

Steven A. Braatz, Jr.
City Clerk
City Clerk's Office
414.302.8220
sbraatz@westalliswi.gov

September 12, 2018

Holly Scheradella 3364 S. 113th St., #7 West Allis, WI 53227

Subject: Decision by City of West Allis Administrative Appeals Review Board

(AARB) in regard to the Appeal of the Dangerous Dog and Prohibited Dangerous Dog

Orders for Holly Scheradella of 3364 S. 113th St.

Dear Holly Scheradella:

This letter is to formally notify you of the determination made by the City of West Allis Administrative Appeals Review Board (AARB) from its meeting on August 20, 2018 regarding your appeal.

At the meeting, the Board decided to rescind the Prohibited Dangerous Dog Order for your dog, Charlie; but upheld the Dangerous Dog Order. The owner of any dog declared dangerous, shall register it with the Police Department upon disposition, and annually thereafter on or before April 1st of each year, by providing a current color photograph of the dog and payment of a seventy-five (\$75.00) registration fee.

Thank you for the time you took in making your appeal and attending the meeting. If you have any questions, or need further information or clarification, please feel free to contact me.

Sincerely,

Steven A. Braatz, Jr.

City Clerk

SB:ljr

cc:

Mayor Devine Health Commissioner City Attorney

Police Department

ORDER PROHIBITED DANGEROUS DOG

RECEIVED

JUL 3 0 2018

CITY OF WEST ALLIS CITY CLERK

Date: 1/9/8
Owner's Name(s): Hall Substantial (C) Address: 3361 = 113 + 77
Address: 3321 = 113 - 13 - 1
Address:
Name of Dog: Chalin Description of Dog: Shh -12n/Bither
Description of Dog: Sh h - 2m/ Bither
Pursuant to West Allis Revised Municipal Code Section 7.126, your dog, described above, is hereby declared to be a <u>prohibited dangerous dog</u> .
Within 30 days of the date of this order, you must comply with the requirement of 7.126(6)(a)1 in that your dog must be PERMANENTLY removed from the city (see back of sheet). A West Allis police officer will conduct a follow-up investigation to ensure compliance.
If you wish to contest this order or any of the requirements of 7.126(6), you must file an appeal pursuant to the provisions of Section 7.126(5)(b).
If you have questions about this order, please contact Assistant City Attorney Jenna Merten at (414) 302-8450.
Signature: Name of Officer / Department
Service: (check one)
If in person, complete the following:
Date/Time:
Name of person served:
Location:

CITY OF WEST ALLIS

To Whom It May Concern:

I am appealing the prohibited dangerous dog order for Charlie, Charlie is a good dog, but he is in the process of being trained. As I explained in my first appeal, we took in Charlie and Marley from a home where they were not given the amount of attention they needed and deserved. I believe this as the leading cause of his territorial and aggressive behaviors. Although we were starting to have Charlie become familiar with how to meet people inside our home and feel less territorial, unfortunately that did not prevent the accident with Don. After that event, I bought a muzzle for Charlie to wear outside when he goes out to use the bathroom and when we go on walks. Although I had the thought of putting the muzzle on him before Amy Louis came to our home, I wanted to give Charlie a chance and prove to Amy that he was a good dog and didn't need it. After all, we never had problems with Charlie and other people in our home before. Charlie became very territorial and aggressive that day, and I didn't know why he was so angry, but I tried to calm him down. Amy insisted on me letting him go to her, and I believe that he wasn't given the right amount of time to calm down to meet her, Honestly, I didn't really want him to meet her, and dogs are smart - he can sense how I'm feeling, and I believe Charlie felt he had to protect his territory by showing her he didn't want her there either. If I would have known he was going to be protective like that, I would have used the muzzle to introduce him to Amy. I was upset when the first bite happened, but when the second bite happened, I realized that this was bigger of a problem than I knew. These events have lead me to use the muzzle at all times of him being outside, and he will also be wearing the muzzle when he is meeting new people, inside and outside our home. Charlie needs to learn how to act around people, not removed from the city. He will always be confined with the leash and muzzle and will have limitations on time outside as well until we have his behavior under better control. Although I can guess as to why he acted that way, I can't say those are the reasons for sure, so I don't know exactly why he acted that way. I do know that his aggressive and territorial behavior needs to change, which is why I will be taking extra precautions for everything we do with him. I am slowly working with Charlie on redirecting his aggression towards positive things, but considering his past, it may take months for him to learn how to be better. It takes a lot of patience, and that is what Charlie needs right now - not to be kicked out of the city for his bad behavior. I acknowledge that he has shown "dangerous" behaviors, but I do not believe he is dangerous to where he can't learn how to be better for society. I do understand your viewpoint on why he should be removed from the city, but even if he were to be removed

