

December 28, 2020

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**

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**REPORT AND DECISION**

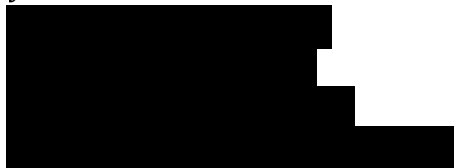
SUBJECT: Regional Animal Services of King County file nos. **V20010745 and V20010773**

**JAN SCHROCK**

Animal Services Enforcement Appeal

Activity no.: A20012015

Appellant: **Jan Schrock**



King County: Regional Animal Services of King County  
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**FINDINGS AND CONCLUSIONS:**

**Overview**

1. Regional Animal Services of King County (Animal Services) issued Jan Schrock a violation notice and also a removal order for her dog, Ruger. Ms. Schrock appealed. After hearing the witnesses' testimony, studying the exhibits admitted into evidence, and considering the parties' arguments and the relevant law, we deny Ms. Schrock's appeal, but reduce the penalty. We also provide her with an extended period to rehome or relinquish Ruger, allowing her time to arrange for a new service animal.

## Background

### Pre-Hearing Matters

2. On May 28, 2020, Ruger bit Rebekah Jorgensen along the river trail in North Bend. Eastside Fire and Rescue, along with Ofc. James Kaae from the Snoqualmie Police Department, were dispatched to the scene.
3. Animal Services issued a Notice of Violation and Order to Comply to Ms. Schrock for Ruger being unlicensed, unaltered, running at large, and vicious, resulting in a \$800 penalty. Ex. D7. Animal Services followed this up with a Notice and Order for Removal and a \$1000 penalty. Ex. D14. Ms. Schrock timely appealed, objecting to all the violations and the removal order and asserting that the fines were overly burdensome. Ex. D16.
4. We originally set this matter for an August 8 hearing. However, after Animal Services informed us that the matter had been referred to the Prosecuting Attorney's Office for potential criminal charges, we converted the hearing to a prehearing conference, explained how Ms. Schrock participating in a civil matter could impair the protections afforded her criminal case, and sketched out the *King v. Olympic Pipeline Co.*, 104 Wn. App. 338, 352, 16 P.3d 45 (2000), factors. At conference, Ms. Schrock insisted that she wanted the truth told in a timely manner and demanded a hearing to present her version. We thus set this matter for a September 10 hearing.
5. The day before that hearing, Ms. Schrock requested a reschedule; we complied, resetting the hearing for September 18. The morning of our September 18 hearing, Ms. Schrock asked for yet another extension, which we granted, again pushing the hearing back. We finally went to hearing on October 9.

### October 9 Hearing

#### *Testimony of Rebekah Jorgensen*

6. On May 28, 2020, Ms. Jorgensen was walking on the trail with her 50-pound dog Sadie, on a retractable leash. If fully extended, the leash is 15 to 16 feet, but at the time she only had let out Sadie's leash 3 to 4 feet. As she rounded the curve, she saw a woman (Ms. Schrock) with a German Shepherd (Ruger) at the river's edge, off-leash. Almost immediately, Ruger turned to look at Ms. Jorgensen and Sadie.
7. Ruger started to run towards them, up the embankment to the trail, and was unresponsive to Ms. Schrock's calls. Ms. Jorgensen did not see Ruger trailing a leash. Ruger did not appear to have a head collar or muzzle on, only a regular collar. Ruger ran up the hill, and when Ruger got within a few feet, Ruger snarled and lunged at Sadie, who then cowered behind Ms. Jorgensen. Ms. Jorgensen made a verbal command to stop. When Ruger was unresponsive, Ms. Jorgensen screamed at Ms. Schrock (who was trying to get up to them) to get her dog. It did not take long for Ms. Schrock to get up to the trail, but Ms. Schrock was not able to get control of Ruger until after the attack.

8. Ms. Jorgensen released the locking mechanism on the leash, and in Sadie's attempt to get away, her leash got wrapped around both Ms. Jorgensen and Ms. Schrock. At that point, Ms. Jorgensen dropped the leash, but was able to grab it again. Ruger lunged again, so Ms. Jorgensen tried to get between Ruger and Sadie; that is when Ruger bit Ms. Jorgensen. She fell to the ground as soon as she saw the extent of her wound. *See Ex. D3.* At no point did Sadie leave the trail.
9. As Ms. Jorgensen lay on the ground compressing her leg, Ms. Schrock called 911 (for which Ms. Jorgensen is grateful). As Ms. Schrock was giving directions (to 911 dispatch), Ms. Jorgensen  

noticed that [Ms. Schrock] was having difficulties...I gave her my name because I thought I might pass out... I remember a person coming by on a bicycle who swerved off the trail across from me... I screamed 'stop.' They did stop. I yelled for them to please direct the paramedics to where we were and if they would please wait on the road and do that.
10. Ms. Jorgensen then called her husband so he could come take Sadie home. At that point, Sadie did not initially appear to be severely wounded. (They later discovered Sadie had suffered two significant puncture wounds and four smaller ones.) The paramedics arrived and tended to Ms. Jorgensen. Ms. Jorgensen believes an officer (James Kaae) was there and went over to talk to Ms. Schrock. The paramedics walked Ms. Jorgensen and Sadie to the aide car and saw Mr. Jorgensen on the way.
11. While Ms. Jorgensen was being treated in the aide car, Ofc. Kaae came and spoke to her. Ofc. Kaae advised her to go to the hospital. Mr. Kaae took a picture of her leg wound at the hospital. She spent three hours at the hospital getting sutured and was told she needed to be seen in three days.
12. At the time of the May 28 incident, Ms. Jorgensen did not immediately remember having seen Ruger before, or else she would have tried to turn around. Ms. Jorgensen later recalled seeing Ms. Schrock and Ruger a few weeks prior. During that prior incident, Ms. Jorgensen and Sadie were walking northbound on the same trail, and Ms. Schrock was coming from behind. Ms. Schrock pulled Ruger off to the side, about 20 feet from them. As Ms. Jorgensen passed by, she heard a snarl and saw the dog lunge and pull Ms. Schrock to the ground. She does not recall whether Ruger was wearing a muzzle during that event.
13. Ms. Jorgensen testified that she has never ridden a bike with Sadie anywhere, has not biked on that trail in years, and has never walked Sadie on an extended 50-foot leash. Except for a 5-foot solid leash that she has not used in years, she has always used the 16-foot retractable leash. Ex. D25. She does not recall telling Ms. Schrock about Sadie's previous dog incident, but Sadie was attacked three years ago and received several stitches in her stomach.
14. Ms. Jorgensen describes her injury as the most painful thing she has experienced. At the three-day follow-up visit, she went to urgent care with extreme swelling and bruising going all the way to her upper thigh and down to her ankle. The doctor sent her to

Overlake for imaging, to ensure there was no blood clotting. She hobbled on crutches for the first few days. She has metal from a fracture fourteen years ago, and the bite impacted that ankle and continues (as of our hearing) to do so. She stayed off that ankle for two weeks. The third week she started walking again.

