



APPROVED



**DOG BOARD OF SUPERVISORS Hearing  
January 16, 2025**

A hearing was held at 2:00 p.m. on Thursday, January 16, 2025. Pursuant to Oregon Statute, three dogs "Grizzli", "Blue", and "Athena", owned by Joseph Smith, were seized on January 6, 2025 by Deschutes County Sheriff's Office in response to a report of dogs injuring and killing livestock on/near Deschutes Road in Bend, 97701. In this matter, the livestock were domesticated fowl (chickens and ducks). This hearing was audio and video recorded, and this matter relates to DCSO case no. 2025-856.

*Present:* Senior Assistant Legal Counsel Kim Riley; BOCC Administrative Assistant Angie Powers; DCSO Deputy Cooger Smith (via phone); livestock owner Angelica Love; dog owner Joseph Smith; Daniel Reynolds (Joseph Smith's roommate); Humane Society of Central Oregon (HSCO) Staff Member Wendy Arnold; and Dog Control Board members Daniel Holland, Sandy Storrie and Greg Brady (Chair).

**CALL TO ORDER:** Counsel Riley convened the hearing at 1:57 p.m.

Counsel Riley stated that this is an informal hearing governed by Deschutes County Code 6.12, and her main purpose is to facilitate the hearing and serve as an advisor to the Board. Counsel Riley will serve as an advisor to the Board and will ensure that the relevant evidence is presented in a timely and efficient manner, and the law is followed. The Dog Board's role is that of fact finder. This is an informal administrative hearing and solely concerns the disposition of the dogs, Grizzli, Blue and Athena. This hearing concerns an incident which allegedly occurred on January 6, 2025. Today's hearing is to determine whether the dogs chased, injured and killed livestock and if so, what the appropriate disposition will be for each dog. This hearing will not address any citations or civil matters which may occur between the parties in the future.

**Exhibits 1 through 8** are summarized below and the Board moved their admission into the record. There were no procedural objections by either party.

**Exhibit 1:** DCSO redacted report (case no. 2024-856)

**Exhibit 2:** Redacted Complaint of Dog(s) Chasing, Injuring and/or Killing Livestock form signed by Angel Love

**Exhibit 3:** Redacted Dog Owner's Rights form signed by Joseph Smith

**Exhibit 4:** Redacted Oregon Uniform Citation and Complaint No. 175265, issued to Joseph Smith

**Exhibit 5:** Map showing proximity/distanced between dog and livestock owner's properties (copies only provided to DCSO, Dog Board and Legal)

**Exhibit 6:** Redacted email re. the dog license status for Grizzli, Blue and Athena

**Exhibit 7:** Shelter Questionnaires, completed by HSCO for Grizzli, Blue and Athena, including photos of each dog

**Exhibit 8:** Photographs taken by DCSO at the scene of the alleged incident on January 6, 2025

The Board admitted Exhibits 1 through 8 into the record.

Deputy Smith provided testimony. He responded to Mrs. Love's call for service after she discovered three dogs attacking and killing her chickens. When he arrived at the Love's property, he assisted in securing the three dogs, photographed the scene and then transported the dogs to the Humane Society of Bend. At the time, the dog owner was unknown but the next day Joseph Smith called dispatch and identified himself as the owner of the three subject dogs. Responding to Counsel Riley, Dep. Smith said that when he arrived on scene, he did not observe any of the dogs actively attacking chickens because the Loves had secured all three dogs at the opposite end of the enclosure. Responding to Chair Brady, he described all three dogs as friendly. He described the perimeter of the Love's property being fenced with six-foot fencing, and the dogs may have entered near a 4-foot livestock gate.

Livestock owner, Angelica Love, provided testimony. On January 6<sup>th</sup>, she received a call from a neighbor notifying her that there were dogs in her yard attacking and killing her chickens. She went outside and observed all the ducks in/near the pond to escape the dogs. She went back inside to get her 9mm firearm and shot towards the husky because she did not know if the dogs were friendly. Her husband arrived home and assisted her with securing the three dogs. She noted that she has had her chickens attacked by different dogs on another occasion but has not seen Mr. Smith's dogs on her property before. Seven chickens died. Two ducks who were injured on January 6<sup>th</sup> later died due to their injuries. Eight injured chickens have improved and have survived their wounds. She described bird netting over the coop to discourage owls and hawks. The chicken coop is left open allowing the fowl to free roam the fenced area of the property. Mrs. Love testified that she did witness all three dogs attacking the chickens and noted that all dogs had collars without tags.

Dog owner, Joseph Smith, provided testimony. He left for work at 11:30 a.m. to 12 noon, and ensured his front door was closed and locked when he left. He noted that Grizzli has learned how to open the unlocked front door. He has owned Athena and Blue for only one to two months and has owned Grizzli since he was a puppy. He has had conversations with

his roommates about keeping the doors closed, locked and secured so the dogs cannot escape. Most, but not all, of his property is fenced and he normally keeps them on leads. He apologized to Mrs. Love for the loss of her chickens. Joseph stated he has lived at his current property for six months. Responding to Sandy Storrie, Mr. Smith said he is adding additional fencing and a gate to his property. Storrie emphasized that huskies are jumpers and installing a roller bar (PVC pipe at top of fence with wire in the center) can be effective at preventing them from jumping over the fence. It is his belief that the dogs escaped through the front door that a roommate left unlocked. Chair Brady suggested swapping out the front door handle so Grizzli cannot open it.

Mr. Smith said that Blue has escaped his property on one other occasion, and he had to pick him up from the Humane Society. None of his dogs are licensed but they do have their rabies vaccines. Athena and Blue are microchipped, per the Humane Society questionnaires but the ownership needs updated.

Brady emphasized that if the dogs go back to Mr. Smith, he must do everything in his power to keep them from escaping again. If they do, and they chase, injure or kill livestock again, the Board's hands are tied, and they must follow the disposition flowchart.

Dan Holland encouraged Mr. Smith to be a responsible pet owner by following through with the Board's recommendations.

Wendy Arnold from the Humane Society said all three dogs have been friendly and she has nothing additional to add.

At 2:24 p.m., the evidentiary portion of the hearing was closed.

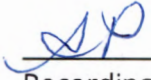
The Dog Board reviewed the disposition flowchart and deliberated.

The Dog Board's unanimous decision is summarized below:

- Athena, Blue and Grizzli are to be returned to owner after the following are completed:
  - Reimbursement to the County for all three dogs' impoundment fees
  - License all three dogs (with proof of current rabies vaccines)
  - Signature of a Notarized Pledge
- A \$500 mandatory fee per dog (\$1,500 total) is assessed, but to be held in abeyance if the following items are completed within 45 days:
  - Swap out the front door handle
  - Fully fence area with six-foot fencing, including installation of a roller bar, to be inspected by DCSO
  - Microchip Grizzli and update microchip ownership for Athena and Blue

- o Neuter Grizzli

Adjournment: There being no further discussion, the hearing concluded at 2:31 p.m.



\_\_\_\_\_  
Recording Secretary