BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of the Livestock Attack by)	
Dogs Owned by Ryan Erickson)	ORDER NO. 49-2014

WHEREAS, on September 3, 2014, Animal Control Officer Roger Kadell arrived at 17332 Keasey Road, Vernonia, in Columbia County, Oregon, in response to a call from resident Harry Murray, who reported that two dogs – a blue-nosed pitbull and a white standard poodle – had chased and attacked his cows; and

WHEREAS, Officer Kadell interviewed Mr. Murray, who reported that he saw the dogs running in the field where his cows had circled to protect their calves, that one cow had been bitten, and that the pitbull dog had blood on its face. Mr. Murray stated that he shot at the dogs and they ran away from him; and

WHEREAS, during the interview, the dogs' owner, Ryan Erickson, arrived. He reported that the dogs, Brooklan (poodle) and Logic (pitbull) had been running loose all day and had not returned home. He apologized to Mr. Murray for the damage the dogs did to the cows; and

WHEREAS, Officer Kadell and Mr. Erickson then searched for but did not find the dogs; and

WHEREAS, based on the information obtained during his investigation, Officer Kadell determined that the dogs were subject to ORS 609.155 for chasing and harming livestock; and

WHEREAS, Officer Kadell has determined that the dogs have no prior record of killing, wounding, chasing or injuring livestock; and

WHEREAS, on September 11, 2014, pursuant to ORS 609.156, the County mailed to Mr. Erickson at his residence at 935 Fairway Lane, Vernonia, Oregon 97064 a notice of the opportunity to request a hearing. That letter was returned unopened because of no mail receptacle; and

WHEREAS, a second notice, dated September 18, 2014, was hand delivered to Tori Fallau at Mr. Erickson's place of residence. The notice gave Mr. Erickson 14 days to request a hearing. Mr. Erickson did not requested a hearing; and

WHEREAS, as stated in the notice, if a hearing is not requested, the County will conclusively presume that the dog owner admits to the matters alleged, and the County may take immediate action under ORS 609.162 and 609.163.

NOW, THEREFORE, based on the report of the Animal Control Officer on this matter, attached hereto as Exhibit A and incorporated herein by reference, the Board of County Commissioners makes the following findings and conclusions:

ORDER NO. 49-2014 Page 1

- 1. The recitals above are true and correct, and the Board adopts the recitals as findings in support of its decision.
- 2. Ryan Erickson, who resides at 935 Fairway Lane, near Vernonia in Columbia County, Oregon, is the owner of two dogs, a standard white poodle named Brooklan and a blue-nosed pitbull named Logic.
- 3. On September 3, 2014, Brooklan and Logic chased and harmed cows on Harry Murray's property at 17332 Keasey Road, Vernonia, Oregon. Under ORS 609.161, a disputable presumption shall arise that a dog has been engaged in killing, wounding, injuring or chasing livestock if the dog is found chasing livestock not the property of the owner of the dog in an area where freshly damaged livestock are found. Mr. Murray saw both Brooklan and Logic chasing cows on his property. Mr. Murray then noticed that one of his cows had been bitten. Brooklan and Logic were therefore found chasing livestock on the property of another where freshly damaged livestock was found. The Board finds that based on the evidence, Brooklan and Logic have chased and wounded livestock in violation of ORS 609.155.
- 4. Mr. Erickson did not request a hearing, and therefore, in accordance with ORS 609.156(2), the Board finds that Mr. Erickson has admitted that his dogs Brooklan and Logic have chased and wounded livestock the violation of ORS 609.155.
- 5. The Board finds that neither Brooklan nor Logic has a prior record of killing, wounding, injuring or chasing livestock.

NOW, THEREFORE, IT IS HEREBY ORDERED, as follows:

- 1. Ryan Erickson shall take the following measures with Brooklan and Logic to prevent recurrence:
 - a. The dogs shall be confined within the home or a fenced kennel area when not under the direct control of an adult person.
 - b. The dogs shall be mirco-chipped and registered with the County.
 - c. The dogs shall be secured in a 6 foot kennel when not within the home.
 - d. The dogs shall be secured on a leash when outside of the home or kennel.
 - e. Documentation of transfer of ownership for the dogs is required.
- 2. Pursuant to ORS 609.162(1)(b), a civil penalty of \$1000.00 (\$500 per dog) is imposed on Mr. Erickson for the livestock attack carried out by his dogs Brooklan and Logic. Mr. Erickson shall pay \$500.00 immediately; the remaining \$500.00 of the civil penalty shall be suspended provided Mr. Erickson complies with the conditions of this order. Failure to comply with any condition of this order may result in the reinstatement of the remaining penalty.

