

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Livestock Attack by a                )  
Dog Owned by Anna Lopez                                  )         ORDER NO. 59-2019

WHEREAS, on June 4, 2019, Animal Control Officer Roger Kadell responded to a call from resident Elvin Sherman, who reported that a dog killed two of his chickens on his property at 19960 Beaver Falls Road, Clatskanie, OR 97016; and

WHEREAS, Officer Kadell interviewed Mr. Sherman; and

WHEREAS, Mr. Sherman provided Officer Kadell photographs showing a white German Shepherd dog chasing and killing two of his chickens on May 31, 2019; and

WHEREAS, Mr. Sherman identified Bolt as the dog in the photographs and as belonging to his neighbor Anna Lopez; and

WHEREAS, one of the photographs showed Bolt chasing one of Mr. Sherman's chickens and the other photograph showed Bolt with one of Mr. Sherman's chickens in Bolt's mouth. Copies of these photographs are included in Officer Kadell's investigation report on this matter, attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, Officer Kadell checked Animal Control Records and identified the dog as Bolt, a white German Shepherd, registered to Anna Lopez, located at 19942 Beaver Falls Road, Clatskanie, Oregon; and

WHEREAS, on June 4, 2019, Officer Kadell arrived at Ms. Lopez's property located at 19942 Beaver Falls Road, Clatskanie, Oregon, and interviewed Ms. Lopez; and

WHEREAS, while Officer Kadell was at Ms. Lopez's property he observed Bolt on her property and identified Bolt as the dog in Mr. Sherman's pictures; and

WHEREAS, during the interview, Ms. Lopez confirmed that she is the owner of Bolt. She also stated that Bolt sometimes gets loose and runs off her property. She further stated she now has a large chain collar on Bolt in an effort to keep him secure; and

WHEREAS, based on the information obtained during Officer Kadell's investigation, he impounded the dogs under ORS 609.155 for chasing and killing livestock; and

WHEREAS, pursuant to ORS 609.156, on June 7, 2019, County mailed Ms. Lopez notice of the opportunity to request a hearing on this matter; and

WHEREAS, on June 21, 2019, County received a letter from Ms. Lopez requesting a hearing on this matter; and

WHEREAS, on June 28, 2019, County mailed Ms. Lopez notice that a hearing on this matter would be held on July 3, 2019; and

WHEREAS, Columbia County Board of County Commissioners held a hearing on July 3, 2019 and considered the evidence presented; and

WHEREAS, Officer Kadell's investigation report, attached hereto as Exhibit A and incorporated herein by reference, provides the following history of relevant facts:

- A. On April 20, 2017, there was a complaint from neighbors of Ms. Lopez that her animals were trespassing and circling a goat.
- B. On April 16, 2018, there was a complaint from neighbors of Ms. Lopez that her animals were trespassing and circling a neighbor's chicken coop.
- C. On May 23, 2018, two dogs owned by Ms. Lopez were shot and killed by a neighbor for chasing livestock.
- D. On May 30, 2018, Ms. Lopez's dog license for Bolt became expired, which is one day prior to the incident in this matter; and

WHEREAS, Officer Kadell stated that Bolt has not been aggressive with staff at the Animal Control Shelter; however, staff had to repeatedly wrestle Bolt to get him into a kennel; Bolt demonstrated that he can escape from a normally secured kennel and thus required that his kennel be pad locked to prevent him from opening the kennel gate; and

WHEREAS, Officer Kadell recommended that the Board of Commissioners impose a \$500.00 fine and allow Bolt to be relocated due to the incidence involving Bolt killing livestock owned by Elvin Sherman on May 31, 2019; and

WHEREAS, at the hearing, Ms. Lopez testified that a guest at her home allowed Bolt to leave her property. She stated that her friends Cassandra Cavanagh are willing to take ownership of Bolt and relocate him out-of-state. She requested that the Board of Commissioners not to euthanize Bolt; and

