

South Bend Animal Welfare Commission
Hearing Minutes

November 17, 2022
1800 Hours

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

Hearing Case Number 2022-09 City of South Bend v. Anthony Angelo (Order Issued December 17, 2022)

Animal Control Commission Members Present: Dr. Mariah Covey, Christina Gerken, and Barb Leavell

City Staff Present: Lindsey Cuellar -SBARC Shelter Manager, Tom Panowicz-Attorney for SBARC, and Kylie Connell-Attorney for Commission, and Marissa Frattin

1. The hearing was called to order by the Hearing Officer at 1808 hours.
 - A. Hearing regarding Vicious Dog 527 North Lafayette, South Bend.
 - B. Respondent is Anthony Angelo.
 - C. File opened October 1, 2022.
2. Service was made and accepted by Hearing Officer.
3. Tom Panowicz called SBARC Manager Lindsey Cuellar to give testimony regarding the this case.
 - A. SBARC received a call October 1, 2022 regarding an animals to animal attack at the Lafayette address from Faith Patterson.
 - B. Victim was walking her dog, when it was attacked. The victim elected to euthanize her dog due to the injuries it sustained. Victim stated to get attacking dog off of her dog she had to stab it when a pocketknife, still the attacker would not release her dog. Two males, one of which is the owner of the attacking dog came out and attempted to help victim. Once dog was released it ran off and owner had to catch her dog and take it to a vet clinic. At the clinic it was determined that the dog would not recover and victim had to make to decision to euthanize the dog.
 - C. SBARC was given an opportunity to view the attacking dog, Dupree. He had a small cut above his eye and his rear did look to have an injury, though the Officers had trouble seeing it.
 - D. SBARC is asking, due to the severity of the injuries inflicted on the victim's dog, which resulted in her death that the dog,

Dupree, be labeled a Vicious Animal and be put on restrictions or euthanized as required by Sec. 5-38 of the city code.

4. Respondent stated that the incident was his fault, he thought the door was closed so Dupree could not escape.
 - A. Dupree was adopted from a hoarding situation.
 - B. Respondent stated dog is only aggressive when off leash and sees a threat.
 - C. Respondent stated that within their household there are two adults and one child.
 - D. Respondent gave SBARC the opportunity to walk through the home and inspect the fencing.

5. The Commission was concerned due to the fact that this was the first incident regarding Dupree that he got loose and killed another dog. And that it was a tragic mistake and that it was not a training issue, the dog doesn't hear the owner once it has found its objective, (ex another dog outside its home). It was stated that silent attacks are the most dangerous.
 - A. A motion was made by Dr. Covey to label Dupree a Vicious Animal. Seconded by Barb Leavell, with all in favor.
 - B. The vote was two to one for euthanizing the dog.
 - C. It was decided that the Respondent should be allowed to take Dupree to their family vet to complete the Commission's decision.
 - D. The Respondent has until November 30, 2022 to file an appeal.

Motion to adjourn made by Dr. Covey seconded by Barb Leavell

Adjourned.

Submitted for approval 12/8/23. Changes were noted in meeting.
Resubmitted with changes 5/4/23.