

Gould Dangerous Dog Hearing
June 26, 2014 – 6:30pm

Mayor Whitcomb called the hearing to order at 6:30

Attorney Toven reported that this is a hearing for the destruction of dangerous dogs that were impounded. This is a forum for him to present the information to the council, and the defendant and their legal counsel can provide their information. The council should remain neutral and decide what they feel is best for the dogs at hand. He asked the council review everything, and if they have any questions Sergeant Backlund, Investigator Frederick and the Mille Lacs county Animal Control Officer David Russel is in attendance.

Toven stated that the first incident occurred in April 2008 when the dog was running at large. In August of 2009, it was reported that a PUC employee was bitten by the dog while working on the property. A second bite happened in July 2010 when Duke was again loose and snapped at and bit the neighbor's jeans. Duke was loose and impounded October 2010 and December 2010. On November 6, 2011 Duke and Daisy were loose again and impounded. On November 20th they were loose and a neighbor stated they used a shovel for protection to chase them off their property. When Officer Soden arrived on scene, the dogs ran at him growling, barking and showing their teeth. When they were within 1-2 feet from him, he deployed his pepper spray to protect himself. After the November 6th Incident, Duke was re-classified from a "Potentially Dangerous Dog" to a "Dangerous Dog"

Both dogs were loose September 2012 when a Princeton Police Officer returned them to their kennel. The dogs were loose again July 2013 and on May 15, 2014 they were at running at large at North Elementary School. On May 21st, a report was received of them loose on the neighbor's property growling at them. On May 29, 2014 the dogs were seized by the Mille Lacs County Sheriff's Office.

Some of the requirements outlined by Mille Lacs County in January 2012 have not been met as far as the Police and Sheriff's department are aware. A couple issues that continues to happen, is that the dog has not remained muzzled and leashed while outside the home under adult supervision. Also, Duke was required to be neutered which they have not shown to have happened.

Since they were classified as a dangerous dogs, there have been an additional 6-7 incidents. Duke clearly has been more dangerous, but Daisy has exhibited behaviors that classify her as a dangerous dog as well.

Toven said he has had conversations with the both the Police Chief and the Animal Control Officers and they both agree that Duke is dangerous and needs to be euthanized. He has repeatedly exhibited the same behavior for the past 6 years and Mr. Gould has not taken appropriate measures to assure that it did not continue to happen.

With respect to Daisy, Police Chief Payne and the Mille Lacs County Animal Control Officer David Russell feel that while Daisy may be as dangerous as Duke, she seems to follow along with him and they would like to give her another chance. The City Council can designate her as a potentially dangerous dog or dangerous dog, so the Gould's must meet those requirements. They feel that at this time, there is too much to risk with Duke because of his long history of incidents.

Hallin asked if a dog is labeled dangerous, can that be removed down the road if the dog's behavior has changed. It was confirmed that the designation could be removed at a later date.

Gould's Attorney Coleman provided some additional submissions to the Council, which were photos of the dogs in question and letters submitted on behalf of various people in their dealings with the dogs.

He questioned if this is really about a dangerous dog, or an escape artist that is a nuisance to the neighborhood. These dogs are part of the Gould family.

The Gould's have proposed an additional option for Duke to the Police Department and Mille Lacs County Animal Control. Instead of having Duke euthanized, they would like to move him to Aitkin County where Mr. Gould's parents live on a large farm. This will allow him to live and not be a problem in Princeton.

He stated he did bite a utility worker 5 years ago, but his was on his property and it was not a severe injury. Mr. Gould feels he was just protecting him and their property. He added that Tina Struck from Paws Up 4 You has agreed to do a temperament analysis on Duke and they would like to have that done.

Coleman said there were no photographs of this alleged injury in 2010. When he was reported running loose in July 2010 and Nov 2011 there were no reports of him biting anyone.

On November 16, 2011, Officer Soden reported that they were being aggressive to him and he was required to pepper spray the dogs. He does not know how Officer Soden is around dogs, but sometimes people can mistake excitement with aggression.

