

Date November 24, 2008

**PUBLIC HEARING ON APPEAL OF
DANGEROUS ANIMAL DECLARATION**

WHEREAS, Shannon Simmons, 1800 Watrous Avenue, filed an application for appeal before the City Council of the City Hearing Officer's decision upholding the Chief Humane Officer's declaration of her dog as a dangerous animal; and,

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

WHEREAS, Ms. Simmons has been provided with the opportunity to address the City Council on the matter of her 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 and Ms. Simmons' dog be declared a dangerous animal and that it be humanely destroyed.

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

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

MOVED BY _____ TO REVERSE DECLARATION.

FORM APPROVED:

Katharine Massier
Assistant City Attorney

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

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.

MOTION CARRIED

APPROVED

Mayor

City Clerk

EXHIBITS FOR DANGEROUS ANIMAL

MOJO

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

EXHIBIT B **Appeal from Ms. Simmons**

EXHIBIT C **Letter to Ms. Simmons
(Setting Date for appeal to Council)**

EXHIBIT D **Letter and Administrative Hearing Transcript
to Ms. Simmons**

November 13, 2008

Shannon Simmons
1800 Watrous Avenue #51-B
Des Moines IA 50315

RE: Administrative Hearing – Declaration of Dangerous Dog

Dear Ms. Simmons:

At your request, the City of Des Moines scheduled an Administrative Hearing on November 6, 2008, at 1:00 p.m. regarding the declaration of your tan and white male Pit Bull dog named Mojo, 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 – Municipal Code Section 18-203. Immediate Seizure or Destruction of Animals
- City Exhibit B – Municipal Code Section 18-202. Seizure, Impoundment and Disposition of Dangerous Animals
- City Exhibit C – Municipal Code Section 18-41. Definitions of Vicious Dog
- City Exhibit D – Municipal Code Section 18-56. Confinement of Vicious Dogs
- City Exhibit E – Letter to Shannon Simmons dated October 31, 2008, declaring her dog “Mojo” to be a “dangerous dog,” and setting the date and time of the Hearing
- City Exhibit F – Document Service dated November 2, 2008
- City Exhibit G – Case Investigation Report dated October 23, 2008, Case #08-39009
- City Exhibit H – Animal Incident Investigation Report dated October 24, 2008, Case #08-39009
- City Exhibit I – Animal History Report dated October 25, 2008, Case #08-39009
- City Exhibit J – picture of Shannon Simmons' dog, Mojo
- City Exhibit K – Supplemental Report dated October 27, 2008, Case #08-39009
- City Exhibit L – Supplemental Report dated November 3, 2008, Case #08-39009



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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BUSINESS LICENSES

ALL-AMERICAN CITY
1949, 1976, 1981,
2003

Shannon Simmons
November 13, 2008
Page Two

Sergeant Raudabaugh said that on October 23, 2008, Shannon Simmons' tan and white Pit Bull breed dog, Mojo, was not properly confined or leashed when it was walking in the apartment building hallway. A neighbor's girlfriend was walking up the hallway and Ms. Simmons' dog followed her up to the neighbor's apartment door. When the neighbor opened his apartment door, his own dog came to the doorway. Ms. Simmons' dog then bit the neighbor's dog, grabbed hold of the dog, and dragged it down the hallway. Sergeant Raudabaugh said Animal Control impounded Ms. Simmons' dog for quarantine and breed evaluation. Ms. Simmons' dog did not have current rabies, a City license, or the insurance required to have a vicious dog. The victim dog was also impounded for quarantine because it also did not have current rabies or a City license.

Sergeant Raudabaugh said the City Veterinarian evaluated Ms. Simmons' dog and found it to have predominate characteristics of a vicious dog breed. Because Ms. Simmons' dog was not properly confined and was involved in an unprovoked bite to another dog, Sergeant Raudabaugh declared it to be a "dangerous dog."

Shannon Simmons attended the Hearing and said she was not present at the time of the incident, but has been handling the situation with her neighbor. Ms. Simmons said Mojo is five years old and she has had him since he was a few weeks old. Ms. Simmons said her dog's rabies expired in 2007. Ms. Simmons said she left her apartment to get some pumpkins at a store a short distance away and must not have latched the door properly. Ms. Simmons said Mojo apparently nosed his way out the door, bit the neighbor's dog, and was back in the hallway when she returned a short time later. Soon after her return, Ms. Simmons said her neighbor came and told her about the bite.

