

**Zimbra****todithvt@gmavt.net**

---

**Dog Bite Incident for Selectboard Review**

---

**From :** Hulshof, Jeremy <Jeremy.Hulshof@vermont.gov> Wed, Aug 25, 2021 04:30 PM  
**Subject :** Dog Bite Incident for Selectboard Review 📎 4 attachments  
**To :** todit@Hinesburg.org  
**Cc :** Cambridge, Anthony  
<Anthony.Cambridge@vermont.gov>,  
mlovell@hinesburg.org

I have copied Chief Cambridge and Chairperson Lovell to this email.

Per Article 13 of the Hinesburg Animal Control Ordinance I am filing a complaint with the Hinesburg Selectboard to assist them in their investigation regarding a dog bite that occurred in Hinesburg.

Case # 21HB00945

The incident occurred on 08/18/2021, at approximately 1940 hours, on North Road in front of 2195 North Road in the town of Hinesburg.

Complainants are Anthony Seagroves (DOB 12/13/1991) and Katelynn Cannon (DOB 04/27/1996) who reside at 2173 North Road. Contact information 802-881-1204 or 802-557-8932.

Victim is Wyatt, four year old son of Anthony and Katelynn.

Dog involved is a male Staffordshire Terrier named Theo.

The owner of Theo is Alicia Marshall (DOB 07/16/1976) who resides at 2195 North Road in the town of Hinesburg. Contact information 802-318-1305.

Attached to this email is the following; Case Narrative, Rabies Certificate for Theo, previous incidents with Marhsall's involving dog bites (Case Numbers and Narratives), and a copy of the decision made by the Hinesburg Selectboard on 02/06/2017 involving Theo in another dog bite incident.

Thank You.

**Jeremy Hulshof**  
**Police Officer, Hinesburg Police Department**  
10322 Vermont Route 116  
Hinesburg, VT 05461  
Phone: [802-482-3397](tel:802-482-3397)  
Dispatch: [802-985-8051](tel:802-985-8051)

Notice - Under Vermont's Public Records Act, all e-mail, e-mail attachments as well as paper copies of documents received or prepared for use in matters concerning Town business, concerning a Town

Narrative:

On 08/18/2021, at approximately 1940 hours, Officer Bryan and I were dispatched to 2195 North Road for an animal problem. Dispatch stated a dog had attacked a four year old who received multiple lacerations. Hinesburg Rescue was dispatched and advised to stage.

Upon arrival, I made contact with Katelynn Cannon (DOB 04/27/1996) who was seated in the grass approximately 10 feet from North Road between the driveways of 2195 North Road and 2187 North Road. Cannon was holding her son WS who had a towel wrapped around his right arm. I observed what appeared to be blood on the shirt of WS. Anthony Seagroves (DOB 12/13/1991), the father of WS, was also on scene. I advised Cannon Hinesburg Rescue was en route and went back to my cruiser to radio dispatch that rescue was clear to come to the scene.

I made contact with Harley Marshall (DOB 07/11/1995) and Amber Therrien (DOB 10/06/1991) who were standing in the driveway of 2195 North Road and advised them to go inside and wait for me to speak with them, so the situation did not escalate, and they did so.

After Officer Bryan arrived on scene I went into the residence located at 2195 North Road to speak with Harley and Therrien.

Harley stated she was inside the residence located at 2195 North Road making dinner when she heard screaming outside. She stated she did not witness the dog attack. She said the dog that bit WS was Theo who was now inside the residence in a separate room. She stated Theo had been in the fenced in yard and was unsure of how he got out. Harley said after the attack she located Theo hiding between the fence located on the property of 2195 North Road and the residence of 2187 North Road.

While on scene I walked around the interior of the fence and did not observe any holes in the fence large enough for Theo to have gone through or areas where Theo could have gone under the fence.

Therrien stated she had left earlier to get food and was sure the gate to the fenced in area was shut. She stated the attack happened as she returned to the residence. She slowed down to pull into the driveway of 2195 North Road and observed Seagroves, Cannon, and their children at the corner of the driveway. Therrien saw Theo running towards Seagroves, Cannon, and the children as she was pulling into the driveway but was unsure of where he had come from. She stated she put her vehicle in park and got out of the vehicle and observed Theo bite WS and after approximately 10 seconds he released.