15. At times Ms. Jorgensen still gets sharp shooting pain in the bite area. She has had a physical therapy appointment for ankle mobility. The mental part has been tough. The incident was a traumatic experience for her and reflects how she responds when she sees German Shepherds now.

*Testimony of James Kaae*

16. Officer Kaae arrived on the scene, where he saw EMTs, along with civilians. The EMTs were treating Ms. Jorgensen, so he walked over, with a notepad, to question Ms. Schrock. He then proceeded to have a short conversation with Ms. Jorgensen, then followed her to the hospital.
17. He explained that he wrote his report (exhibit D2) the day after the incident. Ms. Schrock told him she was playing in the river, with Ruger off-leash. He did not write down a ton of detail, but he did write down that Ms. Schrock said Ruger charged at Sadie, with Ms. Jorgensen getting bit as she tried to protect Sadie. He described Ms. Jorgensen having a nearly identical story, which stood out to him; otherwise he would have written more detail about what Ms. Jorgensen said.
18. In answer to Ms. Schrock's hearing questioning, Ofc. Kaae did not recall Ms. Schrock saying Sadie had charged, how far down the hill Sadie went, nor seeing a bike loaded into the Jorgenson vehicle. He observed that owners will typically say anything to protect their dog, but in this case, Ms. Schrock seemed honest and he had no reason to disbelieve that Ruger charged at Sadie. If Ms. Schrock had told him that Sadie came over the embankment and charged at Ruger, he would have deemed that important enough to write it down.

*Testimony of Jessica Harte*

19. Ms. Harte testified to an earlier event involving Ms. Schrock and Ruger. On August 23, 2019, Ms. Harte was walking on a public sidewalk, engaged in conversation with her daughter. Ms. Schrock and Ruger were coming towards them, but Ms. Harte did not notice Ms. Schrock or Ruger. Ruger lunged and bit Ms. Harte on the leg. A good Samaritan took Ms. Harte to the ER, where she had a tetanus shot, her wound cleaned, and an antibiotic.
20. Ms. Harte wanted the bite on record, but she did not pursue enforcement because she had health insurance. She wanted Animal Services to talk to Ms. Schrock to ensure Ruger would be muzzled in the future. Ofc. Fowler went over what pressing charges would look like and told Ms. Harte that when they met with Ms. Schrock, Animal Services would make sure Ruger got a muzzle. Ms. Harte has no nerve feeling in the leg area where Ruger bit her and has a lumpy kind of scar. It took about nine months for the shooting pains to stop.

*Testimony of Diana Fowler*

21. Ofc. Fowler testified about her involvement with the 2019 altercation. Ms. Schrock was sympathetic, did not deny what happened, and seemed in shock that Ruger bit anyone. Ms. Schrock told her that Ruger had a serious condition, was on Prednisone, and the drug impacted his behavior. Ms. Schrock mentioned that she had been researching muzzles and concluded that a basket muzzle was the best choice, because Ruger could breathe and drink through it. Ms. Schrock went on to explain that a basket muzzle goes behind the ears, and dogs can still eat treats, but the muzzle prevents them from biting anyone.
22. Ofc. Fowler reviewed with Ms. Schrock what the penalties would have been, had Ms. Harte pursued enforcement. Ofc. Fowler also discussed licensing Ruger. Ms. Schrock thought Ruger was licensed, since he is a service dog and had an email from King County Licensing Department. Ofc. Fowler took her word for it and did not follow-up.

*Testimony of Jan Schrock*

23. Ms. Schrock felt sorry for the pain Ms. Harte and Ms. Jorgensen went through. She said May 28 was not her first encounter with Sadie and Ms. Jorgensen. Sadie had come after them before.
24. Onsite, she told Ofc. Kaae that Ruger was swimming and still had his leash on. She was standing in the water and throwing the ball to Ruger. When he comes out of the water, she routinely attaches his leash to his harness designed to close Ruger's mouth. When Ruger was done exercising, they sat on the beach relaxing, and Ms. Schrock took phone calls and visited (on the phone) with her mom and boyfriend. She measured approximately 50 feet from the center of the trail to where they were sitting. As she was trying to clip Ruger's harness muzzle to the leash, she looked up towards the trail and saw a lady she sees all the time (Ms. Jorgensen), riding her bike, with Sadie on a 50-foot leash.
25. Sadie came down the embankment at Ruger, stopping at a spot about 47 feet from the trail center, and bared her teeth at Ruger. Ex. A2. Sadie turned and started biting Ruger all over. Ruger immediately went towards Sadie and before Sadie made it to the top, he sniffed Sadie's bottom. Ms. Schrock saw Ms. Jorgensen's bike tumbled over and entangled in part of the leash, as Ms. Jorgensen screamed "get your dog."
26. Ms. Schrock was holding onto Ruger's harness, which was the same color as his coat. Ms. Schrock made Ruger lay down, while Sadie was still biting him. She grabbed Sadie from her stomach, with her left hand, and pulled her up and held her, with Ruger still laying down.
27. Ms. Jorgensen continued to scream that she was being attacked, fell over backwards and gathered the leash, which was still partly wrapped around Ms. Schrock's ankles. Ms. Schrock advised her not to pull the leash, but Ms. Jorgensen ripped the leash as hard as she could and Sadie flew through the air at her and Ms. Schrock landed on the floor, at which point she lost hold of Ruger.

