

Animal Control Commission

August 12, 2024, at 5:30pm

**Bloomington Animal Shelter – Hybrid Zoom and In Person Meeting
3410 South Walnut Street, Bloomington, IN 47401**

MEMBERS

Sue Allmon – present in person
Sita Cohen – present in person
Chris Hazel – not present
Brandt Ludlow – not present
Valerie Pena – present in person
Laura Soto – present in person

Kayla Hall
Nicholas LaPresto-Sipes
Robert Brown
Frances Brown
Kylie Dannatt
Carmela Euhl
Bobby Euhl
Trillium Sequoy
Kateleigh Touhuy
Allyson Brown
Jeanette Brock
Brad Brock
Ryan Lady
Stacie LaPresto
Melissa?

STAFF

Mike Clark – present in person
Kat Ennis – present in person
Aleksandrina Pratt – present via zoom
Lisa Ritchel – present in person
Virgil Sauder – present via zoom
Nick Steury – present in person

GUESTS

I. APPROVAL OF MINUTES

Sue moved to approve the **July 23, 2024**, minutes as written.
Valerie seconded. Sita thanked Lisa for the minutes.
Motion passes, 4-0-0.

II. NEW BUSINESS

i. Citation appeal – LaPresto-Sipes

Officer Ennis reported that she was alerted by shelter staff that a kitten that was originally thought to have been thrown from a truck was going to be reclaimed by an owner. Officer investigated and learned that a minor had been gifted the kitten, and when the minor went into a facility for treatment, the father rehomed the kitten. The grandmother of the minor, along with the minor, came to reclaim the kitten. They stated that they were informed by the eight year old that the father had not given it to a friend like he said, but he put the kitten in a crate and left it on the side of the road with a free sign. Later on he felt bad about this so he went back to check on it and let it go. While the kitten Auggie was being reclaimed, Animal Control called the person who brought the kitten in and requested more information. They advised that a male and a young daughter were in a grey, Nissan type pickup truck with garbage and work stuff in the bed. This matched the description provided by the grandmother and granddaughter. The person who brought the cat in stated that the man grabbed the kitten from the daughter, put it in a crate, and put in on the sidewalk next to the road. The crate was old and busted so the kitten broke out quickly. The person then chased it around, caught it, and brought it to the shelter. With this information, Officer Ennis wrote a \$2500 abandonment fee for Nick LaPresto-Sipes. Mr. LaPresto-Sipes called requesting information due to the large ticket. He explained that on the way to surrender the kitten to the shelter he meet someone at a gas station who wanted the kitten. He then dropped the kitten off at the address she provided, however she was not there to meet him. Officer clarified that the kitten was not

thrown from the truck as was in the initial report, it was put in a crate and set outside on the sidewalk. This was a misunderstanding between front desk staff and the complainant. Sita asked where the kitten is now and Officer Ennis explained that the grandmother reclaimed it under the requirement that it not go back to the original home. Officer cannot follow up as the person reclaiming does not live in the City limits. Valerie asked for clarification as to where the kitten was placed and Officer explained that it was reported to be on either the side of the road or the sidewalk. Sue asked if the address where the kitten was dropped off is near where the kitten was found. Officer Ennis noted that the kitten was left in a crate on 7th Street. Laura advised that the address listed in the letter from Mr. LaPresto-Sipes is pretty close. Valerie asked if there has been any communication with the female who wanted the kitten, Officer answered in the negative.