Alicia Marshall (DOB 07/16/1976), the owner of Theo, had arrived on scene. Alicia was unable to provide me with an up to date rabies certificate but stated she was sure Theo was up to date. I was shown an old rabies certificate from the Animal Hospital of Hinesburg which had expired in 2019.

I spoke with Seagroves who stated Cannon, the children, and himself had been walking along North Road from their residence at 2173 North Road and had stopped at the edge of the driveway to 2195 North Road due to a vehicle pulling into the driveway. Seagroves said he observed the dog running towards them and stated the dogs hair was standing up. He said the dog appeared to come from between the fence located at 2195 North Road and the residence of 2187 North Road. Seagroves

attempted to get between the dog and his kids but the dog went around him, latched onto the arm of WS, and dragged him approximately 5-10 towards 2195 North Road. Seagroves stated he was able to put the dog in a headlock and punched him in the nose several times at which point the dog released WS and ran off. Seagroves stated the dog had been latched onto WS for approximately 30 seconds.

On 08/19/2021, I contacted the Animal Hospital of Hinesburg and was faxed a copy of the Rabies Certificate for Theo who was listed as a male, brindle, Staffordshire Terrier. Theo received his current rabies shot on 05/02/2019 with an expiration date of 05/02/2022.

I contacted Cannon who was still at the hospital with WS. Cannon stated WS had deep lacerations to his right arm and also had a broken and dislocated right elbow. I asked Cannon to tell me what she had observed the previous day. Cannon stated she had been walking with Seagroves and their children along North Road. Seagroves was in front and Cannon was in back with the children between them. She stated they had stopped for a vehicle pulling into the driveway of 2195 North Road when a dog came running towards them from the area of 2195 North Road. She stated the dog bit WS and dragged him approximately 5 feet. She said Seagroves jumped on the back of the dog and the dog thrashed WS twice while biting him. She said the dog released WS after seagroves got it into a headlock.

I spoke with the Hinesburg Health Officer Phil Stoltz who requested the dog be put under observation for 10 days. I made contact with Lanette, the owner of Comfort Hill Kennel, located at 94 Comfort Hill in Vergennes. She agreed to take Theo for a 10 day observation period.

Alicia transported Theo to Comfort Hill Kennel on 08/19/2021.

Case has been submitted to the selectboard per the requirement under Article 13 of the Town of Hinesburgs Animal Control Ordinance.

As approved by the Selectboard on 02/06/17

Result of 17HB00081

Town of Hinesburg, Vermont  
Decision – Vicious Dog Hearing, Animal Control Ordinance Violations  
January 30, 2017

In re: "Theo"

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves a vicious dog and animal control ordinance violation complaint submitted by Mr. Allen and Mrs. Samantha Bickmore (hereinafter, "the Bickmores") of Hinesburg.
2. The complaint was submitted in writing in an appropriate format.
3. The complaint was received by the Town of Hinesburg on Monday, January 23, 2017 and referred to the Selectboard for a hearing on January 30, 2017.
4. The date of the alleged incident is listed in the applicable forms, reports, and other materials as January 19, 2017.
5. A dog named, "Pepper," owned by the Bickmores, was alleged to have been attacked by, "Theo."
6. Theo is a dog alternately described as a pitbull and a Staffordshire terrier.
7. Theo is registered with the Town as owned by Mr. Gary and Mrs. Alicia Marshall (hereinafter, "the Marshalls") of Hinesburg.
8. Pepper was on the premises of its owners (2187 North Road).
9. The Bickmores reside in a home located immediately adjacent to a home in which the Marshalls reside.
10. Pursuant to 20 V.S.A. § 3546 and the duly-adopted Animal Control Ordinance of the Town of Hinesburg, the Selectboard, at its January 30, 2017 regular meeting, held a public hearing.
11. The hearing was held on January 30, 2017 at 6:30 p.m. in the Main Hall of the Hinesburg Town Hall at 10632 VT Route 116 in Hinesburg, VT.
12. Notice of the hearing was posted near the Town Clerk's office, the Town Administrator's office, the Post Office, the Carpenter-Carse Library, and on the Town's website on or before Monday, January 30, 2017.
13. Notice of the hearing was delivered to the Marshalls on Thursday, January 26, 2017 by a Hinesburg Police Department officer. The notice included the date, time, and subject of the hearing.
14. All materials relevant to the hearing were made public and readily available on Friday, January 27, 2017.
15. The Bickmores were officially notified of the hearing date, time, and location in a conversation with the Town Administrator at Town Hall on Friday, January 27, 2017.
16. All five Selectboard members were present for the hearing and deliberative session that followed.
17. The deliberative session was not public.
18. During the hearing, the following exhibits were submitted to the Selectboard:
  - a. A written complaint from the Bickmores concerning the incident, which included additional written testimony supplied by the Bickmores regarding the incident.
  - b. A report by the Hinesburg Police Department describing the incident on January 19, 2017.
  - c. Photographs of the location of the alleged incident.
  - d. Photographs of puncture wounds suffered by Pepper during the incident.
  - e. Copies of veterinarian bills from Richmond Animal Hospital, describing the care required and cost.
19. Oral testimony was provided during the January 30, 2017 hearing by the following:
  - a. Mr. Allen Bickmore
  - b. Ms. Samantha Bickmore
  - c. Mrs. Alicia Marshall

