

December 3, 2007

Date..... PUBLIC HEARING ON DANGEROUS ANIMAL APPEAL OF MONICA SANCHEZ

WHEREAS, Monica Sanchez, 2917 Franklin Avenue, Des Moines, Iowa, filed an application for appeal before the City Council of the City Hearing Officer's decision upholding the Chief Humane Officer's declaration of her dog as a dangerous animal; and

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

WHEREAS, Ms. Sanchez has been provided with the opportunity to address the City Council on the matter of her appeal; NOW, THEREFORE,

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

Alternative One: That the order of the hearing officer be upheld and Ms. Sanchez's 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 order of the hearing officer be reversed and Ms. Sanchez's dog not be declared dangerous.

MOVED BY _____ TO REVERSE DECLARATION.

FORM APPROVED: .

K. Massier
Katharine Massier
Assistant City Attorney

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

November 26, 2007

Monica Sanchez
2917 Franklin Avenue
Des Moines, IA 50310

Dear Ms. Sanchez:

This is to acknowledge your written request of November 21, 2007, requesting an appeal before the City Council of the Hearing Officer's decision regarding declaration of Suki as a "dangerous animal."

Your hearing has been scheduled for the City Council Meeting on December 3, 2007. The meeting starts at 4:30 p.m. Enclosed is a copy of the Administrative Hearing transcript.

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

Sincerely,



Diane Rauh
City Clerk

DR:kh

cc: Hearing Officer
Assistant City Attorney
Sgt. Scott Raudabaugh-Animal Control
Chief Bradshaw



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

PARKING TICKETS
PET LICENSES
BUSINESS LICENSES

ALL-AMERICAN CITY
1949, 1976, 1981,
2003

November 5, 2007

Monica Sanchez
2917 Franklin Avenue
Des Moines, IA 50310

Re: Administrative Hearing- Dangerous Dog

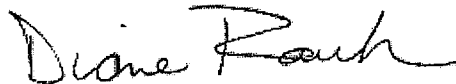
A hearing has been set for **Thursday, November 8, 2007** in the City Council Chambers, south end of the second floor, **City Hall, 400 Robert D. Ray Drive, at 3:00 P.M.**

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

Pursuant to Section 18-202 of the Municipal Code, (copy enclosed), you will be given an opportunity to be heard at the hearing.

If you have questions in this regard, please call.

Sincerely,



Diane Rauh
City Clerk

DR/kh

Enclosure

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



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November 15, 2007

Monica Sanchez
2917 Franklin Avenue
Des Moines IA 50310

RE: Administrative Hearing – Declaration of Dangerous Animal

Dear Ms. Sanchez:

The City of Des Moines scheduled an Administrative Hearing on November 8, 2007 at 3:00 p.m. regarding the declaration of your brown and white female, Pit Bull, (Suki) to be a “dangerous animal” 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 to Monica Sanchez from Sergeant Scott Raudabaugh, dated November 2, 2007, declaring her Pit Bull dog to be a “Dangerous Animal.”
- City Exhibit B – Proof of Service of Dangerous Animal Letter dated November 3, 2007.
- City Exhibit C – Vicious Dog Breed Declaration Letter dated November 2, 2007, signed by Sergeant Scott Raudabaugh. (At time of issue, it was unknown that dog had previously been declared vicious.)
- City Exhibit D – Document Service Form dated November 2, 2007.
- City Exhibit E – Animal Incident Investigation Report, case 07-42845 (5 pages).
- City Exhibit F – Animal History Report, originally dated February 20, 2007, Case 07-6339, updated November 1, 2007, Case 07-42845.
- City Exhibit G – Animal Incident Report 07-42845 (2 pages).
- City Exhibit H – Police and Court Citation papers (6 pages).
- City Exhibit I – City of Des Moines pet licensing information (3 pages).
- City Exhibit J – Animal Incident Investigation Report of February 19, 2007, 07-6339 (2 pages). (It was originally thought this dog belonged to Katie Grimes, but it is now known dog belongs to Monica Sanchez.)



