

# CLARK COUNTY ANIMAL ADVISORY COMMITTEE

## MINUTES

Paradise Community Center  
4775 McLeod Drive, Town Board Conference Room  
Las Vegas, Nevada 89121  
April 26, 2012  
6:30 p.m.

MEMBERS PRESENT: AMOROSO, ROXIE (RA)  
CONNELL, MICHAEL (MC)  
GIPAYA, MARY (MG)  
LALOR, DIANA M. DVM (DL)  
LAYNE, KAREN (KL)

### 1. Call to order

The meeting was called to order at 6:30 p.m

### 2. Approval of agenda

A motion to approve the agenda was made and seconded.

### 3. Hear the appeal of Vicious Animal Declaration by Patty and Michael Blondquist for two dogs, Gonzo, a male Golden Retriever, and Xena, a Brindle Pit Bull, 88 Beesley Drive, Las Vegas, NV; and take appropriate action.

GREG WALLEN (GW) – CCAC issued a Vicious Animal Declaration on April 14, 2012. On Easter Sunday, April 8, 2012, 2 dogs owned by Mr. & Mrs. Blondquist entered the property at 116 Madge Lane where they attacked and killed 2 goats, seriously injuring a third. The Committee has seen photos taken by the investigating office and you have witness statements of Mr. & Mrs. Guerrero, the owners of the goats. A criminal citation was issued to the owners of the offending dogs. You have seen the animal impound cards with photos of the dogs that are at the animal shelter on a legal hold pending the outcome of this hearing. We don't know how or when it started on that day. We do know that Gonzo and Xena left their property and entered the property on Madge Lane where they attacked and killed 2 goats and injured a third. Stephanie Guerrero was outside tending to some laundry on the clothesline. She looked up and noticed a barking dog in her yard. Startled by the dog, she quickly went back into the house. When she came back out with Sylvie Guerrero to investigate the dogs in their yard, a neighbor motioned to them that there were some things the girls needed to investigate. They looked around the yard and found the goats had been killed or seriously injured. What they discovered are the graphic photos you have in your packets. In one instance the dogs actually tore the ear off a goat. You have a photo of the ear laying some distance away from the bloodied body of the goat. There is evidence the attacking animals grabbed one of the goat's neck and face mauling it significantly. The goat that survived the attack sustained severe facial lacerations, dramatic lacerations around the right eye, part of the right ear had been bitten off with significant blood around the face and nose down into the beard. All the injuries were toward the head and neck of those animals. Clearly, the effort by these dogs to kill the animals succeeded. When the investigating officer arrived, her report indicated the 2 dogs had blood around their face. KL – did both dogs have blood on their faces? GW – the officer's report states she found the Golden Retriever and the Pit Bull covered in blood. She impounded the dogs and took them to the Lied Animal Shelter. They were released a couple days later pending the investigation. After receiving additional information, a vicious animal declaration was issued and the dogs were impounded and taken back to the Shelter.

SYLVIE GUERRERO (SG) – Two dogs jumped the wall and attacked our goats. As a result, 2 female goats were killed and our male goat was badly injured from bites all over his face and neck while trying to protect newborn goats. One of the female goats that died had her ear completely ripped off and both of them had their udders chewed up. It was gruesome. According to the public documents from CCAC, the owners at this location have several reports of their dogs running at large (RAL). There is also an incident where 2 large black dogs came out of the property and attacked a dog a lady was walking with her 6 year old. Activities have escalated, now there is killing. These dogs are vicious. It was a horrible way for 2 goats to die. I am anxious and concerned that they could come back onto our property. I am also concerned for the safety of students that could be attacked on their

way to and from school. They could be the next victims if the County doesn't take stronger action.