WHEREAS, at the hearing, Cassandra Cavanagh and John Butts testified that they are willing to take ownership of Bolt and move him out-of-state to Massachusetts; and that upon obtaining custody of Bolt they will relocate Bolt to a 3-acre property away from livestock and implement measures to ensure Bolt does not harm livestock in the future; and

NOW, THEREFORE, based on the evidence presented, including the Animal Control Officer Roger Kadell's report on this matter, attached hereto as Exhibit A and incorporated herein

by reference, and the above recitals, the Board of County Commissioners makes the following findings and conclusions:

1. Anna Lopez, who resides at 19942 Beaver Falls Road, Clatskanie, Oregon, is the owner of a dog named Bolt, a white German Shepherd.
2. On May 31, 2019, Bolt chased and killed two chickens, belonging to Elvin Sherman, at 19960 Beaver Falls Road, Clatskanie, OR 97016.

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

1. Ms. Lopez shall authorize Columbia County Animal Control to release Bolt into the custody of Cassandra Cavanagh and John Butts for the purpose of rehoming Bolt out-of-state within 24 hours of this Order being approved. If Bolt is not relocated out-of-state within 24 hours, Animal Control shall impound Bolt.
2. Pursuant to ORS 609.162(1)(c), Anna Lopez shall pay a civil penalty of \$1,000.00 for the incidence involving Bolt killing livestock owned by Elvin Sherman on May 31, 2019.
3. Pursuant to ORS 609.155(3)(a), in addition to the civil penalty imposed, above, Ms. Lopez shall pay \$480.00 arising from the impoundment of Bolt, as described in the Fee Due Notice, attached hereto as Exhibit B and incorporated herein by this reference, and all boarding fees at a rate of \$15 per day for Bolt, accruing from June 4, 2019.
4. Ms. Lopez shall pay any penalties, impoundment and boarding costs and fees imposed by this Order prior to the release of the dog, unless otherwise agreed to in writing by the County.

DATED this 31<sup>st</sup> day of July, 2019.

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: [Signature]  
Henry Heimuller, Chair

By: [Signature]  
Margaret Magruder, Commissioner

By: [Signature]  
Alex Tardif, Commissioner

Approved as to form  
By: [Signature]  
Office of County Counsel

CASE NUMBER	<b>COLUMBIA COUNTY SHERIFF'S OFFICE INVESTIGATION REPORT</b>					PAGE/OF 1 / 2																																																																																																																																																																																									
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	DATE / TIME REPORTED 06/01/2019 0826 <b>PM</b>		DATE / TIME OCCURRED (START) 05/31/2019 8:00 <b>PM</b>		DATE / TIME OCCURRED (END) 05/31/2019 8:15 <b>PM</b>																																																																																																																																																																																										
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trail cam. The call response was delayed due to my being off duty.

I arrived at the location and met with Elvin Sherman the caller and owner of the chickens. Mr. Sherman reported that over the last several months he has been losing chickens, 6 in total. That he had been told that a white larger Shepard dog was seen on his property. But that no one had seen the dog attacking or killing the birds. Mr. Sherman reported that he found two deceased chickens the day of this attack.

In response, he told me that he placed a trail cam up to see if he could "prove" what was happening. On 05/31/2019 at around 8 pm, his camera caught the larger white Shepard dog on his property. One photo showed the dog chasing one of his chickens in flight, a second showed the dog with one of the chickens in his mouth. The photo he showed me was of a large white Shepard dog. I recognized the dog as one belonging to Anna Lopez who lives just next door to the victim. I took copies of the photos which are attached to this report.

I then contacted Ms Lopez at 19942 Beaver Falls Road, Clatskanie Oregon. In the front yard of the property was the larger white Shepard dog. I noted that the incident photo and the dog both has the same large chain collar on. I took photos of the dog in the driveway and then contacted Ms. Lopez.

