

**SCHD Advisory Committee
Dangerous Dog Appeal Hearing Minutes
September 29, 2020**

Attendance in Person: Robert Butler, Dr. Cynthia Davis, Jacqueline Howard, Chair.

Attendance via Conference Call: Dr. Jeffrey Bell, Dr. Elizabeth Bryan, Cassie Faircloth, and Commissioner Harry Parker.

Sampson County Employee attendance in Person: Sgt. Jessica Byrd, Wanda Robinson, Joel Starling and Sally DeMay.

Speakers attendance in Person: Ms. Ann Tyndall.

Speakers attendance via Conference Call: Ms. Jamie Ringlund, Ms. Wendy Rackley and Ms. Amy Mitchell.

I. Call to Order:

Mrs. Jacqueline Howard called hearing to order.

II. Dangerous Dog Hearing:

a. Overview of Dangerous Dog Hearing Process:

Mrs. Jacqueline Howard reviewed Article 1A. Dangerous Dogs sections (a) (1) a. and b; (2) a. b. and c. (See attached).

b. Public Comment:

Wanda Robinson called on Ms. Jamie Ringlund to speak via conference call. Mrs. Howard administered affirmation. Ms. Ringlund made the following statements. "My dog is not dangerous. I have a five-year-old. I have an English bulldog. He is a big baby at heart. He was just trying to play with them, I mean the little yorkie. We are going to get a privacy fence put up and have an electric fence now that works. It will not happen again. I have a little boy that misses his dog. My son has not slept hardly. The English bulldog does not sleep. He checks on my mom to make sure she was breathing. He had a little routine. It won't happen again because we have gotten everything fixed."

Ms. Ringlund stated that Wendy Rackley was on the conference call on her behalf. Mrs. Howard stated Ms. Rackley would be asked to speak when Ms. Ringlund was finished.

Ms. Ringlund continued with the following statements. "They usually just run up and down the fence. If he truly wanted to hurt that little yorkie or kill him. He would have done it in one bite, but he did not. He was just trying to play with him."

Mrs. Jacqueline Howard asked Mr. Ringlund, "You say your dog does not display any aggressive behavior toward people?" Ms. Ringlund responded, "I mean if he does not know you. I keep him on a chain. He is protective over his people. Not really no. If you do not show aggression toward him, he is not going to show any towards you."

Ms. Ringlund continued with the following statements: "He barks of course because all dogs do. If he was such an aggressive mean dog, my child would not be able to roll all over him and play with him.

Mrs. Howard asked for next speaker to speak via conference call. Speaker stated name as "Wendy Rackley". Mrs. Howard administered affirmation to Ms. Rackley. Ms. Rackley made the following statements: "I been around "Pretty Boy" since he was born. He is not a bad dog. If you try to be ugly with him. He is good with Jackson. Jackson falls on him. He tries to ride him. He has never shown aggression towards me. He has never shown any to my fourteen-year-old at all. I have watched Jackson with him since he was a puppy."

Ms. Jacqueline Howard asked Ms. Rackley, "You have never seen him show aggression to anyone else?" Ms. Rackley responded, "I have never seen him show aggression to nobody."

Ms. Howard asked Ms. Rackley if she had anything else, she would like to add. Ms. Rackley continued: "Like Jamie said, if he wanted to eat that yorkie, he could have ate him in one bite, but he did not. They have a little dog in the house. He has not tried to bother that dog when he was a puppy or nothing."

Mrs. Jacqueline Howard asked Ms. Ringlund if she had any other witness to speak. Ms. Ringlund stated, "My mom, but she is in the hospital."

Mrs. Jacqueline Howard called Ms. Ann Tyndall forward to speak and administered affirmation. Ms. Tyndall made the following statements. "I was in the laundry room at the back of the house and my daughter went outside. The puppy, the little yorkie was running around, running up and down beside the fence wanting to play with the big dog. They are separated, but they can still run and play. Heard my daughter scream, "Mama". She was around on the den side then, on the other side of the house. I went out there and "Pretty Boy" the german shepherd was down at the little dog in a narrow ditch beside the house. My daughter fell on him. Amy did, the one that owns the little dog. It scared him, so he got up. He had a scrap on his leg, the little dog and a couple of puncture wounds. We took him to the vet the next day and he said he is doing very well. Nothing permanent. I shooed him away with a shirt, waving it. He sort of turned towards me like no don't do that. He gave me the impression he was going to come at me. He has known me forever since he was a puppy. He sees me every day coming in and out of the house all the time. He will bark at me. We had noticed recently; he would crouch when the little dog was in the back yard or around the house playing the little yorkie. He would crouch and give him the hardest look like I want to eat you. They have run up and down the fence playing many times before this started, he would just look at him like he wanted to hurt him. They got separated and Jackson came over and got him and took him back home."

