

South Bend Animal Welfare Commission
Hearing Minutes

March 10, 2022
1825 Hours

County City Building
4th Floor
227 West Jefferson Blvd
South Bend, IN 46601

Hearing Case Number 2022-02 City of South Bend v. Anthony Warren (Order Issued February 28, 2022)

Animal Control Commission Members Present: Dr. M. Covey, Pam Wesolowski, Rebecca Strand, and Barb Leavell

City Staff Present: Lindsey Cuellar -SBARC Shelter Manager, Tom Panowicz-Attorney for SBARC, and Kylie Connell and Ashley Snidecki- Attorneys for Commission

1. The hearing was called to order by the Hearing Officer at 1825 hours.
 - A. Hearing regarding Habitual Animal Offender residing at 234 Studebaker Street, South Bend.
 - B. Respondent is Anthony Warren.
 - C. File opened in August of 2021.

2. Service was made and accepted by Hearing Officer.
 - A. Respondent stated he would like an attorney and wished hearing to be rescheduled.
 - B. After a lengthy discussion, it was decided that the hearing could continue and the Respondent could file within ten days of the decision regarding this case.

3. Tom Panowicz called SBARC Manager Lindsey Cuellar to give testimony regarding the this case.
 - A. Respondent file was opened in August of 2021. Nothing has been on file since January 2022.
 - B. SBARC made three calls out to this address with a list of issues ranging from barking, improper tethering, inadequate food/water/shelter, unaltered animal limit, breeding, along with licensing and vaccination violations.
 - C. When SBARC Officers would go to this address, Respondent with bring animals in for a short time only, just to have it start again the next day.
 - I. Respondent was hostile with every interaction with SBARC

Officers.

- II. Respondent was again hostile to officers at the scene, telling them to get off his property.
- III. At this point SBARC told Respondent to bring the dogs inside out of the cold or else they would be seized.
- IV. When Respondent went to take dogs inside five intact adult dogs were counted, Respondent grabbed the dogs in an inappropriate manner dragging it into the house.
- V. Two small puppies were also brought out of the shed by Respondent.
- VI. Respondent then told SBARC to take the two puppies but would not sign a surrender form after handing them to SBARC.

- D. SBARC after this last encounter brought this case due to mistreatment of the dogs along with at least three other violations.
- E. SBARC is asking the Commission to label the Respondent a Habitual Animal Offender with a lifetime ban on owning any animals within South Bend proper.

- I. Multiple dogs could be heard barking within a shed, the door was covered with a broken pieces of wood.
- II. Informed Respondent that he would need to obtain a breeder's permit.

4. Respondent stated he was no longer living at the Studebaker address.

- A. Stated that all his dogs are licensed under another.
- B. Stated that dogs were only let outside to use restroom.
- C. Stated dogs were always properly tethered.
- D. Stated dogs were properly cared for.
- E. Stated he had one female pit bull.
- F. Stated he gave away all the dogs and has no information regarding where they are, they were given away due to financial reasons.
- G. Stated he never read the ordinance regarding unaltered animals not being left out without owner present.

5. A motion was made by the Commission, after long discussion, to label the Respondent a Habitual Animal Offender, with a fifteen year ban on owning any animals within South Bend proper.

- A. Respondent can keep his two dogs, but they must be altered,

at Respondents expense.

- B. Should Respondent no comply with all ordinances it will automatically become a lifetime ban with no new hearing scheduled.
- C. Any new animals, not listed within the decision, before fifteen years will automatically be seized and a lifetime ban will be enforced.
- D. Motion regarding this case made and carried by all on Commission.

Adjourned at 2015 hours.