

## Partial Transcript: San Francisco Vicious and Dangerous Dog Hearing “Tank” Attacks Trainer at Dog Training Facility

March 10, 2016

[Listen to complete audio of hearing](#)

### **2:50 - SFACC before viewing the surveillance video of the attack**

**Hearing Officer John Denny:** “I believe the complainant is San Francisco Animal Care and Control. I believe sergeant you are representing Animal Care and Control in this? Would you mind taking the stage and letting me know what’s going on?”

**Sgt. Ellie Sadler, SFACC:** “Hello. So, I responded to an emergency call on January 27, I believe. The call I got was that there was a dog with wire wrapped around its neck, choking to death.<sup>1</sup> So I responded in a hurry, naturally. When I arrived on scene, it was a dog training facility. The owner was on scene and she was hysterical and there was a young man who had some bandages on him -- who I did not stop to speak to<sup>2</sup> because I was under the impression there was a dying dog. So I ran through the premises. When I got to the back, I discovered a bathroom door wedged shut with a crate and a come-along handle sticking out.”

**Hearing Officer John Denny:** “Okay.”

**SFACC:** “When I looked in the bathroom, I didn’t -- I still wasn’t really sure what was going on. Anyway, when I looked in the bathroom and I saw a dog on a come-along with a pool of blood, a significant amount of blood on the floor. And the dog was dripping blood from the mouth and was hyperventilating and was obviously quite panicked. Then I realized it was just a come-along that was on the dog, it was not a mysterious wire, but the come-along was broken and I couldn’t take it off to protect the dog.”

**Denny:** “So, you grabbed the come-along and tried to release the tension?”

**SFACC:** “Yeah, ‘Oh, It’s just a come-along.’ I guess the dog bit its tongue. Then I tried to remove the come-along, but I couldn’t because it was non-functional, it was broken. I discovered later that it actually wasn’t broken. Somebody had just taken it apart without realizing it. Obviously they tried to take the come-along off or had done something to it and had disabled it. But I discovered that later after we cut it off.

[Snip 5:09 to [6:19](#)]

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<sup>1</sup> The owner of Tank is seen in the video calling 911 and SFACC.

<sup>2</sup> Ignoring the dog attack victim.

**SFACC:** “I then found out, I was talking to the owner about what had happened and she told me that they were training the dog -- and I use that word loosely because it sounds to me like it’s a fairly aggressive method of training. She said the dog had jumped up on her in a friendly way and the person training the dog had grabbed the leash and yanked it,<sup>3</sup> and the dog turned around and then attacked the person who grabbed the leash.”

**Denny:** “So the dog was being corrected, do you think that was the case? The dog was being corrected, probably for jumping up. And the correction didn’t go so well?”

**SFACC:** “That’s my understanding of it. Then the owner told me that the dog is on multiple medications for anxiety and stress. It just sounds to me like this is a dog on the edge of his coping skills and is now being assaulted and finally snapped. So I feel very strongly that this is a dog that has been backed into a corner and while he’s probably got some pretty significant emotional difficulties, at least based on his medical history, he was forced to respond through primal urges.”

[Snip 7:44 to 9:35]

**SFACC:** “My major concern is that this dog was forced to respond in such a manner after being abused and someone was using a tool they didn’t know how to use to correct it. I think this dog may well be in jeopardy to others. But he was also forced into this situation.”

**Denny:** “So, your argument is that we’re dealing with provocation.”

**SFACC:** “Absolutely. Yes.”

**Denny:** “It’s your opinion the dog was provoked into the behavior?”

**SFACC:** “Absolutely.”

[Snip 10:12 to 11:20]

**Denny:** “Sounds like a nasty situation. Well, let’s get to the bottom of it. The purpose of this hearing is to determine whether Tank is a Vicious and Dangerous dog. That is going to be the focus. I’m not going to get into the training methods or how things were handled. I am focusing on Tank. Is there anything else you would like to add?”