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Monica Sanchez
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- City Exhibit K – Animal History Report 07-6339 dated February 20, 2007 incident.
- City Exhibit L – Document Service Form and Vicious Dog Declaration Letter dated February 20, 2007 (2 pages).
- City Exhibit M – Reclamation Document of February 20, 2007.
- City Exhibit N – Municipal Code Section 18-41 Definitions.
- City Exhibit O – Municipal Code Section 18-56 Confinement of Vicious Animals.
- City Exhibit P – Municipal Code Section 18-55 Running At Large (2 pages).
- City Exhibit Q – Municipal Code Section 18-196 Definitions (Dangerous Animal).
- City Exhibit R – Municipal Code Section 18-203 Immediate Seizure or Destruction of Animals.
- City Exhibit S – Municipal Code Section 18-202 Seizure, Impoundment and Disposition of Dangerous Animals (2 pages).



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Sergeant Raudabaugh read Des Moines Municipal Code Section 18-203 into the record, stressing the first part of this section: "Any animal found at large which displays dangerous tendencies...". Sergeant Raudabaugh said in this incident, there was not a bite to a person or domestic animal. Section 18-203 continues: "...while such vicious dog was not properly confined or leashed...."

Sergeant Raudabaugh stated that on November 1, 2007, Monica Sanchez's brown and white Pit Bull was running at large when it attacked a neighbor who was in her own yard. The neighbor avoided injury because the dog bit a book she was holding. An Animal Control Officer was dispatched and when the Animal Control Officer arrived, Ms. Sanchez's dog was still running at large, and was not displaying a City pet license or a rabies vaccination tag. Ms. Sanchez's white poodle was also running at large and not displaying a City pet license or a rabies vaccination tag. Both of Ms. Sanchez's dogs were impounded and taken to the Animal Shelter.

City Veterinarian, Gregg Berry, observed Ms. Sanchez's dog and was visually able to determine it was a Pit Bull breed dog; however the dog was too aggressive for staff to scan to see if it had been micro chipped. Sometime later, after the dog had calmed down, they were able to scan the dog and determine it had previously been evaluated and a microchip had been implanted. Sergeant Raudabaugh said that on November 2, 2007, he walked into the kennel area to observe Ms. Sanchez's dog, and upon approaching the

Monica Sanchez
November 15, 2007
Page Three

kennel, the dog immediately growled, showed its teeth and lunged at the kennel gate. Sergeant Raudabaugh said he had no doubt the dog would have bitten him had the gate been open.

Sergeant Raudabaugh referenced an incident on February 19, 2007, in which an Animal Control Officer was sent to this same area on a complaint of a problem with a Pit Bull breed dog running at large. Ms. Sanchez's dog had returned to its residence by the time the Animal Control Officer arrived. The dog was found to be unlicensed, was impounded and taken to the Animal Shelter. A vicious dog letter was then served on Katie Grimes, as it was thought the dog belonged to her. On or about February 20, 2007, Monica Sanchez presented herself as the dog's owner, and provided proof of insurance and a current rabies vaccination. Ms. Sanchez's dog was licensed, the appropriate fees were paid and Ms. Sanchez was allowed to reclaim her dog. Monica Sanchez recently told Sergeant Raudabaugh that Ms. Grimes is a relative who lives in the same household.

Following the impoundment of her dog in February of this year, Monica Sanchez agreed to properly confine her dog. Due to Ms. Sanchez's continued failure to comply with City regulations for owning a vicious dog, and the attack on a neighbor, Sergeant Raudabaugh declared her dog to be a dangerous animal.

Monica Sanchez attended the Hearing and stated she bought her dog in Texas and did not know it was illegal to have a Pit Bull in Des Moines. Ms. Sanchez said after the dog was picked up the first time (February 19, 2007), she was told about the requirements for owning a Pit Bull in the City limits. She said she knew the dog had to be licensed, but had not done it. Ms. Sanchez said when the dog was picked up on November 1, 2007, she was working late and her sister and her sister's children had come over to her home. Ms. Sanchez said one of the children must have opened the basement door and the dog got out. Ms. Sanchez said her dog did not have its tags on because three days earlier her dog was tied up outside and was attacked by a raccoon. During the attack, some blood got on her dog's collar, so she removed it and had forgotten to put it back on.

Ms. Sanchez said if her dog were a vicious dog, it would not have bitten the book, but would have attacked her neighbor. Ms. Sanchez said she thinks the neighbor probably had her dog outside and Ms. Sanchez's dog went after the neighbor's dog. To prevent her dog from being bitten, Ms. Sanchez thinks the neighbor hit her dog with the book. Ms. Sanchez said she sometimes ties her



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Monica Sanchez
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dog up outside, but on these occasions, she is usually with her dog. Ms. Sanchez was informed her dog cannot be tied up to an inanimate object, and if it is on a leash, someone 18 or older must have control of the leash; otherwise, the dog has to be in a fenced area or inside the home. This information was contained on the blue sheet Ms. Sanchez signed when she licensed her dog. Ms. Sanchez was also told that it is not illegal to have a Pit Bull in Des Moines, but there are certain requirements for keeping a Pit Bull in the City limits. Ms. Sanchez said she would like to take her dog back to Texas when she gets the opportunity.