Mrs. Jacqueline Howard asked Ms. Tyndall, "When you had the shirt and tried to shoo him away and he turned at you, were you afraid? What were you feeling?" Ms. Tyndall responded, "I knew that he was confused because he was not expecting someone to fall on him. I think that is right. When he went down the ditch trying to get the puppy, Amy

fell on him, my daughter. It confused him and he turned around and heard them calling him and I said go home, go home shaking the shirt at him. He sort of turned towards me, but he did not bother me. Then Jackson, the little boy got him. He will hook him up to be chained or put him in the house when people come."

Dr. Cynthia Davis asked Ms. Tyndall, "Did the dog every growl at anybody when they where outside?" "When your daughter is out doing things in the backyard is the dog growling?" Ms. Tyndall answered "No, he barks." Dr. Davis asked Ms. Tyndall, "Tail wagging or not?" Ms. Tyndall replied, "Not really, just barks at me, just runs up and down beside the fence barking at me."

Ms. Tyndall made the following statements. About a year ago, I needed to get up with Jackson, his grandmother called and asked me to go over to find him. I started in and he would not let me in just a few feet inside the gate. I called Jackson to come and get him because he did not want me in there

Dr. Cynthia Davis asked Ms. Tyndall, "Was this the first time he had been out of the fence or does he get out often?" Ms. Tyndall answered, "No, he does not get out often. This is the first time that I can recall." Dr. Cynthia Davis asked, "How old is the dog?" Ms. Tyndall replied, "A couple of years maybe."

Mrs. Jacqueline Howard asked, "You are not afraid of the dog?" Ms. Tyndall answered, "I am afraid of that dog because he growled at me like he was going to eat me when I went inside the gate. I asked Jackson to come and get him because he was not going to let me go any further." Mrs. Howard stated, "I asked the question to make clear because you had stated he just barked. You can tell a bark that is an aggressive bark." Ms. Tyndall stated, "He barks at me when I am outside."

Robert Butler asked Ms. Tyndall, "When you were waving the shirt at the dog, did he show you teeth or his hair stand up?" Ms. Tyndall answered, "No, he turned and looked at me and took a step. Did not come any further than that, I was waving that shirt at him." Robert Butler asked, "He did not show any aggression to you at that point?" Ms. Tyndall replied, "No, that was it. He turned and looked at me, I was waving the shirt saying go home, go home. He has heard my voice enough; he should be familiar I would think. He was out of control at the moment. "

Commissioner Harry Parker asked, "At what time did you wave the shirt? Who fell on the dog?" Ms. Tyndall answered, "My daughter was chasing both of them trying to get the little one and get the big dog away from him. She fell on him at the ditch and it scared him, and he got up." Commissioner Parker asked, "If she had not taken those actions, do you think it would have been worse than what it was?" Ms. Tyndall replied, "Definitely, he would have gotten him, the puppy was screaming." Commissioner Parker asked, "The German Shepperd was out of control at this time?" Ms. Tyndall answered, "Yes sir."

Dr. Cynthia Davis asked, "In the statement it says that Amy threw the dog out of the ditch, but the dog came out of the ditch on its own accord?" Ms. Tyndall replied, "Well, I am not certain about that. I know that when I heard her scream, I tore around the

house with the shirt in my hand. I was screaming at him and I was thinking she fell on him trying to get to the puppy, to get them separated. I can't give you exact on that." Mrs. Jacqueline Howard asked, "You did see her fall on the dog purposely to stop him from getting the little dog?" Ms. Tyndall replied, "Yes. It was happening so fast."