STEPHANIE GUERRERO (STG) – I was woken up that morning by dog barking and I was the first to notice the dogs because I went outside to get my clothes from the hanger outside. I saw the Golden Retriever barking at me. I went inside the house and told my mom. I wanted to pick up the rest of my clothes so I asked her to come outside with me. When we did, the neighbor who was on a ladder told us there was blood on the goats and that there was another dog. We went back into the house to call CCAC. I didn't want to look at the goats. The baby goats were sad and sniffing their mom; they didn't know what to do. The goats know their mom is dead. They saw their moms die and Billy the goat, whom we have had for a long time, was hard to look at. KL – you have a fairly large lot. If this room were the lot, when you came outside, where did you see the dog? How far away were they when you saw them? STG – I was here picking up the clothes and the goats were back here. The dogs were here where there were no goats. They just came from that cage. My immediate thought was they were eating a baby goat. I was scared because the dogs were barking at me. I didn't see the second dog until CCAC came. It was barking so much. KL – but you saw the Golden Retriever coming from where the goats were? STG- right and I was scared because it was barking. I am glad it didn't get any of our other animals. We keep our animals separate. We have one pen for the Billy goat; we have another for the 2 goats that were killed and the babies and another for a couple other goats. I was happy the dogs hadn't gotten into that pen. If they had I don't know how many goats would have been dead. Babies can get out of the cage and perhaps that is why they didn't die but the moms can't. If they would have gotten into the other one, it has a lot more mature goats that can't escape so it would have been really unfortunate. Thankfully, they didn't.

MICHAEL BLONDQUIST (MB) does not deny our dogs got loose and attacked the goats. About a week before we noticed that as the kids walked home from school they would pile up lumber against the fence in the back. I have photos of it. Our dogs couldn't jump the cinderblock wall so they climbed up this woodpile and ran over. My theory is they were trapped in the pens with the goats. The goats were aggressive. They are going to defend themselves. Our dogs couldn't get back out of the pens so it ended up being a standoff. I raised goats. All you have to do is push on them and they come right back at you. We went over the following day to express our sympathy and to see if there was anything we could do to compensate them for the goats. All we got was the dogs should be put down. They didn't want to talk to us. We left them our name, number, all our information so if they wanted to get a hold of us, they could. When the ACO came to get our dogs, she said the dogs really weren't vicious against humans. She called the dogs and they went into the truck, tail between the legs. We got the dogs back on Tuesday. After we got a citation and our dogs, there was a news story on Channel 13. Due to the publicity, they were pressured to do something so they confiscated our dogs again. I thought it had already been a set deal when that officer said they were not vicious and issued the citation. A week later, they come back and say they are vicious after we had gotten them back. My son has his friends over all the time. All kinds of kids come through my yard and the dogs do not attack. They don't normally attack animals unless they are in a situation where they are trapped and they were protecting themselves. I was there when they went up on the fence with the Billy goat looking back and they wanted to play. GW – he has some original documents that he would like to present and as you know these documents become part of the official record. MB presented some photos. My wife moved the lumber so the dogs cannot use it to get in their yard. When the kids were there, we looked over the fence and they were antagonizing the goats with an orange cone and betting one another who could stay in the pen the longest with the goats. Naturally the goats are going to be mad if anyone gets in their pen. DL – is this your yard where the wood is stacked? MB – no it isn't. DL – so this isn't the yard the dogs were kept in? MB – no. MG – how did the dogs get out of your yard? MB - I have a fenced yard with a shed in the back. My wife went into the shed and left the door open. The dogs went with her, came back through and then turned around and went right back out the door.

KL – you agree the dogs got out and into their yard. Were the dogs sterilized before or after the incident? MB – they were already fixed. KL – when you went to talk to them, you offered to pay for the loss of the goats, the medical bills and whatever would be required. Is that correct? MB – yes and the neighbor was giving the Billy goat pain shots. KL – have these 2 dogs ever gotten out before? MB – they have gotten out but they stayed around the yard. We haven't had any incidents or reports. KL – has CCAC ever been out on a report for the dogs RAL? You

are saying CCAC never came out for these dogs before even if they didn't give you a citation. MB – No. RA – how far is the dog pile from your property? MB – about 100 yards. The kids kept putting lumber near the fence so the dogs could get over the fence. MC – they need to be properly secured so they cannot get out. DL – do you own any other animals? MB – a cat and a chocolate lab. RA – do the dogs interact with the cat or is he kept separately from the dogs? MB- the dogs are generally in the house. Very seldom do we let them outside other than at night. Check on them all the time to make sure they don't get out. It is an unfortunate incident that my wife left the door open when she went to the shed.