*As approved by the Selectboard on 02/06/17*

- d. Mr. Gary Marshall
  - e. Hinesburg Police Chief Frank Koss.
  - f. Hinesburg Animal Control Officer Ed Waite
  - g. Ms. Debra Nosset (on behalf of Theo/the Marshalls)
  - h. Ms. Becky G. \_\_\_\_\_, a resident of the neighborhood describing encounters with dogs owned by the Marshalls.
20. All oral testimony is summarized in the official minutes of the hearing. The hearing was recorded by VCAM, the community access television entity serving Hinesburg, and is available for review online or by request.

#### FINDINGS OF FACT

1. On January 19, 2017, Theo entered the premises occupied by the Bickmores.
2. Theo had not been called to the premises, nor was Theo provoked or otherwise enticed to enter the premises.
3. The Bickmores were on the premises with their two dogs, including Pepper, in the yard.
4. After exiting a vehicle on the premises of the Marshalls, Theo broke from the physical control of Mr. Marshall.
5. Theo did not respond to verbal commands after breaking from the physical control of Mr. Marshall.
6. Theo attacked Pepper, causing wounds requiring veterinarian care provided by Richmond Animal Hospital.
7. Theo did not cease the attack on Pepper until Mr. Bickmore struck Theo multiple times on or about the head.
8. Mr. Bickmore was instructed to strike Theo by Mr. Marshall, who was attempting to pull Theo away during the incident.
9. The Marshalls contested details of the report (such as the number of strikes to Theo's head required to make the dog release), but not that Pepper had been attacked by Theo on January 19, 2017.

#### CONCLUSIONS

1. The Marshalls did not contest that Pepper had been attacked by Theo during the January 30, 2017 hearing.
2. Though the attack appears to have been accidental in its genesis, it is also an indicator of aggressive and unacceptable animal behavior. Any future incident shall result in consideration of all enforcement actions allowed by statute or municipal ordinance.
3. The attack by Theo violates Article 3, Section 3.1 and Article 4, Sections 4.1.5, 4.1.7, and 4.1.8 of the Hinesburg Animal Control Ordinance. The sections deal with dogs running at-large and creating a public nuisance.

#### ORDER

1. Theo is to be muzzled **at all times** when outside of the residence of the Marshalls. This includes the time spent inside the fenced-in area, as well as any time Theo is on a leash regardless of distance traveled or duration. Upon a satisfactory inspection of the Marshalls' fencing by the Animal Control Officer, the muzzle may be removed while Theo is inside the fenced-in area.
2. The Marshalls shall allow the Hinesburg Animal Control Officer to inspect the fence and coyote rollers previously installed on their premises within seven (7) days of receipt of this order. Any deficiencies or potential deficiencies in the fencing and/or rollers will be fixed or otherwise remedied immediately and at the sole expense of the Marshalls. If deficiencies are found by the Animal Control Officer, Theo will be muzzled at all times when outside until such time as the deficiencies are corrected and those corrections verified by the Animal Control Officer.