28. Ruger then went towards Sadie, because she believes he saw Sadie attacking Ms. Schrock. Ruger was trying to bite Sadie while Sadie was retreating. Ms. Schrock got her ankles unwrapped and saw Ruger bite Sadie's bottom and the back of Ms. Jorgensen's leg. Ms. Jorgensen gathered the dog leash in lasso style; it was not a retractable leash.
29. Ms. Schrock called 911 and explained that the dogs got into a fight and that Ms. Jorgensen had been bit on the leg. Ms. Jorgensen told her she hoped she had insurance, because it would cost Ms. Schrock. Due to COVID, Ms. Schrock did not have insurance, because she had no job and was extremely broke. Ms. Jorgensen told her she had to call her husband to pick up Sadie and her bike.
30. When the EMTs arrived, Ms. Schrock waited at the bank to talk to someone. She explained the situation to Ofc. Kaae but did not go up to the ambulance or talk to an EMT.
31. There were about three to four EMTs on site. One of them took Sadie and the leash and walked it over to Ms. Jorgensen's husband and pushed her bike out, while two of them walked Ms. Jorgensen over to the car. Ruger was sitting down with his harness muzzle. Ruger had bite marks and Ms. Schrock also had damage on her leg from when Ms. Jorgensen ripped the leash.
32. Ms. Schrock has had previous encounters with Ms. Jorgensen and Sadie and has witnesses that can testify to that. She has seen her riding her bike, with Sadie on a 50-foot leash more than once. Sadie has run at them more than once. Ms. Schrock always diverts her walking path to get out of their way. She believes Ms. Jorgensen is lying about not being on her bike because it is against the law to be on a bike with a dog on a super long leash. Ms. Jorgensen had mentioned to her that Sadie had been attacked before and her back was ripped out, so Ms. Schrock believes Sadie has issues with fighting.
33. Regarding the incident with Ms. Harte, Ms. Schrock stated that Ruger had been ill for some time and the vet put him on very heavy steroids, which could make him emotional. Ex. A1 at 005. He was in a lot of suffering and was upset and crying a lot. The day of the incident, Ruger was going to the bathroom and Ms. Schrock had him on a leash with the harness, but the harness was not clipped shut. When Ruger jumped and bit Ms. Harte, Ms. Schrock was shocked. She has owned German Shepherds since her 20s, and that type of dog has never bitten anyone.
34. As to why Ruger was not wearing a muzzle, Ruger hurt himself trying to get the basket muzzle off, so she got him something else.

#### Additional Testimony from EMTs

35. At the close of the hearing, we granted Ms. Schrock's motion to keep the record open to elicit testimony from EMTs on two issues that went directly to Ms. Schrock and Ms. Jorgensen's credibility—whether Ms. Jorgensen was riding a bicycle and whether she had Sadie on her retractable leash or a non-retractable 50-foot or so leash. We provided Ms. Schrock subpoenas for each of the five Eastside Fire & Rescue EMTs who responded to the incident.

36. Eastside informed us that their practice answering subpoenas was to have individual EMTs call in sometime during that EMT's shift (*i.e.* in-between taking emergency calls). That made it impossible to set an actual hearing (or, more accurately, five hearings), because we only had a rough estimate of when each of the five EMTs might be calling in. Thus, we circulated a few drafts of proposed questions to Ms. Schrock and Animal Services, and then administered a uniform list of questions when each EMT called in at various times over a ten-day period. After circulating the EMT testimony recordings, we gave both parties until November 19 to email us any amended arguments.

*Danika Lawson*

37. Ms. Lawson was not part of the engine company that went down to the trail. Instead, she waited for Ms. Jorgensen at the aide car, which was parked on North Bend Way. Ms. Jorgensen was walked out from the trail to the aide car, but she does not know whether a bike was involved or not. She did not see anyone walk a bike. She did not see a leash, a dog, or Ms. Schrock.

*Sean-Luke Brija*

38. Mr. Brija was also in the aide car with Ms. Lawson, waiting for Ms. Jorgensen. He also did not see any dogs or bikes or leashes because he was in the back of the aide car, which was parked on North Bend Way. He clarified he would not have been in position to see those things if they had been there.

*Jordan Jessen*

39. Mr. Jessen was part of the engine company that went down to Ms. Jorgensen. Mr. Jessen does not remember much detail, as he was assisting in her wound care. He walked Ms. Jorgensen out to her truck with her husband. He does not recall seeing a bike, does not believe she or anyone else had a bike, and does not remember anyone walking a bike; he reiterated that, being in charge of wound care, he would not have remembered that. As to the leash, Mr. Jessen believes Ms. Jorgensen walked her dog out with the EMT on a short leash. He did not remember anything about a long leash, but he cannot speak to the leash. Ms. Jorgensen seemed to have her dog next to her and under control. He thinks some person in the crew walked her to her truck, but it was not him.

*Jeff Storey*

40. Mr. Storey was also part of the engine company that went down to Ms. Jorgensen. He recalls seeing a bike on the scene, laying on its side next to the person they were treating, but he does not recall whose bike it was. It seemed to be "mountain bike-ish." He believes someone was talking about walking the bike to the road or about somebody going back to get the bike, but he did not visually see that. As to the description of the leash, Mr. Storey only remembers that there was a leash, but nothing about the leash. He does not recall if someone walked Ms. Jorgensen's dog to the road, but it certainly was not him.

*Richard Reynolds*

41. Mr. Reynolds was the final member of the engine team. He does not recall seeing a bike. In the past he has walked bikes out to the road, but he cannot remember if he did that here. He did not document a bike, but that is not the type of thing he would have documented anyway. He cannot say anything about a bike one way or the other. As to the leash, he cannot recall details of it, as he was more focused on wound care and the fact that the dogs were separated. These calls run together for him. He does not recall how the dog got to the road, but he does remember meeting with the husband on the road as they were walking out.

Arguments*Animal Services*

42. At the conclusion of our October 9 hearing, Animal Services argued that Ruger was running at large when the incident happened and not under Ms. Schrock's control. Ruger bit Sadie and Ms. Jorgensen without provocation, qualifying him as vicious. Ruger was also unlicensed and unaltered at the time. This was not Ruger's first incident biting another person; he poses a public safety risk. The injuries to Ms. Jorgensen and Ms. Harte were severe and have a long-lasting impact on them. Sadie was also bitten. In Ruger's previous incident with Ms. Harte, Ofc. Fowler advised Ms. Jorgensen what another incident would mean for her. Ms. Schrock told Ms. Fowler at that time (August 2019) that she had already been researching muzzles for Ruger, for safety concerns, so she was aware of the need to secure him, even prior to him biting Ms. Harte. The violations and removal order should be upheld.
43. After reviewing the EMT testimony, Animal Services submitted an amended argument on November 19. Ex. D26. Animal Services pointed out several inconsistencies between Ms. Schrock's testimony.