Richard Simmons spoke and said he attended the Hearing so he could remove the dog to its new home outside the City of Des Moines. Sergeant Raudabaugh explained to Mr. Simmons that the dog would remain at the shelter until a ruling was made. If the "dangerous dog" declaration is not upheld, the dog can be reclaimed and will have to be licensed as a "vicious dog."

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



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Shannon Simmons
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2003

- Shannon Simmons' dog, Mojo, is a "vicious" animal as defined by Municipal Code Section 18-41 (1), (2), (3) (7)
- In accordance with Municipal Code Section 18-203, Shannon Simmons' dog, Mojo, may be processed as a "dangerous" animal under Municipal Code Section 18-202
- Shannon Simmons failed to confine her dog, Mojo, as defined by Municipal Code Section 18-56
- Shannon Simmons' dog, Mojo, was running-at-large (Municipal Code Section 18-55) at the time of the incident
- Shannon Simmons failed to have a current rabies certificate, City of Des Moines' dog license, and necessary insurance for her Pit Bull breed dog, Mojo

Therefore, I am ordering Shannon Simmons' dog, Mojo, 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, please contact Animal Control at 248-6051.

Sincerely,

A handwritten signature in cursive script that reads 'LeAnn Ducey'.

LeAnn Ducey
Hearing Officer

Enclosures

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

CITY
EXHIBIT

A



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)

B

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

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

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

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

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

(e) If the city council affirms the action of the city manager or his or her designee, the city council shall either order the animal destroyed by the chief humane officer, or order that the individual or entity owning, sheltering, harboring, or keeping such dangerous animal shall cause it to be destroyed in a humane manner. The decision and order shall immediately be served upon the person or entity against whom rendered in the same manner as the order to destroy. If the animal is ordered to be destroyed by the chief humane officer the order shall be effective on the fourth day after receipt of the order by the owner unless the county district court has been petitioned to review the order within the first three days after receipt. If the animal is ordered to be destroyed by the owner and such order is not appealed to the county district court and is not

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

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

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

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

CITY
EXHIBIT

C

Sec. 18-41. Definitions.

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

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

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

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

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

Vicious dog means:

- (1) Any dog which has attacked a human being or domestic animal one or more times, without provocation;
- (2) Any dog with a history, tendency or disposition to attack, to cause injury or to otherwise endanger the safety of human beings or domestic animals;
- (3) Any dog that snaps, bites, or manifests a disposition to snap or bite;
- (4) Any dog that has been trained for dog fighting, animal fighting or animal baiting or is owned or kept for such purposes;
- (5) Any dog trained to attack human beings, upon command or spontaneously in response to human activities, except dogs owned by and under the control of the police department, a law enforcement agency of the state or of the United States or a branch of the armed forces of the United States;
- (6) Staffordshire terrier breed of dog;
- (7) The American pit bull terrier breed of dog;
- (8) The American Staffordshire terrier breed of dog; or
- (9) Any dog which has the appearance and characteristics of being predominately of the breeds of Staffordshire terrier, American pit bull terrier, American Staffordshire terrier.

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

Cross references: Definitions generally, § 1-2.

CITY
EXHIBIT

D

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)

E

October 31, 2008

Ms. Shannon Simmons
1800 Watrous Avenue # 51-B
Des Moines, Iowa

Dear Ms. Simmons,

On October 23, 2008 your tan and white colored Pit Bull breed dog, named "Mojo," was not properly confined or leashed when it was walking in the apartment building hallway and bit a neighbor's dog as it stood in the doorway, the bite caused injury to your neighbor's dog. Subsequently your dog was impounded for quarantine at the animal shelter. (2008-39009)

On October 25, 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, city ordinance 18-41.

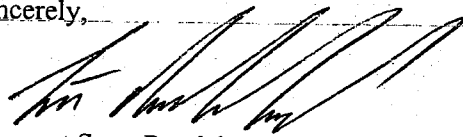
Because your dog is defined as a vicious dog and was not properly confined or leashed, in accordance with the vicious dog ordinance 18-56, and was involved in an unprovoked bite it is being declared a "Dangerous Animal," in accordance with the dangerous animal ordinance 18-203 and 18-202.

