

Aitkin County Board of Commissioners
Request for County Board Action/Agenda Item Cover Sheet



To: Chairperson, Aitkin County Board of Commissioners Date: 03/29/12

Via:

From: Undersheriff John Drahota

Title of Item: Potentially Dangerous Dog hearing

Requested Meeting Date: 04/10/12 Est. Presentation Time: _____

Presenter: Undersheriff John Drahota

Type of Action Requested (check all that apply)

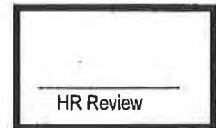
- For info only, no action requested
- For discussion only with possible future action
- Let/Award Bid or Quote (attach copy of basic bid/quote specs or summary of complex specs, each bid/quote received & bid/quote comparison)
- Approve/adopt proposal by motion
- Authorize filling vacant staff position
- Request to schedule public hearing or sale
- Request by member of the public to be heard
- Item should be addressed in closed session under MN Statute _____
- Approve under Routine Business
- Adopt Ordinance Revision
- Approve/adopt proposal by resolution (attach draft resolution)
- Other (please list) **Approve or Rescind Potentially Dangerous Dog Notice**

Fiscal Impact (check all that apply)

- Is this item in the current approved budget? Yes No (attach explanation)
- What type of expenditure is this? Operating Other (attach explanation)
- Revenue line account # that funds this item is: _____
- Expenditure line account # for this item is: _____

Staffing Impact (Any yes answer requires a review by Human Resources Manager before going to the board)

- Duties of a department employee(s) may be materially affected. Yes No
- Applicable job description(s) may require revision. Yes No
- Item may impact a bargaining unit agreement or county work policy. Yes No
- Item may change the department's authorized staffing level. Yes No



Supporting Attachment(s)

- Memorandum Summary of Item
- Copy of applicable county policy and/or ordinance (excerpts acceptable)
- Copy of applicable state/federal statute/regulation (excerpts acceptable)
- Copy of applicable contract and/or agreement
- Original bid spec or quote request (excluding complex construction projects)
- Bids/quotes received (excluding complex construction projects, provide comparison worksheet)
- Bid/quote comparison worksheet
- Draft County Board resolution
- Plat approval check-list and supporting documents
- Copy of previous minutes related to this issue
- Other supporting document(s) (please list) Police Report, Statement, Misc. forms

Provide eleven (11) copies of supporting documentation **NO LATER THAN Wednesday at 8:00am** to make the Board's agenda for the following Tuesday. Items **WILL NOT** be placed on the Board agenda unless complete documentation is provided for mailing in the Board packets. (see reverse side for details)

AITKIN COUNTY ADMINISTRATION

Aitkin County Courthouse
217 Second Street N.W. Room 130
Aitkin, MN 56431
218-927-7276
Fax: 218-927-7374

TO: Aitkin County Board of Commissioners

FROM: Patrick Wussow, Aitkin County Administrator

**RE: Request for Hearing to Remove Potentially Dangerous Dog
Designation- Dog Named Sam**

DATE: April 3, 2012

Attached you will find a request from Allen Ward 48448 197th Avenue, McGregor MN., to contest the designation of Potentially Dangerous Dog for his dog named Sam. Staff will mail the agenda and related packet information to Mr. Ward.

Sheriff Turner and members of the Aitkin County Sheriff's Department will be at the hearing to present and answer any questions relating to their information contained as part of this packet.

The County Board will need to determine if the dog named Sam is potentially dangerous as defined by Mn. Statute.

Please note that the complainant has been notified of the hearing and been invited to speak.

AITKIN COUNTY ADMINISTRATION

Patrick Wussow, County Administrator

Aitkin County Courthouse

217 Second Street N.W.

Aitkin, MN 56431

218-927-7276

Fax: 218-927-7374

March 14, 2012

Allen Wand
48448 197th Avenue
McGregor, MN 55760

Dear Mr. Wand:

Today I received your request for a hearing to contest the determination of potentially dangerous or dangerous dog.

A hearing will be held on Tuesday, April 10, 2012 at 10:30 a.m. in the Aitkin County Boardroom. At that time the Aitkin County Board, as the Animal Control Authority, will hear your arguments. The complainant will also be invited to attend the hearing.

If you have any questions, please feel free to call me.

Sincerely,

Patrick Wussow
County Administrator

cc: Sheriff

Aitkin County Sheriff's Office
Animal Care and Control Program

Date: 3-12-12

ICR # 12-818

DECLARATION OF OWNERSHIP AND REQUEST FOR HEARING

I Certify that I am the owner or person claiming an interest in the animal(s) described on the Notice, and

- 1) I request a hearing to contest the determination of a Potentially Dangerous or a Dangerous Dog.
- 2) My animal has been impounded and I request a hearing for the determination of whether reasonable grounds for the impoundment exist.
- 3) My animal has been impounded and I relinquish ownership of the impounded animal described on the Impoundment Notice to the Aitkin County Sheriff's Office for appropriate disposition by Animal Control. I hereby release the Aitkin County Sheriff's Office, its employees, agents and Animal Control employees and agents from any and all liability arising from the acceptance and disposition of the animal(s).

To the best of my knowledge the animal(s) has _____, has not (check one) bitten any persons or animals in the past fourteen (14) days.

SIGNATURE: [Signature] Date: 3-12-12

PRINTED NAME: Allen James Ward

ADDRESS: 48448 197th Ave
McGregor, MN 55760

PHONE: HOME: (218) 426-4948 WORK: _____

DRIVER'S LICENSE #: E853053380118

THIS NOTICE MUST BE RETURNED BY PERSONAL DELIVERY OR MAIL AND RECEIVED BY THE AITKIN COUNTY ADMINISTRATOR'S OFFICE WITHIN FOURTEEN (14) DAYS FROM THE DATE LISTED ABOVE TO RECEIVE A HEARING BEFORE THE ANIMAL CONTROL AUTHORITY.

Aitkin County Administrator's Office
217 2nd Street NW, RM# 130
Aitkin, MN 56431
Phone: 218-927-7276

MAR 14 2012

**AITKIN COUNTY SHERIFF'S OFFICE
ANIMAL CARE AND CONTROL PROGRAM**

NOTICE OF DETERMINATION

OF

POTENTIALLY DANGEROUS DOG

TO: Name: AT WARD

Address: 48448 9197th Ave

Phone#: 218-426-4948

Your dog, a Black Lab "Sam", has been determined to be
(description)
a potentially dangerous dog within the meaning of Minnesota Statutes 347.50 Subd 3.

The owner of a ~~dangerous~~ or potentially dangerous dog must have a microchip implanted in the dog for identification pursuant to Minnesota Statute 347.515. The name of the microchip manufacturer and the identification number of the microchip must be provided to the animal control authority within 30 days of this notice.