*Ms. Schrock*

44. At the conclusion of our October 9 hearing, Ms. Schrock stated that Ruger was not running at large. Ruger is licensed in King County. Ruger does not qualify as vicious because it was Sadie that initially came down to the embankment and bit Ruger, so Ruger was provoked. Ms. Schrock has taken steps to follow the confinement order and wishes for Ruger to remain with her and continue with his training and with assisting her.
45. After reviewing the EMT testimony, Ms. Schrock submitted a November 19 argument consisting only of a sentence stating that we should accept Mr. Storey's testimony. Then, after reviewing Animal Services written argument, Ms. Schrock attempted to submit a second email. We did not provide for replies, and most of that second email amounted to new testimony, which we had specifically explained would not be accepted.<sup>1</sup> However,

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<sup>1</sup> In our November 9 giving the parties until November 19 to email any amended arguments, we wrote that, with all EMT testimony have been received:



we will treat her email as reiterating her statements at our October 9 hearing that Ruger was not at large, Ms. Jorgensen was riding a bike, Sadie provoked Ruger, Ms. Jorgensen provoked Ruger by pulling the leash, and Ruger is her medical assistance service animal.

### **Factual Analysis**

#### Testimony of Ms. Jorgensen and Ms. Schrock

46. We are faced with two diametrically opposed versions of how Ruger wound up biting Ms. Jorgensen on May 28.
- In Ms. Jorgensen’s version, Sadie was being walked on with three to four feet of leash. An unleashed Ruger charged from the riverbank at Sadie, biting Sadie multiple times. When Ms. Jorgensen tried to protect Sadie, Ruger gashed Ms. Jorgensen.
  - Ms. Schrock’s version, Ms. Jorgensen was riding a bicycle with Sadie on a 50-foot leash; Sadie charged down the embankment, 47 feet from the trail center. Ruger followed Sadie up the embankment onto the trail, but only to greet and sniff at Sadie. Despite Sadie biting Ruger multiple times, Ruger was just laying down at Ms. Schrock’s side while Sadie continued to bite at him. Only when Ms. Jorgensen pulled the leash did Ruger go after Sadie and accidentally bite Ms. Jorgensen.
47. Taking Ms. Jorgensen’s and Ms. Schrock’s testimony standing alone, nothing jumped out at us about Ms. Jorgensen’s version. Conversely, Ms. Schrock’s version raised several yellow flags.
- In our almost 700 animal appeals, we have encountered seemingly every fact area scenario under the sun. However, none of those involved even an assertion that someone was taking a dog out on anything approaching a 50-foot leash. That does not mean this case could not be the first, and that a leashed dog charged (by Ms. Schrock’s testimony) 47 feet from the middle of the trail, but it would be unprecedented.
  - That Sadie could have bitten and provoked Ruger is not at all implausible; we see it all the time. However, other portions of her description give us significant pause. For example, Sadie charging down the embankment at them and baring her teeth, yet Ruger following Sadie up, just to “greet” her and sniff at her? Then Sadie biting

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Our factual record is now closed....

We clarify that we are NOT taking more evidence. So new documents would be out of bounds, as would something that’s really new testimony, like, “When I was coming off the path, I saw....” Those will not be considered.

Instead, the parties should review the exhibits and the hearing recordings and offer argument based solely on those. For example, “Although Mr. X testified that \_\_\_\_\_, Ms. Y testified during rebuttal that \_\_\_\_\_. In light of exhibit Z, which shows that \_\_\_\_\_, *[then make your argument for how those facts support your case].*”

Ruger all over and, rather than respond, Ruger “didn’t care”? The 50-pound Sadie then “flying through the air” when Ms. Jorgenson yanked a chord wrapped around human legs?

- Ms. Schrock’s theory that Ms. Jorgensen had a motive to lie about being on a bicycle or having a 50-foot leash because it is against the law to bike with a dog on a super long leash seems odd. In general, there is no requirement that a dog be on *any* leash, let alone a short one.<sup>2</sup> And we are not aware of any violation involving a bicycle—KCC chapter 11 does not mention bikes or bicycles. On the other hand, Ms. Schrock—facing \$1800 in civil penalties, a viciousness designation and removal order for Ruger, and potential criminal charges—would have a greater motivation to shift her story than Ms. Jorgenson would.

48. Of the two, we found Ms. Jorgensen and her version more persuasive than Ms. Schrock and her version. However, we have three other sources—the EMT’s, Ofc. Kaae, and Ms. Jorgensen’s and Ms. Schrock’s consistency with their earlier statements—that cast light on witness credibility.

#### EMT Testimony

49. Ms. Lawson and Mr. Brija did not notice a bike or a leash, but being inside the aide car, they would not have been in a position to see anything. We need not discuss their testimony further. Instead, we will turn to the three on the engine crew who actually went down and assisted Ms. Jorgensen, looking at what their testimony on the bicycle and the leash have to offer us in terms of weighing Ms. Schrock’s and Ms. Jorgensen’s credibility.
50. As to the bike, Mr. Jessen did not think there was a bike, but he does not remember much detail, as he was assisting with Ms. Jorgensen’s wound care. Mr. Storey did recall seeing a bike on the scene, laying on its side next to Ms. Jorgenson, but he does not recall whose bike that was; he believes someone was talking about walking a bike or going back to get a bike. Mr. Reynolds has walked bikes out to the road before, but he cannot remember if he did that on May 28 or not, and he was not able to say anything about a bike one way or the other. And although Ms. Schrock had probed Ofc. Kaae at hearing about someone loading the bike into the Jorgensen’s car, none of the EMT’s recalled that.
51. We find Mr. Storey’s recollection that there was a bicycle near the scene of attack and some talk about moving the bicycle the most helpful of the five EMT’s. While that is consistent with Ms. Schrock’s version, it is not inconsistent with Ms. Jorgensen’s. Ms. Jorgensen testified that she flagged down a bicyclist (see block quote, above). And in her call to 911, Ms. Schrock stated that the bike rider would be waiting for the EMT’s. Ex. D24. So there definitely was a bicycle and bicyclist present on the scene. Only if there had been a *second* bicycle would that raise a red flag. Interestingly, in Ms. Schrock’s

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<sup>2</sup> As noted above a “running at large” violation only kicks when a dog is “not under the control...by leash, verbal voice or signal control.” KCC 11.04.020.W, .AA; .230.B (underscore added).

lengthy testimony, she discussed in detail the later responders—the EMTs, Ofc. Kaae, and Mr. Jorgenson—but omitted any reference to the first responder that day, the good Samaritan cyclist she informed 911 about.