**SFACC:** “No.”

[Snip 11:50 to 24:33]

*During this period there is a recommendation to watch the video, the actual watching of the video and subsequent discussion. Before the video is played, Denny makes sure one last time, in a question directed to SFACC, “Your reason for*

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<sup>3</sup> As the video shows, the dog was unleashed at the time of the attack.

requesting the hearing then is to **clear Tank**? You see the point I am trying to make?” (12:45-14:45)

**Denny:** “Okay, so Mrs. Lee (the dog’s owner). Why don’t you come down.

[Snip 24:41 to 33:32]

*Denny asks Allison for her recollection of the events. She explains Tank’s “anxiety,” that he has been on Prozac for “years” and when she began working with Dan Perata Training. Before the attack, she moved Tank to the facility for a few months while she looked for a house with a backyard. During this time, she went to the facility daily for training sessions with Tank. Allison expressed many times the attack was a “one-off” incident. The trainer Tank attacked had been working with Tank for over three months before the attack. Not a stranger. Allison also explains that her (32:45) **roommates (in her previous home) had lessons at Perata to learn how to “work with” Tank’s many behavior issues.** Lee has 100% confidence in her trainers.*

[Snip to 33:45]

*Denny asks questions to Aaron, a trainer at the facility who was attacked by Tank.*

**Trainer:** “So, Wednesday, January 27, Allison had an appointment with me at 9:30 in the morning to work with Tank. At that point Tank had been with us (staying at the facility) for 8 weeks as I had it on my charts. We had been working with him for quite awhile. I had gotten comfortable working with him to the point where I thought he wouldn’t be so excited when we took him out of his kennel.

Would it be okay if we pulled up that video again?

Tank is in an enclosed kennel. You’ll notice I flip up an orange flap, so he can definitely smell Allison when she walks in the room and she engages him and says, ‘Hi Tank.’ Then I flip that orange flap over to pull him out of his kennel. I pull the two pins, and if you notice, I am shutting the door in his face -- that’s how we work on teaching the dogs patience and Stay.”

**Denny:** “I just saw something entirely different on the video...”

**Trainer:** “It’s in the first instance, before he even jumps out of the kennel.”

**Denny:** “Okay. Sergeant (Hicks),<sup>4</sup> can you rewind just a bit? So I can see...”

**Trainer:** “So I flip up the orange flaps and she’s already engaged him verbally. So now, right there when I am moving my left arm -- I had already flipped the pins of the kennel. I have not opened the door, but I am telling him, ‘Stay,’ as he tries to burst out, before I have given him the Okay command to come in. He’s very excited. He wants to burst out. I close it twice in his face. Then he stops. Third time I opened it, I tell him

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<sup>4</sup> Sgt. Hicks of the SF Police Department who also presides during the hearing.

‘Stay.’ He muscles through before I can get the leash that’s in my right hand on his collar. So he breaks away from me before I can put a lead on him...”

[Snip 35:46 to [39:03](#)]

*Aaron describes the rest of the attack, including when he tried “pinning” Tank down in the video, along with his bite injuries. Aaron states that Allison and Tank are not “right for each other” if she can’t control Tank when he is in a high-energy state.*

**Denny:** “Had you considered requesting a Vicious and Dangerous dog hearing on Tank?”

**Trainer:** “No.”

**Denny:** “Generally, in cases like this, you would be the complainant. Not Animal Care and Control.

Do you think that Tank is a Vicious and Dangerous dog?”

**Trainer:** “I think under specific circumstances, yes, especially when someone gets in between Allison and Tank. Because they have this very specific *attachment*. That is the reason why he was brought into my work. He has had aggression issues towards other people getting in between Allison and Tank.”

[Snip 39:47 to 42:00]

*Aaron reiterates that he believes Tank will hurt someone if Allison is unable to gain control of the dog when he is in a high-energy state. Denny commends Aaron for sticking it out until the end -- getting Tank fully under control after the attack.*

[Snip 42:15 to 57:00]

*A friend of Allison testifies that Tank is “good” and “protective” of his mother. The hearing is now “devolving” into attempts of keeping Tank from being declared Vicious and Dangerous. The owner of the training facility also testifies. There is owner blaming because Allison did not follow “proper protocol” with Tank. She should not have been wearing sandals or had a cell phone in hand or bending down (a position of weakness), etc. Denny reminds that if this had happened in the public, “We’d be having a **real different discussion** right now.” This is what Tank did in a “controlled” environment, Denny said ([54:50](#)).*

#### **[56:55](#) - SFACC after viewing the surveillance video of the attack**

**Denny:** “Sergeant (Sadler), had you seen this video before?”

**SFACC:** “No.”

**Denny:** “Now that you have seen this video, what are your thoughts?”

**SFACC:** “I’m quite angry. The dog was (utters “hugh”) forced into that kind of reaction. I’m pretty angry that people are using Tasers<sup>5</sup> on dogs. I’m pretty angry that people are using come-alongs when they don’t know how to use them.”