Nicholas LaPresto-Sipes and his daughter Alyssa, who was with him that day, were present. Mr. LaPresto-Sipes provided a letter from Alyssa's mother stating that she was aware he was bringing the cat to the shelter and that he met a woman at the gas station who wanted the cat. Mr. LaPresto-Sipes explained that the woman gave her address, 411 E 8th St, Lexington House Apartments, behind Grant Street Inn. He added that he is familiar with Grant Street Inn because he worked for a company affiliated with them. He asked them if he could use a spigot to fill up the water bowl, but they declined. He grabbed a handful of ice and placed it in the kitten's bowl. He fixed the crate door as it was a little damaged. The cat got out once and they chased him around and put him back inside. He waited for a few minutes for the woman as she said she was on her way home, but had to feed his daughter so left. Later in the day he felt badly, so he went back and saw that the cat and crate were gone so he assumed that the woman collected them. Later he got a \$2500 citation on his door for abandoning the cat and throwing it out of a moving vehicle. He was very surprised and stated that his daughter can attest that this did not happen. Mr. LaPresto-Sipes added that the grandmother has since dropped off the oldest daughter and the cat at his house. He stated this was fine and that he has no problem taking care of the cat as long as his oldest daughter is there. That is his condition. He elaborated more on the family dynamics and explained that if his older daughter goes back to a facility and decides that she does not want to return home, the cat will end up at the shelter.

Alyssa confirmed Mr. LaPresto-Sipes information.

Stacie LaPresto spoke on behalf of her son and said he would never throw a cat out a window.

The Commission discussed. The members agreed that bad decisions were made and there were misunderstandings but not true abandonment.

Valerie moved to uphold the appeal based on the information provided.

Sue seconded.

Motion passes, 4-0-0.

Valerie moved to rearrange agenda due to weather on behalf of Ryan Lady.

Sue seconded.

Motion passes 4-0-0.

ii. Request to declare Potentially Dangerous/ Dangerous – Sneak

Officer Clarke explained that on July 18, 2024, he responded to a call from Control for a Bloomington Police Department assist to interview a subject who had reported a dog attack in Seminary Square Park. During that afternoon, John Mattingly was at the park at the corner of Walnut and 2nd St near a tree. Mr. Mattingly stated that he was approached by a light tan and black, shepherd mix dog that he knew from the park as “Sneak.” He looked around for the owner, who he knew as “Tree” but could not find him. Sneak began to growl. Mr. Mattingly was then repeatedly bitten on the lower legs and arms. He received between 12 and 15 puncture scratches to all four limbs. When asked about the time frame, since it was not reported until 9pm, Mr. Mattingly referred to 4 o’clock. Photos of the injuries were taken and were provided to the Commission. The bites were not extremely deep, there was no tearing, just repetitive puncturing and bruising. Mr. Mattingly did not seek medical attention and the bite was classified HSR4 on the Dunbar scale. BPD put out a “bolo” or “be on the lookout” for Sneak and Tree aka Ryan Lady. Officer Clarke added that on that same day, he and Officer Ennis were both responding to calls in the same general area of the park. Officer Ennis saw Sneak inside Seminary Park before the timeframe of the bite incident with an unnamed male who could have been agitating the animal. When questioned about this, Mr. Mattingly did not have a response. Officer Clarke added that it has been difficult getting in touch with Mr. Mattingly. He did see him quickly at a stoplight and learned that he was feeling okay and was not having any ill effects. Officer Clarke added that Sneak was previously declared Potentially Dangerous on May 13, 2024. Sita noted that Sneak is listed as a bully breed mix. Officer explained Mr. Mattingly referred to him as a shepherd mix. Sita asked for clarification on Officer’s comment about the dog’s behavior deteriorating. He explained that while Officer Ennis has great interactions with Sneak, he has seen a stark difference in his behavior. Laura asked if he was seeing fear reactivity, and he concurred.

Mr. Lady first stated that Sneak is not black and brown, but that he is brown and white. He stated that it is also easy to tell that he is not a shepherd breed. Mr. Lady said that Sneak is a great dog. He explained that he was at court during the incident and Wallace Jackson was watching Sneak. Mr. Lady stated that Sneak is always on leash. He added that he takes good care of his dog and Sneak is better fed than any other dog out there. Sneak is neutered and microchipped.

The Commission discussed the potential declarations. Laura suggested using a basket muzzle and noted that we are uncertain if there was provocation. Valerie referred to the number of bites which could lead to a Dangerous declaration. Valerie suggested a shorter leash. Sita stated that a muzzle is a necessity.