52. Mr. Storey’s recall of a discussion about getting a bike may make it slightly more likely that the bike was Ms. Jorgensen’s and not the good Samaritan’s. But none of them recalled walking a bike or a bike loaded into the Jorgensen vehicle.
53. Moreover, EMT testimony about the leash cuts somewhat against Ms. Schrock. Mr. Jessen believed Ms. Jorgensen walked her dog out with the EMT on a *short* leash. Moreover, none remembered anything approaching a 50-foot, non-retractable leash. First, as noted above, someone taking a dog out on a 50-foot leash would be highly unusual, and seemingly more memorable because it is so out of the ordinary. Moreover, whether coiled like a lasso, or lying more haphazardly, a 50-foot leash seems fairly hard to miss. That does not mean there could not have been a 50-foot leash, and no one remembered it. But it does bring to mind Sherlock Holmes in *The Adventure of Silver Blaze*:

Gregory (Scotland Yard detective): “Is there any other point to which you would wish to draw my attention?”

Holmes: “To the curious incident of the dog in the night-time.”

Gregory: “The dog did nothing in the night-time.”

Holmes: “That was the curious incident.”

Mr. Jensen’s recall of a short leash, and Mr. Jensen, Storey, and Reynolds lack of any memory about a long leash, cuts slightly against Ms. Schrock’s version.

54. In the final analysis Mr. Jensen’s recall of a short leash, the other EMTs lack of recall about an exceedingly long leash, and no EMT recalling anyone walking a bike or one of them putting a bike in the Jorgenson vehicle, may be slightly more probative than Mr. Storey’s recall about a bike conversation. Yet neither inference really moves the needle one way or the other. We essentially consider the EMTs’ testimony a “push.”

#### Ofc. Kaae Information

55. Ofc. Kaae’s report written the day after the incident, exhibit D2, along with his testimony at hearing, cuts more definitively.
56. Ofc. Kaae wrote that Ms. Schrock told him that the incident started after Ms. Jorgensen and her husband were walking on the nearby trail. That first part was inaccurate; Mr. Jorgensen only came after he was called to the scene, which means Mr. Kaae’s understanding or memory is not infallible. However, writing down Ms. Schrock saying Ms. Jorgensen was walking—and not riding—cuts in Ms. Jorgensen’s favor.
57. Moreover, Ofc. Kaae noted that Ms. Schrock told him Ruger “charged” Sadie and that Ms. Jorgenson got bit trying to protect Sadie. We find it relevant that he summarized Ms.

Schrock's statement not as Ruger "followed" or "approached" or something more in line with Ms. Schrock's hearing testimony, but "charged," and that Ms. Schrock explained that Ms. Jorgensen was trying to protect Sadie from Ruger. Ofc. Kaae did not record Ms. Schrock saying anything about Sadie having first charged down the bank at Ruger to incite the incident. In fact, he testified that *if* Ms. Schrock had told him that Sadie came over the embankment and charged at Ruger, he would have deemed that important enough to write it down.

58. Ofc. Kaae's notation that he "thanked Schrock for speaking so honestly" is telling. Ms. Schrock's current version of events basically boils down to Ruger minding his own business by the side of the river when Sadie charged down the riverbank at Ruger and thereafter bit Ruger all over. After some interaction, Ruger was just sitting down on the trail, when Ms. Jorgensen yanked the leash, knocking Ms. Schrock down and causing Ruger to bite.
59. That is a classic defense we hear from appellants in our cases—the other person/dog provoked the appellant's dog to react. Such a story casts appellant's dog in a favorable light. Such statements may be accurate or inaccurate in a given case (we have overturned many a viciousness designation), but they are emphatically not the type of statement we thank someone for presenting. When we praise someone for showing candor during our hearing process, it is because the person admits something *against* their interests, like, "I take full responsibility for failing to \_\_\_," or, "I don't know what made my dog attack \_\_\_," or, "The dog bit me, but I don't think it was trying to bite me, and it wasn't serious," etc. We would never thank someone for offering information that casts themselves or their animal in a positive light and *advances* their interests. We reserve our thanks for admissions, not for advocacy.
60. As Ofc. Kaae explained at hearing, owners will say anything to protect their dog (we have observed that too), and what stood out to him was that Ms. Schrock was not doing this on May 28. So, while we do not know exactly what Ms. Schrock said to Ofc. Kaae, it is highly unlikely it was the defense she has presented during the examiner process, and far more likely it was an admission. That cuts strongly against Ms. Schrock's current version of events.

(In)consistency with Earlier Statements

*Ms. Jorgensen*

61. We do not see material inconsistencies between Ms. Jorgensen's hearing testimony and the first officer's notes of his conversation with Ms. Jorgensen the day after the attack, another officer's notes of her conversation with Ms. Jorgensen on June 2, and Ms. Jorgensen written statement of June 8. Ex. D5 at 004 n.2 & n.6; Ex. D4.

*Ms. Schrock*

62. Conversely, there are significant discrepancies on Ms. Schrock's end. The first officer wrote down that on June 1 Ms. Schrock told him she "had just been placing [Ruger's] leash on when the other leashed dog came into view. She said that Ruger ran up to the

other dog to sniff at, and that the other dog bit Ruger,” with no mention of Sadie instigating the incident by charging down the embankment at Ruger. Ex. D5 at 004 n.3. Another officer wrote down that on June 2, Ms. Schrock told her Ruger was not at fault, since Sadie bit Ruger first, but with no mention of Sadie having charged down the bank to instigate things. Ex. D5 at 004 n.11. Those statements are not at all consistent with her hearing testimony that the incident started when Sadie charged 47 feet from the trail at Ruger on a 50-foot leash. And in neither initial interview did she mention that Ms. Jorgenson was riding a bicycle or had a long leash, nor that she had previous incidents with a bicycle-riding Ms. Jorgensen and Sadie.

63. In her June 17 appeal, she added the bicycle and asserted that Sadie came over the embankment, but stated that Sadie was on a 20-foot leash and came 15 feet from the top of the trail. Ex. D16 at 001. That is 2/5 the leash length she testified to at hearing, and at hearing she tripled the distance Sadie allegedly charged down at Ruger (15 feet v. 47 feet).

### Factual Conclusions

64. Standing alone, Ms. Jorgensen’s testimony was more convincing than Ms. Schrock’s. The EMT testimony did not move that needle, but Ofc. Kaae’s concurrent report and then hearing testimony cut strongly against Ms. Schrock and thus in favor of Ms. Jorgensen. And there are material inconsistencies between various Ms. Schrock statements, but not between Ms. Jorgensen’s. In the end we find Ms. Jorgensen’s version of the May 28 events far more persuasive than Ms. Schrock’s. Except as otherwise noted, we adopt Ms. Jorgensen’s version of events and reject Ms. Schrock’s.