Ms. Lopes admitted that the dog sometimes gets loose and runs the area. That she now had the heavy chain collar on the dog in an effort to keep the dog secured. I advised her of the incident and that the dog was being impounded for harming, chasing livestock. I advised her of the pending information and possible hearings with the county regarding the dog. I explained also to her the option to surrender the dog to the county. Ms. Lopez was then served an impound notice on the dog.

The dog was taken to the County shelter and is being held pending a decision by the County Board.

**HISTORY:**

5/23/2018: Two of Ms. Lopez's dogs were shot and killed by a neighbor for chasing livestock.

4/16/2018: Complaint from neighbors of Ms. Lopez animals trespassing and circling her chicken coop.

4/20/2017: Complaint from neighbors of Ms. Lopez animals trespassing and circling a goat.

5/30/2019: Ms. Lopez license for the dog Bolt expired. One day prior to incident.

CASE  
NUMBER

**COPIES**

- DET
- CENT
- RECORDS
- D. A.
- OSP
- P & P
- CCMH
- JUV
- DHS
- SPD
- SHPD
- CPD
- RPD
- VPD
- CCPD
- 
- 
- 
- 
- 
- 

**COMPUTER  
ENTRY**

Person

OPR

Vehicle

OPR

Crime/  
Prop

OPR

Book

REPORTING OFFICER(S) OPR Roger Kadell	DPSST 15106	DATE 06/05/2019	PREC / DIV S1'S	ASSN / DIST STS	SUPERVISOR'S SIGNATURE
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## Owner Detail

Owner 6586

Name: LOPEZ, ANNA

Senior Citizen: FALSE

Kennel:

Inspection Date:

Expiration Date:

Limit:

**Street Address:**

19942 BEAVER FALLS  
CLATSKANIE, OR 97016

**Mailing Address:**

**Phone:**

(503) 369-2022 (HOME)

**Notes:**

5/24/2014 LEFT MESSAGE ABOUT OVERDUE LICENSE

**Adoption Notes:**

Disallow Adoption:

**Animals:**

ID	Name	Breed	Color	License	Issue Date	Exp. Date
28922	BOLT	GERMAN SHEPHERD	WHITE	39496	5/23/2018	5/30/2019

**Complaints:**

**Complaint: 2281**

Date: 4/20/2017 10:13:00 AM

Type: DOG RAL OR TRESPASS

Status: CLOSED

**Complaint: 2606**

Date: 4/16/2018

Type: DOG RAL OR TRESPASS

Status: CLOSED

**Complaint: 2637**

Date: 5/23/2018 2:11:00 PM

Type: DOG vs LIVESTOCK

Status: CLOSED



# COLUMBIA COUNTY SHERIFF'S OFFICE

Brian E. Pixley, Sheriff

CAD# 190029051	DATE: 6/4/19	Shelter ID# 19-059
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### ANIMAL INFORMATION:

Name	Description (Breed, color, sex)	Tags/chip Identifiers
#1 Bolt	male - shepard - white	
#2		

### FINDERS INFORMATION:

Name:	Address	Phone#
Location found:		

### REASON FOR IMPOUND: Check all that apply. See reverse side for details.

Stray or at large	Nuisance	Quarantine rabies	Neglect/police holds	Owner request	Owner arrest	Livestock attack
						<input checked="" type="checkbox"/>

### ANIMAL BEHAVIOR INFORMATION: Medical, Bite, Aggression or other issues.

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### OFFICER HOLD: DO NOT RELEASE:

<input checked="" type="checkbox"/> YES / NO	Livestock
--	-----------

### OWNER SURRENDER: I understand that by signing this release that I am:

- The owner or lawful keeper of the animal and have the right to make decisions for the animal.
- Giving up my ownership/rights/custody to the above described animal.
- Transferring all possession rights to the animal to Columbia County.
- Acknowledging that I may be billed fees for the surrender, Impound and/or quarantine of the animal by the County.
- Acknowledging that the surrender of the animal does not preclude the County from taking enforcement action against me.
- Acknowledging that the animal may be euthanized without additional notification.