An Administrative Hearing to review the "Dangerous Animal" declaration has been scheduled for **1:00 P.M. on Thursday, November 6, 2008** in the City Council Chambers in the Des Moines City Hall at 400 Robert D. Ray Drive.

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

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

Sincerely,



Sergeant Scott Raudabaugh,
Chief Humane Officer

cc: City Clerk's Office



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

ALL-AMERICA CITY 1949, 1976, 1981



Animal Control

DOCUMENT SERVICE

Case number: 2008-39009

ARL number (If known): A06277950

Animal owner's name: SHANNON SIMMONS

Address: 1800 WATROUS #51-B

Location of service: SAME

Name of person receiving document (print):

Left on AA-B date sheet tenant showed me where Shannon lives
Their signature: X _____

Date and time served: 11/2/08 9:22 AM

Animal Control Officer serving document (print):

Gordon

Animal Control Officer's identification number: 7211

Type of document served: Vicious dog letter Dangerous

animal letter Illegal animal letter Hearing ruling letter

City Council decision letter Other: _____

KF ACU

NOV 03 11:26 AM

CASE INVESTIGATION REPORT
DES MOINES, IOWA POLICE DEPARTMENT

* **ATTN ANIMAL CONTROL**

2008 OCT 24 AM 6:01

CITY EXHIBIT

41

G

DOMESTIC ABUSE HATE/BIAS LEOKA

| | | | | | | | | | | | | | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--|-------------------------------------------------------------|------------|------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 17. DISTRICT 3 | | | 18. BEAT 135 | | | 19. REP. AREA | | | 1. NAME (LAST, FIRST, MIDDLE) CONN, ROBERT L | | | 2. CASE NUMBER 08-39009 | | | | | |
| 20. OCCUPATION POSTER | | | 21. HOURS 0800-1630 | | | 22. SOBRIETY 532 | | | 3. ADDRESS 1800 WARZOUS AVE 306 S3 Apt # C | | | 4. RES. PHONE 494-5803 | | | | | |
| 23. DESCRIBE LOCATION OF OFFENSE OR TYPE OF PREMISE APARTMENT COMPLEX | | | | | | | | | 7. R/S/A W/M/JMK | | | 8. LOCATION OF OFFENSE (ADDRESS) 1800 WARZOUS AVE 306 S1 | | | | | |
| 24. VEHICLE USED LIC. NO. BY SUSPECTS N | | | | | | | | | 9. REPORTING PERSON CONN ROBERT L W/M/JMK | | | 10. RES. PHONE 494-5803 | | | | | |
| COLOR | | | YEAR | | | MAKE | | | 11. REPORTING PERSON'S ADDRESS 1800 WARZOUS AVE 306 S1 Apt C Dsm | | | 12. BUS. PHONE JMK | | | | | |
| IDENTIFYING CHARACTERISTICS OF VEHICLE A | | | | | | | | | 13. DATE AND TIME OCCURRED 23 OCT 08 1915 | | | 14. DATE AND TIME REPORTED 23 OCT 08 2205 | | | | | |
| CODE: V-VICTIM (OTHER THAN IN BLOCK #1) AND SHOW SEX, RACE, AGE W-WITNESS, P-PARENT OR GUARDIAN | | | | | | | | | 15. CRIME Vicious Dog (ANIMAL BITE) | | | 16. CLASSIFICATION | | | | | |
| 25. NAME N | | | CODE | | | RESIDENCE ADDRESS | | | CITY | | | RES. PHONE | | BUS. PHONE | | | |