## **Legal Analysis**

### Decisional Standard

65. We do not grant substantial weight or otherwise accord deference to agency determinations. Exam. R. XV.F.3. For those matters or issues raised in an appeal statement, Animal Services bears “the burden of proving by a preponderance of the evidence both the violation and the appropriateness of the remedy it has imposed.” KCC 20.22.080.G; .210.

### Running at Large

66. “Running at large” means “off the premises of the owner and not under the control of the owner, or competent person authorized by the owner, either by leash, verbal voice or signal control,” with “under control” itself including “restrained from approaching any bystander or other animal” when “off the premises of the owner” KCC 11.04.020.W, .AA; .230.B. Certainly, under the facts as we find them, Ruger was not under control when he approached Sadie and Ms. Jorgensen. However, even under *Ms. Schrock’s* version, Ruger was unleashed and not restrained from approaching Ms. Jorgensen on the trail. We sustain this violation.

Vicious

67. “Vicious,” means an animal “performed the act of, or having the propensity to do any act, endangering the safety of any person, animal or property of another, including, but not limited to, biting a human being or attacking a human being or domesticated animal without provocation” and “exhibited vicious propensities and constitutes a danger to the safety of persons or property off the animal’s premises or lawfully on the animal’s premises” KCC 11.04.020.BB; .230.H.
68. Ruger attacked Sadie and bit Ms. Jorgensen, but Ms. Schrock asserts that Ruger was provoked to do so. Animal Services must prove, by a preponderance of the evidence, that the attack and bite were not provoked. *See Morawek v. City of Bonney Lake*, 184 Wn. App. 487, 495, 337 P.3d 1097, 1101 (2014).
69. As our High Court instructs us, when analyzing “terms of art,” to look to “well-established meanings” of words in their specific context. *State, Dept. of Ecology v. Theodoratus*, 135 Wn.2d 586, 589, 957 P.2d 1241 (1998). “Provocation” is a staple of animal jurisprudence, and numerous courts that have analyzed the term in depth have noted that although dictionary definitions of “provocation” can be quite broad, the term applies more narrowly in the dog bite context. Otherwise, animal control ordinances “could be interpreted to mean that provocation exists whenever any external stimulus has precipitated the attack or injury by an animal, *i.e.*, whenever the animal’s actions are not completely spontaneous.” *Robinson v. Meadows*, 203 Ill. App. 3d 706, 710, 561 N.E.2d 111 (1990). A broad reading of “provocation” would, for example, make it open season on postal carriers, as a postal carrier coming up a walkway to deliver mail triggers something in the average dog.
70. Thus, “[n]ot every occurrence that stimulates a dog to bite an individual should be a defense.” *Stroop v. Day*, 271 Mont. 314, 318, 896 P.2d 439 (1995). An action that merely stimulates or excites a dog, without more, cannot qualify as “provocation.” *Engquist v. Loyas*, 787 N.W.2d 220, 225 (Minn. App. 2010), *aff’d in relevant part*, 803 N.W.2d 400 (Minn. 2011). In addition, provocation requires the dog’s reaction to be proportional to the victim’s act. *Bradacs v. Jacobone*, 244 Mich. App. 263, 273–75, 625 N.W.2d 108 (2001); *Kirkham v. Will*, 311 Ill. App.3d 787, 792, 724 N.E.2d 1062 (2000); *Stroop*, 271 Mont. at 319.
71. Under the version of events we find far more persuasive (Ms. Jorgensen’s), Ruger started the incident by charging up at Sadie, biting Sadie multiple times, and gashing Ms. Jorgensen. There was nothing even approaching legal provocation in that scenario. However, Ms. Schrock admits Sadie was *retreating* at the time and Ruger pursued her, biting Sadie’s *bottom* and then the back of Ms. Jorgensen’s leg. The bite he inflicted on Ms. Jorgensen required multiple sutures to put back together and causes her continuing pain. Ex. D3; Ex. D6 at 008–09. Thus, even under Ms. Schrock’s version, Ruger’s reaction was grossly disproportionate under the circumstances and thus insufficient provocation.

72. May 2020 was not the first time that Ruger performed a vicious act. In August 2019 he bit a woman, Ms. Harte, who was doing nothing more than walking down a path. Ruger's bite resulted in nine months of shooting pains and Ms. Harte still having no nerve feeling in the bite area, along with a scar. Ruger constitutes a substantial danger to the safety of persons off Ruger's premises. KCC 11.04.230.H. We uphold his viciousness designation.

## Removal

### *Removal Standard*

73. We are the most exacting of Animal Services on removal orders, given what is at stake. *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976) (nature of private interest impacted is factor in determining how much process is due); Exam. R. XII.B.4 (in proceeding involving divestiture of legally cognizable rights, examiner may require adherence to court rules to "assure that due process of law is afforded"); *Repin v. State*, 198 Wn. App. 243, 284, 392 P.3d 1174 (2017) (Fearing, C.J., concurring) (analyzing court decisions recognizing "the bond between animal and human and the intrinsic and an estimable value a companion animal"). We have overturned far more removal orders than we have sustained.
74. Animal Services increased its load still more with its choice of a removal basis. Ruger bit Ms. Harte and Ms. Jorgensen in a seven-month period, both times without provocation. Under KCC 11.04.290.B.2,

Any animal that bites, attacks or attempts to bite one or more persons two or more times within a two-year period is declared to be a public nuisance and shall not be kept within unincorporated King County forty-eight hours after receiving written notice from the manager.<sup>3</sup>

Thus, removal under B.2 would have been mandatory ("shall not be kept"). However, Animal Services moved for removal under subsection A.1, where removal is one of options that "may be proscribed." Ex. D14 at 003; KCC 11.04.290.A.1 & .2.e. Thus, we review not a mandatory removal but a discretionary one requiring a thorough analysis.

### *Americans with Disabilities Act (ADA)*

75. Ruger is a service dog who assists Ms. Schrock when her blood sugar gets too high. Ex. A1 at 006. Whether a person is "disabled" under the ADA is an individualized inquiry, looking at whether—considering the effect of measures a person is taking to correct for or mitigate the issue—the impairment substantially limits a major life activity. *Sutton v. United Air Lines*, 527 U.S. 471, 482-83 (1999). There is insufficient evidence here that, even without a service dog, Ms. Schrock's impairment substantially limits a major life impairment and thus that she is covered by the ADA. Still, we review the removal order through an ADA lens.