Fallure to comply with the microchip requirement is a misdemeanor and may be punished by up to 90 days in jail and/or a fine of \$1000.00.

3/16/12
Date

[Signature]
Deputy

I have read and understand the contents of this notice and acknowledge receipt of a copy thereof.

+ 3-10-12
Date

+ [Signature]
Owner or Caretaker

Check if owner refused to sign

White Copy: Deputy

Yellow Copy: Owner



Aitkin County Sheriff's Office

217 Second Street NW, Room 185
Aitkin, MN 56431
(218) 927-7435

Incident Detail Report

Printed On: Fri, Mar 23, 2012

Case Number: 2012000818	NCIC: MN0010000	Status: CAD Import	Status By:
Juvenile: No	Protected: No	Case Hold: No	Additional Reports: No
			Status Date Time: 03/10/2012 14:24

Call For Service

Date Reported: 3/10/2012 Saturday 12:31 Date Committed Start: 3/10/2012 12:31 Date Committed End:

Received By: 343 How Received: CAD

Description: Animal Complaint CAD Seq Nbr: ACSO:2012:1115

Event Type: CAD Agency: Aitkin County

Case Status: Case Disposition:

Scene

Location:

Business Name:

Low House Nbr: 47215 High House Nbr: Community Code:

Street: 188TH AVE

Unit Nbr/Type: Intersection Street:

City/State/Zip: MCGREGOR, MN 55760 Address:

LGN: 4527 GEO Code: Weather Conditions:

Place Committed: 47215 188TH AVE (473RD ST/472ND ST)

Officer Information

Officer	Dt/Tm Dispatched	Dt/Tm Assigned	Dt/Tm Arrived	Dt/Tm Cleared	Role
209	3/10/2012 12:34		3/10/2012 13:17	3/10/2012 14:21	Primary

Offense Detail

ISN: 01 Offense Code: 7812 Literal: dog at large

Statute: Status: Exceptionally cleared Status Date: 03/10/2012 Criminal Activity:

Counts: Larceny Type: Campus Code: Offense Level:

CAD Offense Code: CAD Literal: Animal Complaint

CAD Disposition: Cleared

Remark:

Disposition:

Aitkin County Sheriff's Office
Case Number 2012000818 (MN0010000)

Incident Detail Report

Printed On: Fri, Mar 23, 2012

Associations

Name: Nelson, Stacey Lea Miller	Driver License: M073128170410	Resident:	
Role: Complainant			
Phone: (651)308-2283	DOB: 8/7/1971	Age (Range): 40	Organization Type:
Address: 1858 E Magnolia, Unit 205, st paul, MN 55119			LGN:
Sex: Female	Race:		Disability:
Eye Color: Blue	Hair Color:	Height: 5'07"	Weight: 190 lbs.
Name: Pieske, Judy Lynne	Driver License: G417012217912	Resident:	
Role: Complainant			
Phone:	DOB: 9/28/1965	Age (Range): 46	Organization Type:
Address: 13311 Hynes rd, rogers, MN 55374			LGN:
Sex: Female	Race:		Disability:
Eye Color: Blue	Hair Color:	Height: 5'02"	Weight: 130 lbs.

Narrative

R: LGN 4527

R: Stacey states she was out for a walk near 486th st and a black lab that they had problems with last summer was being very aggressive again and would like to speak to a deputy



Aitkin County Sheriff's Office
 217 Second Street NW, Room 185
 Aitkin, MN 56431
 (218) 927-7435

2012000818 002 NTE 209 rpt

Supplemental Reports

Printed On: Fri, Mar 23, 2012

Description: 209 rpt *Sequence:* 002 *Report Date:* 03/21/2012
Case Number: 2012000818 *N C / C:* MN0010000 *Off Cd:* 7812 *Report Type:* Notes
Officer: 209 *Approval Process:* *Secured:* No
CSI Status: *Status By:* *Status D/Tm:* 03/21/2012 20:29

Notes

AITKIN COUNTY SHERIFF'S DEPARTMENT
 INVESTIGATIVE REPORT

INV. REPORT BY: Lawrence A. Derksen CASE: 12-0818

NATURE OF CASE: Dog complaint

LOCATION: 48448 197th Ave., McGregor, MN 55760

SUMMARY

On 3/10/2012 I was dispatched to the Ward residence in reference to a dog complaint.

PERSONS MENTIONED:

REPORTED BY: Name/DOB: Judith Lynn Pieske 09/28/1965
 Address: 21897 S. Diamond Lake Rd., Rogers, MN 55374
 Telephone (H/W):

COMPLAINANT: Name/DOB:
 Address:
 Telephone: (H/W):

SUSPECT: Name/DOB: Allen James Ward 01/19/1947
 Address: 48448 197th Ave., McGregor, MN 55760
 Telephone (H/W):

WITNESS: Name/DOB: Stacey Lea Miller Nelson 08/07/1971
 Address: 7172 Grey Squirrel Rd., Lino Lakes, MN 55014
 Telephone (H/W): 651-308-2283

Notes

PROPERTY STOLEN:

NOTIFIED OF VICTIM'S RIGHTS YES NO

TYPE OF EVIDENCE AND LOCATION (BIN, LOCKER, and GARAGE):

DATE AND TIME OCCURRED:

TIME ARRIVED:

TIME CLEARED:

DETAILS:

On 3/10/2012, I was dispatched to the end of Sheshebe Point in reference to a dog complaint. When I arrived, I spoke with the complainant and another woman, Stacey who said that they were in fear of being bit by a dog. The complainant stated that the dog was a big Black Lab and has been in the area for quite a number of years. She started to tell me about how about a year before her friend almost got bit by this dog. I explained that I could not do anything that happened to them about a year ago and so she explained the incident that had occurred that morning.

She stated that she and her friend, Stacey went for a walk around the end of Sheshebe Point and when they got about half-way around the loop, there was a large Black Lab lying in the middle of the road as they have seen it doing in the past. As they approached, it got up and started barking as it got closer. She added that they had her Golden Retriever with them and he was on a leash at the time. She said she thought that the dog was going to bite her as it almost had done to her friend a year ago. I told her that I would go and see what was up with the dog and talk to the owner about this incident.

I drove around the loop and was initially unable to find the dog that was reportedly "always" in the middle of the road. I asked a woman who was out walking and who appeared to be in her mid 60's about a large Black Lab and she pointed towards the way I had just come from. I told her that the only dog I had seen was a large whitish German Shepherd next door to the Demars' place. She replied that was the house and they owned both the Black Lab and the Shepherd. I asked her if she was ever concerned about the Black Lab and she said that he has come out to bark, but she is not afraid of him. She also said that he lies in the roadway a lot, but the locals know he is pretty much harmless. She never mentioned and I didn't ask if she knew about any issues with people who were out walking their dogs. I then turned the car around and was able to find the owner's residence and pulled into the yard.