Sue moved to continue Sneak as Potential Dangerous with two additions. When Sneak is in the public like Seminary Square or other places where two or more people are gathered, that Sneak be in a muzzle and he be taught how to use the muzzle. We also recommend that the leash to be shortened to four foot. If Sneak comes back before the Commission again he will more than likely be declared Dangerous. Laura seconded.

Motion passes, 4-0-0.

vi. Request to declare Habitual Offender – Lady

Valerie moved to dismiss the Habitual Offender designation at this time.

Sue seconded.

Motion passes 4-0-0.

iii. Citation appeal – Hall

Officer Steury explained that at 7pm on June 19, 2024, BPD called out that a person reported half dead puppies inside of an abandoned trailer. When he arrived the complainant introduced herself as Mandy and stated that her daughter Autumn later known as Calum was the ex-girlfriend of the owner of the puppies who she named as Kayla Hall. She stated that they broke up weeks ago when Autumn went to jail and added that Kayla has a restraining order against Autumn. Officer Steury contacted the landlord who advised that Kayla's phone number is not working and they had also been trying to reach her. Officer then posted a 24 hour notice as proper procedure for seizing animals. BPD then provided Kayla's mother's phone number. Her name is Redonna Chandler and she claimed that the animals were owned by Autumn and not Kayla. Both sides claimed the other side owned the animals. Next Officer Steury called Kayla's working number and she stated that the dogs belong to Calum, formally Autumn. He explained that if no one wants to claim the animals, they go to the trailer owner and caretaker which would be Kayla Hall. She agreed to meet Officer Thursday, June 20, 2024, to relinquish the animals and to care for them until then. Later that night at 10pm, BPD called back stating that the dogs would not survive in the horrible conditions overnight and needed rescued immediately. Officer Steury and Officer Ennis showed up and seized the animals with code 7.32 and took them to the shelter for assessment. They were in poor conditions including a bad ammonia smell and no food or water. The landlord had cut open a bag of food and thrown it inside. Each puppy was malnourished, had extensive urine scalding and was covered in wounds from fighting each other in likely food aggression. Puppy food was found in a back room that was closed so they couldn't get to it. There were multiple plastic bowls that were tipped over and chewed that likely had water at some point. The puppies had chewed through the walls, the TV and the wiring in the walls. ACOs also found three kittens in the back room, but later learned that a stray mom had jumped in the open window and had given birth. The kittens were taken to the shelter. On June 20, 2024, Officer Steury went to meet Kayla Hall as agreed, but she did not show and her phone was disconnected. The landlord advised that there were more kittens inside, but Officer did not find any and by then the trailer had been completely cleaned. The landlord claimed that Kayla was staying with her mother, so Officer left a message on voicemail and a door notice on the trailer. On June 21, 2024, Officer left another voicemail. He also left a message with her mother. At 15:49 the suspect claimed that the ex Calum Silcox broke into her home, took the mom and two puppies, but left the other six puppies. She has proof via text message evidence. But, because Kayla Hall is the owner of the trailer and caretaker at the home, she was cited for abandonment which is \$2500. Ms. Hall is contesting this. Laura asked if the puppies are okay now and Officer Steury answered positively. He did note there was a bite case involving two of them fighting due to food aggression. Valerie asked about the mother dog and other two puppies. He explained that he never was able to reach Calum Silcox. Officer did see the text message however where he said that he was coming to get the mom.

Kayla Hall explained that this situation stemmed from domestic abuse. She shared that she was barely able to care for her two children let alone nine dogs. She had a busted black eye that she could not see out of so did have friends helping her care for the dogs. She was unsure how much food they should get at a time and they were going through at least one giant bag every three days, which was hard to keep up with. She added that she had a job and Calum and his mom were aware. Ms. Hall stated that Calum's dad came the day after he got out of jail and was more interested in Calum's car, chainsaw and weed eater rather than the dogs. She asked about the dog and he said he would find out, but she didn't hear from them for weeks. She explained that the day Calum got out of jail, he texted her about coming to get Bella, the mom dog. There was a no contact order, so she did not respond. She came home the day the situation happened and Calum's mom was at her house, so she left and went to her girlfriend's job. She confirmed that the house was a mess and stated that she had not been there for almost a week because of

