

June 15, 2021

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

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**REPORT AND DECISION**

SUBJECT: Regional Animal Services of King County file nos. **V21011876 and V21011889**

**RYAN GORANSON**

Animal Services Enforcement Appeal

Activity no.: A21001590

Appellant: **Ryan Goranson**

[REDACTED]  
Shoreline, WA 98155

Telephone: [REDACTED]

Email: [REDACTED]

King County: Regional Animal Services of King County  
*represented by* **Chelsea Eykel**  
Regional Animal Services of King County  
21615 64th Avenue S  
Kent, WA 98032  
Telephone: (206) 263-5968  
Email: [raskcappeals@kingcounty.gov](mailto:raskcappeals@kingcounty.gov)

**FINDINGS AND CONCLUSIONS:**

Overview

1. In August 2019, Ryan Goranson's dogs, Rand and Raygar, received warning notices for vicious behavior against one neighbor. In January 2020, they were declared vicious after they attacked another person in the neighborhood, and ordered confined. In late 2020, after one broke out of confinement, they were ordered removed, an order we tossed on a

technicality. But then in April 2021, they got loose and charged at a different neighbor, her child, and responding officers.

2. Regional Animal Services of King County (Animal Services) again declared the dogs vicious and again ordered them removed. Mr. Goranson appealed. After hearing the witnesses' testimony, studying the exhibits admitted into evidence, and considering the parties' arguments and the relevant law, we deny the appeal but we extend the removal deadline and we reduce the penalties.

### Previous Rounds

3. As Joshua Stevenson would later describe it at hearing, in September 2019 Mr. Stevenson's in-laws were staying with him. His mother-in-law, Almeida Dewair, an elderly lady around five feet tall, was outside by herself. *See also* Ex. D18 at 003, n. 3. He saw Ms. Dewair on the ground with three dogs (later identified as Rand, Raygar, and Watson) huddled over her and barking as she tried to protect herself. He then ran over to her and yelled to scare the dogs away; the dogs scattered once he got close. Ms. Dewair was traumatized from this incident, and she did not want to leave the house again.
4. A few days later, Animal Services issued Mr. Goranson a warning notice for Rand, Raygar, and Watson running at large, trespassing, running in packs, and behaving viciously. Ex. D19. (Watson belongs to Mr. Goranson's then roommate, Brandon Stenton. Ex. D3 at 003 n.1.)
5. In January 2020, Animal Services declared Rand and Raygar vicious after they ran in a pack, jumped on, and attempted to bite a developmentally disabled man waiting for a bus, lacerating his hip in the process. Exs. D20, D21, D22 (at 006 n.9 & 007 n.10), D24. Mr. Goranson was ordered to secure both dogs, who were thenceforth only allowed off the property on a leash. Ex. D24 at 001. Specifically, Mr. Goranson was required to secure Rand and Raygar in a fenced area suitable for their size when unattended and outside the home, to lock all passages with a padlock to prevent accidental release, to restrain Rand and Raygar using an eight-foot or shorter leash with a collar or harness when taking them off their property, and to ensure that a competent and capable person is handling the animal at all times when attended outside. (Watson was also declared vicious, and received the same confinement terms.)
6. After Raygar (and Watson) got loose in August, Animal Services served a violation notice on Mr. Goranson (and on Mr. Stenton). Ex. D28. Rather than a simple dog-running-at-large violation (KCC 11.04.230.B, in Shoreline SMC 6.30.010.2), Animal Services asserted that the dogs violated KCC 11.04.230.I, being vicious animals (by virtue of their January designation) who later ran at large. Ex. D28. It asserted that this violated the January confinement terms and warranted Watson's and Raygar's removal from King County under KCC 11.04.290.A.3 (in Shoreline, SMC 6.40.050.C). Ex. D29.
7. Mr. Goranson appealed in September, asserting that since the August escape, they had taken security measures to prevent this from happening again. He wrote that they had barred the windows, and purchased an invisible fence. He was sure that with these

“added security measures Raygar is incapable of getting out and this cannot happen again.” Ex. D31.

