

Animal Control Commission

April 29, 2025, at 5:30pm

MEMORANDUM

**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 – present in person
Brandt Ludlow – absent
Valerie Pena – present in person
Laura Soto – present in person

GUESTS

Robert Rowe – present in person
Kristine Atchison – present in person
Keith Dayton – present in person

STAFF

Audrey Brittingham - present in person
Kat Ennis – present in person
Virgil Sauder – present in person

Sue called the meeting to order at 5:29pm.

I. NEW BUSINESS

i. Request to appeal – Rowe

Officer Ennis stated that on April 15th an individual sent a photo with a monkey, a dog, and a cat in a house filled with feces. Officer Steury and Ennis arrived at residence on the 15th. They saw the cat in the front window and it appeared healthy. They circled around the back and noticed that the window was missing. They were able to see the rhesus macaque from the outside through this window. The officers left a notice. Photos showed the rhesus macaque in a filthy cage and large amounts of feces on the floor. The following day they spoke with Robert “Bob” Rowe and gained entry for a welfare check. The rhesus macaque was in a three tier cage with feces and old food in the cage. There was a fairly clean litterbox and a clean food bowl. The cat was in good condition. The dog was older and had a tumor on its neck. Veterinary care had already been attained and surgery to address the tumor was in process. All of the floor that was visible appeared to be an amalgamation of fecal matter, urine and other material. They were unable to determine the exact make-up of some of the filth on the floor. Due to care concerns and that the rhesus macaque was not allowed per ordinance, a warrant was obtained and the animals have been removed. Officers worked with Mr. Rowe to address the conditions of the floor. While the floor was not ideal it was sufficiently better. The dog and cat have returned home with follow-up inspections through the next year to make sure there is not a back-slide in care. Officer stated that the rhesus macaque was purchased by Kristine Atchison post-divorce though they are still living together. Officer Ennis states that Ms. Atchison would like to move out of the County with the rhesus macaque, however there are concerns about whether the care would improve.

Kristine Atchison stated that Bella is a 9 year old rhesus macaque. She purchased Bella at two weeks old. Bella is her emotional support animal for her depression and anxiety. She feels that Bella helps to address and relieve the symptoms as they arise. Ms. Atchison provided a letter from her therapist outlining Bella as her emotional support animal (ESA). Ms. Atchison stated that she is in the process of ordering a new enclosure for Bella. She believes that Bella is more than a rhesus macaque. Bella is a working animal and an important part of her life. She states that she will do whatever it takes to get Bella back, even if that is moving out of Monroe County. Sita asked Ms. Atchison to clarify how the rhesus macaque assists her. Ms. Atchison states that the rhesus macaque is out most of the time, often riding on her shoulder. They use the cage at night when cooking or when they are unable to watch her closely. They do not have the macaque out when there are other people around that she does not know. Sita asked about why she chose a rhesus macaque. Ms. Atchison answered that there are organizations that use rhesus macaques for emotional support. Sita asked how the house arrived at the condition. Ms. Atchison stated that she was unwell and they got in the habit of allowing the dog to poop in the living room. Valerie asked how they address the rhesus macaque's toilet issues. Ms. Atchison stated they used to use a diaper, but as the rhesus macaque aged, it would remove the diaper. When out of the enclosure, they have a potty pad on a chair that the rhesus macaque uses. Ms. Atchison stated that they would clean the rhesus macaque's cage every two to three days. Valerie asked for clarification as to why the house was in that condition if they were cleaning that much. Officer Ennis stated that at the shelter Bella poops three small amounts a day and tries to stay out of it. Ms. Atchison stated that much of the poop was from the dog. Valerie stated that the state of the house does not match the condition of just the one animal. Since this came out, she has looked at other Counties to move to where she can have the rhesus macaque. Valerie asked if she has a plan for what happens if something happens to her. Chris asked if she has ever seen a veterinarian. Ms. Atchison stated that the macaque has never been sick.

Power went out at 6pm and Sue paused the meeting until 6:02pm.

Sue asked for clarification on the cleaning as there was quite a bit of a mess.

Robert Rowe brought a picture of him and Bella. Mr. Rowe states that to him the macaque is his child and he loves the animal. He found out that it was illegal due to an article in the Herald Times. Mr. Rowe had a problem with that because it is his child. He asked why they are illegal. Valerie stated that there was an individual who owned more than one monkey and it became dangerous. At that time they ended up moving. When Virgil visited he brought up the B virus. Mr. Rowe stated that the only instances of the B virus being transmitted to people were in a laboratory setting. He stated that the rhesus macaque has a personality and likes sports. He stated that her favorite time of year is fall because she loves pumpkin and vanilla eggnog. She loves to watch Rudolph. Mr. Rowe repeated that she really is his child. He apologized that the place was a mess, but stated that it can be fixed. He also stated that Bella has not had any issues in the whole time and lots of his neighbors knew about her. Mr. Rowe concluded by stating that Bella is his child and he would hate to see her leave the County.

The Commission moved into discussion. Sita mentioned that she is touched by the communication from both individuals and believes that the animals are indeed loved. At this point her only concern is how the rhesus macaque can stay in the County. Sue stated that an ESA is not recognized as a disability. Officer Ennis stated that the fair housing act does not override local ordinances. Sita asked if it is possible to amend the ordinance for this case. Audrey stated that the amendment would need to go to

the Council and the process would likely take a few months. Valerie asked if they wanted to go down that path, would the animal need to stay in City care. Audrey stated that it would not have to stay, if we have confirmation or certification from the rescue that it would be returned as required. Audrey stated that the way the ordinance is written is that short term changes can be allowed, but long term changes would be iffy. Audrey then read the ordinance and queried if there would be an option to return Bella to the owners if they moved.

Ms. Atchison shared that there is a place she could potentially move to in a few weeks or less. Sita stated that she did not feel that the rhesus macaque should return to the current address. Virgil clarified that bond has been posted for care of the rhesus macaque until approximately May 17th. Mr. Rowe expressed concern with Kristine moving as he provides her medical transportation. Kat stated that moving the macaque out of the City would mean that Bloomington Animal Care and Control would not be able to follow-up with the care of the macaque. Valerie stated that the original ordinances came into play for an unknown reason, previous discussion regarding the origin of the ordinances should be disregarded.

Sita moved to keep Bella at the shelter until no later than May 17th to allow Kristine Atchison time to find housing outside of the City. If housing is not obtained, Bella should be sent to a rescue.

Valerie stated that one of the concerns is that due to the state of the home, the care was not as diligent. Our officers would have input in the County.

Valerie seconded.
Motion passes, 5-0-0

II. ANIMAL CONTROL COMMISSION DISCUSSION

No discussion.

III. Public Comment

No public comment.

IV. ADJOURNMENT

Chris moved to adjourn.

Sita seconded.

Motion passes, 5-0-0.

The meeting adjourned at 6:55pm