that text message. She did not want to be present when he got there due to the severity of the domestic abuse case. She also clarified that it was not the dogs that damaged the TV. She stated that Calum put his fist through the TV. The holes were also from him; the dogs may have made them bigger. Sita asked if the mom dog was her dog, and Ms. Hall answered in the negative, stating that Bella is Cal's dog. Ms. Hall's friend interjected explaining that she has the address where the mom dog is currently located. Ms. Hall continued and added that she did not know the dog was pregnant because she was out of town and working in Columbus. She came home to puppies. Sita asked what her response was to coming home to puppies. Ms. Hall answered that she asked him to put them on Facebook or take them to the shelter. She came home to her house being destroyed with dog poop everywhere. Valerie asked for some clarification to the timeline. Ms. Hall explained that she returned home sometime in March or April and Calum went to jail on May 29. Sue noted that the pictures show that the puppies look malnourished and Valerie added that this has been ongoing and not just a week without food. Ms. Hall stated that she was there feeding them and stopped by at least once a day. Her friend interjected adding that Ms. Hall went in the morning and she went in the evenings, living five minutes away. She fed them, watered them and played with them a little bit. Valerie asked Ms. Hall if she ever considered taking them to the shelter and she responded that she had asked friends to help her take them because she did not have a vehicle. Sue asked about her kids. She shared that they are 8 and 5 and both in school. Sita asked where they were living and Ms. Hall answered that they were also living in the trailer, but went to live with her mom after Calum was arrested because she didn't want them to see how her face looked.

Ms. Hall's girlfriend explained that Kayla called her the day Cal got out of jail because she freaked out because he was at her house. The girlfriend told her to turn around and come back to her home. Kayla watched Cal go inside and take the dogs. The girlfriend added that they have his address, 11406 E Radar Lane, because he updated his address for his car payment and it showed up on Kayla's email.

The Commission discussed. Laura noted that it was a bad situation all around and that she feels for the puppies as they are under conditioned, but could see how it could get overwhelming and easily out of hand. Sita agreed that it was difficult situation which could easily get out of hand. Valerie also empathized noting how overwhelmed she must have been.

Valerie moved to uphold the appeal.

Laura seconded.

Motion passes 4-0-0.

iv. Request to declare Potentially Dangerous/ Dangerous – Raptor and Rooster

Officer Steury explained that Animal Control received a call on June 21, 2024, that a woman was attacked while walking her dog and there were bites to dog and human. The woman was walking her dog home along a shared alleyway where everyone's backyards or driveways connect. Three dogs pushed through their fence while in the back yard with a pet sitter while the dog owners were out of town. The pet sitter failed to coral the animals and the woman's dog was bitten and latched on to by a white, three legged pit bull. The dog bit the woman on both hands as she attempted to remove the attacking dog from her dog. There were nine plus punctures on both hands. A neighbor nearby heard the screaming and came to assist with the dog attack by using his sheathed machete to hit the dogs until they let go. He also hit the other dogs whenever they attempted to get close until the pet sitter could get the dogs back into their yard. The neighbor, who wanted to remain anonymous, stated that the three legged white pit is the one who bit the dog, but the four legged white pit is the one who bit the human, himself

included. He had two small punctures on his forearm. He advised that the shepherd tried to bite his shorts, but it did not make contact and was just an instigator. Officer Steury added that the shepherd, River, was included in restraint and public nuisance citations, but not part of the hearing. Sita clarified that Rooster was the one who bit the dog and Raptor was the one who bit the human. Officer Steury confirmed. He explained that the bite wounds to the dog were egregious. The victim dog was taken to Indy Airport Vet and was later humanely euthanized at Carmel Med Vet. The bite wounds to the human victim were fairly shallow but were numerous. Officer explained that this is common when separating dogs. Photos were provided for the Commission in the packet. The two white dogs came to the shelter for quarantine. After completion they were vaccinated for Rabies. The third dog was already up to date. Animal Control informed the owner that the dogs would not be released until the ACC meeting if they did not fix their fence. They quickly installed a new fence which is much taller, secure and has a working gate. Officer Steury has personally driven down the alley multiple times and the fence looks very good and passes his inspection. He added that the dogs have not been reactive to him.