8. As we drafted our hearing notice in October and turned to SMC 6.30.010 to find the precise language for a vicious animal running at large in Shoreline, we found that Shoreline had adopted only 12 of the 15 nuisances listed in KCC 11.04.230. Shoreline had *not* adopted a vicious-animal-running-at-large violation equivalent to KCC 11.04.230.I. Thus, while a citation for a basic dog-running-at-large violation (KCC 11.04.230.B, in Shoreline SMC 6.30.010.2) would have been valid, a citation for violating KCC 11.04.230.I was void on its face, there being no equivalent violation in Shoreline. And because the removal orders listed the KCC 11.04.230.I violations as the sole trigger for removal, and given the exacting standard we apply to removal orders, we dismissed the removal order without prejudice as well. Ex. D32.
9. Had Mr. Goranson truly taken measures such that the dogs were incapable of getting out and their escape could not happen again, that might have been the last word. But that is not what happened.

#### Current Round

10. As Sheriff’s deputy Joseph Monserud would later describe it at hearing, on April 9, 2021, he responded to an animal complaint from Haneen Alattal, who had called 911 because she was unable to leave her vehicle and enter her house, as her neighbor’s dogs, later identified as Rand and Raygar, were loose. Ex. D5-005. When he arrived with his trainee officer, Mo Gluaymai, Ms. Alattal was still in her car, afraid to get out. He could see that the dogs had retreated back to their yard.
11. Dep. Monserud told Ms. Alattal to get out of the car and that he would assist her to her door. As soon as she got out of her car, the two dogs started to charge at them. The dogs started about 75 yards away, but then ran through a broken part of the fence and through another neighbor’s yard and toward them. They were barking and growling while they charged. Ms. Alattal and her son ran into their house.
12. Dep. Monserud yelled at Dep. Gluaymai to get into the patrol car. The dogs got within 15 feet of him. As they were running towards him, he felt threatened, as if he was going to be attacked. He was too far from the car to get back in, so he took his taser out and sparked it to make some noise to scare the dogs away. He was also yelling at the dogs at the same time. The dogs retreated back to their yard.
13. Animal Services officer Chris Miller contacted him to see if he could identify the dogs. He was able to pick out the two dogs involved in the incident.
14. Dep. Gluaymai testified that at the church, she told Ms. Alattal she would escort her home. After she and Dep. Monserud checked the area in front of the Alattal house and did not see any dogs, she told Ms. Alattal it was safe for her to exit her car. She escorted Ms. Alattal and her son towards their door when she heard a dog bark. Ms. Alattal’s son started to scream and Dep. Gluaymai told them to get into the house.

15. Dep. Monserud yelled at her to get back into the car. The car was locked, and it was too late for her to get inside. There were two dark colored dogs at the back of the patrol car, around six feet away, running towards her. The dogs were barking and growling. The dogs were acting aggressive and she was fearful for her life. Dep. Monserud, who was at the front of the car, around fifteen feet away from the dogs, arced his taser. This scared the dogs away.
16. For her part, Ms. Alattal would later testify that on April 9 she and her son were attempting to park in front of their house when she saw two dogs, which she recognized as her neighbors'. The dogs were barking and they did not look friendly, seemingly waiting for them to get out of their car. Ms. Alattal decided to drive away to see if the dogs would leave. The dogs followed her car halfway to the church, to park and try to wait them out. She called her landlord to ask for her neighbor's number; she did not have it and told her to call the police.
17. After the police arrived, they followed her and her son back to the house to escort them inside. The police checked the area and told Ms. Alattal it was safe to exit the car. She got out and closed her car door. She saw the dogs in their yard, where they then started to run towards her. One officer screamed at the dogs to go. The dogs did not stop, so he sparked his taser. Ms. Alattal and her son rushed inside their house.
18. She took pictures of the dogs loose that day (exhibit D4) and recognized the dogs because the dogs' house shares a fence with the Alattal property. Whenever the Alattals are outside, those dogs constantly bark. Her children do not like to play in the backyard, because they are scared of those dogs. Her son involved in the April 9 incident is traumatized and especially scared of dogs now. When the dogs are outside and barking at them, she does not see anyone watching the dogs.
19. The following day Animal Services issued Mr. Goranson a violation notice asserting that Rand and Raygar again qualified as vicious and were running at large. Ex. D11. On April 15, Animal Services issued an order to remove both dogs from King County. Ex. D13.
20. Mr. Goranson appealed on April 16, appreciating Animal Services' efforts in bringing the dogs back home, explaining his efforts to contain them, and seeking to overturn the removal order and reduce the penalties. Ex. D15.