JUDY MOVAJIN (JM) has known the Blondquists for nearly 15 years and is there on a daily basis. A week prior to the incident, there were about 15 kids at the corner of the properties screaming and yelling. I couldn't make out what was going on. There was a boy with an orange cone teasing one of the mom goats and I noticed one had just had a kid, one of the boys was trying to get out and the goat was head butting him. I pulled the boy out and the mother said they dared each other to go in there. When I went over there to take those pictures, Stephanie had come out to see who I was cause they were having problems with kids antagonizing the goats. Gonzo just turned a year old after this incident. He is still just a puppy. Their next-door neighbor has goats and chickens and the hens come on their side of the fence and lay their eggs. Nothing has ever happened to any of them. Somehow domestic rabbits got loose. We have about 30 of them all over the neighborhood. They have never harmed any of them. We have horses everyday going up and down the street. The dogs have never gone after them. Someone said there were 2 black dogs. They don't own black dogs. I do. They have never been cited. I wrote a letter to Officer Reynolds, which you have a copy of, and a letter to you. They are not violent.

HALEIGH MOVAJIN - I grew up with their son. I have 4 dogs and am a big animal lover. I am there on a daily basis with my mom, with the animals all the time and there is not one time this has ever happened. The dogs wrestle with me. I brought my dogs over and they play. Our dogs, their dogs; they are just puppies. I adopted Marley, Gonzo's brother. Every time I come over, she is by my side, licking me. These animals have never harmed me and never once have they harmed an animal besides these goats. I believe the dogs were defending themselves, trying to play. The goats got aggressive and they defended themselves. It is tragic but there is not much they can do about it. These dogs are very loving, sleep with us, always listen, really good dogs.

SG – requested from CCAC activity on that property. It was 2008 when the dog was attacked so there is a pattern of dogs that attack and RAL all the time. KL –we did look at the previous incidents at that address.

DL - Thinks the dogs are vicious and should be euthanized. MC - they may not be vicious dogs but the antagonizing by the children prior to this and these animals running loose, if their property can be secured to CCAC's frame of mind so they would not be able to get out and if they can prove it is a safe environment to keep those animals, I would be willing to lift the vicious declaration. They were cornered in those pens, they could not get out. Yes, they got out of their enclosure but if that can be secured to CCAC's satisfaction, the vicious dog should be lifted. MC motions to have animals secured to CCAC's liking and the vicious declaration be lifted. Motion seconded. Three against. Motion failed. DL acknowledges these are the people's pets and are members of their family, however, I cannot buy that the goats were more vicious than these dogs. To me, that allegation is outrageous. These dogs have gotten out numerous times before and I motion to uphold the Vicious Declaration. Motion is seconded; 3 for, 2 against. Ayes have it. Vicious Declaration is upheld.

GW – dog owners have a 10 day period in which this ruling can be appealed to District Court. No action will be taken against these animals for the next 10 days pending any documentation or injunction.

**4. Hear the appeal of Vicious Animal Declaration by Avi Ostrowsky for Roxy, a German Shepherd, 6140 Galileo, Las Vegas, NV; and take appropriate action.**

GW – Dr. Avi Ostrowsky owns the animal. A Vicious Animal Declaration was served on April 20, 2012 concerning an incident that happened on March 25, 2012 when the doctor's German Shepherd Roxy attacked and killed a Chihuahua belonging to the residents of 6216 Cape Canaveral. Dr. Ostrowsky was walking Roxy off leash

in a residential area near the desert area of the neighborhood where the owners of the victim's dog brought their animal. Roxy made eye contact with the owner of the Chihuahua. They were 30 to 40 ft away when Roxy ran over to him. Feeling that an unfortunate incident was about to occur, the owner of the Chihuahua grabbed the animal to pick him up. Unfortunately, the German Shepherd jumped up, grabbed the animal and shook him. Statements state the German Shepherd grabbed the Chihuahua by the neck, shook it violently and ultimately dropped the Chihuahua to the ground lifeless. There are 4 shots in the photo of the deceased Chihuahua. The attending veterinarian took the photo and wrote a statement indicating the dog was dead on arrival. There was a large laceration mid-dorsal back, abdominal organs were exposed and spinal column severed. Roxy is on a legal hold at the animal shelter pending resolution of this matter. If the Vicious Declaration is upheld, he will have 10 days to appeal to District Court and have CCAC served with an injunction. We do have history on this dog from witnesses that have provided statements. In many instances, CCAC was not called to the scene to make a report so we are getting this information from witnesses who have, as part of our investigation, provided this additional information. It is a standard procedure for the doctor to take his dog for a walk in the neighborhood and the surrounding desert areas off leash. One report indicates November 6 and 7 of last year; another witness statement indicates this same behavior with the dog being walked off leash 6 to 8 months ago and another witness statement indicating similar activity occurred last year; another that indicates different dates and another that indicates this matter is on-going. A citation was issued to the animal owner for unlawful possession of a dangerous animal. That criminal citation may or may not be germane depending on the outcome of the deliberations here.