**Denny:** “These are ancillary issues. I’m just trying to figure out: What do we do with Tank? These are ancillary issues. I’m not here to critique training techniques. You’ve seen more vicious and dangerous dogs than I have -- you’ve actually handled them. In your opinion, is Tank a dangerous dog? I hate to put you on the spot here. Obviously, he can be put in a situation where he would be.”

**SFACC:** “He has the ability to just like we all do. He’s proved that he can be. And my concern -- and I know you don’t want to talk about the training stuff -- is that with **this kind of training it’s not going to resolve. And he’s going to keep being forced into feeling terror and reacting to that.**”

**Denny:** “Your initial statement was that you felt that Tank was provoked to this behavior. Do you still believe that after seeing the video?”

**SFACC:** “Yes.”

[Snip 58:25 to 1:11]

*Now that the testimony has been heard, Denny takes control of the hearing. He will have to make a determination about Tank. This portion lasts about 13 minutes. The concern is that Allison cannot immediately control Tank, which would be terrible in a public situation and a liability for all involved, including Denny, if he does not make a public safety-based determination. Allison once again tries to make her case that the attack was an “isolated incident” and that it will never happen again.*

#### **[1:11] Denny’s Determination**

*Denny restricts the pit bull, named “Tank,” to being leashed and muzzled when in public, but does not deem the dog Vicious and Dangerous. Denny also states the dog must continue its training program at Perata Training.*

**Denny:** “The restrictions only apply in the city and county of San Francisco -- I can give you that. All right?”

So, until Mr. Perata gives Sgt. Hicks -- I can hold the Vicious and Dangerous dog order in abeyance and we can take baby steps. So we can move back and back and back and forward and you’re not going to have to register him as a Vicious and Dangerous dog as long as you promise me right now, and until Mr. Perata convinces Sgt. Hicks otherwise -- whose then gotta convince me -- that Tank will be leashed and muzzled at all times when in public and then we will work from there. If I deemed him Vicious

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<sup>5</sup> By this point, it has been clarified “multiple” times that the Taser did not touch the dog. It was an air fire to elicit a loud noise only. But still SFACC persists otherwise.

and Dangerous those are all of the restrictions. So if you do this voluntarily then I don't have to order it. And then you don't have to register him and pay the \$250 fine. I would rather have you cooperate. I have to do that for people that aren't as cooperative and don't care as much you do. I think you care deeply. But until you can show me on video that if Tank acts up -- you got your hand on that collar, you got him. Butt on rug (Denny snaps his fingers) just like that.

Now listen, you've got friends coming over the house, stuff like that? I can't order you to muzzle him in the house or leash him in the house -- obviously. But that is where a lot of accidents happen. All right? Mr. Perata, I am sure you are familiar with that too?

What we are going to do to protect public safety is that Tank is going to be leashed and muzzled at all times in public. We can work on it. The next stage is going to be leashed **or** muzzled. I don't see us getting much father than that.

I am going to hold you at your word. I'm on the hook here now with you, because if you let him run around off leash and he sees a horse and we don't know how he reacts to horses. And if he attacks the horse, well the horse owner is going to come looking at me.<sup>6</sup> He's going to look at this video because this is part of the record, and we're both going to have a rotten day.

**Dog owner:** "I understand."

#### **[1:14:40] Denny's Closing**

**Denny:** "And uh, not be the heavy, but he's got a rap sheet as a biting dog that has caused injury to a human."

Listen, I'm going to end this not on a sour note. Sometimes dogs can't be saved. How far are you willing to go? How far are you willing to risk? No one would -- These are decisions that you have to make. But sometimes there is a time that you have to make a real tough decision. All right? And you'll know it. It doesn't have to be another bite. But if there's just no way for you to get Tank under control by yourself then you are going to have to make a decision.

**Dog owner:** "I understand that."

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[Conflict of Interest - San Francisco Animal Care and Control and Virginia Donohue](#)

[Complete unedited interview with Dan Perata Training](#)

[Complete unedited interview with John Denny](#)

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<sup>6</sup> Denny is likely referring to a [pit bull named Charlie](#) that attacked and injured a [police horse and its rider](#).