from the city, he desperately needs this training. I would love to keep our community safe, and I will follow through with all courses that Charlie needs. Although it will be quite an investment for me, I am willing to do whatever it takes for Charlie to not be a dangerous dog, let alone a prohibited one.

Thank you for your time in this matter. Regards,

Holly Scheradella

Date

414-2541998

3364 S 113th St #7 West Allis 53227

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Clerical and Coding Manz, Tra 9656

West Allis P	Police Department	Continuation
Incident Report Number	Incident Location:	Incident Date:
18-026964	3364 S 113 St, West Allis, WI, 53227	07/09/2018

NARRATIVE

INITIAL RESPONSE

On 07/09/18 at approximately 1217 hours I responded to 3364 S. 113 St. for a report an employee from the West Allis Health Department was bitten by a dog while conducting a follow up investigation regarding a dog bite. Upon arrival I spoke with Amy Lewis.

STATEMENT FROM AMY LEWIS

Amy Lewis from the City Of West Allis Health Department was following up at 3364 S. 113 St. in reference to WAPD case number 18-025116 from 06/28/18. WAPD Case 18-025116 involved a three year old Shih Tzu/Bichon mix dog named "Charlie" owned by Holly M. Scheradella in apartment number 7 running outside and biting someone in the leg.

On 07/09/18 Lewis entered Scheradella's apartment and the Shih Tzu/Bichon dog named "Charlie" ran past Scheradella and bit Lewis in the right knee puncturing the skin. Lewis was able to free herself from the dog and left the apartment.

DANGEROUS DOG AND RABIES QUARANTINE ORDERS

WAPD Case 18-025116 lists Charlie's rabies vaccination as being valid until 09/15/19. However, Lewis advised the Rabies Quarantine Order needed to be issued again due to the second bite. I issued the Rabies Quarantine Order and the Prohibited Dangerous Dog Order to Scheradella while on scene.

Lewis was provided with the pink copy of the Rabies Quarantine Order.

Lewis reviewed the requirements of the Dangerous Dog Order and the Rabies Quarantine Order with Scheradella while I was on scene.

PHOTOGRAPHS

Scheradella advised she took a photograph of the dog bite puncture mark(s) on her leg. Scheradella advised she had to remove her pants while in her vehicle to view the injury. Scheradella was provided with my business card and advised she would email me the photograph of her knee to be attached to the report.

CASE DISPOSITION

Lewis advised she would review the incidents with her supervisor and advise if they required any citations be issued from the WAPD.

Reporting Officer(s):	Payroll Number :	Pages::
Lehman, Joseph	9293	2 Of 3

See Case 18-025116 for details on the previous incident involving the dog.

Reporting Officer(s):

Lehman, Joseph

Payroll Number:

9293

3 Of 3

ORDER PROHIBITED DANGEROUS DOG

RECEIVED

JUL 3 0 2018

CITY OF WEST ALLIS CITY CLERK

Date:	
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Owner's Name(s): Hall School Ca	•
Owner's Name(s): $\frac{100}{134}$ $\frac{1134}{134}$	
Address:	
Name of Dog: Shh -12m/ Bescription of Dog: Shh -12m/ Bescription	
Description of Dog: Sh h - 12m/ Bether	
Pursuant to West Allis Revised Municipal Code Section 7.126, your dog, describereby declared to be a <u>prohibited dangerous dog</u> .	bed above, is
Within 30 days of the date of this order, you must comply with the requirement in that your dog must be PERMANENTLY removed from the city (see back of West Allis police officer will conduct a follow-up investigation to ensure compliance of the conduct of the conduct of the city (see back of the conduct of the city of the conduct of the city	of sheet). A
If you wish to contest this order or any of the requirements of 7.126(6), you mus pursuant to the provisions of Section 7.126(5)(b).	t file an appeal
If you have questions about this order, please contact Assistant City Attorney Jer (414) 302-8450.	nna Merten at
Signature: Name of Officer / Department	
Name of Officer's Department	•
Service: (check one)	
If in person, complete the following:	
Date/Time:	
Name of person served:	
Locations	