CATHERINE LAKATOS (CL) is the owner of the Chihuahua. My husband had already walked the dog. He walks with a walker. He walks up the hill and when he gets to the top, he always stops. His walker has a seat so he sits to rest his legs. He saw the German Shepherd and thought he needed to pick up our dog because it was a pretty big dog. He went to pick our dog up, got off the walker and the dog had already gotten him. The owner of the Shepherd did not try to help my husband. It traumatized him; the Shepherd picked up our dog, shook him violently and Lou saw all the blood. The owner of the Shepherd didn't try to help. Finally, he asked my husband if our dog was dead. Those were his only words; he didn't try to stop his dog from shaking our dog; he just stood there. He was not very cooperative. I went to see him with my other neighbors and he refused to say anything. The only thing he said to me was "I'll get you another dog." That is not the point. I told him his dog was vicious and asked him what he was going to do about it. He told me his dog was not vicious, however, when the officer went to see him, he asked him if had to leash his dog.

PHILIP VARRICCHIO (PV) is an attorney representing Dr. Ostrowsky, the owner of the dog. The witness statements raise the significance that the doctor seems indifferent, he doesn't talk, he doesn't comment. It is the doctor's nature but what is being questioned here is whether or not the dog is vicious. We heard testimony from the dog owner but she was not present when it happened. In considering whether a dog is vicious or not, the statute says if a dog kills another dog and that other dog is not on a leash, that fact is not to be considered in determining if the dog is vicious. This incident took place in the desert. It wasn't the doctor's property. It wasn't the other dog owner's property. It was in the desert. Small animals live in the desert. Chapter 10.16.010 (b) states: an animal may not be declared dangerous for constituting physical threat to another animal which was RAL or otherwise in violation of the chapter. Animals in the wild do as they do. Animals act as they inherently will behave. The law recognizes that and says if that other animal is not on a leash and a dog attacks it, that is not the basis to consider the animal dangerous. KL – are you saying the Chihuahua was not on a leash? PV – that is what the doctor will testify. There was only one person there. The report of Louis Lakatos says the dog was between his legs. If the dog was between his legs, he didn't have to reach for it. If the dog were on a leash, he would have held the leash and he could have controlled the dog. If the German Shepherd attacked this dog on a leash, there would have been a whole other series of injuries. Maybe the gentleman would have been hurt. He was holding a leash while the dog is shaking the dog? Where is the leash? There are no photos of the leash. There are no lacerations of the dog with the leash. How is he holding a leash while the dog is being throttled by the German Shepherd? There is nothing in his statement that says his dog was on a leash. Dr. Ostrowsky will say the dog was not on a leash. They were in the desert. RA – you are trying to say that the dog attacked was RAL while sitting underneath someone's legs? Is that your definition of RAL? PV - if a dog is not on a leash, it is in violation. RA – so his dog was off leash and considered RAL too? PV – yes. The statements of the witnesses say the doctor walks his dog without a leash.