Mrs. Jacqueline Howard asked for Amy Mitchell to speak next. Mrs. Howard administered the affirmation to Ms. Mitchell. Ms. Mitchell made the following statements. "Several times that I have been over to my mother's, that dog has been out. He is always crouched down like a panther and has a death stare at my dog. My dog would go the fence and that dog would act like he was going to eat him up. But then, there has been several times when they would run up and down the fence. But he still acts like he wants to eat him. I have told my mother several times that is a dangerous dog. He wants to get ahold of my dog."

"Of course, there was a weak spot in the fence where they have tried to patch it up and when I was standing on the back porch my little dog went to the fence and thought he was going to run with him. When my dog started to run that dog busted through the fence and went after him. At that time, I started hollering and running after the dog."

He got my dog on two different occasions during that time. My dog kept trying to get away from him and hollering. I finally was able to catch up with him when my dog went into that ditch. I threw myself on the big dog to him off my dog. I think it might have scared the dog the way he turned around and looked at me. At that time, when he turned around, he got out and turned around towards me like he was coming back to me. My mother was there at that time, hollering at him. She swung at him with a shirt to get him away from me. When I get up to go after him, he was headed towards my mother and she kept slinging the shirt, hollering at him. At that time, Jackson, the little boy, was in the middle of the front yard. He was hollering at him. And us going towards the dog, he decided to go to Jackson."

Ms. Mitchell continued with, "Yes, it is a very vicious dog. My mother sees that dog several times a day. She goes out and out he goes acting like he wants to eat somebody. He does not need to be there. I fear for that child as well. So that dog can turn on somebody, even a family member. I feel that way." If Jackson was not coming over, I feel like that dog would have attacked me or my mother. After that, I got my dog and we went into the house. Mother called animal services. Furthermore, that fence is not fixed, it needs to be redone completely. There are so many places that are patched up. Majority of the places that are patched, my mother patched. My mother has a great grandson that is two years old and he loves dogs. He went to the fence, we went and got him because the dog acted like he was going to eat that child. The nurses that go out there, I know they have to lock that dog in the bathroom so she can go and see her patient, which is a grandmother that lives there. It is not friendly by no means; it is a vicious dog. He has the death stare."

Robert Butler asked Ms. Mitchell, "At the time you were trying to separate the dogs, what kind of aggression did the German Shepperd show to you?" Ms. Mitchell replied, "He was concentrating on the dog. I think I surprised him by falling on him to get him

off and when I did, he stopped, turned his head around and looked for what fell on him and noticed it was me. When he got up out of the ditch and I was still halfway in the ditch getting up, he turned around like he was coming to me. At that time, my mother was already there hollering and screaming at him and swinging the shirt at him. He turned towards my mother. I was able to get up that time and start going towards him because he was going towards my mother and she kept swinging. Jackson, at that time, was there in the front yard hollering for him and he saw Jackson and went towards him. He is a very dangerous dog. That is my opinion. He is very aggressive. He would have killed my dog, if was not outside. Hands down, I know he would have.

Robert Butler asked Ms. Mitchell, "So you feel that, if Jackson had not come out that he might have continued at you and your mother?" Ms. Mitchell answered, "Absolutely. He is not a friendly dog, by no means."

Dr. Jeffrey Bell asked, "What kind of injuries the small dog sustained? Do it need a Vet visit?" Ms. Mitchell replied, "Yes it did, he had trouble walking on his back leg. He would not walk on it that whole day and part of the next day. He had bite marks on the inside of the leg and a couple on his back, puncture wounds where he tried to grab him. We took him to Dr. Oglesby."

Mrs. Jacqueline Howard called Sgt. Jessica Byrd to come forward to speak. Mrs. Howard administered the affirmation. Sgt. Byrd made the following statements. "Speaking with Ms. Ann and Ms. Amy, they definitely had concerns over the dog before this incident. They even more concerns now. I spoke with Dr. Oglesby; the small dog did receive puncture wounds and some scratches. I feel the scratches are probably not from the nails, but during the fighting process. Directly, thereafter the attack on the dog, the dog did show aggression toward both females there."