Kateleigh Touhuy explained that she was out of town during the incident. She stated that she has had Rooster since he was twelve weeks old and he has had no incidents of aggression towards humans or dogs. Her parents have four other dogs and they play with them often. They have also been around her friends' dogs, with no aggression issues. Her friends have also brought their dogs over. Ms. Touhuy provided photos of her dogs with multiple dogs and people. She explained that she has only had Raptor since March 2023, and in that time he has never shown aggression to any human or dogs. They have redone and reinforced the wire fence which is held up by wood posts that are in concrete in the ground every three to four feet and metal T posts. Rooster has been put back on trazodone for anxiety. They have been working on training and have put up beware of dogs signs in the front and back. She does not know why or how this happened but is trying to do everything she can to prevent it from happening again. Sue asked about the dog sitter. Ms. Touhuy explained that he is her fiancé's best friend who is at the house regularly, has his own dogs and is someone they trusted. Valerie asked if the dogs have gotten out in the past. She answered that Raptor had and they were in the process of saving money to fix the fence. The incident expedited the need and she borrowed some money from her brother to make the improvements. Both dogs are neutered and microchipped. Sita asked if the dogs react to other dogs on walks and she answered in the negative. Sita thanked her for fixing the fence. Valerie asked if she reached out to the victim and Ms. Touhuy explained that she was not given her information.

Kateleigh's friend, Allyson Brown, from vet tech school provided information on behalf of Rooster and Raptor. Allyson shared that she and two other friends were invited to the home for a long weekend and were greeted at the door with tails wagging and no reactivity. Raptor slept cuddled up with her on the couch. Since then she has spent every Tuesday night at Kateleigh's house and has seen no signs of reactivity. She shared that it was very abnormal incident that was shocking to everyone.

Kateleigh's mom, Jeanette Brock, provided information on behalf of Rooster and Raptor. She stated that these dogs come over to their house all the time and play with their dogs and have been around their cats. She has no idea how this happened and recognizes that it was probably very traumatic for the victim. She added that there are multiple people that walk down the alley and they have never attacked anyone else.

Bobby Euhl explained that he was not there at the time of the incident but was there at the end of it. He shared that he was glad that it was only them that this happened to and no one else. He explained that the

caretaker was very distressed. He saw Carmela come around the corner of a shed and saw his dogs' abdomen torn open. His ten year old daughter was trying to get involved so he kept her away, but she saw their dog.

Carmela Euhl explained that she was walking her puppy Cooper who is 7 month, not altered, small-breed terrier mix, along with her ten year old daughter at the end of a long day when the incident occurred. Earlier, they had been socializing Cooper at Switchyard Dog Park and had been to food truck Friday. When they came upon the yard and the first dog immediately broke through the gate, she could not imagine that an attack would occur. Ms. Euhl explained that everything happened so fast. One dog broke out of the gate and was circling and she had Cooper on a six foot leash. She explained that the fencing was not adequate and the dogs pushed it down and jumped right over. It was Rooster who escaped the fence to attack her dog. The other two came out later and in pack mentality began attacking her dog along with Rooster. Ms. Euhl stated that she was bitten because she was trying to save her dog's life. She added that it is a fairly small yard for three large dogs which is not really an adequate situation for them. Carmela next provided paperwork including a conversation with neighbors. She stated that there are neighbors across the street that have been scared of these dogs and there is concern in the neighborhood of the dogs' reactivity. The neighbors have avoided walking their small dogs. There was a previous incident with her older dog, who is trained in voice commands and part of the MCHA therapy program, and the three legged dog that occurred five-six years ago. This was before there was fencing and she didn't know which yard he lived in. He was out in the alley and she was with her dog in their yard. The three legged dog started to come, but an older male yelled at her to get and protect her dog. He called his dog back and there was no incident. Ms. Euhl concluded by explaining that she is still terrified to be in her back yard and feels like a hostage in her own home hearing those dogs barking. Her young daughter spent about a month waking up in the middle of the night if a dog barked and is afraid for their other pets. She expressed gratitude for them fixing the fence and noted that it does seem more secure, but worries about what will happen if the gate gets left unlatched.