I am ruling that the Pit Bull dog named Suki and owned by Monica Sanchez, is a dangerous dog. The reasons for this determination are as follows:

- Ms. Sanchez's dog is a "vicious" dog as defined by Section 18-41.
- Ms. Sanchez's dog is a "dangerous" dog as defined by Section 18-196.
- Ms. Sanchez failed to properly confine her dog as required in Sec. 18-56.
- Ms. Sanchez is not a responsible pet owner due to her failure to meet the requirements of owning a "vicious" animal.
- Ms. Sanchez's dog attacked without provocation.

Unlike most dangerous animal declarations that appear before me, Ms. Sanchez's dog did not bite a human or a domestic animal. Ms. Sanchez's dog was picked up by Animal Control on two occasions for running at large. By Ms. Sanchez's own testimony, she was not following the regulations which were verbally explained to her and on a document Ms. Sanchez signed at the time she applied for a City dog license. The most disturbing aspect of this case is the extreme aggression displayed by Ms. Sanchez's dog, as provided by Sergeant Raudabaugh's testimony and the Animal Investigation Reports submitted as exhibits.

I am further ruling that Monica Sanchez's Pit Bull dog, Suki, be destroyed in a humane manner by the Chief Humane Officer.

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



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2003

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Page Five

Clerk's Office, and state the reason for the appeal. If you have any questions regarding the appeal or compliance procedure, please contact Animal Control at 248-6051.

Sincerely,

LeAnn Ducey
LeAnn Ducey
Hearing Officer

Enclosures

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



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ALL-AMERICAN CITY
1949, 1976, 1981,
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2007-~~42485~~
42845

City 39
EXHIBIT
A

November 2, 2007

Ms. Monica Sanchez
2917 Franklin Avenue
Des Moines, Iowa

Ms. Sanchez,

On November 1, 2007 your brown and white colored Pit Bull breed dog named "Suki" was running at-large when it attacked a neighbor that was in her yard, the neighbor avoided injury because your dog bit a book that she was holding.

When the Animal Control Officer arrived to investigate your dog was still running at-large, not displaying a city pet license tag or a rabies vaccination tag. Also, your white colored Poodle breed dog named "Jordan" was running at-large, not displaying a city pet license tag or a rabies vaccination tag. Both of your dogs were impounded and brought to the animal shelter.

On November 2, 2007 I entered the dog kennel area and observed you dog, it growled immediately, showed its teeth and then lunged against the kennel gate.

Previously on February 19, 2007 the same Pit Bull breed dog was running at-large and unlicensed, it was impounded and brought to the animal shelter. At that time 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.

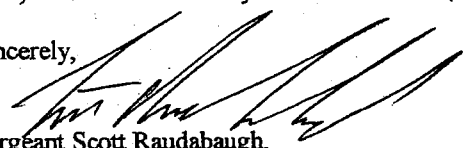
Because your Pit Bull breed dog is defined as a vicious dog and was not properly confined or leashed, in accordance with the vicious dog ordinance, and was involved in an unprovoked attack it is being declared a "Dangerous Animal," in accordance with the dangerous animal ordinance.

An Administrative Hearing to review the "Dangerous Animal" declaration has been scheduled for 3:00 P.M. on Thursday, November 8, 2007 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

