

South Bend Animal Welfare Commission
Hearing Minutes

August 5, 2021
1840 Hours

County City Building
13th Floor
227 West Jefferson Blvd
South Bend, IN 46601

Hearing Case Number 2021-10 City of South Bend v. Kent Odom (Order Issued July 26, 2021)

Animal Control Commission Members Present: Rebecca Strand, Karen Haun,
Pam Wesolowski, and Barb
Leavell

City Staff Present: Lindsey Cuellar -SBARC Shelter Manager, Tom
Panowicz-Attorney for SBARC, and Dani Campbell
Weiss-Commission Attorney

1. The hearing was called to order by Anne Carol Nash, the Hearing Officer at 1840 hours.
 - A. Hearing regarding Habitual Animal Offender residing at 1338 North Elmer, South Bend.
 - B. Respondent is Kent Odom.
 - C. File was opened in May 2020.
2. Service was made and accepted by Hearing Officer.
3. Tom Panowicz called Lindsey Cuellar to give testimony regarding the Citations and AWA's.
 - A. File on the Respondent was opened in May 2020.
 - B. Seven animals were registered to Respondent.
 1. Leola, a Terrier Mix, one year old.
 2. Nina, a Terrier Mix, four years old.
 3. Quinn, a Pug/Beagle Mix, three years old.
 4. BamBam, Terrier Mix, two years old.
 5. Bucklee, a Terrier Mix, one year old.
 6. Quentin, a Terrier Mix, one year old.
 7. Alice, Terrier Mix, one year old.
 - C. Four AWA's were given to Respondent between September 2020 to January 2021.
 - D. Eleven (11) Citations were given to Respondent between June 2020 to February 2021.
 - E. Respondent has licensed two of the twenty-two (22) dogs.
 - F. SBARC has seized all the dogs at this residence.
 - G. Two of the dogs, Leola and Nine had litters of puppies, along with being seized and a warrant was served by SBPD.
 - H. Has not licensed all dogs, no has shown SBARC proof of vaccinations.
 - I. Dogs have been seen running at large on several occasions.

- J. Has surpassed the unaltered dog limit.
 - K. There have been bites reported but neither Respondent or victim was cooperative.
 - L. Several exhibits were given into evidence.
 - 1. Exhibit one (1) was a Notice of Hearing, Affidavit of Service, and Certificate of Service.
 - 2. Exhibit two (2) is SBARC's summary regarding the hearing.
 - 3. Exhibit three (3) is Person View Report regarding the history of all dogs registered to this address.
 - 4. Exhibit four (4) (a-g) are Animal View Reports.
 - 5. Exhibit five (5) are Animal Welfare Alerts with attached spreadsheet.
 - 6. Exhibit six (6) are the Ordinance Violation Citations with attached spreadsheet.
 - 7. Exhibit seven (7) Leola and Nine vet paperwork.
 - 8. Exhibit eight (8) copy of SJCHS application for food.
 - 9. Exhibit nine (9) surrender letter from SBARC.
 - I. South Bend Animal Care and Control is asking the Commission for a label of Habitual Animal Offender with a lifetime prohibition on animal ownership.
 - J. City rests their case at this time.
4. Respondent, Kent Odom stated.
- A. Respondent affirmed that he/she failed to prevent both litters, failing to understand that dogs need to be spayed or neutered- there is no other form of birth control for dogs.
 - B. Agreed that the fence around the premises needs to be fixed.
 - C. Stated he/she had warnings about beware of dogs.
 - D. States he is not a breeder that all litters were accidental.
5. The Commission discussed and voted on items listed below.
- A. The Commission agreed that there is to be no harboring of any dogs, except the one dog allowed.
 - B. A one dog minimum will be allowed.
 - C. Respondent must let SBARC in for an inspection of the property and fence.
 - D. Respondent must get a copy of the South Bend Ordinance and know what the rules are.
 - E. The one dog allowed must be spayed/neutered within next six weeks.
 - F. Said dog must be licensed and micro chipped.
 - G. Respondent must provide proof of rabies vaccine within six weeks.
 - H. Respondent will never get a breeder's license from City of South Bend.
 - I. If Respondent gets any other violations, all dogs at residence will be seized without benefit of another hearing.
 - J. Respondent will be labeled a Habitual Animal Offender within the City of South Bend.

Hearing Adjourned at 2035 hours.