Does that make the dog vicious or the owner not responsible? To me, it proves the dog is not vicious. None of the statements say she bit me, she snarled at me, she jumped on me, she growled at me, she bared her teeth. None of the statements identifies any threatening incident. If the dog is off leash and is truly vicious, wouldn't you have a series of biting incidents? You don't. There is a statement of John Ellsworth. He was walking his dog with his son in the desert. He identifies the doctor from 100 yards away. The dog approached him; he repeatedly kicked the dog and not once did that dog bite him. There is nothing that says the dog bit me, the dog tore my clothes, the dog bit my ankle. He is kicking the dog violently and the dog didn't bite. Doctor, how old is the dog? AVI OSTROWSKY (AV) – she is 3. PV – have you taken her to the vet routinely? We have a letter from the vet. This is the most recent letter that says the dog is not aggressive. I present pictures for the board to look at so you can see this is approximately the area where the incident took place. KL – is the doctor standing where the incident occurred? Also can you provide the letter from the vet saying the dog is not aggressive? We have not seen that. PV – I have 8 different letters here to present. Basically Dr. Elena Pederson said Roxy was brought there 7 times and during those exams Roxy did not exhibit any aggressive behavior. We have a statement from the pool person who says he has never experienced any aggressive tendencies. We have a statement of Dr. Zev Lagstein saying he has been to the residence multiple times, has seen and interacted with the dog. She is well behaved, gentle and friendly with little kids and adults. A letter from Dr. Adin Boldur states he has been to the Ostrowsky house a few times and has not felt any danger or noticed any aggression. Joram Seggev stated he and his wife attended a reception at Dr. Ostrowsky's home and were there for about 4 hours with about 30 guests. The dog was allowed to roam freely among the guests. She allowed us to pet her, did not snap and was friendly. PV turned in the statements for the record. RA – these letters state the dog is not aggressive toward people. Do we have any statements about how the dog acts around small animals? You are saying the dog is not aggressive toward people but no one has testified that the dog is not aggressive with other animals. PV – I refer to the witness statements and the witnesses complaining seem more upset with the doctor's lack of conversation with them. There is no indication that the dog ever snapped at their animals. In fact, the statement of Brian and Cathy Caufield said their dog snapped at Roxy. Roxy did not attack probably the smaller dog and the dog was off leash so she isn't aggressive with the smaller dog snapping at her. The German Shepherd could have physically jumped at the dog but she didn't. DL – how would you address the testimony with the statement of Traci Pribyl. That testimony did indicate the German Shepherd was aggressive toward her dogs. PV – the doctor will address that testimony. If Traci Pribyl's statement is accurate, the German Shepherd puts her head through the fence, then, if it is aggressive, she would have eaten the dog. This statement says the dog puts her head through the fence. If that is true, why does the dog try to put her feet over the fence? What danger do you cause by putting your feet on top of a wall when the dog is a foot off the ground? As you heard from the previous case, a dog can climb or jump over walls. PV – I read the statement, I didn't understand it. Apparently, there is 15 ft. of landscaping to look over so I don't know how that could happen. Dogs bark at each other, that's what they do. They converse, they talk, they smell each other, they interact. The doctor will say his dog likes to see other dogs, she likes to interact with other dogs but there is no incident, except for that dog in the desert, where the dog has bitten or attacked a person or an animal. DL – we have CCAC's statement where the officer questioned the doctor; he said she must have thought it was a rabbit because she kills rabbits. The doctor also stated he could not take his dog to the dog park because it would kill the other dogs at the park. MG - You say the dog has never been aggressive to another animal, yet, in his own words, the doctor states it has killed rabbits. PV – If any dog is permitted to run loose in the desert, will it not attack another small animal. DL – no it won't. MC – not if they are properly trained. PV – if that is the case, no harm, no foul. If the rabbits in the field, then that doesn't make it a vicious dog for purposes of this statute. KL – you are saying that this dog is not aggressive to other dogs even though we are reading that she would snap at the other dogs and Dr. Ostrowsky himself said that he could not take the dog to the dog park and let his dog run because she would kill the other animals at the park. Yet you are stating the dog is not aggressive. PV – wants the dog's behavior to speak for itself. That is the doctor's statement but I would go on the statements of the witnesses. They did not talk to everybody in the neighborhood but it is clear that they told people what happened because the statements of people who had no idea knew that this dog had attacked another dog. How did they know that? If CCAC approaches a dog owner and says listen we have a problem here, this dog killed another dog, what is your experience with the dog. What do you think they are going to say? They are already loaded with the bad information. Not one of those statements states the German Shepherd snapped at their dogs. DL – Traci Pribyl's statement states the German Shepherd snapped through the fence at their dogs on numerous occasions. MC – you are saying that it is okay that it killed that small