*As approved by the Selectboard on 02/06/17*

3. The Marshalls are ordered to pay all veterinarian bills for care received by Pepper as a result of the incident involving Theo. Any disagreement whether or not care is related to the incident on January 19, 2017 will be referred to the Town Administrator for adjudication. Bills will be submitted to the Town of Hinesburg, totaled, and an invoice supplied to the Marshalls for payment. The Town will receive payment on behalf of the Bickmores. Payment will be made by check or money-order, payable to the Bickmores, within 30 days of receipt of an invoice from the Town.
4. As allowed in Article 9 of the Hinesburg Animal Control Ordinance, the following fines are levied on and to be paid by Gary and Alicia Marshall to the Town of Hinesburg as soon as practicable upon finalization of this order:
  - a. \$25 for violating Article 3, Section 3.1 (dog running at-large), of the Hinesburg Animal Control Ordinance. First offense.
  - b. \$25 for violating Article 4, Sections 4.1.5, 4.1.7, and 4.1.8 (dog creating a public nuisance), of the Hinesburg Animal Control Ordinance. First offense.

ANIMAL HOSPITAL OF HINESBURG

www.hinesburgvtvet.com

205 Commerce St.

Hinesburg, VT 05461

(802) 482-2956

Rabies Certificate

Client ID: 10395  
Client Name: Alicia Marshall  
Address: P.O. Box 334  
  
Hinesburg, VT 05461  
  
Phone: (802)881-2347

Patient ID: 10395-8  
Patient Name: Theo  
Species: CANINE  
Breed: TERRIER, STAFFORDSHIR  
Sex: Neutered Male  
Color: Brindle  
Markings:  
Birthday: 01/11/2015  
Weight: 66.00 pounds on 7/22/2020  
Microchip ID: 982000364119474

Tag Number: 16332  
Lot Number: 340445  
Rabies - 3 Year  
Producer: Zoetis  
K / MLV / R: Killed Virus

Vaccination Date: 5/2/2019  
Expiration Date: 5/2/2022

*Brianna Letaw DVM*

Staff Name: Brianna Letaw, DVM  
License Number: 052-0133618

**Previous incidents with Marshall's involving dog bites**

15HB00339

Responded to a residence for a reported dog attack. Upon arrival, I contacted the complainant who had what appeared to have several bites to the hand. He also stated that his dog had been bitten but did not appear to need veterinary care. Gary Marshall, the attacking dogs owner was also present.

The attack happened when, due to piled snow, Marshall's dog was able to get over the fence where the complainant was with his dog.

The complainant indicated that he did not want to proceed any further and was agreed that if he took his dog to the vet, Marshall would pay the bill. At my request, Marshall produced the rabies certificate issued by the Animal Hospital of Hinesburg.

Case closed pending any other information. Koss

15HB00611

On 05-29-15 I received a call from Kimberly Gobeille in reference to her son being bitten by a dog at 2195 North Road, Alicia Marshall's home. Gobeille told me her son, Connor Gobeille, was bitten by the dog while in the home of the Marshall's on 05-28-15 at or about 2200 hours. Gobeille told me that her son suffered an injury to his right arm at the elbow. Gobeille said she was worried the animal was not vaccinated but the Animal Hospital in Hinesburg would not provide any proof of vaccinations.

This case has been referred to the Hinesburg Animal Control Officer on this date at 1730 hours.

15HB00667

On 06-11-15 at 0950 hours, I was notified by a concerned community member about a dog attack. I was informed the victim was Makenna Lavalette and the dog was owned by Alicia Marshall of 2195 North Road, in Hinesburg. I am familiar with the Marshall's dog, a pit bull, as it has attacked others before. I spoke with UVM Medical center on this date and was informed that Lavalette lost a tooth, had substantially bruised and bloody lips, and also had damage to her arm from the attack.

I contacted Sgt. C. Casco about the incident and he informed me that he spoke with the victims mother late last night about the incident. Sgt. Casco informed me that they were on their way to the UVM Medical Center for treatment and would come by the Hinesburg Police Department on 06-11-15 to submitted a written statement.

The Hinesburg Animal Control Officer met with the Marshall's at the Hinesburg Police Department on 06-12-15. It was discovered that the Marshall's had home owners insurance but it was unknown what their coverage was or the policy number. The Hinesburg Town Health Officer is also planing on meeting with the Marshall's to further investigate the incident.

At this time there does not seem to be any criminal element to this case but it shall be left open for further investigation.