The owner's wife, Katherine, met me at the door and as we were talking, the Black Lab came up the driveway and was barking at me. I reached out and let him smell my hand then he allowed me to pet him. The German Shepherd came up to me in much the same manner and appeared to want to play. I started speaking with her when her husband came out and I started over explaining why I was there. Both Allen and Katherine said that the Lab was all bark and had never bitten anyone. During the conversation, he did say that he has had to go and get the dog from the roadway when people are out with their own dogs while walking.

Notes

He said that "Sam" can get a little possessive of the road right in front of the house when it comes to other dogs. It was this statement that concerned me enough to write the owner the papers for a Potentially Dangerous Dog. I did write those papers and gave him a copy which he acknowledged receipt by signing. I explained that he had the right to a hearing by the County Board and he could plead his case to them. I showed him the form to use for an appeal and gave him a copy of the MN Statutes. I specifically showed him the definitions as listed in MN Statute 347.50 Subd.3 (2). With that done, I cleared the scene.

On 3/21/12, I was able to make contact with Stacey Nelson and took a statement from her about this incident. I was advised that Judy Pieske was on vacation and would be back in a week. I will make contact with her at a later date so as to get her side of the situation.

END OF REPORT

SCOTT A. TURNER
SHERIFF OF AITKIN COUNTY

217 Second Street NW, Room 185
Aitkin, MN 56431

Telephone: 218-927-2138
Toll Free: 1-888-900-2138
Fax: 218-927-7359

March 23, 2012

Judy Pieske
[REDACTED]
[REDACTED]

RE: Potentially Dangerous Dog hearing, ICR 12-818.

Dear Ms. Pieske,

On March 10, 2012, you contacted our office regarding an aggressive dog that approached you while out walking. Based on the information provided to Deputy Lawrence Derksen regarding the incident, the owner of the dog, Allen Ward, was served a notice designating his dog, "Sam" as a Potentially Dangerous Dog. Sam is described as a large Black Lab.

As part of due process, the owner has requested a hearing on this matter to challenge the Potentially Dangerous Dog determination. This letter is to inform you that a hearing date and time has been set before the Aitkin County Board, who is the hearing authority. The hearing date is Tuesday, April 10, 2012 at 10:30 a.m. in the Board Room of the Aitkin County Courthouse. Your presence is not required but I encourage you to attend and provide personal input to the County Board in order to aid them in making their decision on this matter. Without personal input from the victim(s), the Board must rely upon testimony presented by the dog owner and the police report and statements. I would ask that you contact me prior to the hearing date to let me know whether you plan on attending. I can be reached direct by calling 218-927-7423.

Sincerely,



John Drahot
Undersheriff
ACSO

SCOTT A. TURNER
SHERIFF OF AITKIN COUNTY

217 Second Street NW, Room 185
Aitkin, MN 56431

Telephone: 218-927-2138
Toll Free: 1-888-900-2138
Fax: 218-927-7359

March 23, 2012

Stacey Miller-Nelson
7172 Grey Squirrel Rd.
Lino Lakes MN 55014

RE: Potentially Dangerous Dog hearing, ICR 12-818.

Dear Ms. Miller-Nelson,

On March 10, 2012, our office was contacted regarding an aggressive dog that approached you and a friend while out walking. Based on the information provided to Deputy Lawrence Derksen regarding the incident, the owner of the dog, Allen Ward, was served a notice designating his dog, "Sam" as a Potentially Dangerous Dog. Sam is described as a large Black Lab.

As part of due process, the owner has requested a hearing on this matter to challenge the Potentially Dangerous Dog determination. This letter is to inform you that a hearing date and time has been set before the Aitkin County Board, who is the hearing authority. The hearing date is Tuesday, April 10, 2012 at 10:30 a.m. in the Board Room of the Aitkin County Courthouse. Your presence is not required but I encourage you to attend and provide personal input to the County Board in order to aid them in making their decision on this matter. Without personal input from the victim(s), the Board must rely upon testimony presented by the dog owner and the police report and statements. I would ask that you contact me prior to the hearing date to let me know whether you plan on attending. I can be reached direct by calling 218-927-7423.

Sincerely,



John Drahota
Undersheriff
ACSO



Aitkin County Sheriff's Office
217 Second Street NW, Room 185
Aitkin, MN 56431
(218) 927-7435

2012000818 003 NTE Statement: Nelson, Stacey Lea Miller

Supplemental Reports

Printed On: Thu, Mar 29, 2012

Description: Statement: Nelson, Stacey Lea Miller Sequence: 003 Report Date: 03/26/2012
Case Number: 2012000818 N C I C: MN0010000 Off Cd: 7812 Report Type: Notes
Officer: 981 Approval Process: Secured: No
CSI Status: Status By: 981 Status Dt/Tm: 03/26/2012 12:16

Notes

AITKIN COUNTY SHERIFF'S DEPARTMENT
VOLUNTARY STATEMENT

THIS STATEMENT IS GIVEN VOLUNTARILY BY: STACEY LEA MILLER NELSON
STATEMENT IS IN REFERENCE TO ICR #: 12-0818
DEPUTY TAKING STATEMENT: DEPUTY LARRY DERKSEN
DATE OF STATEMENT: MARCH 21, 2012

- Q THE DATE IS MARCH 21ST, 2012. THE TIME IS UH, 8:02 PM. I AM ON THE PHONE SPEAKING WITH STACEY... IS IT LEIGH OR IS IT LEA?
- A STACEY LEA MILLER...
- Q STACEY LEA MILLER..
- A NELSON.
- Q NELSON. UH, HER DATE OF BIRTH IS 8-7-1971. HER ADDRESS IS 7172 GRAY SQUIRREL ROAD. IT'S LINO LAKES, MINNESOTA 55014. PHONE NUMBER IS 651-308-2283. THIS IS IN REFERENCE TO ICR NUMBER 12-818. UH, STACEY I'M GONNA DIRECT YOUR ATTENTION BACK TO UH, MARCH 10TH AT UH... WELL I, I HAVE APPROXIMATELY 12:30. IT'S PROBABLY A LITTLE BIT BEFORE THAT. IS THAT UH, WHEN YOU WERE OUT ON SHESHEBE POINT ON A WALK. IS THAT CORRECT?
- A YES. THAT'S CORRECT.
- Q OKAY. WHY DON'T YOU IN YOUR OWN WORDS TELL ME WHAT HAPPENED THAT

Notes

DAY.