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<sup>3</sup> Applying a rule of lenity and interpreting the code in the light most favorable to an appellant, we have required that any bite/attack/attempted bite be legally unprovoked.

76. Most service-dog-ADA jurisprudence involves a disabled person being barred from having *any* dog (or, where a jurisdiction, say, prohibits pit bulls, any dog of a certain breed) in a given location, not where a *particular* dog has a history of unprovoked violence against people and constitutes a direct threat. Our issue here is not whether Ms. Schrock may have a service animal in King County (of course), or even a German Shepherd as that service animal (sure) but whether that dog can be Ruger.

77. The U.S. Department of Justice, Civil Rights Division, Disability Rights Section provides two helpful guidance points. First,

Under the “direct threat” provisions of the ADA, local jurisdictions need to determine, on a case-by-case basis, whether a particular service animal can be excluded based on that particular animal’s actual behavior or history, but they may not exclude a service animal because of fears or generalizations about how an animal or breed might behave.

Second, in terms of when a service animal can be excluded, the ADA does not “override legitimate safety requirements,” and “if a particular service animal is out of control and the handler does not take effective action to control it...that animal may be excluded.”<sup>4</sup>

78. A “direct threat” means “a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.” 42 USC 12111(3). We can glean some helpful guidance from federal regulations (albeit from the employment context), namely that a direct threat “means a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation,” that the determination that an individual (or here, a service animal) poses a direct threat must “be based on an individualized assessment,” and that factors we should consider include:

- (1) The duration of the risk;
- (2) The nature and severity of the potential harm;
- (3) The likelihood that the potential harm will occur; and
- (4) The imminence of the potential harm.

29 CFR 1630.2(r). In addition, we “should take into account the magnitude of possible harm as well as the probability of occurrence.” *Atkins v. Salazar*, 677 F.3d 667, 682 (5th Cir. 2011).

### *Removal Analysis*

79. Animal Services removal order is not based on fears or generalizations about how an animal might behave, but on Ruger’s actual behavior, wounding two people within a nine-month period. He attacked Ms. Harte as she walked along a trail, causing her nine months of shooting pain and leaving her with no nerve feeling in the bite area and a

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<sup>4</sup> Answers to questions 24 and 25 in *Frequently Asked Questions about Service Animals and the ADA*, exhibit D18 at 006 and <https://www.hum.wa.gov/sites/default/files/public/publications/DOJ%20Q%26A%20Service%20Animals.pdf>.



- lumpy kind of scar. Then, despite Ms. Schrock's assurance that she would muzzle Ruger when in public, nine months later he sliced open Ms. Jorgenson's leg in one of the ghastlier wounds we have reviewed, and we have reviewed a lot. Ex. D3. It was the most painful thing Ms. Jorgenson had experienced, hobbling her on crutches for a few days, continuing to impact her previously injured ankle's mobility, and still occasionally causing sharp shooting pains, along with mental distress.
80. After Ruger attacked Ms. Harte, Ms. Schrock assured the responding officer that she had purchased a basket muzzle that Ruger will wear anytime he is on a walk from then on. Ex. 12 at 002 n.2. Although it was clear Ruger posed a direct threat to the health and safety of other people, Ms. Schrock retaining Ruger so long as she followed through on her pledge to keep Ruger muzzled seemed a reasonable accommodation geared to eliminating or acceptably minimizing the risks posed by Ruger. *Cf. Arnold Murray Constr., L.L.C. v. Hicks*, 621 N.W.2d 171, 175 (S.D. 2001).
81. Instead, Ms. Schrock abandoned the basket muzzle in favor of something she thought would protect against biting. However, the "muzzle" Ms. Schrock depicts Ruger looks much more like a "gentle leader" than an actual muzzle. *Compare* Ex. A1 *with* Ex. D19 at 001, Ex. D20 at 002, and especially D22 at 001. A dog with such a head collar can eat, drink, pant and, most importantly "can still bite." Ex. D19 at 003, Ex. D21 at 001. Such hardware is emphatically *not* a muzzle that can prevent a dog from biting and injuring someone. Ex. D20 at 002; Ex. D22 at 001. And nine months later Ms. Schrock allowed Ruger to be in public without a leash, and without even what she had purchased him as a stand-in for a muzzle properly affixed. Ruger got loose, attacked, and tore a gaping wound in Ms. Jorgensen.
82. Ms. Schrock did not take effective action to control Ruger after he attacked Ms. Harte, creating a likelihood that the potential harm will occur again, which it did, nine-months later. The ADA does not overrule legitimate safety requirements. And in King County the standard is that two bites—or even attempted bites—in a two-year period results in removal. KCC 11.04.290.B.2. Yet Ruger actually—and seriously—bit two people in a nine-month period.
83. There is no reasonable expectation that again relying on Ms. Schrock to leash and muzzle Ruger will eliminate or acceptably minimize the risk Ruger poses, and it would needlessly place other people at risk. Ms. Schrock may certainly get another service animal, and given her positive history with German Shepherds, she may want to select another German Shepherd. It just cannot be Ruger. Despite two large thumbs on the scale against removal—the scrutiny we apply to every discretionary removal, and our assumption that the ADA applies here—we sustain Animal Services' removal order.
84. We do, however, make one modification to accommodate Ms. Schrock's asserted disability. The code requires the animal be removed from the county within two days. KCC 11.04.290.A.2.e. In past cases we have found that two days is not enough time to complete the steps Animal Services requires for compliance with a removal order (exhibit D14 at 003), usually giving an owner two weeks to accomplish those items. However, the difference here is that Ms. Schrock relies on Ruger to alert her when her

blood sugar gets too high. Ex. A1 at 006. It will likely take her time to arrange to obtain a new service dog. Thus, we extend the compliance deadline to two months.

### Licensing

85. All dogs eight weeks old and older must be licensed and registered. KCC 11.04.030.A. Ruger was unlicensed and unaltered as of May 28. Economics would not have been a stumbling issue, since there is no charge for licensing a service animal with Animal Services. KCC 11.04.035.A.8. In our notice of hearing, we wrote that, “Where an individual has duly licensed a pet after the violation but before our hearing, we have never eliminated—but we have often reduced—the penalty. It would behoove Appellant to license Ruger as soon as possible.” Ms. Schrock asserts that she has licensed Ruger, although there is no proof of when she did that. And if she has not yet done that, there is no point now, because she will need to remove or relinquish Ruger.

