, Robert Glen Gourd, 1214 East Walker.

HEARING OFFICER LEANN DUCEY: It's East Walker?

ROBERT GOURD: I think so, isn't it?

UNIDENTIFIED SPEAKER: Walker.

ROBERT GOURD: It's just Walker.

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

ROBERT GOURD: Yes.

HEARING OFFICER LEANN DUCEY: Okay. Tell me why you're here today.

ROBERT GOURD: Well, I'm here because my dog was involved in two bit incidents. Now, the first time I was not present when it happened. She was. This is my brother's fiancé, Jo. And from what I was told and she told the kid. There's this kid from this halfway house back there and these kids are always taunting and teasing both of our dogs. Well, anyway, so she had them out there apparently and he kept saying can I pet her? Can I pet her? And Jo kept saying no. And she was trying to go in and I don't know. The kid went to pet the dog and my dog kinda lurched at him or what and it freaked him out and he ran and she chased him. I'm not sure cause I wasn't there, she was. Uh, the second time I was outside when it happened in the front yard and this happened in the back yard. And, uh, granted I didn't have her confined how she was supposed to be confined, but she wasn't going to be out there that long. I was just out there talking to my ex-girlfriend about some things. And I seen her kinda run out of the corner of my eye so I went back there to see what happened. The only thing I seen was the kid walking back to the halfway house yelling you need to keep your dog on a leash, I'm calling the cops. So I didn't even know that he had gotten bit. And he wasn't, I mean the bites on both of these people, the first one I seen the mark and it didn't even look like a bite. It looked like a scratch to be honest. Cause it was a red mark about this long down his leg. So I don't know if she did try to bite him or if she scratched him with her paws cause her claws are kinda sharp. I don't know. Everybody else I bring this dog around, no problems with her at all. None whatsoever. She's nothing but nice. Uh, the first time she was down there I kept calling and checking on her and asking how was her demeanor, ya know, did she show any aggression. As far as I knew, no aggression. She was being well behaved.

HEARING OFFICER LEANN DUCEY: I have a couple of questions. Uhm, I think you might have answered this, but the first bite, was it inside the home or outside?

ROBERT GOURD: It was outside in the yard.

UNIDENTIFIED SPEAKER: Yes. The.....

HEARING OFFICER LEANN DUCEY: Uh, ma'am, unless you get sworn in...

ROBERT GOURD: Oh, sorry.

HEARING OFFICER LEANN DUCEY: Okay. So, uhm, was the dog tied up at the time of the first bite?

ROBERT GOURD: She, she had her in her hand in the leash.

HEARING OFFICER LEANN DUCEY: The dog was on a, had a collar and a leash on?

ROBERT GOURD: Right.

HEARING OFFICER LEANN DUCEY: Okay.

ROBERT GOURD: And she couldn't hold onto Bella because Bella's a pretty strong animal.

HEARING OFFICER LEANN DUCEY: Okay. Was the dog licensed prior to the first bite?

ROBERT GOURD: No.

HEARING OFFICER LEANN DUCEY: Why?

ROBERT GOURD: I had not gotten her licensed yet. I just hadn't gotten around to it. I work like 60 hours a week at the transmission shop so the hours were kinda...

HEARING OFFICER LEANN DUCEY: How long have you had the dog?

ROBERT GOURD: Uh, ever since, well let's see, she was 6 weeks old, like a year and 4 months I think.

HEARING OFFICER LEANN DUCEY: So in that time you hadn't had a chance to get a license?

ROBERT GOURD: I just hadn't got around to it. I, that was something I kept thinking about doing but just never did. That's my irresponsibility.

HEARING OFFICER LEANN DUCEY: Okay, do you have anything else that you want to present today or do you want anyone else to testify?

ROBERT GOURD: Uh, yeah, I'd actually like her to.

HEARING OFFICER LEANN DUCEY: Okay.

ROBERT GOURD: If that's alright.

HEARING OFFICER LEANN DUCEY: Okay. Come on up. I just need your name and address please.

JOANN BROWN: Uh, JoAnn Brown, 1214 Walker Street.

HEARING OFFICER LEANN DUCEY: And, how, did you say, how are you related or your, his brother?

JOANN BROWN: I'm, I'm his brother's fiancé.

HEARING OFFICER LEANN DUCEY: Okay.

JOANN BROWN: The one that they keep referring to as, his mother.

ROBERT GOURD: My mother.

JOANN BROWN: But to make the record straight, I'm not his mother.