| 26. | | | | | | | | | | | | | A | | | | |
| 27. | | | | | | | | | | | | | A | | | | |
| 28. NOTIFICATIONS INVESTIGATOR'S <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IDENTIFICATION UNIT <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO OFFICE CASE INVEST PHOTOGRAPHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | | | | | | | | | | | | | | | | |
| PROPERTY & INJURIES | 29. TOOL OR WEAPON USED KETT | | | 30. METHOD USED BITE | | | 31. POINT OF ENTRY N/A | | | 32. VICTIM'S VEHICLE LIC. NO. N | | | STATE/YEAR | | | | |
| | 33. TYPE PROPERTY TAKEN ITEM 63 | | | 34. TOTAL VALUE ITEM 63 | | | 35. LOCATION OF VICTIM'S PROPERTY N/A | | | 36. DEGREE OF INJURY AND VICTIM'S CONDITION | | | | | | | |
| | 37. TYPE OF INJURY AND LOCATION ON BODY N/A | | | | | | | | | 38. HOSPITAL | | 39. TRANSPORTED BY A | | | | | |
| WORTHLESS DOCUMENTS | 40. COLOR OF DOC. | | 41. TYPE OF DOC. | | 42. DATE OF DOC. | | 43. DOCUMENT NO. | | 44. FIRM NAME OF DOCUMENT | | | | | | | | |
| | 45. NAME OF NO. OF BANK | | | 46. MADE PAYABLE TO | | | 47. SIGNATURE ON FACE | | | | | | | | | | |
| | 48. REASON NOT HONORED | | | 49. TYPE OF PROPERTY OR SERVICES OBTAINED | | | 50. AMOUNT OF DOCUMENT | | | | | | | | | | |
| DOMESTIC ABUSE | 51. DO YOU HAVE A CURRENT NO CONTACT ORDER? YES <input type="checkbox"/> NO <input type="checkbox"/> | | | 52. HAS THE SUSPECT BEEN CHARGED WITH DOMESTIC ABUSE ASSAULT ON THE VICTIM OR OTHERS IN THE PAST? YES <input type="checkbox"/> NO <input type="checkbox"/> | | | 53. NOTICE OF ABUSED PERSON RIGHTS GIVEN? YES <input type="checkbox"/> NO <input type="checkbox"/> I REQUEST A NO CONTACT ORDER: A SIGNATURE OF VICTIM | | | | | | | | | | |
| | <p>CONN STATED THAT WHEN HE OPENED HIS APARTMENT DOOR TO LET SOMEONE IN, SIMMONS' DOG BIT HIS DOG AND REFUSED TO LET GO. SIMMONS' DOG DRAGGED CONN'S DOG DOWN THE STAIRS AND FINALLY LET GO BY ATT # A. CONN PICKED UP HIS DOG AND TOOK IT TO THE IOWA VETERINARY SPECIALTIES LOCATED AT 6111 CRESTON AVE. CONN SHOWED ME A BILL TOTALING \$225.49 IN VET BILLS DUE TO HIS DOG BEING ATTACKED.</p> | | | | | | | | | | | | | | | | |
| 54. REPORTING OFFICER SWANK, R. 5068 | | | | | | | | | 55. STATUS (CHECK ONE) <input type="checkbox"/> SUSPENDED <input type="checkbox"/> EX. CLD <input type="checkbox"/> OPEN <input type="checkbox"/> CLOSED | | | 57. REPRODUCED BY | | NO. | | 60. UNIT REFERRED TO: <input type="checkbox"/> CIB <input type="checkbox"/> V/NCU <input type="checkbox"/> IA <input type="checkbox"/> CO. ATT. <input type="checkbox"/> PIO <input type="checkbox"/> SO <input type="checkbox"/> CHIEF <input type="checkbox"/> OTHER: ACU | |
| 58. REVIEWER | | | 59. UCR DISPOSITION | | | 56. SUPERVISOR APPROVING | | | NO. | | | | | | | | |