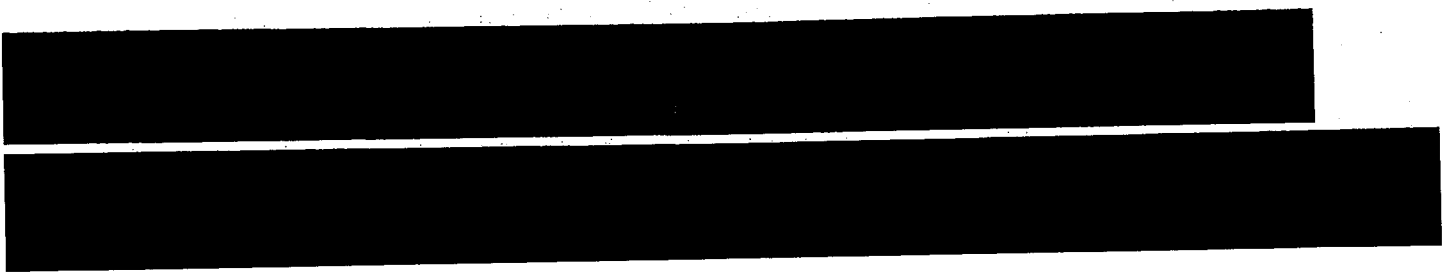
cc: City Clerk's Office

KF ACU



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

ALL-AMERICA CITY 1948, 1976, 1981



Copy
EXHIBIT
B



Animal Control

DOCUMENT SERVICE

07-42845

Case number: 2007-42845

ARL number (If known): _____

Animal owner's name: MONICA SANCHEZ

Address: 2917 FRANKLIN AV.

Name of person receiving document: Monica Sanchez

Their signature: X [Signature]

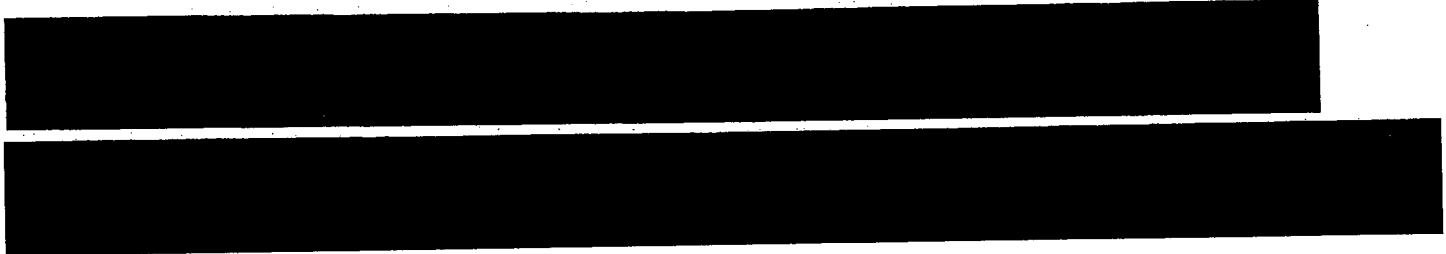
Date and time served: 03 Nov 2007 1645 hrs.

Animal Control Officer serving document: Dales

Animal Control Officer's identification number: 7229

Type of document served: DANGEROUS ANIMAL
LETTER

KF
ACU



2007-42845

37

Vicious Dog Breed Declaration Letter
(Over Six Months Old)

City
EXHIBIT
C

10/02/07

(Date)

HUGO FERNANDEZ

(Dog owner's name)

2951 FRANKLIN AVE. 50310

(Owner's address)

DES MOINES, 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, 1991

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 securely confining/leashing it as a vicious dog, however, if your dog is found unlicensed as a vicious dog in the City of Des Moines it will be destroyed in a humane manner.

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

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

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

Sincerely,

Sergeant Scott Raudabaugh,
Chief Humane Officer

cc: City Clerk's Office

Case number:	2007-42845
Dog's name:	"Suki"
Dog's color(s):	BROWN/WHITE
Dog's sex: female	<input checked="" type="checkbox"/> male <input type="checkbox"/>
ARL number:	A03776348

KFACU



Animal Control

DOCUMENT SERVICE

Case number: 2007-42845

ARL number (If known): A03776348

Animal owner's name: FERNANDEZ, HUGO

Address: 2937 FRANKLIN ST., DSM.

Name of person receiving document: LUIS SANCHEZ

(SON)

Their signature: X Luis Sanchez

Date and time served: 11, 2, 07 15:15

Animal Control Officer serving document: _____

KEVIN LEMON

Animal Control Officer's identification number: 7217

Type of document served: VICIOUS DOG BREED DECLARATION LETTER (OVER SIX MONTHS OLD)