///

///

4. Any penalties or impoundment and boarding costs and fees imposed by this Order shall be paid immediately, unless otherwise agreed to in writing by the County.

DATED this 12nd day of October, 2014

BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY, OREGON

By:

Anthony Hyde, Chair

By:

Henry Heimuller, Commissioner

By:

Earl Fisher, Commissioner

Approved as to form

Office of County Coursel

	-27-		MBIA COU		IN	VEST	TIGAT	ION	REP	ORT						PAGE/OF
1 1		CASE NUMBER REFER CASE NUMBER CAD INCIDENT NUMBER CLASSIFICATION ORS 609.155 dog harming livestock							CLR							
		DATE / TIM	IE REPORTED		DATE /TIME		DZ 19Z ED (START)				_ ~		ng iiv		ADIO (B)	l en (e)
		09/03/2		406	09/03/2		11:00)		DATE / TIME OCCURRED (END) 09/03/2014 11:30 □ RADIO (R) □ PHONE-IN (P)] 3/1 (3)
		ı	OF OCCURRENCE		0	07064										
		1/332 PREMISE 1	Keasey Roa	d, Vernonia	Oregon	9/064					PRECIN	ICT O	F OCCU	RRENCE		
			Area, Woods		est						Neha	ılem	Val	ley		
		l .	TENCE SUMMARY			. 1'	411-	1 .								
CASE			ogs attacked													
-		CODE	NS BU - Business		Person w/Kno	wledge OV	- Owner PF	Propert	y Finder SB	- Subject RP - R	leporting P	erson	VI - Vict	RACE	DOB	
COPI		CODE NAME (Last, First Middle) VI Murray, Harry CRN SEX RACE DOB W														
CEN.		HOME ADD	RESS			CIT			STAT			ZIP	064	HOME P		
RECO			Keasey Road			V	ernonia		Ore	gon	HONE [064		29-7871	
I	JKDS	DOSINESS	SOLIOOF ADDIVES	J						Livotaki	TIONE _				,,,,,,,,	
D.A.		X1,X2, - X9	- SUSPECTS MI -	Missing RW - Runa	away DK - Dru	ınk DE - De	ceased AS -	Attempt :	Suicide ME -	Mental						
OSP	1	CODE	NAME (Last, First I	Middle)			_			CRN			SEX	RACE	DOB	
□P&F		X1	Erickson, R	yan								_	M	W	04/03/	
ССМ	IH	HOME ADD	oress irway Lane			Verno	nio		OR	2IP 97064	HEIGHT	WEI	GHT	HAIR	EYES	CUSTODY? YES NO
□JUV		AKA/MONII				VCIIIO	Па			MSG PHONE	MOBILE	PHON	E	H	OME PHONE	MINO
DHS														5	03-429-9	381
□SPD		OTHER DE	CSRIPTION													
SHP	D	VEHICL	E S-Stolen R	- Recovered L - Lo	ocate A - Aba	indoned T	- Tawed V - V	ictim's V	ehicle X - S	uspect Vehicle						
□ CPD		VEHICLE S - Stolen R - Recovered L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle OUTSIDE AGENCY NOTIFIED/REFERRED TO?														
□RPD		Columl	bia County I	Board of Co	mmission	ners										
□ VPD		PROPE		OLEN L-LOS			DAMAGED	K-SA	FEKEEPING	R - RECOV	ERED	E - E	VIDENC	E		
CCPI	D	NARRATIVE-The order of appearance for additional information will be: ITEM 1: N/A ITEM 5: N/A														
⊠		ITEM 2: N/A ITEM 6: ADDITIONAL OFFICERS - List all officers present and identify their involvement with the incident being reported.								vernent with						
⊠		ITEM 3: N/	/A							IMARY - A short	summary i	ѕ песе	ssary if	the narrative	is more than	one full page
_		in length. ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS - Record multiple worthless documents on ITEM 8: NARRATIVE - List in chronological order, all of the relevant details of the incident and/														
_		a fraud supplemental form. Record in the narrative the total number of worthless or elements of the crime or violation, documents written.														
_		NARRA	TIVE					-								
_			cted canine	s:												
		Brooklan: Standard white Poodle.														
COMPL	ITED	Logic: Blue Nose Pit bull.														
ENTI																
☐ Pers	on	Summ	_									_				
				3/2014 at a				-					_			-
OPF	- 1	cows. Mr. Murry fired several shots at the dogs chasing them from the area. Shortly after Mr. Ericksen came														
☐ Vehi	cle	to the farm looking for his missing dogs, which as of the writing of this report have not been found. Mr Ericksen was served a compliance order to surrender the dogs if located and advised that a compliant on the														
OPF				_					_		and a	iavi:	sea ı	nat a c	ompiain	on the
1		dogs actions would be referred to the County Board of Commissioners.														
□ Crime Prop	·	Narrat	ive:													
- AF			Mr Murray	reported t	hat on 0	9/03/2	014 at a	roun	d 11:A1	n he was	up at	his	hom	e. He r	oticed t	hat his
OPF	~ 1		vere down l	-							-					
☐ Book	- [
OPI	2		G OFFICER(S)					DATE	5/2014	PREC / DIV	- 1		SUPE	RVISOR'S	SIGNATURE	
PPB-SSD		Roger 1	Kadell				15106	09/03	0/2014	STS	8	ΓS			76	7 (07/28/2010)