- A UM, JUDY 'N I AND MY DOG WERE WALKING ON THAT ROAD. WHAT IS IT CALLED?
- Q THAT THE, WELL THAT'S THE SHESHEBE POINT ROAD IS WHAT WE..
- A OKAY. WE, HE WOULD CALL IT THE RAINFOREST ROAD SO. UM, WE WERE WALKIN' ALONG THERE AND UM, THE BIG BLACK LAB WAS STANDING IN THE MIDDLE OF THE STREET. AND, 'N THEN THERE WAS ANOTHER DOG KIND OF ON THE SIDE OF THE STREET. BUT AS WE GOT CLOSER TO THE BIG BLACK DOG, I THINK IT LOOKS LIKE A LAB IT STARTED TA BARK AT US. AND THE CLOSER WE GOT THE CLOSER IT GOT TA US. SO, LIKE CLOSER WE GOT TO IT 'N I HAD MY DOG ON MY SIDE SO I COULD KEEP A CLOSE EYE ON HER. 'N THAT DOG KINDA KEPT BARKIN' 'N IT GOT LOUDER 'N LOUDER. 'N THEN IT STARTED TA COME AT US A LITTLE BIT.
- Q 'N NOW...
- A 'N WE...
- Q DID THIS OTHER DOG WAS ON THE PUBLIC ROAD AT THE TIME?
- A YEAH. IT WAS IN THE MIDDLE A THE ROAD.
- Q OKAY. GO AHEAD.
- A 'N THEN UM, WE STARTED TA YELL AT THE DOG TELLIN' IT TA GO HOME, GO HOME, GO HOME. AND IT STOPPED BARKING UM, 'N IT KINDA JUST, IT BASICALLY JUST KINDA SAT THERE AFTER WE GOT PAST IT. 'N THEN AS SOON AS WE GOT PAST IT IT CONTINUED TA BARK A LITTLE BIT BUT IT DIDN'T FOLLOW US. BUT IT, AS WE CAME UP TO IT IT KINDA CAME TOWARDS ME 'N MY DOG 'N JUST..
- Q OKAY. AND JUDY IS UM, JUDY IS A PIESKE?
- A UH, PIESKE.
- Q PIESKE. OKAY. UM, AND YOU HAD YOUR GOLDEN RETRIEVER OUT?
- A YES.
- Q OKAY. NOW YOUR, YOUR GOLDEN RETRIEVER WAS ON A LEASH AT THE TIME?
- A YES.
- Q OKAY. UM, YOU, NOW THIS DOG WAS IN THE MIDDLE OF THE ROAD. WAS THAT UM,

Notes

ON THE GRAVEL PORTION OR THE TAR PORTION?

A GRAVEL.

Q OKAY. SO THAT'S THE VERY END, THE LOOP UH, AT THE VERY END OF THE ROAD IS THAT CORRECT?

A YES.

Q OKAY. UH, ALRIGHT. JUST WANNA MAKE SURE SO THAT IT, WE GET A, KIND OF A PICTURE OF WHAT'S GOING ON HERE. UM, DID ANYBODY COME OUT AND TRY TO CALL THE DOG BACK? DID THEY YELL OR ANYTHING?

A NOPE. NOPE. NOBODY WAS OUTSIDE.

Q OKAY.

A IT WAS A LITTLE, I MEAN IT WAS A NICE DAY BUT IT WAS A LITTLE COOLER.

Q OKAY. UH, BUT THE DOG, NOW HOW CLOSE DID THE DOG GET TO YOU AT THAT TIME?

A I WOULD SAY IT, PROBABLY FOUR FEET, FIVE FEET MAYBE.

Q 'N IT WAS BARKING THE ENTIRE TIME?

A YEAH.

Q DID IT SNAP AT ANY TIME? DID IT, DID IT LUNGE OR DID IT JUST..

A IT, IT, IT KINDA LUNGED AT, YA KNOW IT KINDA LIKE STARTED TA COME TOWARDS US 'N KINDA, NOT, I WOULDN'T CALL IT LIKE SNAPPED AT US BUT IT, IT, IT MADE ME NERVOUS.

Q OKAY.

A I MEAN I, I WAS NERVOUS FOR MY DOG 'CUZ I WAS AFRAID HE WAS GONNA GO AFTER ME OR MY DOG.

Q OKAY. NOW YOU SAID THERE WAS ANOTHER DOG THAT WAS THERE. WHAT KIND A DOG WAS THAT DO YOU REMEMBER?

A IT LOOKED LIKE A GERMAIN SHEPHERD OR SOMETHIN'.

Notes

- Q OKAY.
- A IT WAS MORE OF A WHITEISH COLOR.
- Q OKAY. 'N WHAT WA..
- A GERMAIN SHEPHORD.
- Q WHAT WAS THAT DOG DOING?
- A NOTHIN'. REALLY I MEAN IT BARKED A LITTLE A LITTLE BUT IT STAYED RIGHT ON THE SIDE. IT PROBABLY WAS RIGHT ON THE END OF THEIR PROPERTY OR A LITTLE BIT ON THE ROAD.
- Q OKAY. (PAUSE) ALRIGHT. AND AS YOU WALKED AWAY DID THE DOG TURN 'N WALK AWAY? DID IT LEAVE YOU ALONE? DID IT FOLLOW YOU? WHAT DID IT DO?
- A IT PRETTY MUCH JUST LEFT US ALONE.
- Q OKAY. (PAUSE) AND, BUT YOU HAD TA YELL AT IT, KINDA...
- A OH YEAH.
- Q GET IT TA GO, GO WALK AWAY FROM YOU?
- A YEAH. YEAH. I MEAN I, I HAD MY FOOT READY TA KICK IT 'CUZ I, I THOUGHT IT WAS COMIN'.
- Q OKAY. IS THERE ANYTHING ELSE THAT, THAT YOU CAN ADD AT THIS TIME STACEY?
- A NO I JUST, IT'S VERY NERVE WRACKING TA WALK THAT ROUTE.
- Q OKAY. BECAUSE OF THAT ONE DOG?
- A BECAUSE OF THAT ONE DOG.
- Q OKAY. NO OTHER DOG, NO OTHER DOG PROBLEMS IN THAT AREA?
- A UM, DO I KNOW OF ANY OTHER DOG PROBLEMS?
- Q HAVE, HAVE YOU HAD ANY IN, IN RIGHT, LIKE RIGHT...
- A NO WE, NO WE'VE NEVER HAD ANY OTHER ISSUES.

Notes

Q OKAY. 'N HOW LONG HAVE YOU BEEN WALKING IN THIS, IN THIS GENERAL AREA?

A UM, TWO YEARS.

Q OKAY. 'N THAT DOG..

A MOSTLY DURING THE SUMMER.

Q HAVE YOU SEEN THAT DOG BEFORE?

A YEAH.

Q 'N HAS, HAS THIS DOG EVER APPROACHED YOU BEFORE?

A YES.

Q OKAY.

A YES.

Q SO, BUT YOU NEVER REPORTED IT BEFORE NOW.

A NO. WE NEVER THOUGHT ABOUT IT.

Q OKAY.