CITY OF WEST ALLIS CITY CLERK

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Thank you for your time in this matter. Regards,

Holly Scheradella

Date

414-2544998

3364 S 113th St #7 West Allis 53227

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West Allis Police Department Incident Report Number 18-026964 Incident Location: 3364 S 113 St, West Allis, WI, 53227 Incident Date: 07/09/2018

NARRATIVE

INITIAL RESPONSE

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On 07/09/18 Lewis entered Scheradella's apartment and the Shih Tzu/Bichon dog named "Charlie" ran past Scheradella and bit Lewis in the right knee puncturing the skin. Lewis was able to free herself from the dog and left the apartment.

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Lewis was provided with the pink copy of the Rabies Quarantine Order.

Lewis reviewed the requirements of the Dangerous Dog Order and the Rabies Quarantine Order with Scheradella while I was on scene.

PHOTOGRAPHS

Scheradella advised she took a photograph of the dog bite puncture mark(s) on her leg. Scheradella advised she had to remove her pants while in her vehicle to view the injury. Scheradella was provided with my business card and advised she would email me the photograph of her knee to be attached to the report.

CASE DISPOSITION

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Reporting Officer(s):	Payroll Number :	Pages::
Lehman, Joseph	9293	2 Of 3

West Allis Police Department Continuation Incident Date: Incident Location: 07/09/2018 3364 S 113 St, West Allis, WI, 53227 18-026964 See Case 18-025116 for details on the previous incident involving the dog. Reporting Officer(s): Payroll Number: Pages::

9293

3 Of 3

Lehman, Joseph

ORDER DANGEROUS DOG

Date:
Owner's Name(s): Holly M. Schera Golla
Owner's Name(s): Holly M. Schera Golla Address: 3364 5.113 54 # 7
Name of Dog: Charle
Description of Dog: Ship, Too Bichon Mix
Pursuant to West Allis Revised Municipal Code Section 7.126, your dog, described above, is hereby declared to be a <u>dangerous dog</u> .
Within 30 days of the date of this order, you must comply with the requirement of 7.126(6) (se back sheet). A West Allis police officer will conduct a follow-up investigation to ensure compliance with the requirements.
If you wish to contest this order or any of the requirements of 7.126(6), you must, within 30 day after receipt of the order, deliver to the City Clerk a written objection to the order stating specificasions for contesting the order. The City Clerk is located at City Hall at 7525 West Greenfield Avenue, West Allis, Wisconsin.
If you have questions about this order, please contact the City Attorney's Office at (414) 302-8450. Signature:
Name of Officer / Department
Service: (check one)
Date/Time:
Name of person served:
Location:

RECEIVED

JUL 1 2 2018
CITY OF WEST ALLIS
CITY CLERK

To Whom it May Concern:

I am appealing the dangerous dog order for Charlie. Charlie is not a dangerous dog to the community, as he is always on a leash. He has always been good around people I've introduced him to and has never been a problem to other people and pets around us. We have never had any experiences of Charlie biting someone until the day Charlie met Don. On June 28 I was letting Charlie and Marley out to go potty and relieve them of energy from being in our bedroom all day. Maintenance had to come in for roof access, so the boys were put in our bedroom to avoid debris. Being locked up all day made them a little anxious, so they were quick to pee and poop. As I walked around the corner of our garages towards our poop station, Don startled me by shouting "hey come on over!" I saw they had just gotten back from the pool, they had a bunch of coolers and probably had been drinking all day. I shouted back to him "No thanks that's okay" - I had somewhere I needed to be and tried leaving it at that, but Don yelled again back to me "It's okay bring them over". I was irritated with Don, but I figured I would let the boys say hi. Sometimes the boys bark when they're anxious to meet new people, but they were quiet at the time, so I walked to boys over to Don. They sniffed him and as I was walking away, Don shouted "Your dog just bite me!" I stood there and looked at him and saw no bite mark initially, but he continued to get louder as he screamed at me and threatened to put my dog down. It was then that I noticed Don had started to bleed, and I became so frustrated with Don that I wasn't going to listen to him anymore. I immediately walked away and took them inside. This was only the second time Charlie was meeting ANYONE outside. The only other person who has met Charlie outside was actually Don's daughter Amanda. She was very patient with him and it went well. Charlie has not been exposed to many outside things. For over two years, Marley and Charlie lived with my parents and siblings, where they were not given attention. My family avoided all situations and put them in the basement often, leaving them neglected: any chance for Charlie to get better around people was shut down. So, when I moved out, I wanted to start training in the house first. I had friends come over to get him used to people, and anyone he was introduced to was never a problem. He did not bite anyone who came into the house. We had strangers, people who they weren't familiar with, come to

