



MINUTES

**Animal Commission Meeting
Second Floor Conference Room
Monday, July 27, 2015
6:00 p.m.**

DRAFT

Members Present: Peg Morrisroe & Bill Urquhart

Members Absent:

Staff Present: CSO Manager D. Hayse, Recording Secretary K. Hodge

Others Present: None

The meeting was called to order at 6:01 p.m.

- I. Roll Call** - Roll Call was taken. All members were present.
- II. Approve Minutes** – Commissioner Urquhart made a motion to approve the minutes from the July 13, 2015 meeting. Commissioner Morrisroe seconded. The motion passed.
- III. Action Items**

1. **Review Case #15-14125**

No one from this incident was present. Commissioners decided to continue this case to August 24, 2015, and asked Recording Secretary Hodge to notify the victim and owner.

2. **Review Case #15-14446**

The following people indicated their presence: dog walker/witness Ms. Ewa Krzyzewski, offending dog owner Ms. Maricela Ponce de Leon, and victim dog owner Ms. Mary Pat Cashman. Commissioner Morrisroe gave a brief summary of the police report and asked witness Ms. Krzyzewski to provide her version of the incident.

Ms. Krzyzewski stated that she was walking victim dog, Cokie, and they were almost home when she heard someone yelling. She looked behind her and saw the offending dog, Roxy, running across the street without a leash. She stated that Roxy attacked Cokie. Roxy was so big, there was nowhere to grab onto her. Ms. Krzyzewski tried to cover Cokie, but Roxy kept reaching around her trying to get at Cokie. Commissioner Morrisroe asked if Cokie tried to bite back, and Ms. Krzyzewski said no, she is a submissive dog. Cokie was crying like she was hurt, but it was hard to see if she was injured. Ms. Krzyzewski's arm was scratched during the incident, but she was not bitten.

Commissioner Morrisroe asked about Cokie. Victim dog owner Ms. Cashman stated that Cokie is a Doberman, approximately two and a half years old, spayed

and up-to-date on vaccinations. Ms. Cashman also provided a copy of her animal hospital bills, a summary of the injury from the veterinarian, and some pictures of the injury. Ms. Cashman said that Cokie received six staples and four stitches for the three-inch wound, and there was a drain placed in the wound. Ms. Cashman stated that on the day of the incident she was home and heard loud screaming outside. She ran outside to see her dog, Cokie, on her back, on the ground in a submissive position screaming and there was a large pit bull (Roxy) viciously attacking Cokie. She stated that the offending dog owner Ms. Ponce de Leon was just standing there, so Ms. Cashman started yelling dog commands. Ms. Krzyzewski was trying to get the pit bull off of Cokie, and finally Ms. Ponce de Leon was able to get ahold of Roxy.

Commissioner Morrisroe asked approximately how long the entire incident lasted. Ms. Krzyzewski said probably 5-10 minutes. Commissioner Urquhart asked the proximity of the incident to the victim's residence. Ms. Cashman said the incident took place two houses away from her residence. Commissioner Morrisroe asked who called the police, and Ms. Krzyzewski said she gave her phone to Ms. Cashman to call police. Commissioner Morrisroe asked if everyone was present when the police arrived. Ms. Ponce de Leon stated that she felt some of the previous statements were not accurate and she wondered if she needed an attorney to represent her. Commissioner Morrisroe stated that the commission wanted to give each person a chance to tell their story, and asked Ms. Ponce de Leon to do so.

Ms. Ponce de Leon stated that she usually walks her dog, Roxy by the forest preserve because Roxy is a large Rottweiler/pit bull mix, approximately 85 pounds (spayed and up-to-date on vaccinations). On the day of the incident, Ms. Ponce de Leon took Roxy in the car with her to Dunkin Donuts. On the way home she decided to walk Roxy at the park near Brophy and Peterson. She opened the car door to put the extra collar and leash on Roxy, and Roxy darted off, Ms. Ponce de Leon fell to the ground and the leash came off. She saw Roxy run right to the victim dog, and it took her a while to get control of Roxy to get the leash on her. Ms. Ponce de Leon stated that at no time did Roxy pin the victim dog, Cokie, to the ground. She stated that Ms. Cashman then ran out of her house screaming about suing her and euthanizing the offending dog. At that time, Ms. Ponce de Leon did not know Ms. Cashman was the victim dog owner. She stated that Ms. Cashman continued to get louder and louder, so Ms. Ponce de Leon walked away to call the police. Ms. Ponce de Leon added that it was her suggestion to call police, at that time the dogs were separated and calm, but Ms. Cashman was still yelling and making her nervous.

Commissioner Morrisroe asked if Roxy is socialized. Ms. Ponce de Leon stated that she usually walks Roxy in Chicago with a muzzle and not near other dogs because she is not sure how Roxy will react, but there has never been an incident like this before.

Ms. Ponce de Leon stated she takes full responsibility for what happened and she would pay all the medical bills. She was very sorry the incident ever happened.

Commissioner Morrisroe asked about the collar Roxy has. Ms. Ponce de Leon stated she uses a double collar, and when she opened the car door to secure the pinch collar and leash, that is when Roxy ran off. She added again that Roxy never pinned Cokie to the ground and there was never a fight. Commissioner

Morrisroe asked Ms. Krzyzewski if Cokie was ever pinned to the ground, and she said no, Cokie was never on the ground, but behind her, as she was trying to cover Cokie. Commissioner Urquhart asked if when Cokie was behind Ms. Krzyzewski, if Roxy was still trying to get at Cokie. Ms. Krzyzewski said yes.

Commissioner Urquhart then asked about Roxy's history. Ms. Ponce de Leon stated that Roxy came from San Francisco in October of 2014. Years ago, a neighbor left the Roxy with Ms. Ponce de Leon's son who lives in San Francisco. Her son kept Roxy for three years, but because he travels and had a dog of his own prior to Roxy, he asked his mother (Ms. Ponce de Leon) to take her. In the years her son had Roxy, she never showed aggression except when people tried to break in to her son's residence. Her son did go through training with Roxy, but Roxy has not been to training since she has lived here. Since this bite incident, she has researched training options.

Commissioner Morrisroe stated that it does not sound like Cokie was pinned to the ground, and her injury was probably a result of being bitten and then Roxy didn't release, so the teeth tore the flesh even more.

Discussion ensued about the confusion of facts between both parties, i.e. where Ms. Ponce de Leon was from.

Commissioner Urquhart made a motion to classify Roxy as being "dangerous". Commissioner Morrisroe seconded the motion. Motion carried unanimously.

Commissioner Urquhart clarified that his concerns were that it was an unprovoked attack when Roxy bit Cokie and Roxy continued to try to get at Cokie while the dog walker blocked her, and what if the victim was a child or elderly person. Commissioner Morrisroe agreed with Commissioner Urquhart and added that if the victim dog was not submissive, it could have escalated into a real dog fight. Commissioner Morrisroe then summarized the requirements of a "dangerous" dog.

Commissioner Urquhart recommended that Ms. Ponce de Leon keep the pinch collar, always have it on the dog when in the car, and secure the leash before opening the door to let the dog out. Commissioner Morrisroe added that the dog should have both collars applied before ever leaving the house.

IV. Old Business

None.

V. New Business

None.

VI. Adjournment

There being no further business, the meeting was adjourned at 7:08 p.m.