dog; that it is not a vicious dog. A vicious dog will attack and kill. You are saying this dog is not vicious even though it attacked the dog. Are you an animal expert? PV – I don't claim to be an expert. I am an attorney that reads the law and the law is clear, you cannot use that incident to say the dog is vicious. If I go through the testimony, this dog has been in the doctor's home with the doctor's guests. The dog has been in my home with my children amongst various guests roaming freely. The dog has been around people since it was a puppy. MC – I have big Akitas that are around people all the time but around other dogs, they are very aggressive but they are good with people and with cats. So you are saying if it attacks in the desert, it is okay, she is not a vicious dog. That is what you are saying about this German Shepherd. PV – I am not saying that. RA- you said let the dog's behavior speak for itself. Her behavior has spoken for itself. She has viciously killed another dog and if you actually let the dog's behavior speak for itself, it has. PV – I am saying let the law speak for itself which says if the other dog is off leash, you cannot consider that. I didn't write the law. It is not even vague. When other animals are RAL, they are in violation of Title 10. What I am saying about every witness statement.... KL – we have already discussed that and we are going to have to agree to disagree about the issue of snapping. You made your case in terms of that but what we are interested in hearing about is in a prior incident in January the dog was off leash when an ACO was called out, a citation was given for the dog being intact. The doctor was warned at that time that the dog could not be off leash. Is that correct doctor? AV – no it isn't. KL – what is your understanding of that particular incident because my question would be if you were warned at that time that the dog could not be RAL, I find it interesting that you didn't understand your dog couldn't RAL. Is that correct? AV – I was told that in Clark County, you have to put your dog on a leash when you are outside the house. The dog needs to run around, needs to stretch her legs. I usually take her to a far off location in the desert and when I am in the field, a half a mile or more between houses, I let her loose and she runs around. KL – regardless of what your dog is doing to these animals, as your lawyer has indicated, what is pretty clear is that a number of the witness statements indicate that you are walking your dog off leash. AV – some of those statements are more than a year ago. KL is looking at the more current ones. Are you still, after the January incident, allowing your dog to be off leash? AV – she is on a leash all the time. I let her loose in the field. That is where this incident occurred. KL - I find it curious, this gentleman was in a walker and he doesn't indicate that he was off the roadway. If he is in a walker, it is going to be very difficult for him to go on an unpaved surface. What you are saying and his statement do not seem to jive. That is a problem I am having. You are saying that the dog was off leash because she was out in the desert area, is that correct? AV – he was right at the edge. I don't know if he can walk through the dirt road or not. KL – I am still having a problem. You show me pictures of desert but I want to be shown exactly where the incident occurred. AV showed KL pictures. KL – you are saying the road ends right here so he was sitting right here as his wife had indicated taking a rest before he headed down that road. Is that right? AV – he was here and the dog was about 3 or 4 ft away. KL – so your dog was on a leash at that time? AV – no. KL - but you told me after the January incident that your dog was always on a leash.

PV – have you taken this dog to other homes, to visit family? KL - Our understanding is that the dog is not people aggressive. The issue is the aggressiveness of the dog around other dogs. You don't need to keep providing information. We get that.

GLOSS BROSS (GB) – my daughter owns a Weiner Chihuahua. She got the dog not too long ago and we go over to the doctor's house all the time. Roxy interacts with that dog playfully. She had never seen the dog before but around us she was going outside by the pool, drinking the pool water and playing with the dog. As far as interacting with other dogs, she goes over to the house where her parents are and she interacts with them fine and other dogs they have there as well. She is capable of interacting with other animals.

AZNIV BAGDASARYAN (AB) – Roxy was born in my house. She was the smallest puppy. During these past 3 years whenever the doctor goes on vacation, Roxy stays at our house for a week to 10 days. There has never been a single time that they fought even around the other dogs in our neighborhood. There are small puppies coming from the street under the gate. We have never seen any problems. She is very lovely dog, only 3 years old and no complaints from our neighbors.

RA – I know you are testifying as to non-aggressive behavior but I was so horrified when I saw the pictures of what

she had done to the dog, it made me so upset. I am a dog owner. I have owned all kinds of dogs from Pit Bulls to pound puppies. The Pit Bulls may have fought with each other but never have I seen the horrifying condition the poor dog was in. A severed spine, the dog was broken in half. I don't understand how you can say the dog is not aggressive; the dog is vicious. She didn't just bite the dog and then the Chihuahua had to get stitches. This dog was torn in half.