### Hearing Testimony

21. At our June 2 hearing, in addition to testimony from Mr. Stevenson, deputies Monserud and Gluaymai, and Ms. Alattal, we took testimony from Mr. Goranson, Mr. Stenton, and Animal Service's representative.
22. Mr. Goranson apologized to Ms. Alattal and her son. It was an unfortunate accident. He does not want anything like this to happen again. He has had issues with his roommate, Max, leaving windows open or leaving the dogs in his room. On the day of the incident with Ms. Alattal, the dogs were left in Mr. Goranson's room and were able to break a latch on his window to get out. Ex. A1 at 004. He also has an electric fence at the top of the driveway. Ex. A1 at 003. The dogs managed to get through that on April 9.

23. He has installed bars on the windows in the front of the house. The fence is broken in a few areas and at multiple times he has requested his landlord fix it. It took them time to get it mended. Both of his roommates are moving out, so he will be solely responsible for containing the dogs.
24. There is a lot of tree coverage and foliage in his backyard, so it may be hard for others to see him when he is outside with the dogs. He does not leave them in the backyard unattended, especially since the fence is in poor condition. *See* Ex. D3 at 003 n. 3 (officer commentary), Ex. D6 (pictures showing dilapidated fence). He does come out and quiet the dogs when they are barking. His dogs can be excitable, but he does not believe they are vicious. Raygar does jump on people, but he has been trying to correct that. He does not remember receiving a warning notice in the fall of 2019.
25. Mr. Stenton testified that on April 9 he received a call that an incident had happened. When he got home, it appeared to him that the dogs had escaped through the window. Mr. Goranson has attempted multiple times to contain the dogs. He does not believe the dogs are vicious.

#### Legal Standards

26. Animal Services asserts that Rand and Raygar were “running at large” on April 9. Mr. Goranson does not challenge this.
27. Animal Services asserts that Rand and Raygar qualify (again) as “vicious” based on those April 9 events, which SMC 6.05.020.JJ defines as “having 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, while SMC 6.30.010.A.7 declares as a nuisance, “Any animal that has 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.” Mr. Goranson asserts they are not vicious.
28. Animal Services seeks to remove Rand and Raygar under KCC 11.04.290.A.3 (SMC 6.40.050.C), which states:
 

Failure to comply with any requirement prescribed [*here, in the January 2020 confinement order*] constitutes a misdemeanor. Such an animal shall not be kept in the city of Shoreline after 48 hours after receiving written notice from the director. Such an animal or animals found in violation of this section shall be impounded and disposed of as an unredeemed animal and the owner or keeper of the animal or animals has no right to redeem the animal or animals.
29. 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.B.