KEF ALL

Animal Incident Investigation Report
Des Moines, Iowa Police Department

2007 NOV -5 PM 4:49

1 of 5

31

32. District: <u>1</u>		33. Beat: <u>03</u>		1. Impounded animal AHR/ARL number:		2. DMPD case number: <u>07-42845</u>	
Impounded or bite animal				3. Victim's name (Last, First M.I.): <u>Society</u> (Human victim or society)			
34. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/> : <u>"Suki"</u>		4. Race:		5. Sex:		6. Age:	
35. Animal breed: <u>Pitt Bull</u>		7. Date of birth:		8. Ethnicity: <u>H</u> <input type="checkbox"/> <u>NH</u> <input type="checkbox"/>		9. Sobriety: <u>Sob.</u> <input type="checkbox"/> <u>H.B.D.</u> <input type="checkbox"/>	
36. Animal color: <u>Bro. / White</u>		10. Residence address: <u>N/A</u> (City and/or state if not Des Moines or Iowa)				11. Residence phone number:	
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:				13. Place of employment or school:	
38. Animal sex: Female <input checked="" type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>		14. Type and location of injury:				15. Medical treatment: <u>A</u>	
39. Microchip: <u>UNK</u> No <input type="checkbox"/> Yes <input type="checkbox"/> (Records Personnel: Enter M/C# as a serial number)		16. Reporting person's name (Last, First M.I.): <u>Scott, Aaron</u>				17. Race: <u>W</u> <input type="checkbox"/> <u>M</u> <input type="checkbox"/>	
M/C#:		18. Sex: <u>M</u>		19. Age:		20. Date of birth: <u>UNK</u>	
40. Rabies tag: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> R/T#:		21. Ethnicity: <u>H</u> <input type="checkbox"/> <u>NH</u> <input type="checkbox"/>		22. Sobriety: <u>Sob.</u> <input type="checkbox"/> <u>H.B.D.</u> <input type="checkbox"/>		23. Residence address: <u>2931 Franklin</u> (City and/or state if not Des Moines or Iowa)	
40A. Date of vaccination:		40B. Date of vaccination expiration:		24. Residence phone number: <u>277-0805</u>		25. Business or cellular phone number: <u>(515) 554-2478</u>	
40C. Veterinarian:		26. Location of incident (address): <u>2931 Franklin</u>				27. Location type: <u>Residential</u>	
41. License: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Lic#:		28. Date and time incident occurred: <u>01 Nov. 07 1445</u>		29. Date and time incident reported: <u>01 Nov. 1625</u>		30. Crime/incident type: <u>Visious Dog At Large</u>	
42. Other identifiers (Collar, tattoo, etc.): <u>Pink weave collar</u>		31. Classification:				43. Confinement/quarantine location: <u>1615 SE14</u>	
44. Impounded or bite animal owner's name (Last, First M.I.): <u>Fernandez, Hugo; Sanchez, Monica</u>				45. Residence address: <u>2917 Franklin</u> (City and/or state if not Des Moines or Iowa)			
46. Residence phone number: <u>UNK</u>		47. Place of employment or school: <u>UNK</u>		48. Business or cellular phone number: <u>UNK</u>		49. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>	
49A. Date and time of notification: <u>01 Nov 07 1450</u>		49B. Person making notification: <u>Bales 7229</u>		49C. Means of notification: <u>DMPD/AC card</u>		50. Witness' name (Last, First): <u>Jones Becky</u>	
51. Residence address: <u>2931 Franklin</u> (City and/or state if not Des Moines or Iowa)		52. Daytime or cellular phone number: <u>277-0805</u>		53. Witness' name (Last, First):		54. Residence address: (City and/or state if not Des Moines or Iowa)	
55. Daytime or cellular phone number:		56. Investigative notifications and/or photographs taken: Detective: No <input 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#:		63A. Date of vaccination:		63B. Date of vaccination expiration:		64. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> M/C#:	
65. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#:		63C. Veterinarian:				66. Type and location of injury:	
66. Type and location of injury:		67. Medical treatment:				68. Confinement/quarantine location:	
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)	
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>Bales 7229</u> I.D. No.	
74. Status: <input type="checkbox"/> Open <input type="checkbox"/> Closed <input checked="" type="checkbox"/> Excep. Closed		75. Copy/copies made by:		76. Referred to: <input checked="" type="checkbox"/> Animal Control		77. Second officer: I.D. No.	
77. Second officer: I.D. No.		78. Supervisor approving report: <u>[Signature]</u> I.D. No.		79. Reviewed by: <u>[Signature]</u>		76. Referred to: <input type="checkbox"/> Detectives <input type="checkbox"/> PIO <input type="checkbox"/> Chief <input type="checkbox"/> OPS <input type="checkbox"/> Other:	