A YA KNOW I THINK WE WERE, YA KNOW. I KNOW JUDY'S AFRAID OF RAMIFICATIONS OF IT BUT. SHE DOESN'T THINK IT'S FAIR THAT SHE CAN'T GO ON THAT WALK.

Q OKAY.

A BECAUSE OF THAT DOG.

Q ALRIGHT. IS THERE ANYTHING ELSE THAT YOU CAN ADD AT THIS TIME?

A NOPE.

Q OKAY. I'M GONNA GO AHEAD 'N END THE STATEMENT ON THE SAME DATE AT 8:07 PM.

A PERFECT.

Notes

WITNESS

PERSON MAKING STATEMENT

DATE

WITNESS

I HAVE RECEIVED COPY

DATE

I HEREBY CERTIFY THIS IS AN ACCURATE REPRODUCTION OF ALL QUESTIONS ASKED AND ANSWERED AS BEST I COULD TRANSCRIBE OF THE TAPED STATEMENT TAKEN ON MARCH 21, 2012 BY DEPUTY LARRY DERKSEN OF STACEY LEA MILLER NELSON.

2011 Minnesota Statutes

Regulation of Dangerous Dogs

347.50 DEFINITIONS.

Subdivision 1. Terms.

For the purpose of sections 347.50 to 347.56, the terms defined in this section have the meanings given them.

Subd. 2. Dangerous dog.

"Dangerous dog" means any dog that has:

- (1) without provocation, inflicted substantial bodily harm on a human being on public or private property;
- (2) killed a domestic animal without provocation while off the owner's property; or
- (3) been found to be potentially dangerous, and after the owner has notice that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals.

Subd. 3. Potentially dangerous dog.

"Potentially dangerous dog" means any dog that:

- (1) when unprovoked, inflicts bites on a human or domestic animal on public or private property;
- (2) when unprovoked, chases or approaches a person, including a person on a bicycle, upon the streets, sidewalks, or any public or private property, other than the dog owner's property, in an apparent attitude of attack; or
- (3) has a known propensity, tendency, or disposition to attack unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.

Subd. 4. Proper enclosure.

"Proper enclosure" means securely confined indoors or in a securely enclosed and locked pen or structure suitable to prevent the animal from escaping and providing protection from the elements for the dog. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the dog to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only obstacles that prevent the dog from exiting.

Subd. 5.Owner.

"Owner" means any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having care, custody, or control of a dog.

Subd. 6.Substantial bodily harm.

"Substantial bodily harm" has the meaning given it under section 609.02, subdivision 7a.

Subd. 6a.Great bodily harm.

"Great bodily harm" has the meaning given it under section 609.02, subdivision 8.

Subd. 7.Animal control authority.

"Animal control authority" means an agency of the state, county, municipality, or other governmental subdivision of the state which is responsible for animal control operations in its jurisdiction.

Subd. 8. Provocation.

"Provocation" means an act that an adult could reasonably expect may cause a dog to attack or bite.

History:

1988 c 711 s 1; 1989 c 37 s 3-5; 1994 c 550 s 1; 1Sp2001 c 8 art 8 s 14,15; 2008 c 325 s 2

347.51 DANGEROUS DOGS; REGISTRATION.

Subdivision 1.Requirement.

No person may own a dangerous dog in this state unless the dog is registered as provided in this section.

Subd. 2. Registration.

An animal control authority shall issue a certificate of registration to the owner of a dangerous dog if the owner presents sufficient evidence that:

- (1) a proper enclosure exists for the dangerous dog and a posting on the premises with a clearly visible warning sign that there is a dangerous dog on the property, including a warning symbol to inform children;
- (2) a surety bond issued by a surety company authorized to conduct business in this state in a form acceptable to the animal control authority in the sum of at least \$300,000, payable to any person injured by the dangerous dog, or a policy of liability insurance

issued by an insurance company authorized to conduct business in this state in the amount of at least \$300,000, insuring the owner for any personal injuries inflicted by the dangerous dog;

(3) the owner has paid an annual fee of not more than \$500, in addition to any regular dog licensing fees, to obtain a certificate of registration for a dangerous dog under this section; and

(4) the owner has had microchip identification implanted in the dangerous dog as required under section 347.515.

Subd. 2a. Warning symbol.

If an animal control authority issues a certificate of registration to the owner of a dangerous dog pursuant to subdivision 2, the animal control authority must provide, for posting on the owner's property, a copy of a warning symbol to inform children that there is a dangerous dog on the property. The warning symbol must be the uniform symbol provided by the commissioner of public safety. The commissioner shall provide the number of copies of the warning symbol requested by the animal control authority and shall charge the animal control authority the actual cost of the warning symbols received. The animal control authority may charge the registrant a reasonable fee to cover its administrative costs and the cost of the warning symbol.

Subd. 3. Fee.

The animal control authority may charge the owner an annual fee, in addition to any regular dog licensing fees, to obtain a certificate of registration for a dangerous dog under this section.

Subd. 3a. Dangerous dog designation review.

Beginning six months after a dog is declared a dangerous dog, an owner may request annually that the animal control authority review the designation. The owner must provide evidence that the dog's behavior has changed due to the dog's age, neutering, environment, completion of obedience training that includes modification of aggressive behavior, or other factors. If the animal control authority finds sufficient evidence that the dog's behavior has changed, the authority may rescind the dangerous dog designation.

Subd. 4. Law enforcement; exemption.

The provisions of this section do not apply to dangerous dogs used by law enforcement officials for police work.

Subd. 5. Exemption.

Dogs may not be declared dangerous if the threat, injury, or damage was sustained by a person:

- (1) who was committing, at the time, a willful trespass or other tort upon the premises occupied by the owner of the dog;
- (2) who was provoking, tormenting, abusing, or assaulting the dog or who can be shown to have repeatedly, in the past, provoked, tormented, abused, or assaulted the dog; or
- (3) who was committing or attempting to commit a crime.

Subd. 6.

[Repealed, 1Sp2001 c 8 art 8 s 30]

Subd. 7. Tag.

A dangerous dog registered under this section must have a standardized, easily identifiable tag identifying the dog as dangerous and containing the uniform dangerous dog symbol, affixed to the dog's collar at all times.

Subd. 8. Local ordinances.

A statutory or home rule charter city, or a county, may not adopt an ordinance regulating dangerous or potentially dangerous dogs based solely on the specific breed of the dog. Ordinances inconsistent with this subdivision are void.

Subd. 9. Contracted services.

An animal control authority may contract with another political subdivision or other person to provide the services required under sections 347.50 to 347.565. Notwithstanding any contract entered into under this subdivision, all fees collected under sections 347.50 to 347.54 shall be paid to the animal control authority and all certificates of registration must be issued in the name of the animal control authority.