### Penalties and Microchipping

86. The removal order requires Ms. Schrock to microchip Ruger. If she re-houses Ruger outside King County, she will need to get Ruger micro-chipped and provide that microchip number to Animal Services (who will pass the number onto the new jurisdiction). But Ms. Schrock explained that finances are tight. If she elects to relinquish Ruger into Animal Services instead of rehoming him outside King County, then Animal Services can handle matters; she need not microchip Ruger in that scenario.
87. That still leaves penalties of \$50 for the running at large, \$250 for Ruger being unlicensed as of the date of violation, \$500 for the viciousness violation, and \$1,000 for the removal order. Ms. Schrock pleads lack of income. Ex. D16 at 002. A penalty for a removal order only kicks in for failing to comply with that removal order; see instructions below. Taking Ms. Schrock’s representation that she has licensed Ruger, we reduce the licensing penalty from \$250 to \$75. Failing to contain Ruger after his 2019 attack on Ms. Harte resulted in him charging up the bank, attacking Sadie and Ms. Jorgenson, and wounding Ms. Jorgenson; we do not reduce the penalties associated with running at large or viciousness.

### DECISION:

1. Except as modified below, we DENY Ms. Schrock’s appeal as to V20010745 and V20010773.
2. For V20010745, we reduce the licensing penalty from \$250 to \$75, and we sustain the other penalties, resulting in a new total of \$625.
3. As to V20010773, by **March 1, 2021**, Ms. Schrock must either:

- A. Microchip Ruger and provide the microchip number to Animal Services, find and disclose to a potential new owner that Ruger was ordered removed from King County as a threat to public safety, have that person or entity agree to take Ruger on, get Ruger out of King County, and provide Animal Services proof that this new owner lives outside of King County, or
- B. Relinquish Ruger to Animal Services.

So long as Ms. Schrock timely and successfully meets one of those two courses, the penalty applicable to a removal order is waived. If not, a \$1,000 penalty kicks in.

ORDERED December 28, 2020.



David Spohr  
Hearing Examiner

### **NOTICE OF RIGHT TO APPEAL**

King County Code 20.22.040 directs the Examiner to make the County's final decision for this type of case. This decision shall be final and conclusive unless appealed to superior court by *January 27, 2021*. Either party may appeal this decision by applying for a writ of review in superior court in accordance with chapter 7.16 RCW.

### **MINUTES OF THE OCTOBER 9, 2020, HEARING IN THE APPEAL OF JAN SCHROCK, REGIONAL ANIMAL SERVICES OF KING COUNTY FILE NOS. V20010745 and V20010773**

David Spohr was the Hearing Examiner in this matter. Participating in the hearing were Chelsea Eykel, Rebekah Jorgensen, James Kaae, Jessica Harte, Diana Fowler, and Jan Schrock. A verbatim recording of the hearing is available in the Hearing Examiner's Office.

The following exhibits and amended arguments were offered and entered into the record by Animal Services:

- |                |   |
|----------------|---|
| Exhibit no. D1 | Regional Animal Services of King County staff report to the Hearing Examiner            |
| Exhibit no. D2 | Snoqualmie Police Report Incident #20N-1663   |
| Exhibit no. D3 | Photographs of bite wound   |
| Exhibit no. D4 | Online Complaint form of May 28, 2020 incident by Rebekah Jorgensen, dated June 8, 2020 |
| Exhibit no. D5 | RASKC investigation report no. A20012015  |
| Exhibit no. D6 | Medical reports   |

Exhibit no. D7	Notice of violation no. V20010745-A20012015, issued June 1, 2020
Exhibit no. D8	Bite Quarantine Notice A200120215
Exhibit no. D9	Proof of Service
Exhibit no. D10	Online Complaint form of August 23, 2019 incident by Justine Harte, dated August 23, 2019
Exhibit no. D11	Photographs of bite A19005525
Exhibit no. D12	RASKC investigation report no. A19005525
Exhibit no. D13	Bite Quarantine Notice A19005525
Exhibit no. D14	Notice and order for removal no. V20010773-A20012015, issued June 8, 2020
Exhibit no. D15	Proof of Service
Exhibit no. D16	Appeal, received June 17, 2020
Exhibit no. D17	Map of subject area
Exhibit no. D18	Rebuttal exhibits list and ADA Service Animal FAQ
Exhibit no. D19	Gentle Collar Information
Exhibit no. D20	Gentle Leader Information
Exhibit no. D21	Oregon Humane Society Head Halter resource information
Exhibit no. D22	Head Halters for Aggressive Dogs
Exhibit no. D23	Ms. Jorgensen's wounds as of July 29th, 2020
Exhibit no. D24	911 call
Exhibit no. D25	Jorgensen's Leash Length video
Exhibit no. D26	Amended Argument, dated November 19, 2020

The following exhibits and amended arguments were offered and entered into the record by Appellant:

Exhibit no. A1	Photographs of dog, dog tag, service dog badge for medical purposes, and medical invoice dated August 9, 2019
Exhibit no. A2	Photographs of measured distance on incident location
Exhibit no. A3	Testimony of Danika Lawson, dated October 30, 2020
Exhibit no. A4	Testimony of Sean-Luke Brija, dated October 30, 2020
Exhibit no. A5	Testimony of Jordan Jessen, dated October 30, 2020
Exhibit no. A6	Testimony of Rick Reynolds, dated November 4, 2020
Exhibit no. A7	Testimony of Jeff Storey, dated November 7, 2020
Exhibit no. A8	Amended Argument email, dated November 19, 2020, 1:33 P.M.
Exhibit no. A9	Amended Argument email, dated November 19, 2020, 4:44 P.M.

DS/lo

December 28, 2020

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**

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**CERTIFICATE OF SERVICE**

SUBJECT: Regional Animal Services of King County file nos. **V20010745 and V20010773**

**JAN SCHROCK**

Animal Services Enforcement Appeal

I, Lauren Olson, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **REPORT AND DECISION** to those listed on the attached page as follows:

EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.

placed with the United States Postal Service, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED December 28, 2020.



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Lauren Olson  
Legislative Secretary

**Brija, Sean-Luke**

Eastside Fire and Rescue

**Bryson, Pam**

Eastside Fire and Rescue

Hardcopy

**Eykel, Chelsea**

Regional Animal Services of King County

**Fowler, Diana**

Hardcopy

**Harte, Jessica**

**Jessen, Jordan**

Eastside Fire and Rescue

**Jorgensen, Rebekah**

Hardcopy

**Kaae, James**

**Lawson, Danika**

Eastside Fire and Rescue

**Reynolds, Rick**

Eastside Fire and Rescue

**Schrock, Jan**

Hardcopy

**Storey, Jeff**

Eastside Fire and Rescue