15HB00910

On August 6, 2015, at approximately 0921 hours, the Hinesburg Police and Hinesburg First Response responded to Hillview Terrace for a reported victim of a dog bite. Upon arrival, we met with 30 year old Allen Bickmore who reported that he was attacked and bitten by the Marshall's dog. He was in his own yard at 2187 North Rd. The injury to Bickmore consisted of three puncture wounds to his right arm, at least one of which most likely would need stitches. Bickmore was taken by ambulance to UVM medical Center.

Bickmore provided the following verbal statement, I stopped by my trailer to look in the backyard. I made eye contact with Gary, he was outside with his dog. We were talking and before he could do anything the dog started toward the fence, leaped over and bite me once, I think it's because I held my ground. Bickmore advised that the dog was brown with some greyish and black. Bickmore further stated, Gary was telling it to stop, he hoped the fence and brought the dog over the fence. Bickmore also provided a written statement.

On August 6, 2015, at approximately 0930 hours I met with Gary Marshall outside his home at 2195 North Road. Marshall confirmed that his dog had just bite the neighbor. Marshall stated I let him out front he went around the turn and was gone right up over the fence.

I informed Marshall that like previous case this would be reviewed by our department and animal control. I advised Marshall to take whatever measure necessary to ensure that not would not escape while the case was pending.

On August 6, 2015 at approximately 1100 hours I was informed at the Hinesburg Police Department that the Marshall's had called and informed they made an appointment to have the dog put down at the Hinesburg animal hospital. I was later informed that they had cancelled the appointment with because Hinesburg officers advised if they put the dog on medication and used rollers on top of the fence they could continue keeping the dog without incident or penalty.

I confirmed with the Police Department that no one had spoke with the Marshalls about not taking action. I informed Chief Koss that during the call I advised Marshall to do what he needed to do to secure the dog while the investigation was being conducted.

On august 6, 2015 at approximately 1400 hours I went to the Marshall resident to speak with them about not putting the dog down as they previously stated they would. I knocked in the door and his son answered, his son put me on the phone with Gary Marshall. I informed Gary Marshall that he needed to put the dog down or we would bring the case before the select board, Marshall stated he was surprised the Chief wont give him another chance. I explained that he had multiple chances to restrain the dog but have been unsuccessful to this point. Marshall advised he would call Chief Koss.

15HB01439

On 12-04-15 at or about 1900 hours, I was contacted by Registered Nurse, S. Demore, with The University of Vermont Medical Center Emergency Department. RN Demore informed me that she has a Joshua Ramstrom in the E.D. and he had suffored a dog bite to the left ear in the Town of Himesburg. I was unable to speak to the victim at the time of this call but was provided with an address and phone number. I left a telephone message with Ramstrom shorty after speaking with RN Demore.

On 12-08-15 I met with Ramstrom to discuss the dog bite. Ramstrom informed me that on 12-04-15 he was at Alicia Marshall's house located at 2195 North Road. Ramstrom told me that the two dogs owned by Marshall, began to fight over a chew toy within the residence. Ramstrom told me he broke the fight up and separated the dogs. Ramstrom then informed me that the Pitbull mix (Tim) came from behind him and bit his ear. Ramstrom told me he did not want to report the incident due the Marshall's already having to put down a dog for biting others but the ED nurse told him it was required.

I observed cuts to the back of Ramstrom's left ear (back side). The cuts appeared to be rather deep possibly all the way through to the other side. Ramstrom stated the Marshall's paid for the ED visit and the antibiotics he was put on.

This case has been forwarded to Chief Koss for review prior to taking any action.

16HB00591

On 05/25/2016, at approximately 1515 hours, Sgt. Casco and I were dispatched to the area of 2173 North Road for an animal problem. Tina Miller (DOB 08/13/1976) stated that two dogs had attacked her and her dog Chance.

Upon arrival, I spoke with Miller who stated she was walking on North Road in front of residence 2195 when two Pitbulls, later identified as Theodore and Justice, came from the residence towards her and Chance. Miller said they were not aggressive but claimed that Theodore bit chance multiple times at which point she picked him up over her head and the dogs began to jump up onto her. Someone came to get the dogs and she went home and called 911. I observed scratch marks on Miller located on back by left shoulder and on lower left back. (No blood) I did not observe any marks or blood on Chance. Miller provided sworn written statement.