Kateleigh added that there are eight other large dogs that live in the alleyway and bark at night. She referred to the previous incident that was described as happening five-six years ago and noted that Rooster is only five. Ms. Touhuy clarified that her parents put in a fence when Rooster was about six months old. Kateleigh's mom, Ms. Brock, interjected and explained that Rooster lost his leg at nine months old and the fence was put in the following month. He had been on a harness and lead and broke his growth plate. Ms. Touhuy added that her dogs do not get left outside unattended.

Kateleigh's dad, Brad Brock, spoke on behalf of Rooster and Raptor. He also asked about the location of the incident referring to the comment about the shed, which is ten feet off of the road. Ms. Euhl answered him explaining that the dog had Cooper by the hind leg and dragged him to the corner of the yard. When the neighbor was able to get him to release, Cooper tried to run and hide and ended up almost going into a hole in their fence.

The Commission discussed. Valerie advised that their fence is repaired, signs are up, and the dogs are already altered and chipped. Valerie read through the requirements for Potentially Dangerous and noted the following aspects: off property, death of dog, unjustified attack, bite to person with at least one deep puncture and stated that a Potentially Dangerous declaration is appropriate. The members agreed. Valerie next read through the requirements for Dangerous. Valerie noted that the one that caused the death of the pet could be declared Dangerous. She stated that the biggest change with this would be that the

dog must be muzzled when off property. Sita felt that Potentially Dangerous applies for both dogs. Valerie stated that it was a vicious attack on the dog and Sue recommended making Rooster dangerous.

Sue moved to declare Rooster Dangerous and Raptor Potentially Dangerous.

Valerie seconded.

Motion passes, 4-0-0.

v. Request to declare Potentially Dangerous/ Dangerous – Scooter

Officer Ennis explained a bite incident involving a dog named Scooter who attacked a Schnauzer named Niko. Niko's owner is Robert Brown. Niko received moderate bite injuries. Scooter is owned by Kylie Dannatt. This is Scooter's second bite of the year.

Kylie Dannatt presented information on behalf of her dog Scooter. She described the incident from her perspective. She has since gotten him a muzzle, gotten him into a four week training program, and has a veterinary appointment for anxiety at Arlington.

Kylie's friend, Melissa, provided information on behalf of Scooter.

Frances Brown presented information on behalf of her 12 year old Schnauzer, Niko. She was with Niko when the incident occurred. Niko was not on a leash at the time. The other dog turned around and clamped down on Niko's head. Frances screamed for her husband to come out. Her husband came out and as soon as the dog saw her husband, the dog released Niko. She added that physically Niko is healing. Now he mostly lays around and he is no longer walked in the neighborhood.

Robert Brown presented information on behalf of his dog, Niko. He had stayed behind to check on the girl because she was covered in the blood. He learned that the blood was not hers but was Niko's. He stated that he has seen the dog owner with a rope tied around her waist run anytime she sees another dog. Other neighbors have seen this as well.

The Commission discussed. Valerie noted that this is Scooter's second incident and Potentially Dangerous is appropriate. Valerie would like to add a muzzle when in public and to shorten Scooter's leash.

Valerie moved to declare Scooter Potentially Dangerous with the addition of wearing a muzzle when in public and to use a shorter leash.

Sue seconded

Motion passes, 4-0-0.

Sue recommended to Scooter's owner that she not run away, but turn and walk away.

VI. ADJOURNMENT

Sue moved to table the rest of the agenda due to the length of this meeting and the recent 2nd meeting in July.

Valerie seconded.

Motion passes, 4-0-0.