PV – I am sure if you saw pictures of what we had for breakfast and how it was chopped apart, we all would be considered vicious. The homeowners' association has never cited this dog for no leash or attacking another dog. If the dog were truly vicious, it would have attacked other dogs. It has had the opportunity to attack dogs within the area. When a dog is in the desert, it may act differently. When a dog is in a home, it acts differently than when it is in the open. I ask that this dog be given another opportunity whether it be training, getting spayed, with some protections being taken and the doctor being more responsible. A lot of the statements made are an attack on him. He doesn't care. He didn't show sufficient remorse. He offered to buy the owners another animal. Clearly, it seems as though he is not sufficiently sympathetic which is different from saying the dog is aggressive. There are things that can be put into place to address concerns. If she is spayed, she would be less aggressive. The officer did say the dog was not spayed and a letter was generated saying the dog was not spayed due to a medical condition. DL – as a courtesy to my colleague Dr. Pederson, I did call her today to verify the statement in the letter and the statements that were made when CCAC contacted her after this incident. She indicated that at one time Roxy had a broken toenail and even with pressure wraps was excessively bleeding for a day, day and a half. She was concerned Roxy may have a bleeding issue which is a legitimate concern. You don't want to do surgery on a dog like that. You want to do tests. She wanted blood work to be done on the dog prior to having surgery. She told me in her opinion, the dog should be spayed and should go through training and that is what she indicated to Dr. Ostrowsky in the past. She said he had obviously not followed her instructions.

PV – because it is a family pet, can they be afforded the opportunity to heed the vet's recommendations rather than euthanizing the animal? MG – could we be assured that the dog would never be allowed off leash; that he will never let the dog loose in the desert. The dog has to be constantly supervised. PV – my recommendation to the doctor is that when you have this kind of trouble, if that dog should bite someone in the future, it will be a liability issue and he should keep the dog under control. It would be foolish not to. The doctor certainly should heed that advice if he is given a chance to have his animal protected. KL keeps hearing the doctor say the dog has to run. Is the dog confined? Is the dog crated during the day? I am at a loss to understand this idea that this dog has to run. PV – the home is a decent size with a backyard. KL – is the dog inside or outside? AV – the dog is inside and outside. KL – do you have a dog door for the dog to go in and out? AV – yes. PV – it may be more about the doctor's perception of what the dog needs as opposed to what the dog actually needs. KL – you are a doctor and obviously familiar with peer review literature. Are you basing that on literature or is this your view? Why do you think this dog has to run in a vacant field and that it is okay to capture and kill bunnies or whatever else it goes after. AV – dogs are descended from wolves and what a wolf does in the wild, that is what a dog should be doing. German Shepherds and other hunting dogs should not be confined in an enclosed area. Dogs are pack animals. They are social animals. They need to have room to roam; they need to interact with other dogs. KL – because of that, you allow your dog to run. You believe it is a pack animal, like wolves, they should be allowed to run and that is why you let the dog run off leash in these vacant fields. Is that correct? AV – yes. RA – can you tell us what you will do with the dog in the future in the event she is not euthanized. What will you do to rehabilitate this animal if given the chance? AV – I would keep her on a leash. She had a personal trainer as a puppy. The lawmakers said she has to be s/n. I disagree with the policy but I have to follow it.

CATHY CAUFIELD – when my husband or I walk our dogs, a Japanese Akita and an Australian Shepherd, we ran into the doctor and his dog on several occasions. One of the occasions brought up by his attorney was when we were walking east of Galileo and he was coming down Galileo with his dog. We were across Alpine Ridge on a lot that cuts through Vegas to Azure. We were coming through the lot and almost to Alpine Ridge when we saw him and his dog come down Galileo. His dog came running across Alpine Ridge up to us. My Japanese Akita was attacked when she was a puppy by a Pit Bull. We never have her off lead; same thing with the Australian Shepherd. If they are out our front door, they are always on lead. He let his Shepherd run up to us. His dog

charged at us. It would run off and then come back and charge at us again. At no time did he call his dog back to him. He just kept walking. Of course, my dog is aggressive because she was attacked so she has trust issues with other dogs and goes on the defensive when another dog charges at her. Within the last week since the attack on the little Chihuahua, I was out standing at Traci Pribyl's back fence. Her husband and her company were in the backyard. I had my Akita and we had gone up to say hi to them. I was standing there talking to Traci. I noticed he was coming up Alpine Ridge with his dog. He did have her on a lead but it was a very long lead. I don't know if it is one of those retractable ones. I pulled my dog into me and as he approached, he let her run up to me. I looked right at him, told him my dog was not friendly and to keep his dog away. He stood there looking at me with this smirk. I guess he thinks things are funny.

PV – The doctor wasn't born in the United States so what is perceived as a smirk is just his personality. Maybe he doesn't understand the quick words being spoken. She points to an instance where the doctor's dog was off leash, "his dog ran to us and my dog snapped at her." The doctor's dog did not snap at their dog; their dog snapped at Roxy. In terms of weighing aggressive behavior, if the German Shepherd were aggressive, she could have attacked the dog and didn't. In fact she backed off and their dog snapped.