I spoke with Alicia Marshall (DOB 07/16/1976) and her son CM. Marshall stated she had just returned home and the gate to the fenced in yard must have been left open. Both Marshall and CM said the two dogs exited the yard and ran towards Miller and Chance with their tails wagging as if they wanted to play and not in a vicious manner. The dogs were retrieved approximately 6 seconds after the incident started.

On 05/26/2016, Officer Marcelle received a call from Miller. (See Supplemental) Miller stated she shaved her dog and found what she believed to be three puncture marks on her dog. Officer Marcelle contacted Hinesburg Town Hall and confirmed Theodore was up to date on his vaccinations.

On 05/26/2016, at approximately 1520 hours, I spoke with Miller at her residence and took pictures of the three marks on her dog. (Attached in Case File) they did not appear to be dog bites. Miller also confirmed Theodore was the only dog who bit Chance and jumped on her. Miller stated she was fine with the Marshalls paying for a vet checkup for Chance.

At approximately 1850 hours, I met with Marshall at the Hinesburg Police Department. I issued Marshall a verbal warning for the incident and reminded her that the dogs needed to remain on property unless supervised. I also informed her that based on statements from both parties it did not appear to be an attack but an attempt to play. I informed Marshall that Miller requested she pay for a vet checkup for

Chance and the issue would be resolved. Marshall agreed and stated she would pay the bill. (Verbal agreement recorded on Body Camera)

At approximately 1900 hours, I met with Maria at the Hinesburg Animal Hospital. I informed her of the situation and she agreed to check Chance. Miller was given Maria's card and instructed to call on the morning of 05/27/2016 to schedule an appointment for that day. I advised Miller to call the Hinesburg Police Department after the vet check was complete so I could inform Marshall.

On 05/27/2016, I received a call from Maria who stated the Hinesburg Animal Hospital had "fired" Miller from there place of business and would no longer see her. She told me Miller had been in contact with River Cove Animal Hospital in Williston and scheduled an appointment for 1430 hours.

I contacted River Cove and advised them of the situation and told them that the Marshall would be paying for the bill. River Cove called me at approximately 1530 hours to inform me they had seen Chance and he did have 3 puncture wounds. Stated they had cleaned them and provided Miller with medication. Total of the bill was \$160.87. I advised them I would contact Marshall and asked them to provide a copy of the receipt for my records.

On 05/31/2016, at approximately 1500 hours, I received a fax from River Cove Animal Hospital which included a receipt for \$160.87 that was paid by the Marshall.

End of Report.

16HB01194

Female resident was bitten by her own dog while trying to stop a dog fight. The rabies and license certificate were provided by the owner and are on file. NOI

16HB01364

On 11/19/16 at approximately 0811 hours Valerie Nick a nurse at the UVM medical center Emergency Room called to advise a dog bite had occurred. Nick advised the victims were Alicia Marshall and her daughter Harley Marshall. Nick informed me that two dogs were involved. The dogs named were pit bulls Justice and Theo . Nick stated Alicia had told her she wasn't sure what dog bit her because it all happened so fast but Harley advised she was certain it was justice that bit her.

Nick informed me that both bites would require snitches but she was unsure of how many. When asked how serious the bites were Nick advised significant, that they were not just puncture wounds and stated although Marshall advised the dogs were puppies, they went beyond what would be considered normal play of a dog.

At the conclusion of my call I immediately called Hinesburg animal control officer Ed Waite, wait advised he would investigate.

No further action at this time., M24

17HB00081

On 01/19/17 at approximately 1402 hours I received information via Shelburne Dispatch of a fight that had occurred between two dogs. Dispatch advised that the two parties were in a verbal dispute. I responded to 2187 North Road in Hinesburg, the home of Samantha Bickmore.

Upon my arrival I met Samantha Bickmore in the driveway of the home. Bickmore advised that the brown and white Marshall pit bull had jumped the fence and attacked her dog on her property. I entered the home and observed what appeared to be a laceration and blood on the neck of the dog. Bickmore advised that Gary Marshall told her husband to punch his dog (the brown and white pitbull) on the head during the incident. Bickmore informed me her husband punched the dog approximately 10 times before the pit bull released her dog.