Animal Incident Investigation Report
Des Moines, Iowa Police Department

2008 OCT 27 PM 2:39

Supplemental X C

| | | | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 32. District: 3 | | 33. Beat: 35 | | 1. Impounded animal AHR/ARL number: | | 2. DMPD case number: 08-39009 | |
| Impounded or bite animal | | | | 3. Victim's name (last, first M.I.): CONN, Robert (Human victim or society) | | | |
| 34. Animal type: <input checked="" type="checkbox"/> Cat <input type="checkbox"/> Dog <input type="checkbox"/> Other <input type="checkbox"/> : "NOAH" | | 35. Animal breed: Pitbull | | 4. Race: WMA | | 5. Sex: N/A | |
| 36. Animal color: tan | | 37. Animal fur length: <input checked="" type="checkbox"/> Short <input type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/> | | 6. Age: N/A | | 7. Date of birth: | |
| 38. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input checked="" type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/> | | 39. Microchip: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (Records Personnel: Enter M/C# as a serial number) | | 8. Ethnicity: <input type="checkbox"/> H <input type="checkbox"/> NH <input type="checkbox"/> G | | 9. Sobriety: <input checked="" type="checkbox"/> Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/> | |
| 40. Rabies tag: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> R/T#: | | 40A. Date of vaccination: | | 40B. Date of vaccination expiration: | | 40C. Veterinarian: | |
| 41. License: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Lic#: | | 42. Other identifiers (Collar, tattoo, etc.): BLK & white checks | | 43. Confinement/quarantine location: Shelter | | 44. Impounded or bite animal owner's name (Last, First M.I.): SIMMONS, SHANNON | |
| 45. Residence address: 1800 Watrous Blvd #1 #C | | 46. Residence phone number: 55447-1570 | | 47. Place of employment or school: Market Link | | 48. Business or cellular phone number: 515-975-0658 | |
| 49. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> | | 49A. Date and time of notification: 24 Oct 08 1639 | | 49B. Person making notification: BLANCHARD | | 49C. Means of notification: PERSONAL | |
| 50. Witness name (Last, first): N/A | | 51. Residence address: (City and/or state if not Des Moines or Iowa) | | 52. Daytime or cellular phone number: | | 53. Witness name (Last, first): N/A | |
| 54. Residence address: (City and/or state if not Des Moines or Iowa) | | 55. Daytime or cellular phone number: | | 56. Investigative notifications and/or photographs taken: Detective: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Ident. Technician: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> ACO Supervisor: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Photographs taken by ACO or PO: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> | | 57. Victim animal AHR/ARL number: Impounded: No <input type="checkbox"/> Yes <input type="checkbox"/> AHR/ARL#: | |
| 58. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/> | | 59. Animal breed: Beagle X "NOAH" | | 60. Animal color: WHY/BK | | 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 checked="" type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/> | | 63. Rabies tag: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> R/T#: | | 64. Microchip: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> MC#: | | 65. License: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Lic#: | |
| 66. Type and location of injury: top of head, punctures. minor | | 67. Medical treatment: AEC clinic | | 68. Date of vaccination expiration: | | 69. Victim animal owner's name (Last, First M.I.): CONN, ROBERT | |
| 70. Residence address: (City and/or state if not Des Moines or Iowa): 1800 Watrous Apt 51 #B | | 71. Residence phone number: 414-5803 | | 72. Business or cellular phone number: 331-2900 | | 73. Reporting officer: BLANCHARD 7232 | |
| 74. Status: <input type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Excep. Closed <input type="checkbox"/> Case file <input type="checkbox"/> Suspended <input type="checkbox"/> Unfounded | | 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: Tom [Signature] | |
| 78. Supervisor approving report: [Signature] | | 79. Reviewed by: [Signature] | | 79. I.D. No.: | | 79. I.D. No.: | |

CITY EXHIBIT
H

Animal Incident Investigation Report
Des Moines, Iowa Police Department

| | | | | | | | | | |
|-------------------------------------------------------------------|----------|----------|--------------------|---------------------------------------------------------------------------|-------------|---------------------------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------|--|
| 82. Suspect or offender <u>one</u> (1) name (Last, first Middle): | | | | 83. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/> | | 84. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/> | | 85. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/> | |
| 86. Race: | 87. Sex: | 88. Age: | 89. Date of birth: | 90. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/> | 91. Height: | 92. Weight: | 93. Hair color: | 94. Eye color: | |

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

| | | | |
|------------------------------------------|------------------------------------------------------|-------------|--------------------------------------------------------------------------------|
| 96. Residence or alternate phone number: | 97. Driver license number or social security number: | 97A. State: | 98. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/> |
|------------------------------------------|------------------------------------------------------|-------------|--------------------------------------------------------------------------------|