"The night that Ms. Jamie brought the dog to the shelter, she did state that the dog might be afraid and uncomfortable around strangers. Deputy Oats, the one that did impound that night, he told Sgt. Byrd the following: "that the dog was fine as long as it was under Ms. Jamie's control. After she left, he back into the shelter to fix the impound sheet, as soon as he came in sight of the dog it was like a light switch. He was barking, growling, did not want him anywhere near his kennel."

Sgt. Byrd stated, "I observed his behavior the following day. As soon as you approach the dog's kennel it is immediate barking and growling. If you go to put your hand or get closer to the kennel, like to open the latch to the kennel. He actually starts biting at your hand. He has been so bad throughout this process that, we cannot neighbor dogs beside of him. Even if we had a dog that did not have any kennel issues or any type of space aggression. How he reacts to people has affected the dogs that are beside of him. He has to have a space beside him cleared because the dogs being housed next to him have started showing out as well. I also would reiterate Ms. Amy's statement, that had she not intervened, I believe due to the size of this German Shepperd it would have resulted in death or at a minimum severe injury. The dog did receive puncture wounds and scrapes, which is not typical with playing, but is indicative of a bite.

Dr. Cynthia Davis asked Sgt. Byrd, "Is this dog castrated?" Sgt. Byrd answered, "He is not." Dr. Davis asked, "Has he had any aggression notes from his veterinarian?" Sgt. Byrd replied, "Dr. Oglesby was supposed to have vaccinated this dog against Rabies. There is no record. There is no record of this dog being seen. There is a record of a "Lover Boy" which is "Pretty Boy's" brother." Sgt. Byrd stated that Ms. Jamie had asked for Dr. Oglesby to do a statement saying that the dog showed no aggression, no history of aggression at the vet's office. Sgt. Byrd stated, "Dr. Oglesby nor Tris Oglesby could recall the dog. Trish went to the shelter and confirmed the same as I did. She would not give a letter. I think Ms. Jamie either wanted her to have a dog obedience trainer to go and assess the dog for aggression towards people and aggression towards animals. We would not recommend it, because we cannot safely handle the dog unless, he is on a catch pole. Trish would not recommend it to a local dog trainer because of the aggression he showed Trish. There is no record of him being seen."

Someone asked how old the dog and questions were asked of Ms. Jamie Ringlund. Ms. Ringlund answered, "He is two years and three months." Mrs. Ringlund made the following statements. "When I went to see my dog there had been dogs beside him and there were dogs in front of him. At the vet's office, yes, they had the wrong dog because at the time, we did not even have "Lover Boy". I gave him to a friend of mine. I did not take him at that time, someone else did. They just put the wrong dog's name down because I had to give him the Rabies number and they confirmed that was the shot they gave."

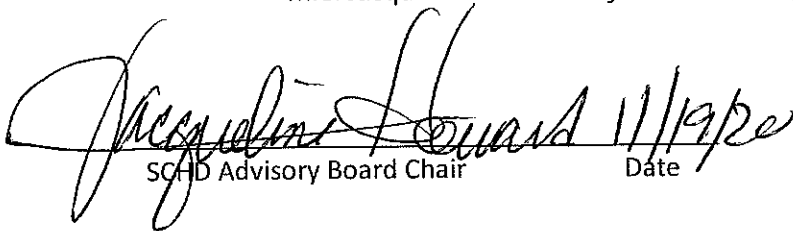
c. Discussion:

Mrs. Jacqueline Howard called for all board members to vote by roll call to affirm to uphold the recommendations from the law officer to declare the dog as a dangerous dog. Roll call vote: Dr. Jeffry Bell, affirm, Dr. Elizabeth Bryan, affirm, Robert Butler, affirm, Dr. Cynthia Davis, affirm, Cassie Faircloth, affirm, Jacqueline Howard, affirm, Commissioner Harry Parker, affirm. The vote was unanimous to uphold the recommendations to declare the dog as a dangerous dog.

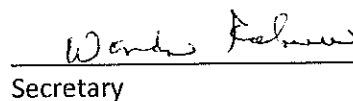
Mr. Joel Starling spoke to Ms. Jamie Ringlund explaining she would receive written ruling from this body. That ruling is appealable through the Superior Court, Division of the General Court of Justice.

III. Adjournment:

Mrs. Jacqueline Howard adjourned meeting with no further business.


SCHD Advisory Board Chair

Date


Secretary

11/19/20
Date