Signature

Date

Officer R Kodell	Radio # 148	Date 6/4/19	Time 10/30 A
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### DISPOSTION OF ANIMAL (RETURNING OFFICER TO FILL OUT )

Returned owner	Transferred CHS	Transfer OHS	Other	Euthanized
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Owner's name: ANNA LOPEZ	Address 19942 BEAVER FALL ROAD
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WHITE: Shelter in box

Canary: Place on kennel gate

Pink: Finder or dog owner.



MOULTRIE



CAMERA 1

31 MAY 2019 08:00 pm





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**All dogs impounded are held at the Animal shelter located at 2084 Oregon, St. Helens. Call the Sheriff Office records at: 503-366-4611 to make arrangements to redeem your dog.**

**STRAY / NUISANCE / RABIES:** Any dog impounded as a Stray/Nuisance/or for lacking rabies

Vaccination's may be held for 5 days. Upon completion of the 5 day hold period, the ownership of the animal may be transferred and/or the animal may be euthanized.

**QUARANTINE: VISITATION OF THE ANIMAL WILL NOT BE PERMITTED**

Animals impounded for quarantine (bite) will be held for the ten days. The owner of the dog is

required to make arrangements for the dog before the end of the ten day hold period. Dogs not

redeemed at the end of the ten days may be euthanized without additional notice if unclaimed by

the owners. Quarantine fee is \$180, plus license fees and any other medical care fees.

**ABUSE/NEGLECT/ POLICE HOLDS:** Animals on a police hold for animal abuse, neglect or other charges will need a release from the investigating officer or the courts prior to release.

**OWNER REG:** Animals surrendered by the owner may be subject to billing for the fees due and the animal may be euthanized without additional notification.

**D/O IN CUSTODY:** Dogs held for person who were arrested are held for five days unless arrangements have been made with the county. Dogs at the end of five days will be considered

abandoned by their owners and subject to transfer/adoption and or euthanasia.

**LIVESTOCK SEIZURES:** A complaint has been filed that a dog owned by you or under your control has been involved in the harming or chasing of livestock in violation of ORS 609.155. ORS 609.155 requires that the dog be impounded and held pending a determination by the County.

You will receive notice and information of an opportunity to request a hearing under ORS 609.156 from the County Attorney. Failure to request a hearing will result in a finding that the owner is conclusively presumed to having admitted to the matters at hand. The County may take action at that time under the statues which may include ordering the dog to be euthanized.

The penalties for dogs harming or chasing livestock are considerable and serious consideration should be taken. Impound fees, boarding fees along with fines and other fees may be accessed by the County.

**INFORMATION:** Time is always an issue when animals are held at the shelter. Owner and/or keeper's who fail to contact the shelter or to make arrangements for their animals, run the risk of the animal being transferred or euthanized without additional notification.

**If you ARE UNSURE of what to do or have any questions, contact the County Animal Control Officer at 503-366-4614 to discuss options.**



# COLUMBIA COUNTY SHERIFF'S OFFICE

Brian E. Pixley, Sheriff

**FOR:**

Animal Shelter fees

NOTICE DATE | 07/01/2019

**BILL TO:**

Anna Lopez  
 19942 Beaver Falls Road  
 Clatskanie Oregon 97016

DATE	DESCRIPTION	AMOUNT	RATE	TOTAL
06/04/2019	Impound fee	1	30.00	30.00
6/4 to 7/3/19	Boarding fees	30	15.00	450.00
				<b>480.00</b>
				<b>TOTAL DUE</b>

**MAKE CHECKS PAYABLE TO:**  
 Columbia County Sheriff Office  
 Animal Control  
 901 Port Ave  
 St. Helen's, Oregon 97051