City
EXHIBIT
E

37

80. Page: <u>2 of 5</u>		Animal Incident Investigation Report Des Moines, Iowa Police Department				81. DMPD case number: <u>07-42845</u>					
82. Suspect or offender <u>one</u> (1) name (Last, first Middle):					83. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>		84. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>		85. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>		
86. Race:	87. Sex:	88. Age:	89. Date of birth:	90. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	91. Height:	92. Weight:	93. Hair color:	94. Eye color:			
95. Residence address: (City and/or state if not Des Moines or Iowa)											
96. Residence or alternate phone number:				97. Driver license number or social security number:				97A. State:	98. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>		
99. Citation number and crime:					100. Citation number and crime:						
101. Suspect or offender <u>two</u> (2) name (Last, First Middle):					102. Arrested: No <input type="checkbox"/> Yes <input type="checkbox"/>		103. Warrant needed: No <input type="checkbox"/> Yes <input type="checkbox"/>		104. Charges filed: No <input type="checkbox"/> Yes <input type="checkbox"/>		
105. Race:	106. Sex:	107. Age:	108. Date of birth:	109. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	110. Height:	111. Weight:	112. Hair color:	113. Eye color:			
114. Residence address: (City and/or state if not Des Moines or Iowa)											
115. Residence or alternate phone number:				116. Driver license number or social security number:				116A. State:	117. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>		
118. Citation number and crime:					119. Citation number and crime:						
120. Narrative: <p>Tripped to 2931 Franklin and spoke with Aaron Scott and Becky Jones. Becky was outside in the front yard when the neighbor's (2917 Franklin) pit bull broke free from the cable she was tied to and ran into Becky's yard. The dog jumped at Becky biting a book she was holding in her arm. The book had a bit tear in it. Both Aaron and Becky stated the pit bull has broken free before and came after them and their dog.</p> <p>Went to 2917 Franklin. I saw the brown and white pit bull standing in the drive way and a poodle mix on the front porch. As I approached, the pit bull charged at me. I used my catch pole to defend my self. The dog finally backed away allowing me to carefully approach the front door. I knocked on the door and a 14-year old male came to the door. Prior to reaching the front door, I called</p>											
										121. Date of this report: <u>01 Nov 07</u>	

3 of 5 31

Animal Incident Investigation Report

Des Moines, Iowa Police Department

32. District:		33. Beat: C3		1. Impounded animal AHR/ARL number:		2. DMPD case number: 07-42845	
34. Animal type: Cat <input type="checkbox"/> Dog <input checked="" type="checkbox"/> Other <input type="checkbox"/> : "Jordan"				3. Victim's name (Last, First M.I.): Society (Human victim or society)			
Impounded or bite animal				4. Race:		5. Sex:	
35. Animal breed: Poodle X				6. Age:		7. Date of birth:	
36. Animal color: White/Cream				8. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>		9. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>	
37. Animal fur length: Short <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>				10. Residence address: N/A (City and/or state if not Des Moines or Iowa)			
38. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input checked="" type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>				11. Residence phone number:		12. Business or cellular phone number:	
39. Microchip: unk No <input type="checkbox"/> Yes <input type="checkbox"/> (Records Personnel: Enter M/C# as a serial number) M/C#:				13. Place of employment or school:			
40. Rabies tag: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> R/T#:				14. Type and location of injury: A			
40A. Date of vaccination:				40B. Date of vaccination expiration:		15. Medical treatment:	
40C. Veterinarian:				16. Reporting person's name (Last, First M.I.): Observer 2			
41. License: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Lic#:				17. Race:		18. Sex:	
42. Other identifiers (Collar, tattoo, etc.): Red Collar (flea)				19. Age:		20. Date of birth:	
43. Confinement/quarantine location: 1615 SE 14th Garage cage				21. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>		22. Sobriety: Sob. <input type="checkbox"/> H.B.D. <input type="checkbox"/>	
44. Impounded or bite animal owner's name (Last, First M.I.): Fernandez, Hugo; Sanchez, Monic				23. Residence address: N/A (City and/or state if not Des Moines or Iowa)			
45. Residence phone number: unk				24. Residence phone number: A		25. Business or cellular phone number:	
46. Date and time incident occurred: 01 Nov. 07 1625				26. Location of incident (address): 2917 Franklin			
47. Date and time incident reported: 01 Nov 07				27. Location type: Residential			
48. Crime/incident type: Dog At Large				28. Date and time incident occurred: 01 Nov. 07 1625			
49. Classification: Dog At Large				29. Date and time incident reported: 01 Nov 07			
50. Impounded or bite animal owner's name (Last, First M.I.): Fernandez, Hugo; Sanchez, Monic				30. Crime/incident type: Dog At Large			
51. Residence address: 2917 Franklin				31. Classification: Dog At Large			
52. Business or cellular phone number: unk				32. Date and time incident occurred: 01 Nov. 07 1625			
53. Date and time incident reported: 01 Nov 07				33. Date and time incident reported: 01 Nov 07			
54. Animal owner notification: No <input type="checkbox"/> Yes <input checked="" type="checkbox"/>				34. Crime/incident type: Dog At Large			
55. Date and time of notification: 01 Nov 07 1650				35. Classification: Dog At Large			
56. Person making notification: Bales 7229				36. Date and time incident occurred: 01 Nov. 07 1625			
57. Means of notification: DMPD/AC card				37. Date and time incident reported: 01 Nov 07			
58. Witness' name (Last, first):				38. Crime/incident type: Dog At Large			
59. Residence address: (City and/or state if not Des Moines or Iowa)				39. Classification: Dog At Large			
60. Daytime or cellular phone number:				40. Date and time incident occurred: 01 Nov. 07 1625			
61. Witness' name (Last, First):				41. Date and time incident reported: 01 Nov 07			
62. Daytime or cellular phone number:				42. Crime/incident type: Dog At Large			
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#:				63A. Date of vaccination:			
65. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#:				63B. Date of vaccination expiration:			
66. Type and location of injury:				63C. Veterinarian:			
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: Bales 7229				74. Status: <input type="checkbox"/> Open <input type="checkbox"/> Closed <input checked="" type="checkbox"/> Excep. Closed			
75. Copy/copies made by:				76. Referred to: <input checked="" type="checkbox"/> Animal Control			
77. Second officer:				77. Supervisor approving report: [Signature]			
78. Reviewed by: [Signature]				78. Chief <input type="checkbox"/> OPS <input type="checkbox"/>			
79. Other: _____				79. Other: _____			