our home when we were on vacation, and they did just fine with people coming in and out of the house then. The first instance of him biting anyone in the house was on July 9th. Amy Louis from West Allis Health Department came to clear Charlie for quarantine. I met her outside with Marley, who got as close as he could to greet her with kindness. All three of us walked into the house, and Charlie freaked out. He started barking immediately, but not his usual friendly barking: I knew he was fearful, mad, and I needed to calm him down. I ran up the stairs to Charlie and grabbed him to pet and massage him -I just wanted him to relax before he went by Amy. He kept barking, and Amy said, "it's okay let him come to me". I didn't want to, but I let him go, and he took off to bite her on the thigh. I was so disappointed; I thought I had helped him enough to not do it in the house, and I immediately felt defeated. She told me to put him away, and when I came back she said, "clearly he is lacking some training". We explained his prior living situation, and she said it sounded like a contributing factor to his behavior. She recommended dog training courses and claimed him to be a dangerous dog. She left and came back with a new quarantine order. Throughout this Quarantine, I will be working on some leadership skills. I realize that he attacked on his own and refused to take direction from me, and that needs to change. Not only will I be doing this on my own, but also with a professional. My friend referred me to a dog trainer she knows. Brooke Elder has been a dog trainer for 8 years, and when I explained my case to her, she said she would gladly work with Charlie's fearaggression issues. I understand why he is a dangerous dog to the city right now, but I believe I can make him into a calm and loving dog. He has been through a lot of negative situations in his early life, and I take responsibility for not taking action earlier. Sometimes he can be too fearful of what in his mind is "dangerous", but I believe I can relieve him of the anxiety and fear he experiences by showing him the world isn't dangerous. He is only dangerous because he thinks everyone else is. I do not want him to be a danger to the community, and I would appreciate the opportunity to make him safe to be around. After his second quarantine, I will start training sessions with Brooke. I will also be continuing my own research on dog training - I feel silly for not knowing how to train a dog, but if I learn it and it's something I like, I think it is potential for me to expand that knowledge and possibly help others in the future myself. Sometimes I can be an anxious person, which I'm sure Charlie also feeds off that, but I would like to be better and more confident. I am asking for a chance - a chance to really improve Charlie's behavior. If he can pass quarantine, I would like the opportunity to work with him without the restrictions of a dangerous dog order. Training may take time, but if you are

willing to give me 30 days after Quarantine, I would like to show you that Charlie can be a better dog. I am truly sorry for both instances, but in order for him to be better, we have to familiarize him with the outside world - I can't do that with the dangerous dog order. More exposure to the outside world will help him become more experienced on how to be better. I promise if I am given this chance that I will be hard working. I appreciate your time to read my appeal: please let me prove to you Charlie is a good dog and not a dangerous one.

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Regards,

Holly Scheradella

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West Allis Police Department Incident Report Number 18-025116 3364 S 113 St, 2, West Allis, WI, 53227 Continuation Incident Date: 06/28/2018

NARRATIVE

Officer Borree reports...

INITIAL CALL FOR SERVICE

On 06/28/18 at approximately 8:05pm, I was dispatched to 3364 S 113 St, #2, in the City of West Allis, County of Milwaukee, State of Wisconsin, for a dog bite. I arrived on the scene and spoke with Donald J. Woolwine, who stated a neighbor's dog bit him.

At the time of this investigation I was wearing my WAPD issued body camera, which was functional and activated. See video recording for precise details as the following is a summary based off little or no review.

STATEMENT OF DONALD J. WOOLWINE

Donald Woolwine stated today at approximately 6:45pm, he and his wife were unloading their vehicle from a trip to the pool. Donald noticed a female neighbor walking her two Shih Tzu mix dogs near the front of the apartment building were Donald was. Both dogs were on leash.

