

Animal Control Commission

July 23, 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 – present in person
Brandt Ludlow – present in person
Valerie Pena – present in person
Laura Soto – not present

GUESTS

Abigail Roll

STAFF

Kat Ennis – present in person
Aleksandrina Pratt – present via zoom
Lisa Ritchel – present in person
Virgil Sauder – present in person

I. APPROVAL OF MINUTES

Valerie moved to approve the **June 10, 2024**, minutes as written.

Sue seconded. Sita thanked Lisa for the minutes.

Motion passes, 4-0-1, with Chris abstaining.

II. NEW BUSINESS

i. Request to declare Dangerous – “JJ”

Virgil explained that JJ was on the docket last May due to biting a police officer and he was declared Potentially Dangerous at that meeting. JJ was off leash again and bit another police officer in the field. Virgil explained that the bite was not severe and consisted of two fairly shallow wounds. Although not severe, it was a repeat bite, and Virgil asked the Commission to determine if it is safe for this individual to own this dog. JJ is current on Rabies Vaccination, neutered and microchipped. Valerie asked about JJ’s history. Virgil shared that Animal Control is aware of four bite incidents. The last two bites mentioned above were to police officers. Another bite incident occurred in 2023 which consisted of a minor to moderate bite to an individual. In this instance JJ was being walked on leash, and two people came around the corner and there was a sudden meeting.

Officer Ennis then explained that Officer Steury was the responding officer to the recent incident. She explained that the Bloomington Police Department reported to the scene to enforce a trespass for Ms. Roll. When they approached the tree line near Abigail Roll’s camp, they announced themselves. JJ came out, walked up to the first officer and sniffed him, then went around him and bit the second officer, Daniel Constable, on the hand. This officer stated that it was a minor bite and barely more than a scratch which healed quickly. JJ was not restrained on a leash and Ms. Roll was there quickly to grab him.

Ms. Roll explained that at the time of the incident she was washing JJ’s harness due to ticks and he was on a slip knot. He slipped out of it and when she was in the middle of trying to find the leash to retrieve him, the officers came. To catch JJ, she has to act like she is not paying attention to him and it becomes

a game for him. She added that the officers came from an unexpected direction, she did not hear them announce themselves, and she was not wearing shoes. She was very sorry that the officer was bitten. Ms. Roll was emotional and shared that JJ is her baby and that he is very protective of her. She stated that JJ is a good dog and that she would not have him if he was a bad dog. Valerie then asked how she is handling the Potentially Dangerous requirements. Ms. Roll answered that he wears a muzzle and is kept very close to her body when on leash. Ms. Roll stated that JJ is great around kids and puppies but not police officers. She then referred to the bite incident when an individual was bitten and explained that her ex-wife had been walking him and she was not aware of how careful she needed to be. Valerie then explained that if he is moved to Dangerous, JJ would need to wear a muzzle any time in public and Dangerous Dog signs would need to be posted. Ms. Roll expressed agreement and stated that she would do anything including volunteering at the shelter to get her dog back. Valerie then asked if they are in public frequently. Ms. Roll responded in the negative explaining that JJ keeps her away from certain places where she should not go and he keeps her balanced. Valerie next asked how JJ has been in the shelter. Virgil answered that the shelter is a difficult environment for him and staff has not been able to safely interact with him. Virgil added that they would not be able to work with him or place him. Virgil then referred to Officer Ennis who has seen JJ in the field. Officer Ennis explained that she has seen JJ in many situations. Abby always has JJ on leash and warns people from a distance that he will bite. Officer Ennis has seen him interact very well with familiar people. Officer Ennis has not witnessed a negative interaction other than one time at the Shalom Center. He was wearing a muzzle and had a negative reaction to someone on the other side of a barrier. Valerie next asked Ms. Roll to describe an average day for them. Ms. Roll explained that they love to walk and JJ loves to play ball, although lately he has something wrong with his hip. JJ has not wanted to walk as much and has been acting tired. He was taking antibiotics due to being bitten by so many ticks. The veterinarian also wanted to do X-rays. Ms. Roll also shared that they have a place to stay in someone's home who loves JJ and they have a special bond. This friend also has a dog and the dogs get along well. Sita asked if her friend has a fenced in yard. Ms. Roll explained that her friend lives at College Square and there is a fenced in area for dogs.

Virgil then read from the Dangerous definition in the ordinance: *Dangerous means any animal while off of the property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal that: Causes an unjustified single bite with at least one deep puncture to a person.*

Virgil then read from the Potentially Dangerous ordinance in case members choose to uphold that: *The commission, in rendering its decision and in issuing its findings of fact, has the authority to attach any and all reasonable conditions to its decision. To that end, the commission may impose conditions on owners/guardians regarding the types of enclosures to be used, the types of restraint systems to be used, and other such things.*

The Commission discussed. Chris noted that the last two incidents both involved police coming onto the location where Ms. Roll was staying. Sita advised that that law enforcement should be able to announce themselves and not be bitten. Valerie noted that there is a pattern now with JJ nipping. She summarized that there was a lapse in the PD requirements, JJ was not wearing a muzzle and was not on leash, but the incident does not qualify for Dangerous based on the severity.

Valerie moved that JJ remain Potentially Dangerous with the additional requirements that he wear a muzzle any time he is not indoors at this home and that warning signs be posted at that location or all around wherever they are residing.

Sue seconded.

Motion passes, 5-0-0.

ii. Request to declare Habitual Offender – Roll

The Commission discussed a potential Habitual Offender declaration for Ms. Roll. Sita recommended declaring but not taking the dog away, and giving Ms. Roll one more chance. Sue suggested that she reach out to the MCHA for their training classes. Valerie suggested contacting MCHA for tick prevention. Officer Ennis reported that JJ did have bloodwork at MCHA and was prescribed medication.

Sue moved to declare Ms. Roll a Habitual Officer, and if there is one more incident, Ms. Roll will need to return to the ACC and ownership off JJ will be removed.

Chris seconded.

Motion passes, 5-0-0.

III. REPORTS

i. Animal Care and Control Report

Virgil gave kudos to the BPD for their handling of this situation. In many places, the dog would have been killed. The second Animal Control van wrap was completed. It encourages people to microchip their pets and has a link to the lost and found page. The shelter currently is promoting the Dog Days of Summer with \$40 adoption fees for dogs. The shelter is in the midst of summer following a couple years of being chronically full. Virgil reported on the statistics and compared them to 2019 statistics.

ii. MCHA Update

Sue reported that they finished interviewing for the Marketing and Events Coordinator. They are working with the shelter to develop a fostering program. MCHA received an Outstanding Community Award for their street outreach program. The board did not meet last month due to the storm.

iii. AMC Update

Valerie explained that there were new elections as the President retired from his position with the Sheriff's Department. Virgil is the new Chair. The agenda was light otherwise.

IV. ANIMAL CONTROL COMMISSION DISCUSSION

Valerie asked that the Commission consider if we have hit the saturation point with adoptions in our County. She asked the members to consider possible solutions such as mandatory spay/neuter. Valerie is concerned shelter staff cannot continue at the current pace. The Commission discussed ideas. Virgil added that we also need to look at Potential Dangerous ordinance updates as well and it would be good to have two groups for these two topics.

V. PUBLIC COMMENT

No public comment.

VI. ADJOURNMENT

Brandt moved to adjourn the meeting.

Chris seconded.

Motion passes, 5-0-0.

The meeting adjourned at 6:42pm.