	COLUMBIA COUNTY SHERIFF'S OFFICE INVESTIGATION REPORT						
	all acting up and he could hear something happening in his field on the other side of the river. That he then						
	jumped in his truck and drove over to the field where his cows are kept.						
œ	Mr Murray said that when he came up out of the river into the field, he could see all his cows circled in a bunch with the calves in the middle. At the same time, he saw a Standard white Poodle dog and a blue nosed Pit bull in the field running from the area the cow had been circled. He said that it appeared that the Pit bull had blood on his face. He said that as the dogs ran away from him, he fired until his 22 handgun was empty (7 shots). He was unsure if he had hit any of the dogs.						
CASE	TT 11.1 C 1 and a formal a mother conv						
COPIES □ DET	Mr. Murry said that he then drove over to check his cows. He said that he found one red female mother cow that was shaking and her ear had been torn and was now hanging down the side of the cows head. He stated he was concerned that with the hot weather the flies would come and the wound would get infected.						
CENT	ne was concerned that with the not weather the mes would come and the would be a seen as a seen						
□ RECORDS	Mr Murry said that the back side of his property has a logging road that connects to Weed Avenue in Vernonia. That the two dogs belonged to a home on Fairway Lane and that other neighbors in the area had reported issues to him with the dogs. While we were speaking, two person reported to be the dogs owners						
OSP	came across the field looking for their dogs.						
□P&P							
ССМН	I contacted and spoke with Ryan Ericksen, who told me that he was the owner of Brookland the Standard						
□1∩∧	white Poodle and Logic, the Blue nosed Pit bull. That they had come down the trail looking for the dogs. He						
□DHS	told me that they had been out running loose all day and that even now after 5 Pm, the dogs had not returned						
□SPD	to their home. Mr. Ericksen repeatedly apologized to Mr Murray for the damage to his cows.						
□SHPD □CPD □RPD	We all then searched the area for any signs of the dogs or that they had been injured. In the end, when the dogs were not found, I advised Mr Ericksen that the dogs if located would need to be impounded for having chased and harmed livestock animals. I explained the complex nature of this type of violation and advised						
□VPD	him that I would return on 9/5/2014 to finish the investigation.						
CCPD	On 09/05/2014 at 10:40 Am, I recontacted Mr Erickson at 935 Fairway Lane in Vernonia. Mr Ericksen told						
	me that the dogs had still not returned to the home and that he did not know what had happened to them. I						
	then issued a compliance order to Mr Ericksen advising him that if the dogs were located that they needed to						
	be surrendered for impound. I explained that failing to do this would be a violation of the compliance order						
	as well as unlawfully possessing a dog that has harmed livestock. I explained to him that the unlawful						
	possession would apply to anyone else holding the dogs knowing that the dogs had harmed livestock						
<u> </u>	animals.						
COMPUTER ENTRY	I also advised Mr Ericksen that a report would be filed with the Board of County Commissioners and that he would be notified of his rights to request a hearing over the actions of his dogs.						
Person							
OPR	-						
□ Vehicle							
OPR	-						
□ Crime/ Prop							
Prop							
OPR	-						
☐ Book							
	REPORTING OFFICER(S) DPSST DATE PREC / DIV ASSN / DIST SUPERVISOR'S SIGNATURE						
OPR	Roger Kadell 15106 09/05/2014 STS STS						
PPB-SSD-GD	767 (07/28/2010)						