Bickmore advised she feared during the incident that the dog would turn and attack her or her husband but they had no choice but to intervene. After meeting with the Bickmore's, I arrived at the home of Gary Marshall. Marshall advised he was just getting home from dropping his son Cory off at a friend's house when the incident took place. Marshall informed me he walked from his vehicle with his dog on a leash toward the gate of his fenced in yard. Marshall stated his dog saw the other dog when the Bickmore's exited the home. Marshall stated he had one hand on the gate because he was opening it and his dog "theo" tore the leash out of his other hand. Marshall informed me he told the Bickmore's to hit his dog on the nose so it would get off the other dog.

Marshall stated they did and the dog released after two hits on the nose. I responded back to the Bickmore home and asked Samantha Bickmore if she saw the Marshall dog actually jump the fence. Bickmore advised no, she only saw the dog come from the general direction of the fenced area. I asked Bickmore if she observed a leash on the pitbull, she advised she did not remember if a leash was present as the incident was traumatic and chaotic. Bickmore advised she was on her way to Richmond Animal Hospital with her dog, she advised that her dog is fighting cancer and she had serious concerns of over the severity of her dogs injury. On 01/19/16 at approximately 1500 hours I contacted Hinesburg Animal Control Officer Ed Waite. I advised Waite of the situation and he informed me he would follow up the next day. On 1/20/16 I received a receipt from Richmond Animal Hospital in the amount of 201.00.

No further action at this time.

18HB00419

Received a call from Cheryle, the Assistant Town Clerk regarding a call she received from Jan, Hinesburg Family Health about a dog bite.

I contacted Jan and she stated that Cameron Martin had come into the clinic about a dog bite he received while visiting at the Marshall's residence.

I called Cameron's mother, Aaron Murray, 324-7683 and she confirmed the dog bite and the visit to the clinic. She said it occurred several weeks ago and Cameron did not want to say anything because he is a friend of Corey Marshall.

Complaint given to Ed Waite, Animal Control Officer for follow up.

Closed Koss

# The Vermont Statutes Online

## **Title 20 : Internal Security And Public Safety**

### **Chapter 193 : Domestic Pet Or Wolf-hybrid Control**

#### **Subchapter 001 : General Provisions**

(Cite as: 20 V.S.A. § 3546)

#### **§ 3546. Investigation of vicious domestic pets or wolf-hybrids; order**

(a) When a domestic pet or wolf-hybrid has bitten a person while the domestic pet or wolf-hybrid is off the premises of the owner or keeper, and the person bitten requires medical attention for the attack, such person may file a written complaint with the legislative body of the municipality. The complaint shall contain the time, date and place where the attack occurred, the name and address of the victim or victims, and any other facts that may assist the legislative body in conducting its investigation required by subsection (b) of this section.

(b) The legislative body, within seven days from receipt of the complaint, shall investigate the charges and hold a hearing on the matter. If the owner of the domestic pet or wolf-hybrid which is the subject of the complaint can be ascertained with due diligence, said owner shall be provided with a written notice of the time, date and place of hearing and the facts of the complaint.

(c) If the domestic pet or wolf-hybrid is found to have bitten the victim without provocation, the municipal officials shall make such order for the protection of persons as the facts and circumstances of the case may require, including, without limitation, that the domestic pet or wolf-hybrid is disposed of in a humane way, muzzled, chained, or confined. The order shall be sent by certified mail, return receipt requested. A person who, after receiving notice, fails to comply with the terms of the order shall be subject to the penalties provided in section 3550 of this chapter.

(d) The procedures provided in this section shall apply if the domestic pet or wolf-hybrid is not a rabies suspect. If a member of the legislative body or a municipal official designated by the legislative body determines that the animal is a rabies suspect, the provisions of subchapter 5 of this chapter and the rules of the department of health shall apply.

(e) The procedures provided in this section shall not apply if the voters of a municipality, at a special or annual meeting duly warned for the purpose, have authorized the legislative body of the municipality to regulate domestic pets or wolf-hybrids by ordinances that are inconsistent with this section, in which case those ordinances shall apply. (Amended 1977, No. 215 (Adj. Sess.), § 2, eff. April 12, 1978; 1993, No. 213 (Adj. Sess.), § 4, eff. June 15, 1994; 2007, No. 121 (Adj. Sess.), § 15.)