



## **DOG BOARD OF SUPERVISORS Hearing Thursday, February 7, 2023**

A hearing was held at 5:30 p.m. on Thursday, February 9, 2023. Pursuant to Oregon Statute, three dogs (Diesel, Pearl and Lucy) were seized by a Deschutes County Sheriff's Deputy in response to a report of dogs chasing livestock on February 1, 2023 at/near 16435 Sprague Loop, La Pine. In this matter, the livestock were chickens and a cow. This hearing was audio/video recorded.

*Present:* Assistant Legal Counsel Kim Riley; BOCC Administrative Assistant Angie Powers; Sheriff's Deputy Steve Sosa; Deputy Tyner; dog owners Talen Carlson and Jackalyn Hill; livestock owner Lori Landles (via Zoom); and Dog Control Board Members Sandy Storrie, Dan Holland and Lynn McAward.

**CALL TO ORDER:** Kim Riley convened the hearing at 5:30 p.m.

Ms. Riley stated that her purpose is to ensure the process is fair and the Board is collecting all of the relevant evidence that is needed to come to a decision today. The evidentiary standard is preponderance of the evidence which is more likely than not. The issues to be considered is whether the dogs have proven to be a nuisance or a hazard to livestock and if that is determined, the Board will determine what the ultimate disposition is for the dogs. After the hearing, the Board will deliberate and make a final decision. A written decision will come in the next day or two.

Ms. Riley went through the evidence: DCSO report marked as **Exhibit A**. The Livestock Owner's Complaint Form completed by witness, James Leedom, marked as **Exhibit B**. The Dog Owner's Rights form was marked as **Exhibit C**. Photographs submitted by Livestock Owner, LorriAnn Landles, marked as **Exhibit D**. An email from Livestock Owner, Kathy DeBone, was marked as **Exhibit E**. For the record, it was disclosed that Kathy DeBone is the wife of Commissioner Tony DeBone.

Stipulations were examined by Kim Riley with the dog owners. The dog owners introduced themselves as Talen Carlson and Jackalyn Hill. They stipulated that they are the owners of the three dogs subject to this hearing. They stipulated that they received a copy of the Dog Owner's Rights form in the packet and it is Talen's signature on the document. They stipulated that all three dogs are currently lodged at the Humane Society of Central Oregon

Ms. McAward asked the dog owners about the containment at their property. Mr. Carlson described a six-foot cedar fence surrounds the perimeter of his 0.25 acre property. He reinforced the inside of the fence with heavy-gauge metal wire stapled to 2 x 4's. There is a hotline six inches above the ground around the entire perimeter. His dogs have not been known to have chased any other livestock. They have pet cats which all three dogs get along well with. She asked about Ms. DeBone's email regarding an "incident" with one of her goats. It is unknown which dog chased or injured the goat, and whether it belongs to Mr. Carlson or Ms. Hill.

Mr. Holland asked Mr. Carlson and Ms. Hill about the dogs' tendency to chase other animals, to which both dog owners responded that they have shown no interest in chasing livestock or other animals. Mr. Carlson is doubtful that his dogs intentionally killed Ms. DeBone's two chickens. In the police report, it was noted that it read that one dog was observed with a chicken in its mouth. Dep. Sosa took some photos at the site of the incident but was unable to upload them to evidence.

Ms. Storrie suggested Mr. Carlson and Ms. Hill install a roller bar at the top of the 6-foot cedar fence, since huskies are able to clear a six-foot fence. Mr. Carlson said that his dogs are like his kids, and he is willing to do anything to get them back and ensure that they don't get loose again. Ms. Storrie suggested adding a heavy gauge wire run through PVC pipe at the top of the 6' cedar fencing.

Livestock owner Ms. Landles commented on why she believed the cow went through the chicken coop. She opined that her cow tried to go through the metal fence at Ms. DeBone's property and bent it, so she then went through the chicken wire because it looked like the easiest escape route. In her opinion, it is highly unlikely the cow stepped on the chickens and killed them. Ms. McAward asked about the livestock fencing / enclosure at the DeBone's property. Her cow is in no field fencing around the paddock, so animals may be able to get in. The chicken wire abuts one side of the yard. She explained that the cow is secure from getting out, but not secure from other animals getting in. Mr. Holland asked if a vet has evaluated the cow. Ms. Landles replied that her cow has not seen the vet, but she hosed off her hind end to clean the lacerations on her legs. She described the lacerations as superficial, with no bone or tendons visible. There are a lot of bite marks and lacerations on the cow's legs. Ms. Landles is confident the cow will heal up properly, and Ms. DeBone is applying antiseptic creams and sprays to the wounds. To-date, there are no signs of infection. Ms. Storrie asked about wounds from going through the fence. Ms. Landles explained that the nose and snout wounds were from going through the fence and barbed wire, but most of the leg lacerations were from dog bite punctures.

Ms. McAward asked about the cow enclosure and expressed concerns that animals can get in. The dog owners reported living approximately 0.25 mile from where the cow is boarded and the chickens live. Dep. Sosa secured all three dogs upon arrival. He got them in their

yard and secured. It appeared fairly secure. Dep. Sosa reported that the dogs were not aggressive towards him.

Ms. Storrie explained to the dog owners that pack mentality takes over when there is a group of three dogs and they get over-excited.

Mr. Carlson showed the Board photographs of the fence upgrades he has made following the incident. Mr. Carlson's photographs were marked **Exhibit F** and he emailed them to staff. All three dogs are currently scheduled for their rabies vaccinations and they are up-to-date on all other vaccinations. Pearl is unaltered but Diesel and Lucy are altered.

Ms. Landles shared that the cow, Normalee, is livestock but is also a family pet. She has been raised by dogs and wouldn't have perceived dogs as a threat. She is docile and ignores the family dogs. It is her hope that Normalee doesn't fear the family dogs after this incident.

There was some discussion on distinguishing between fence wounds from the chicken wire and barbed wire fencing from dog bite marks (puncture wounds).

Ms. Riley asked the Board to consider whether or not the dogs are deemed to be a nuisance from chasing, wounding or killing livestock.

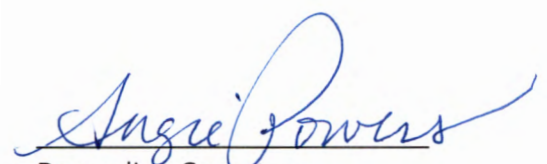
- It is the Board's finding that the dogs are deemed a nuisance and they have chased and wounded livestock.

Ms. Riley asked the Board to consider the dogs' disposition.

- The Board determined that the dog owners must make reasonable efforts to contain the dogs to prevent future incidents by completing the fence upgrades including the roller bar. After fence upgrades have been completed, they require that DCSO visit the property to review the fencing upgrades are acceptable.
- The Board determined that the dogs must receive their rabies vaccinations.
- The Board determined that the dog owners must spay Pearl by June 30, 2023. Owners report that the dogs are already microchipped.
- The Board will require a notarized pledge signed by the dog owners stating that this will not happen again and accepts that should it reoccur, the dogs would be subject to being removed, rehomed or euthanized.

Ms. Hill asked for the timeline for HSCO to receive their letter to release the three dogs to their owners. Ms. Riley said she will try to get the letter to HSCO by Friday or Monday. She will send the Board a decision letter to sign on Friday.

The hearing was concluded at 6:16 p.m.



Recording Secretary,  
Angie Powers, Administrative Assistant