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

JOANN BROWN: Yes ma'am.

HEARING OFFICER LEANN DUCEY: Okay. Tell my why you're here today.

JOANN BROWN: Uhm, the reason that I'm here is because the first incident, well, let's let's go back here. Both incidents, uhm, took place with the children, or not children, but kids that live at the youth center. Those kids have been out there in my yard taunting our dogs. I mean there's been incidences where I went out there in the middle of the night and they're out there. Uhm, the first incident that happened I went out to get both dogs and I had some gentleman in my driveway dancing around, ya know, doing a little dance or whatever. Can I pet your dog? Can I pet your dog? And I said no. I said I'm taking him inside. Come on just let me pet your dog and then he just kept backing up and pacing back and forth and I said no. Well, I went to go grab Bella and tell her to come inside and when I did I think she was irritated by that kid standing there and she got loose. I mean she drug me a little ways and went after him. I did not see her bite him. She did chase him.

HEARING OFFICER LEANN DUCEY: Okay.

JOANN BROWN: And, just, I, I have two children at home and there's no way I would have a dog that I would think, ya know, would hurt my children. My children love that dog. They play with her all the time. They know that dog. I just, to me it's like the dogs were aggravated and irritated, ya know, with what them kids do. Those kids irritate me. And it's been brought to, uhm, the Sergeant's attention that patrols and keeps track of the, the students over at East High School. I brought it to his attention because they were out there one night just a yelling and screaming at me for nothing and threatening to kill the dogs. And that's not the first time they've threatened to kill them.

HEARING OFFICER LEANN DUCEY: So you have more than one dog?

JOANN BROWN: Yes.

HEARING OFFICER LEANN DUCEY: What's the other dog?

JOANN BROWN: It's a black lab.

HEARING OFFICER LEANN DUCEY: Is it licensed?

JOANN BROWN: No. I need to take care of that. I've only had the dog a couple months.

HEARING OFFICER LEANN DUCEY: How old is the dog?

JOANN BROWN: About five...

ROBERT GOURD: Five months, four months maybe. Four to six. Somewhere in there. We're not really sure exactly.

JOANN BROWN: I had...

HEARING OFFICER LEANN DUCEY: When it's six months old it needs to be licensed and you need to bring in proof of current rabies. So you need to get this taken care of.

JOANN BROWN: I will take care of that.

HEARING OFFICER LEANN DUCEY: If it's six months you really need to get that taken care of. Okay.

JOANN BROWN: Prior to this we had, uhm, we also had three dogs taken from our yard. We've only retrieved one.

HEARING OFFICER LEANN DUCEY: What do you mean taken from your yard?

JOANN BROWN: I'm sorry. What ma'am?

HEARING OFFICER LEANN DUCEY: What do you mean taken from your yard? Somebody stole it?

JOANN BROWN: They were literally taken from our yard. Taken off their chain and taken from our yard.

HEARING OFFICER LEANN DUCEY: Okay. Now when you confine, uhm, Bella, how have you been confining Bella?

JOANN BROWN: Either inside or on a chain outside.

HEARING OFFICER LEANN DUCEY: With like a chain hooked to something? Do you remember signing that, that blue form that says you can't do that?

ROBERT GOURD: Right.

HEARING OFFICER LEANN DUCEY: So if you signed that, what, why, why, why were you not...

ROBERT GOURD: I, I was being irresponsible

HEARING OFFICER LEANN DUCEY: Okay.

ROBERT GOURD: I mean there's no other way to say it, make up excuses.

HEARING OFFICER LEANN DUCEY: Okay. Sergeant Raudabaugh, do you have anything else to present? Do either of you have anything else to present today? Okay. I'm not going to make a decision today. I have an awful lot of papers to go through and, uhm, I take these hearings very, very seriously as I know Sergeant Raudabaugh does and the whole animal control division do because this is very important. I like to make sure that I'm, uhm, correct in my decision so I, I will review this very thoroughly and will get a written ruling out to you. I'll try to get it out still this week. If not it will probably be Monday and that will be hand delivered to you which will constitute my final administrative decision. Should you disagree you do have the right to appeal to the Des Moines City Council and there will be information in the letter telling you what you need to do in order to do that. So I appreciate everyone coming in. Thank you very much.

I, Renae Lampkin, certify that I transcribed the minutes of the September 23, 2008 Administrative Hearing pertaining to a dangerous dog owned by Robert Gourd.

Renae Lampkin