History:

1988 c 711 s 2; 1989 c 37 s 6-10; 1991 c 195 s 1; 1994 c 550 s 2; 1997 c 187 art 3 s 32; 1Sp2001 c 8 art 8 s 16-18; 2008 c 325 s 3-7

347.515 MICROCHIP IDENTIFICATION.

The owner of a dangerous or potentially dangerous dog must have a microchip implanted in the dog for identification, and the name of the microchip manufacturer and identification number of the microchip must be provided to the animal control authority. If the microchip is not implanted by the owner, it may be implanted by the animal control authority. In either case, all costs related to purchase and implantation of the microchip must be borne by the dog's owner.

347.52 DANGEROUS DOGS; REQUIREMENTS.

(a) An owner of a dangerous dog shall keep the dog, while on the owner's property, in a proper enclosure. If the dog is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash and under the physical restraint of a responsible person. The muzzle must be made in a manner that will prevent the dog from biting any person or animal but that will not cause injury to the dog or interfere with its vision or respiration.

(b) An owner of a dangerous dog must renew the registration of the dog annually until the dog is deceased. If the dog is removed from the jurisdiction, it must be registered as a dangerous dog in its new jurisdiction.

(c) An owner of a dangerous dog must notify the animal control authority in writing of the death of the dog or its transfer to a new location where the dog will reside within 30 days of the death or transfer, and must, if requested by the animal control authority, execute an affidavit under oath setting forth either the circumstances of the dog's death and disposition or the complete name, address, and telephone number of the person to whom the dog has been transferred or the address where the dog has been relocated.

(d) An animal control authority shall require a dangerous dog to be sterilized at the owner's expense. If the owner does not have the animal sterilized within 30 days, the animal control authority shall seize the dog and have it sterilized at the owner's expense.

(e) A person who owns a dangerous dog and who rents property from another where the dog will reside must disclose to the property owner prior to entering the lease agreement and at the time of any lease renewal that the person owns a dangerous dog that will reside at the property.

(f) A person who transfers ownership of a dangerous dog must notify the new owner that the animal control authority has identified the dog as dangerous. The current owner must also notify the animal control authority in writing of the transfer of ownership and provide the animal control authority with the new owner's name, address, and telephone number.

History:

1988 c 711 s 3; 1Sp2001 c 8 art 8 s 20; 2008 c 325 s 8

347.53 POTENTIALLY DANGEROUS AND DANGEROUS DOGS.

Any statutory or home rule charter city, or any county, may regulate potentially dangerous and dangerous dogs. Except as provided in section 347.51, subdivision 8, nothing in sections 347.50 to 347.565 limits any restrictions that the local jurisdictions may place on owners of potentially dangerous or dangerous dogs.

History:

1988 c 711 s 4; 1989 c 37 s 11; 2008 c 325 s 9

347.54 CONFISCATION.

Subdivision 1. Seizure.

(a) The animal control authority having jurisdiction shall immediately seize any dangerous dog if:

- (1) after 14 days after the owner has notice that the dog is dangerous, the dog is not validly registered under section 347.51;
- (2) after 14 days after the owner has notice that the dog is dangerous, the owner does not secure the proper liability insurance or surety coverage as required under section 347.51, subdivision 2;
- (3) the dog is not maintained in the proper enclosure;
- (4) the dog is outside the proper enclosure and not under physical restraint of a responsible person as required under section 347.52; or
- (5) the dog is not sterilized within 30 days, pursuant to section 347.52, paragraph (d).

(b) If an owner of a dog is convicted of a crime for which the dog was originally seized, the court may order that the dog be confiscated and destroyed in a proper and humane manner, and that the owner pay the costs incurred in confiscating, confining, and destroying the dog.

Subd. 2. Reclaimed.

A dangerous dog seized under subdivision 1 may be reclaimed by the owner of the dog upon payment of impounding and boarding fees, and presenting proof to the appropriate animal control authority that the requirements of sections 347.51 and 347.52 will be met. A dog not reclaimed under this subdivision within seven days may be disposed of as provided under section 35.71, subdivision 3, and the owner is liable to the animal control authority for costs incurred in confining and disposing of the dog.

Subd. 3. Subsequent offenses; seizure.

If a person has been convicted of a misdemeanor for violating a provision of section 347.51, 347.515, or 347.52, and the person is charged with a subsequent violation relating to the same dog, the dog must be seized by the animal control authority having jurisdiction. If the owner is convicted of the crime for which the dog was seized, the court shall order that the dog be destroyed in a proper and humane manner and the owner pay the cost of confining and destroying the animal. If the owner is not convicted and the dog is not reclaimed by the owner within seven days after the owner has been notified that the dog may be reclaimed, the dog may be disposed of as provided under section 35.71, subdivision 3.

History:

1988 c 711 s 5; 1989 c 37 s 12; 2008 c 325 s 10,11

347.541 DISPOSITION OF SEIZED ANIMALS.

Subdivision 1. Hearing.

The owner of any dog declared dangerous has the right to a hearing by an impartial hearing officer.

Subd. 2. Security.

A person claiming an interest in a seized dog may prevent disposition of the dog by posting security in an amount sufficient to provide for the dog's actual cost of care and keeping. The security must be posted within seven days of the seizure inclusive of the date of the seizure.

Subd. 3. Notice.

The authority declaring the dog dangerous shall give notice of this section by delivering or mailing it to the owner of the dog, or by posting a copy of it at the place where the dog is kept, or by delivering it to a person residing on the property, and telephoning, if possible. The notice must include:

- (1) a description of the seized dog; the authority for and purpose of the dangerous dog declaration and seizure; the time, place, and circumstances under which the dog was declared dangerous; and the telephone number and contact person where the dog is kept;
- (2) a statement that the owner of the dog may request a hearing concerning the dangerous dog declaration and, if applicable, prior potentially dangerous dog declarations for the dog, and that failure to do so within 14 days of the date of the notice will terminate the owner's right to a hearing under this section;
- (3) a statement that if an appeal request is made within 14 days of the notice, the owner must immediately comply with the requirements of section 347.52, paragraphs (a) and (c), and until such time as the hearing officer issues an opinion;
- (4) a statement that if the hearing officer affirms the dangerous dog declaration, the owner will have 14 days from receipt of that decision to comply with all other requirements of sections 347.51, 347.515, and 347.52;
- (5) a form to request a hearing under this subdivision; and
- (6) a statement that all actual costs of the care, keeping, and disposition of the dog are the responsibility of the person claiming an interest in the dog, except to the extent that a court or hearing officer finds that the seizure or impoundment was not substantially justified by law.

Subd. 4. Right to hearing.

Any hearing must be held within 14 days of the request to determine the validity of the dangerous dog declaration. The hearing officer must be an impartial employee of the local government or an impartial person retained by the local government to conduct the

hearing. In the event that the dangerous dog declaration is upheld by the hearing officer, actual expenses of the hearing up to a maximum of \$1,000 will be the responsibility of the dog's owner. The hearing officer shall issue a decision on the matter within ten days after the hearing. The decision must be delivered to the dog's owner by hand delivery or registered mail as soon as practical and a copy must be provided to the animal control authority.