Both dogs were barking but Donald wanted to "give the dogs a chance" so he held his hand out for the dogs to sniff. As Donald was speaking to the female neighbor, one of the dogs bit Donald in the left lower leg. Donald immediately told his neighbor that her dog bit him "for no reason." The female stated "don't talk to me again" and left the area with the dogs.

Donald sustained a small puncture wound to his left lower leg. He did not want any medical attention on the scene.

Donald did not know the name of the female neighbor, but knew she drives a grey Ford Focus (WI registration 165XEN) which was parked in the parking lot.

PHOTOGRAPHS

After speaking with Donald, I took several digital photographs of Donald's left leg. The photographs were uploaded to the WAPD DIMS system for safekeeping.

STATEMENT OF HOLLY M. SCHERADELLA

While on the scene, I had WAPD dispatch run WI registration plate 165XEN which is owned by Holly M. Scheradella. After speaking with several neighbors, I located Holly in apartment #7.

Reporting Officer(s):	Payroll Number :	Pages::
Borree, Peter	9897	2 Of 3

West Allis Police Department Incident Report Number 18-025116 Incident Location: 3364 S 113 St, 2, West Allis, WI, 53227 Incident Date: 06/28/2018

Holly stated she owns two Shih Tzu/Bichon mix dogs, Marley and Charlie. She has been working with both dogs for some minor behavior issues.

Today, Holly was walking her dogs on leash. As she was walking past the front of the apartment building, she saw a male neighbor who asked Holly to have the dogs come closer to him. Holly allowed the dogs to get closer to her neighbor and was talking to the neighbor. Suddenly, the neighbor informed Holly that he had been bit by her dog Charlie. The neighbor then told Holly that she should put the dog to sleep. Holly then told the neighbor not to talk to her anymore and left the area.

Holly advised me that she usually does not let her dogs come close to other people to avoid this type of situation. The dogs do have contact with other friends and family members, and neither dog has ever bit anyone before.

I asked Holly if Charlie had a current rabies vaccination and she believed that he did, but was unable to provide documentation on the scene.

DANGEROUS DOG AND RABIES QUARANTINE ORDERS

While on the scene, I issued a dangerous dog order and a West Allis Health Department rabies quarantine order to Holly Scheradella. Both forms were explained to Holly. She was advised of the ten day quarantine for Charlie.

At approximately 10:45pm, I was informed that Holly's mother dropped off copies of receipts from the Franklin Veterinary Clinic showing proof of rabies vaccination. Unfortunately, the receipts were for Holly's other dog, Marley.

On 06/29/18, I spoke with Franklin Veterinary Clinic staff who advised me that Charlie's rabies vaccination is valid until 09/15/19.

Both forms were scanned and attached to this case in Phoenix, and were forwarded to the Health Department for follow-up.

CASE DISPOSITION

On 06/18/18, Donald Woolwine was bit in the left lower leg by a dog owned by Holly Scheradella. Holly was issued a dangerous dog order and a rabies quarantine order. This information was forwarded to the West Allis Health Department.

This report will be forwarded to the Commanding Officer for review.

Reporting Officer(s):	Payroll Number:	Pages::
Borree, Peter	9897	3 Of 3

West All	is Police Departmen	t	Supplei	mentary Report
Incident Report Number:	Incident Location: 3364 S 113 St, 2,	West Allis, WI,	53227	Incident Date: 06/28/2018
New Incident:		Original CFS Code - 1: 7399G	New CFS Code -1 :	New CFS Code - 2:

NARRATIVE

Borree reports...

FOLLOW-UP WITH HOLLY SCHERADELLA

On 07/17/18 at approximately 7:00pm, I spoke with Holly Scheradella outside her apartment regarding this case. She advised me that she filed a written appeal to the City Clerk regarding the Dangerous Dog order issued in this case. I answered all other questions that she had regarding this case and case #18-026964 which occurred on 07/09/18. Holly also stated she plans to appeal the Prohibited Dog order issued in that case.

This report will be submitted to the Commanding Officer for review.

Reporting Officer(s):		Payroll Number :			Report Date:
Borree, Peter		9897			07/17/2018
Reviewed by:	Payroll Number :		Сору То:	Page:	•
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