

**SCHD Advisory Committee**  
**Dangerous Dog Appeal Hearing Minutes**  
**March 21, 2022 at 6:30 pm**

**Attendance**

Board Members: Linda Peterson, Yire Henandez, Leitha Lee, Jacqueline Howard, Robert Butler, Dr. Cynthia Davis.

County Employees: Wanda Robinson, Joel Starling, SGT. Jessica Byrd and Cherish Allen

**Speakers:** Hector Medellin, Sarah Medellin, Francisco Medellin, Sergio Rosas, Robert New, Carrie New, SGT. Jessica Byrd

I. **Call to Order:** Linda Peterson called Hearing to order. Dog in question is Chewey, Owner is Hector Medellin and Sarah Medellin.

II. **Dangerous Dog Hearing:**

a) Overview of Dangerous Dog Hearing Process: Linda Peterson reviewed Article 1A.

Dangerous Dogs Sections (a) (1) a. and b; (2) a. b. and c. (See attached). Dr. Jeffrey Bell stated "Our process is we will have a statement from the owner, who will be given 5 min for her testimony. Then any witness will also be given 5 min uninterrupted. Then the board will ask any questions. Then we will hear from the plaintiff, if present. Then last, we will hear from Officer Kittrell. Board will review facts we were given, then decide if we will uphold the officer's dangerous dog or overturn it."

b) Public Comment:

Linda Peterson called Hector Medellin to the table. Hector was sworn in under Oath by Wanda Robinson.

- Hector: "I was walking Chewey in my front yard. I left him to run inside and get a jacket. I knew I shouldn't have left him but it was just a few minutes." A few minutes later his sister came in and asked if he had tied the dog up? He stated at the time the sister came in and asked, he was then playing his video game. Hector stated that he went outside and looked for Chewey, called his name, but could not find him. He went out again, and Chewey was sitting in his front yard. Hector said, "Chewey is not dangerous. He is protective of his home and yard. He barks at strangers but when new people come over his sniffs them to get to know them, not dangerous."

Dr. Davis asked Hector the following: How long was he inside playing the game? Hector responded, "Not long maybe 3 or 4 minutes it was just a hunting game." How often is the dog left outside unattended or not restrained? Hector responded, "Not much. He is with me or my mother or sister or brother." Has the dog ever bit anyone? Hector responded, "No." Chewey had been trained with a bite jacket, therefore you have done bite work with this dog? Hector responded, "Yes, but only for protection. He is

protective and if they come in this yard he will bite them." I do not see why he would leave and bite someone he is not ferocious he just stands his ground."

Jacqueline Howard asked when Chewey barks at strangers coming in the yard is it an aggressive bark? Hector responded, "Yes, he is a German Shepard, full breed from South Carolina. You know those military jackets, we trained him to be protective and territorial. He has been trained to protect because we have been robbed in the past. He stands his ground."

Linda Peterson asked Hector the following: How far is your home form the News residence? Hector responded, "There's our house then a ditch then right across. Maybe a couple of hundred yards." Where is the dog when you are not home or not training/playing with him? Hector responded, "He is tied to a power cord cable outside by garage. He is mainly outside but comes in in the rain and cold. He is mainly outside because he is too big to be inside."

No further questions for Hector Medellin from the Board.

At his time Linda Peterson called Sarah Medellin to the table. Ms. Medellin was sworn in under Oath by Wanda Robinson.

- Sarah Medellin: "We had Chewey, our dog, since he was 6 weeks old. He was my son's birthday gift we went all the way to South Carolina to get him. We trained him to be a guard dog, that's it. Not to attack or get aggressive. As time got older, he's three almost four. When he sees another dog, he goes and plays with them. They may not see it as playing but he is. As time goes on his wire leash snaps overnight. At night when he broke the leash, I'm not sure what happened, I'm at work. I don't know. My dog is not aggressive. When people come over, they pet him with no issue. I do not know why my dog does not like him. This is the 3<sup>rd</sup> time that this has happened. The other time, we didn't have an issue other than animal control came and said if it happened again, he would be put down or taken away. We do not want that, none of that. It's my son's baby. He is our son. He is not aggressive. I can not say if he did or did not attack them. He will stand his ground when people come over. He may sniff you or lick you but that's it. There is no one else around with a dog. He has never attacked, so for him being a dangerous dog, I don't see that. This situation is painful and is the longest we have been without him. My son cried himself to sleep that night because he doesn't know if he is coming back. This is very painful to not know if he is being fed or taken care of."