History:

2008 c 325 s 12

347.542 RESTRICTIONS.

Subdivision 1. Dog ownership prohibited.

Except as provided in subdivision 3, no person may own a dog if the person has:

- (1) been convicted of a third or subsequent violation of section 347.51, 347.515, or 347.52;
- (2) been convicted of a violation under section 609.205, clause (4);
- (3) been convicted of a gross misdemeanor under section 609.226, subdivision 1;
- (4) been convicted of a violation under section 609.226, subdivision 2; or
- (5) had a dog ordered destroyed under section 347.56 and been convicted of one or more violations of section 347.51, 346.515, 347.52, or 609.226, subdivision 2.

Subd. 2. Household members.

If any member of a household is prohibited from owning a dog in subdivision 1, unless specifically approved with or without restrictions by an animal control authority, no person in the household is permitted to own a dog.

Subd. 3. Dog ownership prohibition review.

Beginning three years after a conviction under subdivision 1 that prohibits a person from owning a dog, and annually thereafter, the person may request that the animal control authority review the prohibition. The animal control authority may consider such facts as the seriousness of the violation or violations that led to the prohibition, any criminal convictions, or other facts that the animal control authority deems appropriate. The animal control authority may rescind the prohibition entirely or rescind it with limitations. The animal control authority also may establish conditions a person must meet before the prohibition is rescinded, including, but not limited to, successfully completing dog training or dog handling courses. If the animal control authority rescinds a person's prohibition and the person subsequently fails to comply with any limitations imposed by the animal control authority or the person is convicted of any animal violation involving unprovoked bites or dog attacks, the animal control authority may permanently prohibit the person from owning a dog in this state.

History:

2008 c 325 s 13

347.55 PENALTY.

- (a) A person who violates a provision of section 347.51, 347.515, or 347.52 is guilty of a misdemeanor.
- (b) It is a misdemeanor to remove a microchip from a dangerous or potentially dangerous dog, to fail to renew the registration of a dangerous dog, to fail to account for a dangerous dog's death or change of location where the dog will reside, to sign a false affidavit with respect to a dangerous dog's death or change of location where the dog will reside, or to fail to disclose ownership of a dangerous dog to a property owner from whom the person rents property.
- (c) A person who is convicted of a second or subsequent violation of paragraph (a) or (b) is guilty of a gross misdemeanor.
- (d) An owner who violates section 347.542, subdivision 1, is guilty of a gross misdemeanor.
- (e) Any household member who knowingly violates section 347.542, subdivision 2, is guilty of a gross misdemeanor.

History:

1988 c 711 s 7; 1Sp2001 c 8 art 8 s 21; 2008 c 325 s 14

347.56 DESTRUCTION OF DOG IN CERTAIN CIRCUMSTANCES.

Subdivision 1. Circumstances.

Notwithstanding sections 347.51 to 347.55, a dog may be destroyed in a proper and humane manner by the animal control authority if the dog:

- (1) inflicted substantial or great bodily harm on a human on public or private property without provocation;
- (2) inflicted multiple bites on a human on public or private property without provocation;
- (3) bit multiple human victims on public or private property in the same attack without provocation; or
- (4) bit a human on public or private property without provocation in an attack where more than one dog participated in the attack.

Subd. 2. Hearing.

The animal control authority may not destroy the dog until the dog owner has had the opportunity for a hearing before an impartial decision maker. The definitions in section 347.50 and the exemptions under section 347.51, subdivision 5, apply to this section.

History:

1Sp2001 c 8 art 8 s 22; 2008 c 325 s 15

347.565 APPLICABILITY.

Sections 347.50 to 347.56 must be enforced by animal control authorities or law enforcement agencies, whether or not these sections have been adopted into local ordinance.

History:

2008 c 325 s 16

AITKIN COUNTY SHERIFF'S OFFICE
VOLUNTARY STATEMENT

THIS STATEMENT IS GIVEN VOLUNTARILY BY: JUDITH LYNN PIESKE
STATEMENT IS IN REFERENCE TO ICR #: 12-0818
DEPUTY TAKING STATEMENT: DEPUTY LARRY DERKSEN
DATE OF STATEMENT: APRIL 5, 2012

Q THE DATE IS APRIL 5TH, 2012. IT IS UH, 7:18 P.M. I'M ON THE PHONE SPEAKING WITH JUDITH LYNN IS (INAUDIBLE).

A (INAUDIBLE)

Q P-I-E-S-K-E.

A YES.

Q UH, HER DATE OF BIRTH 9-28-1965. HER ADDRESS IS 13311 HINES ROAD, ROGERS MINNESOTA 55374. UH, THIS IS IN REFERENCE TO ICR NUMBER 12-818. UH, JUDY A COUPLE WEEKS AGO YOU CALLED THE SHERIFF'S OFFICE IN REFERENCE TO A AN INC AN INCIDENT AT THE END OF SHESHEBE POINT ROAD. UH, WHEN YOU WERE OUT WALKING WITH A FRIEND, IS THAT CORRECT?

A (INAUDIBLE)

Q WHY DON'T YOU GO AHEAD IN YOUR OWN WORDS TELL ME WHAT HAPPENED.

A WE'VE BEEN WALKIN' UP THERE FOR MANY YEARS AND THERE'S ALWAYS BEEN THIS BIG LAB DOG THAT SITS IN THE MIDDLE OF THE ROAD. AND HE'S ALWAYS BARKED AT US BUT NEVER REALLY CAME AFTER US UNTIL WE CAME UP WITH OUR DOGS. AND THEN IT CAME AFTER OUR DOG AND CAME TRIED TO BITE IT IN THE REAR AND TRIED TO BITE MY FRIEND IN THE REAR WHO WAS HOLDING THE DOG.

Q AND THE...

A (INAUDIBLE) GO AHEAD.

Q GO AHEAD. AND AND AND THIS THIS HAPPENED JUST THIS UM, ON UH, ON OR ABOUT...

A (INAUDIBLE)

Q THE THE 10TH OF OF MARCH?

A AND THEN IT HAPPENED ON OTHER TIME IN THE SUMMER. I DID NOT REPORT IT THAT TIME. WHY, I DON'T KNOW.

AITKIN COUNTY SHERIFF'S OFFICE
VOLUNTARY STATEMENT

THIS STATEMENT IS GIVEN VOLUNTARILY BY: JUDITH LYNN PIESKE
STATEMENT IS IN REFERENCE TO ICR #: 12-0818
DEPUTY TAKING STATEMENT: DEPUTY LARRY DERKSEN
DATE OF STATEMENT: APRIL 5, 2012

Q THE SUMMER OF LAST YEAR 2011?