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

| | | | | | | | | | |
|--------------------------------------------------------------------|-----------|-----------|---------------------|----------------------------------------------------------------------------|--------------|----------------------------------------------------------------------------------|------------------|---------------------------------------------------------------------------------|--|
| 101. Suspect or offender <u>two</u> (2) name (Last, First Middle): | | | | 102. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/> | | 103. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/> | | 104. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/> | |
| 105. Race: | 106. Sex: | 107. Age: | 108. Date of birth: | 109. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/> | 110. Height: | 111. Weight: | 112. Hair color: | 113. Eye color: | |

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

| | | | |
|-------------------------------------------|-------------------------------------------------------|--------------|---------------------------------------------------------------------------------|
| 115. Residence or alternate phone number: | 116. Driver license number or social security number: | 116A. State: | 117. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/> |
|-------------------------------------------|-------------------------------------------------------|--------------|---------------------------------------------------------------------------------|

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

120. Narrative:
 Mr. CONN opened his door for a friend and noticed a dog. His dog came to the door and was bitten on top of his head. Mr. CONN took his dog to the JIA vet specialties and was treated and released. Mr. CONN's dog was not seriously injured, and is not current on a rabies vaccination so I impounded "NOAH" and advised him of quarantine procedures. The bite dog "Moby" is a pitbull and not licensed or insured, or current with rabies. Dog owner Shannon Simmons just recently moved here from Boone and did not have license etc. I gave Shannon a case number and advised of quarantine and pitbull rules. She stated after quarantine that she was taking the dog back to Boone. I impounded both dogs for quarantine at the shelter. Also victim dog "Noah" has antibiotics that I will give Dr. Berg.

"Moto"

2008 OCT 28 PM 3:47

Simmons, Shannon 41
APLA A06277956

CITY OF DES MOINES
ANIMAL CONTROL UNIT

CITY
EXHIBIT

I

DATE: 10-25-08

REFERENCE: ANIMAL HISTORY REPORT # 08.39009

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: <input checked="" type="checkbox"/> MEDIUM LENGTH | SHOULDERS: <input checked="" type="checkbox"/> STRONG |
| <input checked="" type="checkbox"/> DEEP TROUGH | <input type="checkbox"/> MUSCULAR |
| <input checked="" type="checkbox"/> BROAD SKULL | NECK: <input checked="" type="checkbox"/> HEAVY |
| <input checked="" type="checkbox"/> PRONOUNCED CHEEK MUSCLES | <input checked="" type="checkbox"/> SLIGHTLY ARCHED |
| MUZZLE: <input checked="" type="checkbox"/> MEDIUM LENGTH | <input checked="" type="checkbox"/> TAPERS FROM BACK OF SKULL TO SHOULDERS |
| <input checked="" type="checkbox"/> JAWS WELL DEFINED | TAIL: <input checked="" type="checkbox"/> LOW SET |
| <input checked="" type="checkbox"/> BLACK NOSE | <input checked="" type="checkbox"/> TAPERS TO FINE POINT |
| BACK: <input checked="" type="checkbox"/> FAIRLY SHORT | <input type="checkbox"/> NOT CURLED OVER BACK |
| <input checked="" type="checkbox"/> SLIGHT SLOPING FROM WITHERS TO RUMP | COAT: <input checked="" type="checkbox"/> SHORT |
| BODY: <input checked="" type="checkbox"/> WELL SPRUNG RIBS | <input checked="" type="checkbox"/> CLOSE |
| <input checked="" type="checkbox"/> FORELEGS SET RATHER FAR APART | <input type="checkbox"/> GLOSSY |
| <input checked="" type="checkbox"/> CHEST DEEP AND BROAD | EYES: <input checked="" type="checkbox"/> DARK AND ROUND |
| LEGS: <input checked="" type="checkbox"/> STRAIGHT FRONT LEGS | <input checked="" type="checkbox"/> LOW DOWN IN SKULL |
| <input checked="" type="checkbox"/> HINDQUARTERS WELL MUSCLED | <input checked="" type="checkbox"/> SET FAR APART |
| <input checked="" type="checkbox"/> MODERATE SIZE FEET | SIZE: <u>23</u> INCHES AT SHOULDERS |
| COLOR: <u>tan with white around toes</u> | <u>66</u> LBS. |

COMMENTS: male
over 6 mos old

[Signature]

KE ACC

