



COUNTY OF LAKE
Department of Animal Care & Control

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William Davidson
Animal Care & Control Director

VICIOUS ANIMAL ABATEMENT HEARING

Case: 2017-05-0006

On May 1, 2017 Lake County Animal Care and Control received a call regarding a Vicious Attack that had occurred the night before. Karen Kennedy walked her dog, Willie, on Rancho Vista Drive the evening of April 30, 2017. Karen and Willie were walking past 2915 Rancho Vista Drive in Lucerne when, Manson, a large Dark Brown Pit-bull type dog ran into the roadway and grabbed at Willie's leg. Manson bit down on Willie's leg and shook him. A man ran over and pried Manson off of Willie. Karen and Sharon Habina, a neighbor who lives on Rancho Vista Drive, took Willie to Wasson Memorial Animal Hospital for Emergency medical treatment.

I investigated the complaint and spoke with Karen Kennedy. She had stayed home from work that day to tend to Willie's wounds. Willie had a drain in his leg. Karen and Sharon wrote witness statements explaining the attack on Willie. I went to 2915 Rancho Vista Drive a few times but was not able to find anybody home.

On May 3, 2017 I was able to make contact with Sherri Elder the sister of Manson's owner Jack Lodge. Sherri lived at 2915 Rancho Vista Dr. and had care, custody and control of Manson at the time of my visit.

I impounded Manson and posted a Request for Post-Seizure Hearing form. This form allows an owner to request a hearing if he or she believes a pet has been improperly seized. I also posted a Notice of Impoundment, commonly referred to as an owner letter addressed to "Dog Owner" because no one had claimed ownership of Manson yet. The owner letter clearly states that the dog owner must contact Animal Control immediately for information regarding the animal's return. The letter also stated that ownership of the animal would be forfeited if the animal was not redeemed by May 15th, 2017. The letter was posted on May 5, 2017.

I began to investigate whether or not this dog should be placed under a Vicious Animal Abatement Order should someone claim ownership and choose to redeem him. When I looked through Animal Control's shelter management program I found that there was another attack on a small dog involving Manson on record.

In March of 2015 Manson ran out into the road and attacked another dog leaving a large open wound on the back of her head. During that attack the dog owner was knocked off of his bike and

sustained a few scrapes and bruises. The dog was taken to the Veterinarian for treatment but could not be saved. She died the next day.

Jack Lodge was issued a citation for Vicious At Large on May 9th, 2017. The citation was issued based on the witness statement written by Karen Kennedy. She witnessed Manson attack her dog in the public roadway on April 30th, 2017 and thought that a citation should be issued.

At the time I issued the Citation for Vicious at Large I told Mr. Lodge that Animal Control was in the process of an investigation. This investigation might or might not result in the finding that a Vicious Animal Abatement Order should be enforced on Manson should he be redeemed. I explained the typical conditions of such an Order to Mr. Lodge.

Jack Lodge contacted Animal Control on May 14th, 2017 and stated that he would like to get Manson back. I spoke with Mr. Lodge and explained that if Manson were to return home he would do so only under the strictly enforced rules of a Vicious Animal Abatement Order. Mr. Lodge indicated that he would like to move forward with that process. I visited Mr. Lodge's home and evaluated the structure as it was at that time. The back porch would make a suitable kennel as long as the wire were properly affixed to both the floor and ceiling.

In the process of committing both documented attacks on smaller dogs Manson went out the front door of the house. Due to that fact the Vicious Animal Abatement Order included the stipulation that a secured, gated entry way be constructed in front of the house in addition to the usual conditions.

On May 17, 2017 I arrived at 2915 Rancho Vista Drive to present Mr. Lodge with the Vicious Animal Abatement Order. At that time the Landlord and Property Owner, Al Zuker, was out front waiting for Jack to arrive. I spoke with Mr. Zuker and explained the situation. Mr. Zuker said that he no longer wanted Manson or any other dog on the property at Rancho Vista Drive. I asked him to put this in writing and he did. He proceeded to read this notice out loud to Jack Lodge. I spoke with Jack and explained to him that if the Property Owner would not allow the dog on the property then Animal Control could not release Manson to his care. He could either file an appeal or comply with the Vicious Abatement at another location.

Jack told me that he was planning to get Manson back from Animal Control and send him to live with his wife in Stockton any way. I explained that was unacceptable. If Manson were ever to be relocated Lake County Animal Care and Control must be notified immediately. We in turn would notify the Animal Control department wherever he intended to take Manson.

A letter written to Jack and Briana Lodge was posted to the residence at 2915 Rancho Vista Drive on May 18th, 2017. This letter reiterated that Jack or his daughter Briana, who is the registered owner of Manson, had until May 24th, 2017 to file an appeal with the Board of Supervisors or comply with a Vicious Animal Abatement Order at another property with Property Owner verification. Briana lives in an apartment and had already spoken with Animal Control Director William Davidson. It was determined that she was unable to provide suitable housing for Manson.

Jack Lodge contacted me on May 23rd, 2017. He said he found a place to live with Manson and was working on a Kennel. I went to the property at 6726 State Blvd. Lucerne on May 24th, 2017. An updated copy of the Vicious Animal Abatement Order was presented to, read and signed by

Jack Lodge and the Property Owner, Martin Lovrin. I asked Jack if he understood the conditions under which Manson would be released to his custody. He said he did understand. I proceeded to go over the document section by section for clarification and to answer any questions Jack may have.

When we got to section 5 of the conditions Jack told me he did not agree with having to keep Manson on his property at all times. He would like to take him for walks and rides in his truck like he always has even if Manson has to wear a muzzle. I explained to Jack that he could either comply with all of the conditions of the Abatement Order or request a hearing and present his objections to the Board of Supervisors. At that time Jack stated that he would like to request a hearing. I directed him to the part of the Abatement Order that stated he could request a hearing up until 5pm on May 24th, 2017. I lent Jack my phone to call the Clerk's office.

On May 30th Jack stopped by Animal Control. He was on his way to the Courthouse to file his Request for Hearing form. He asked me how much more the boarding fees would be for Manson and if he could have more time to get the liability insurance needed to keep Manson. I informed Mr. Lodge that boarding fees would be waived until the hearing and that Animal Control would give him until 5pm on Wednesday, May 31st to make a final decision as to whether he would like to comply with the Vicious Animal Abatement Order in its entirety or Request that a hearing be scheduled. On May 31st, 2017 Nehemiah White, the Deputy Director of Animal Control, received an email that a hearing had been scheduled for June 20th, 2017 at 10am.

Reporting Officer: Alicia Brisker, Animal Control Officer I, Badge No. 285

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