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80. Page: 4 of 5

Animal Incident Investigation Report
Des Moines, Iowa Police Department

81. DMPD case number: 07-42845

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: *for assistance from another Animal Control Officer, Blanchard.*

When I asked the male to put the dogs on my truck, he refused. I asked if his parents were home. He stated they were not. Again I advised him to put the dogs on my truck. Both dogs were not confined and had no city licenses or rabies tags displayed. He refused. I called for police assistance. When Officer Catron arrived, the juvenile became more cooperative. The young gentleman's younger sister arrived home and put the poodle mix on the truck. The 14 year-old male finally put the pit bull on the truck a case number was given to the sister to give to her parents.

Please issue citations for the following violations:

(AIIR revised 02 August 2007)

121. Date of this report: 01 Nov. 07

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SUPPLEMENTAL REPORT
Des Moines Iowa Police Department

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

Society

2. Arrest No.

3. Case No.

07-42845

Form used as Continuation Sheet for Current Report

4. Date this Report

01 Nov 07

5. Date Original Occurrence

01 Nov 07

Form used to Report Follow up Investigation or Supplemental Information

Officer Case Invest.
Photos Yes No

6. Correct offense or Incident Classification

Changed Yes

Taken by

Vicious Dog At Large

7. Kind of Report Continued
 Follow up or Supplemental or Prosecution
 Traffic Accident

Witness Statement
 Offense
 Arrest

8. Multiple Clear Up?

Yes (list other case numbers in narrative)

9. Page No.

5 of 5

10. Traffic Citation No.

11. Value of Property Recovered and Type
\$

INSTRUCTIONS FOR FOLLOWUP OR SUPPLEMENTAL USAGE

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

ITEM NO.

18:57 Vicious Dog At Large
18:56 Improper confinement of a vicious dog
18:10 Damage Done by Animals
18:45 Failure to Display X 2
18:55 Dog At Large (poodle)

OFFICE USE ONLY

14. Reporting Officer

No.

Bales 7229

Second Officer

No.

15. Status (check one) Suspended Open
 Ex. Closed Closed

Supervisor Approving

[Signature]

13. Date/Time Typed No.

Reproduced No.

17. Unit Referred To:

IACV

18. UCR Disposition

19. Reviewer

No.