GW – I would like to bring the Committee's attention to Title 10.16.010, the dangerous/vicious animal ordinance. Counsel has presented some information to the Committee indicating that an animal cannot be declared dangerous if it attacks, injures or even kills another animal if the other animal is off leash. That is correct. However, CCAC is not proposing this animal be declared dangerous. We are proposing the animal be declared vicious. Accordingly, there is no such proviso so it is irrelevant. All that you have been hearing about, whether it is good with humans, good with other animals, whether it is off or on leash doesn't matter. The point is that on this particular occasion, March 25, 2012, his German Shepherd killed this dog. Whether or not this dog was on or off leash is irrelevant. It is 10.16.010 (b) (2).

DL – the attorney suggested we should let this dog's action speak for itself. The Chihuahua was lying between its owner's feet and it was attacked. This dog did not have a chance. That along with all the witness testimonies we have seen from years of encounters with this dog indicate that the dog is vicious. Dr. Ostrowsky has done a major disservice to his dog in not training her and keeping her controlled. It is a major tragedy that his dog is in the situation. I do not think this dog can be rehabilitated.

MG – knowing this owner is aware and condones the behavior based on his statements such as "she must have thought it was a rabbit" and "she likes to kill rabbits" and "I can't let her out at the dog park because she would kill all the dogs there." From his statements and the witness statements, he is the one guilty of animal cruelty as much as the dog is guilty of being vicious. I am really sad the dog is going to be the one the ends up paying the ultimate price.

KL – the doctor bears the responsibility for the decision that will be made tonight. These are companion animals; they should not be allowed to RAL. I am not convinced this dog was well trained. I don't care how friendly the dog was to humans. From what he said tonight, I would be very concerned about any future animal ownership. Depending on what happens with this incident, and certainly he has the opportunity to contest our decision before a court depending on what this Committee decides tonight, but I hope that if he does not win his case that he thinks long and hard before getting another dog. DL motions to uphold the vicious dog declaration. Motion is seconded with all in favor and none opposed.

## **5. Comments by the General Public**

STG - it is unfortunate the dog has to pay the price; the dog is going to die because of this incident. There should be something called irresponsible owner. This is true in my case too. Their previous dog, a Rottweiler, attacked another dog when it was being walked. Dogs can be trained to be vicious; they cannot be trained at all; and sometimes attack and sometimes not because they have not been trained. Irresponsible owner would fit this case. That owner should not be allowed to own dogs. They are not fit to; they don't know how to and are never going to

take appropriate action to ensure the dog doesn't pay the ultimate price. The human should take responsibility and be punished. It is their fault. In my case, I don't want the dogs to die. It is unfortunate. It is the people that should never be allowed to own dogs or animals.

GINA GRIESEN (GG) – this has been a sad, tragic and very preventable night. In the first case, the owners repeatedly demonstrated they could not control the dogs on their property. In the second case, it is the same thing. I wish we could punish the owners instead of the dogs. It is sad and tragic because animals have died and everyone is going to lose. You can't bring back a dead animal so you are killing another one so it doesn't happen to another animal or a small child or an elderly person. In the news this weekend, there were 2 vicious animal attacks of dogs at large roaming. This is what happened in both these cases. No one wants to see any animal die or be put down. People need to understand the rules before testimony commences. Those people left and didn't know they could appeal to district court. The rules should be explained, they should get a copy of the law so they know what to expect and what is going to happen. KL – my understanding is that this is discussed with them prior to the hearing and they are given a fairly decent explanation.

GW – They are given the steps and more importantly citizen, educate thyself. All the information about CCAC is not only distributed and disseminated but posted on our website. You could recommend a dangerous animal permit if you decide not to uphold the vicious declaration. There is no dangerous animal declaration. You can't initiate or direct a permit but you can recommend CCAC issue a dangerous permit. In this particular case, there is a criminal citation for possession of a dangerous animal that will be taken care of in criminal court. Whether or not the audience is educated, they need to educate themselves if they are going to come to these meetings.

**6. Set date, time and agenda of next meeting**

The next meeting is scheduled for Thursday, June 14, 2012 at 6:30 pm at the Paradise Community Center.

**7. Adjournment**

The meeting was adjourned at 8:18 p.m.