Dr. Davis asked Ms. Medellin the following: Is Chewey was up to date on all his vaccinations and up to date on Rabies? Ms. Medellin responded, "No." When he goes to the Vet does he have to be muzzled? Ms. Medellin responded, No." Has he been to the vet recently? Ms. Medellin responded, "No. We only took him when we first got him." Is there a reason he has not been castrated? Ms. Medellin responded, "When we got him

only my husband worked. When they told us the prices and we only had one income we could not afford it." Dr. Davis determine that Chewey had never had a rabies due to age of last vaccines at 6 weeks. Dr. Davis stated that 12 weeks is the earliest he could have had a rabies vaccine.

No further questions for Ms. Medellin from the Board.

At this time Linda Peterson called Francisco Medellin to the table. Francisco was sworn in under oath by Wanda Robinson.

- Francisco: "My dog is trained to attack at his territory, where we stay at. Other than that, I have friends that come over, go up and pet him with no problems. If I hold Hector the dog does become aggressive. He's a good dog. When he sees the neighbor's dog, he barks at him. I am not there anymore because I work everyday but he is a good dog."

No questions for Francisco from the Board.

At this time Linda Peterson called Sergio Rosas to the table. He was sworn in under oath by Wanda Robinson.

- Sergio: "Chewey, he's a really nice. Everytime I come over he gets really playful. He's really nice. We play a lot but when he thinks I'm going to hurt Hector he barks, but he's really nice. When other friends come over, he doesn't do anything. He knows how to sit down, eat, shake a hand, and lay down. He is big but really nice."

No question for Sergio from the Board.

This was the last of witnesses called by the Medellin's.

At this time Linda Peterson called Robert New to the Table. He was sworn in under oath by Wanda Robinson.

- Robert New: Mr. New started by stating he was nervous as he never wanted any of this to happen. He also Thanked the Board for their time. "We have went out of our way to keep this from escalating. But I am here today for my daughter and my wife who are scared to go into the yard because they do not know what's going to happened. When you have a dog in your yard that's not your dog coming at you, its troubling. I have tried everything I could to keep this from happening. This is not the first time; this dog constantly comes over. The incident we are here for is on that Wednesday night we were getting ready for church. My daughter was leaving first on her car to go down to her grandmothers to set up her TV so she could watch Wednesday night service because she can't get out. I was sitting at the table and my daughter said bye, not even 5 seconds later my daughter was screaming her head off. My first thought was that dog. When I walked

outside, she was pinned between the door and the car as the dog walked around the back of the car and just stopped. I started screaming, "Get out Chewey, get out!" I'm pretty loud so I'm sure someone could have heard me. I'm sorry we are here; this is not what we wanted but I'm tired of my daughter and wife living in fear that they can not even go out into the yard. I do not think that is right. As a matter of facts, I will say this too, every morning I have to go out in my garage and see if that dog is in my yard. The very next morning, Thursday morning, that dog was in my yard again. I saw him in my yard again as I was going down the driveway. I'm not a person who sits on my phone, but I had enough sense to take a picture of him at the end of the road. I don't know about the chain thing, but this is a constant thing for me it to see that dog in my yard. I have not called him or provoked him but he seems to be there. My wife calls me during the day and tells me Chewey is in the yard and that's a lot to deal with. Again, I am sorry we are here, this is not what we wanted. I think we have went over and beyond. My wife was actually attacked by this dog about 2 years ago. She made the decision then not to do anything about it. We decided to give it another chance. We have given chance after chance after chance. I feel like we are prisoners in our own yard. I'm not mad, I'm sorry."

Jacqueline Howard asked, "How often does this happen? Once a month or more frequent than that? Mr. New responded, "Probably. And its other people too. They will call. My wife will call too and say Chewey is in our front yard just laying there. I'm at work and my wife is scared to go out of the house. I'm sure she is because the dog actually did attack her. And we brought the jacket from the previous incident where he bit through it. Thank god for the man in the truck that was going by and stopped to helped her."

Robert Butler asked Mr. Starling if we could refer to the 2019 incident listed in the report. Mr. Starling stated that arguably it was relevant.

Robert Butler asked Mr. New what happened in 2019. Mr. New responded, "I was not home but my wife was outside cleaning up some brush by the mailbox. Chewey came over aggressively and bit her jacket. Someone was home over at their house because they came over after a guy in a potato truck stopped and helped my wife. Robert Butler asked if she had the jacket on? Mr. New responded, "Yes she had the jacket on and if it wasn't for the man in the potato truck that stopped, I do not know what would have happened."

No further questions from the Board.

At this time Linda Peterson called Carrie New to the table. She was sworn in under oath by Wanda Robinson.