A YEAP.

Q O.K. AND DID YOU HAVE YOUR DOG UP UH AT THAT POINT TOO WAS THAT DOG WITH YOU WALKING THEN?

A YES. YES, WE HAD A COUPLE DIFFERENT DOGS WITH US SO YEAP.

Q WHO ALL WAS WITH YOU ON THIS ON THE DAY ON UH THE 10TH?

A UH, JUST MYSELF AND THE DOG AND STACY ALPEN.

Q O.K. AND THIS IS YOUR DOG?

A STACY'S DOG.

Q OH STACY'S DOG. WHAT KIND OF DOG WAS IT?

A UM, IT'S A GOLDEN IS IT UH, WHAT DOES SHE HAVE? A GOLDEN, SHE HAS A GOLDEN, GOLDEN RETRIEVER.

Q O.K.

A IS IT A GOLDEN RETRIEVER?

Q YEAH. O.K.

A YEAH.

Q AND WERE THE PEOPLE THAT OWNED THIS BLACK LAB DID YOU DID YOU MAKE CONTACT WITH THEM AT ALL?

A I, I MENTIONED TO THEM TO CALL THE DOG BACK. AND THEY DIDN'T SEEM TO REALLY CARE.

Q AND THEY WERE MAN WO, MAN WOMAN WHO.

AITKIN COUNTY SHERIFF'S OFFICE
VOLUNTARY STATEMENT

THIS STATEMENT IS GIVEN VOLUNTARILY BY: JUDITH LYNN PIESKE
STATEMENT IS IN REFERENCE TO ICR #: 12-0818
DEPUTY TAKING STATEMENT: DEPUTY LARRY DERKSEN
DATE OF STATEMENT: APRIL 5, 2012

A YES. THEY WERE BOTH THERE. THEY WERE BOTH THERE.

Q WERE THEY OUTSIDE OR INSIDE?

A OUTSIDE.

Q O.K. AND CAN YOU, DO YOU REMEMBER AT ALL WHAT THEY LOOKED LIKE? THE THE
THE COUPLE?

A OH GOSH NO. NO, I WAS TOO, TOO WORRIED ABOUT WHAT WAS GOIN' ON WITH THE
DOG.

Q O.K. AND WHAT DID THE DOG DO EXACTLY?

A IT BASICALLY CAME AFTER THE DOG'S BEHIND. AND TRIED TO GET AFTER IT SO.

Q WAS IT KINDA KINDA KINDA NIPPIN' AT THE...

A IT SNA, OH IT CAME YEAH IT WAS VERY VERY VICIOUS. SO...

Q AND WHAT...

A I YELLED AT THE OWNERS TO HOOK THE DOG UP AND THAT I WAS GONNA CALL THE
COPS.

Q AND WHAT WHAT DID THE DOG DO UH DID IT DID IT RUN DID IT GO AWAY OR HOW DID
HOW DID THE DOG FINALLY LEAVE...

A IT FINALLY WENT AWAY WHEN THE WHEN THEY CAME UP TO TRY TO GET IT, YES.

Q O.K. AND WHAT DID THEY SAY? ANYTHING AT ALL?

A NO.

Q O.K. HAVE YOU AND HAVE YOU SEEN THIS DOG BEFORE BEFORE LAST SUMMER?

A YES. OH, BEFORE LAST SUMMER?

AITKIN COUNTY SHERIFF'S OFFICE
VOLUNTARY STATEMENT

THIS STATEMENT IS GIVEN VOLUNTARILY BY: JUDITH LYNN PIESKE
STATEMENT IS IN REFERENCE TO ICR #: 12-0818
DEPUTY TAKING STATEMENT: DEPUTY LARRY DERKSEN
DATE OF STATEMENT: APRIL 5, 2012

Q YEAH.

A UM, (INAUDIBLE) WAS THAT UM (INAUDIBLE) WOULD NEVER (INAUDIBLE) I DON'T KNOW WE SOMETIMES WE GO A DIFFERENT WAY 'CAUSE IT IT MAKES YOU NERVOUS. (INAUDIBLE) 'CAUSE IT WOULD SIT IN THE MIDDLE OF THE ROAD AND IT LOOKED LIKE A BIG BLACK BEAR.

Q O.K.

A BUT, SO.

Q UM, NOW SO WHAT WHAT WHEN YOU WENT ANOTHER WAY HOW DO HOW DO YOU GO? I MEAN THIS THIS THAT'S AT THE END OF A LOOP. DO YOU JUST GO TO A ...

A RIGHT.

Q (INAUDIBLE)?

A IF WE GO TO, FROM OUR CABIN IF WE CAN GO UP TO THE TO WHERE THAT LOOP STARTS. IT'S A MILE AND A HALF. SO WE CAN JUST GO THREE MILES IF WE WANT. IF WE LIKE TO, I LIKE TO DO THE EXTRA MILE AND A HALF WHICH IS AROUND THE LOOP SO THAT WOULD GIVE US FIVE MILES.

Q O.K.

A SO. WE LIKE TO DO THE FIVE MILES.

Q O.K.

A SO.

Q AND UM, HOW OFTEN DO YOU GUYS COME UP?

A IN THE SUMMER WE'RE UP ALMOST EVERY WEEKEND. AND THEN WE'RE UP IN THE FALL PERIODICALLY AND IN THE, WE'RE UP ALL YEAR ROUND BUT...

Q AND...

AITKIN COUNTY SHERIFF'S OFFICE
VOLUNTARY STATEMENT

THIS STATEMENT IS GIVEN VOLUNTARILY BY: JUDITH LYNN PIESKE
STATEMENT IS IN REFERENCE TO ICR #: 12-0818
DEPUTY TAKING STATEMENT: DEPUTY LARRY DERKSEN
DATE OF STATEMENT: APRIL 5, 2012

A NOT EVERY WEEKEND.

Q AND DURING NICE WEATHER YOU'RE YOU'RE WALKING OUT ALL THE TIME?

A YEAP.

Q O.K. ALL RIGHT. IS THERE ANYTHING ELSE THAT THAT THAT YOU WANNA ADD AT THIS POINT JUDY?

A NO.

Q O.K. I'M GONNA GO AHEAD AND END THE STATEMENT ON THE SAME DATE AT UH, 7:23 P.M.

WITNESS	PERSON MAKING THIS STATEMENT	DATE
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WITNESS	I HAVE RECEIVED COPY	DATE
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I HEREBY CERTIFY THIS IS AN ACCURATE REPRODUCTION OF ALL QUESTIONS ASKED AND ANSWERED AS BEST I COULD TRANSCRIBE FROM THE TAPED STATEMENT TAKEN ON APRIL 5, 2012, BY LAWRENCE A. DERKSEN OF JUDITH LYNN PIESKE.