November 20, 2011 the report stated that neighbors had to chase the dogs off the property with a shovel. He questioned if the dogs were being threatening, or were they just chasing them off their property.

Coleman stated that when Duke was designated as a dangerous dog, the Gould's did comply with most requirements. They put the collar on, put signs up, had him micro-chipped and has taken extraordinary measures to keep them in the kennel, but they do get out at times.

He spoke about several incidents involving the dogs being loose, but no one was bitten. A few of those instances mentioned people chasing them away, but does not mention if the dogs were being a threat.

Duke is very much loved by the Gould family and everyone here. There are other options besides euthanizing him, and asked the Council to overturn Animal Control's recommendation. He mentioned Duke being relocated to Mr. Gould's parent's farm in Aitken.

Toven replied that he had spoken to Police Chief Payne and the Animal Control Officer in regard to the option of Duke being moved to Aitken. Their concern would be that it would simply pass the buck on to someone else. They are looking out for everyone's safety, not just those in the city limits.

Hallin stated that one thing is extremely clear, is that both of these animals have broken the city ordinances on many occasions. They have been running loose and it is clear they are not being kept under control. Whether the bite would be considered bad or not, it is still a bite. It is a concern and she does not want to see any more people injured.

Dobson said he agreed with Hallin, that these dogs have been allowed to run at large numerous times. Also, the owner was advised to get both dogs vaccinated, which doesn't appear to have happened with Daisy. That in itself is going against city ordinance and the owner was advised on the requirements that needed to be met on many occasions.

Russell stated that he was present the night that Officer Soden needed to use pepper spray on the dogs to protect himself.

Coleman responded that the dogs are up to date on all of their vaccinations and both were sterilized. As far as the dogs getting loose, it is not that Mr Gould is being negligent, but they are escape artists. He has made dramatic improvements to the kennel, but claims that the kennel doors have been opened. They do not know if it is neighbors, or children. There was one incident where Duke got out a window.

Hallin asked for explanation on how the dog managed to get out of a window. Gould replied that he pawed open the latch and pawed open the basement window. He added that Duke has separation anxiety and he doesn't know what to do with himself and wants to get loose. He is on medication for it and they got Daisy so he would have company and wouldn't be alone in the hopes it would help

Zimmer echo's Hallin and Dobson's comments and said he can't guarantee that he would not bite another person if he was moved to Aitkin county. He mentioned his big concern was that they were running loose at North Elementary. There is a lot of talk about them being escape artists, which should have been fixed many years ago.

Hallin said we just want to protect the community. Gould said these dogs were raised with his grandkids and he has never shown any aggression to them. He claims they are only aggressive when

no one is around. Coleman said if we have a chance to get an expert opinion, we should. Hallin said that should have been done years ago.

Coleman said if the dog is running lose, that is Gould's error and asked if the dog should be euthanized for his error.

Walker added that he is and has always been a dog owner, as soon as your dog bites someone, an owner should realize that the dog either needs to be put down, or it needs to be fixed immediately. Duke bit someone several years ago. What happens if he runs around the school and a kid startled him and was bitten. It is a tough situation, but we can't keep this dog here in the city, and they can't send him elsewhere and endanger others.

Gould said he understands that he has bitten people, and feels that it is possible that he bit the PUC worker trying to protect him.

Whitcomb said the Council does not want to have to require a dog to be euthanized, but in this case it is the Police Chief and the Animal Control's recommendation that Duke be put down.

ZIMMER MOVED TO KEEP THE RECOMMENDATIONS OF THE POLICE CHIEF AND ANIMAL CONTROL OFFICER TO REQUIRE DUKE, OWNED BY MICHAEL GOULD TO BE EUTHANIZED. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Hallin stated that if Daisy continues to run lose, she needs to be classified as a dangerous dog as well.

The Hearing was closed at 7:15pm