- Carrie New: Carrie stated that she never thought she would have to testify about a dog as she loves dogs, at times, too much. She stated that she has had several dogs in her lifetime. "It's hard for me to look at other people's dogs now. It isn't the first time this has happened. My cousins come over and ask if the mean dog is going to be in the yard today because they are scared to play in the yard. The incident in question where it happened to me; I was leaving the house. I looked at my phone it was 6:54. I was leaving to help my grandmother. I went outside and I noticed that our dog's bowls were spread out and it bothered me because my dog doesn't do that or behave like that. I went to go fix them, What I normally do with my foot is scape the bowl over. When I turned back towards my car, I didn't think anything of it. I heard it before I saw it. Then he came at me. I didn't have anything because I do not keep weapons on me. I ran back to my house and got really scared. I was shaking and scared that he would attack me. I wasn't wearing anything protective. I'm glad my mom was wearing that jacket that day or I don't know what would have happened. I only had my bible. I threw my bible at him because that's the only thing I had to keep him from getting to me. Thank God my dad was opening the door at this time. Then he left but I couldn't stop shaking. It's not the fact that the dog is in our yard that bothers me it's the fact that I am too scared to go to the mailbox when I'm home alone because I don't know if he will be there. I do not hurt animals because that's not the person I am. This bothers me because I know how much you can love your dog and I have lost several and I hate that we are here." Carrie explained that she is now scared of anything that looks like Chewey because of the severity the situation. Carrie stated that she did not want to be in this position, and she does not ask for any violence towards any animal. "I have never seen a dog this aggressive."

Robert Butler asked, "How did the dog come at you? Did he come up wagging his tail? Did he come up snarling and growling? Carrie responded, "He was not facing me. When I moved the dog bowl, I think I startled him because it makes a lot of noise. He just came at me and started barking and I got scared because I didn't know what to do. He was already growling at me, and I hadn't done anything but move the dog bowl. I didn't harass him and probably would have tried to pet him had I seen him.

Jacqueline Howard asked if the dog was barking aggressively. Carrie responded, "Yes Ma'am."

Dr. Davis asked if the dog was looking at her or away from her? Carrie responded, "He was with my dog. They aren't aggressive but he has been rough with my dog before. My dog is passive and chill. He barks but I don't think he could bite someone. Every time I've ever seen that dog its been in an aggressive behavior. And I understand it's a German Shepard and they are meant to be aggressive, and they are trained to do things normal dogs wouldn't do. This goes beyond a level of protection; in other words, this dog is feral.

Linda Peterson asked if he was playing with Carrie's dog. Carrie stated, "I wouldn't call it playing. Our dog isn't protective of us. He actually runs away from the dog." At what point did the dog turn away from your dog to you? Carrie responded, "After I moved the dog bowl. It was a loud noise that startled him. I think I re-arranged my keys, and they make a lot of noise. I think that was when he started coming at me and I tried to back away from him."

Dr. Davis asked if Carrie could describe his body posture. Was he standing, crouching, sitting? Carrie responded, "He wasn't sitting he was standing on all four legs. He was rigid and his tail was straight up in a defensive position. He came low at me. Was he barking or growling as he was approaching you? Carrie responded, "I honestly couldn't tell you because I was screaming."

No additional questions from the Board.

This was the last of witnesses called by the New's.

Linda Peterson called Sgt. Jessica Kittrell to the table. She was sworn in by Wanda Robinson.

- Sgt. Jessica Kittrell: "As far as distance from both residence it's about a football field but they are directly across. Referring to the incident in 2019, I will be perfectly honest with you, I stated that if I had to respond to that house again, if they were not there to confine that dog I would probably have to shoot and kill it. Agreeably with the News description, it is very aggressive. We deal with them at the residence. In 2019 when I dealt with Chewey he was aggressive at his residence. When I went to impound him the day after the incident happened again very aggressive, however this time he was tethered. At the shelter he is showing me what I call an unsocialized dog. Meaning this dog has not been socialized to strangers or other people. He will take a treat from my hand and go right back to the back of the kennel with his tail tucked the entire time. He is not trying to get to know me or sniff my hand. He is not trying to socialize himself to me. As soon as his owner came out, immediately different dog. They walked up and petted him, and he calmed down, tail wagging. As soon as owner left, he went back to being ears on point no tail." Sgt Kittrell stated that Deputy Price, her newest animal control officer, who use to be a k-9 handler and is a huge German Shepard advocate, also so the lack of socialization with Chewey. She stated that the issue with Chewey is that he is not socialized with others. "When he is approaching or encountering someone other than the owners that he is not familiar with, he is showing aggression." Sgt. Kittrell stated that had she known about the bite training she would have put that in her report, she was unaware. She stated you do not want to have an unrestrained dog that has had bite work. Those are animals that have to have care and supervision and should not run at large. She