2007 NOV -5 PM 4:45
"SUK" -

2007-42845

Sanchez, Monica ~~to~~ ~~times~~, Katie

ARL# 155219

31



483F292653

CITY OF DES MOINES
ANIMAL CONTROL UNIT

PTO 2/20/07

Picked up 11/1/07
AC# 07-42845
ARL# A03776348

City
EXHIBIT

DATE: 2-20-07

REFERENCE: ANIMAL HISTORY REPORT # 07-6539

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 checked="" 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 checked="" 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 checked="" 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>21.9</u> INCHES AT SHOULDERS |
| COLOR: <u>Brown w/ white blaze</u> | <u>46</u> LBS. |

COMMENTS: muzzle, ventral/neck & chest
all 4 feet
-diamond on dorsal neck
-female
-Scar on right elbow
-ears cropped

Angela Berry, DVM

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2007 NOV 15 ~~RECEIVED~~ CIR *

Animal Incident Investigation Report

Des Moines, Iowa Police Department

32. District: <u>1</u>		33. Beat: <u>03</u>		1. Impounded animal AHR/ARL number:		2. DMPD case number: <u>07-42845</u>	
Impounded or bite animal				3. Victim's name (Last, First M.I.): <u>Society</u> (Human victim or society)			
34. Animal type: Cat <input type="checkbox"/> Dog <input type="checkbox"/> Other <input type="checkbox"/>		4. Race:		5. Sex:		6. Age:	
35. Animal breed:		7. Date of birth:		8. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>		City <u>EXHIBIT</u>	
36. Animal color:		10. Residence address: (City and/or state if not Des Moines or Iowa)		11. Residence phone number:		12. Business or cellular phone:	
37. Animal fur length: Short <input type="checkbox"/> Medium <input type="checkbox"/> Long <input type="checkbox"/> Other <input type="checkbox"/>		13. Place of employment or school:		14. Type and location of injury:		15. Medical treatment:	
38. Animal sex: Female <input type="checkbox"/> Spayed <input type="checkbox"/> Male <input type="checkbox"/> Neutered <input type="checkbox"/> Unknown <input type="checkbox"/>		16. Reporting person's name (Last, First M.I.): <u>DALES, DOUGLAS AC 4229</u>		17. Race:		18. Sex:	
39. Microchip: No <input type="checkbox"/> Yes <input type="checkbox"/> (Records Personnel: Enter MIC# as a serial number) MIC#:		19. Age:		20. Date of birth:		21. Ethnicity: H <input type="checkbox"/> NH <input type="checkbox"/>	
40. Rabies tag: No <input type="checkbox"/> Yes <input type="checkbox"/> R/T#:		22. Society: Soc. <input type="checkbox"/> H.B.D. <input type="checkbox"/>		23. Residence address: (City and/or state if not Des Moines or Iowa) <u>DMPD - ACU</u>		24. Residence phone number: <u>248-6054</u>	
40A. Date of vaccination:		40B. Date of vaccination expiration:		25. Business or cellular phone number:		26. Location of incident (address): <u>2900 BLOCK FRANKLIN</u>	
40C. Veterinarian:		27. Location type: <u>RESIDENCE</u>		28. Date and time incident occurred: <u>11/1/07 1445</u>		29. Date and time incident reported: <u>11/1/07 1445</u>	
41. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#:		30. Crime/Incident type: <u>VICIOUS DOG INCIDENT</u>		31. Classification:		42. Other identifiers (Collar, tattoo, etc.):	
43. Confinement/quarantine location:		44. Impounded or bite animal owner's name (Last, First M.I.): <u>SEE BACK</u>		45. Residence address: (City and/or state if not Des Moines or Iowa)		46. Residence phone number:	
47. Place of employment or school:		48. Business or cellular phone number:		49. Animal owner notification: No <input type="checkbox"/> Yes <input type="checkbox"/>		49A. Date and time of notification:	
49B. Person making notification:		49C. Means of notification:		50. Witness' name (Last, first):		51. Residence address: (City and/or state if not Des Moines or Iowa)	
52. Daytime or cellular phone number:		53. Witness' name (Last, First):		54. Residence address: (City and/or state if not Des Moines or Iowa)		55. Daytime or cellular phone number:	
56. Investigative notifications and/or photographs taken: Detective: No <input 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#:		63A. Date of vaccination:		63B. Date of vaccination expiration:		63C. Veterinarian:	
65. License: No <input type="checkbox"/> Yes <input type="checkbox"/> Lic#:		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>SWANK, STEPHEN 7219</u>		74. 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		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:		78. Supervisor approving report: <u>Tom [Signature]</u>		79. Reviewed by: <u>[Signature]</u>			