Analysis

30. On April 9, Rand and Raygar not only pinned Ms. Alattal and her young son inside the car, they then ran out of their yard and through a neighbor's yard to get back at the Alattals and at the two responding officers. Although Dep. Monserud was able to scare them off with his loud taser sparking, a “person need not wait till he or she is injured or maimed before taking defensive action against a menacing animal.” *Matter of Brooks v. Hemingway*, 107 Misc. 2d 190, 192-93, 433 N.Y.S.2d 551 (1980). We know from their 2020 viciousness designation that Rand and Raygar constitute a danger to the safety of persons off their property, and they further endangered the safety of multiple people on April 9. We sustain the latest viciousness violations.
31. As for removal orders, we are the most exacting of Animal Services, 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 more removal orders than we have sustained, as we did here with last September's removal order.
32. In relation to removals under KCC 11.04.290.A.3 specifically (in Shoreline, SMC 6.40.050.C), the language frames the failure to follow the requirements (here, those set requirements forth in 2020) as constituting a misdemeanor. Given that language, in ruling on past KCC 11.04.290.A.3 removal orders we have applied a higher threshold, and not simply a thumbs up/thumbs down analysis of whether a dog got out or not.
33. Yet this one is a relatively easy call. Mr. Goranson caught his first break when Animal Services showed restraint in 2019 and served only a warning, instead of declaring Rand or Raygar vicious after they forced Ms. Dewair to the ground, then huddled over her barking as she tried to protect herself, until Mr. Stevenson scared them off, leaving her traumatized. They were definitely “endangering the safety” of an elderly woman (thus meeting the definition of “vicious”), and while it is debatable whether that event (standing alone) would have been enough to show that the dogs then constituted a danger, because Mr. Stevenson asked Animal Services to only issue a warning (exhibit D18 at 003, n.3), that is all Animal Services did.
34. That warning was not enough, and Rand and Raygar got out again and went after a developmentally disabled man in January 2020, this time drawing the viciousness designation and order to be contained.
35. That containment order was still not enough, and Raygar got out again in August 2020. Mr. Goranson caught another break when Animal Services cited an incorrect violation subsection and we dismissed the case without prejudice. And even if Animal Services had re-served the removal order under a correct violation subsection, we might have

been inclined to take Mr. Goranson at his word that with his added security measures his dogs were “incapable of getting out and this cannot happen again.” Ex. D31.

36. But even that was not enough, and the dogs were once again menacing the neighborhood in April 2021. Mr. Goranson has certainly tried to contain the dogs, but the threat Rand and Raygar pose to escape and then to endanger people is far too great. The neighbors will no longer need to live in fear. Animal Services fairly easily meets its burden and overcomes the heavy thumb we place against removals.
37. However, we make four caveats.
38. First, Mr. Goranson accepts responsibility and seems to have genuinely tried. His efforts fell well short, and the dogs can no longer be allowed to terrorize the neighborhood, but we think a penalty reduction on the running at large and viciousness violation notice is warranted.
39. Second, the \$2,000 in penalties related to the removal order should only come due if the removal order itself is violated—i.e. Mr. Goranson does not timely and fully comply with the terms listed below.
40. Third, we will provide Mr. Goranson a month (not the two days listed in SMC 6.40.050.C and KCC 11.04.290.A.3) to comply with those terms.
41. Fourth, this one is interesting because unlike many jurisdictions that simply adopt KCC chapter 11.04, including KCC 11.04.290.A.3’s bar against keeping the offending animal “in King County,” here the pertinent bar is against keeping the animals “in the city of Shoreline.” Animal Services has jurisdiction over unincorporated King County and over many cities within King County, so moving the dogs into one of those locations would not be acceptable. But Animal Services does not provide services to several cities (see footnote below). So, while it would be up to each of those cities (or any municipality beyond King County) to determine how they would handle a vicious dog in its boundaries, those cities are not on Animal Services’ watch, nor in our purview to review animal-related disputes arising from those.

#### DECISION:

1. We deny Mr. Goranson’s appeal as to V21011876—the running at large and viciousness violations—but we reduce the \$1100 penalty to \$700.
2. We deny Mr. Goranson’s appeal as to V21011889—the removal order—except that so long as by July 16 Mr. Goranson either:
  - A. removes Rand and Raygar from Shoreline and from the cities and areas within King County where Animal Services operates,<sup>1</sup> discloses to any potential new

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<sup>1</sup> The cities of Algona, Auburn, Bothell, Burien, Des Moines, Federal Way, Kirkland, Medina, Milton, Normandy Park, Pacific, Renton, Seattle, and Skykomish are beyond Animal Services’ jurisdiction. Rand and Raygar might or might not be allowed there, but a different enforcement authority would make that call.

owner that Rand and Raygar were ordered removed as a threat to public safety, and provides Animal Services proof of this new residence, or

- B. surrenders Rand and Raygar to Animal Services (who will then find spots to rehome them),

the \$2000 associated with the removal orders will not come due.

ORDERED June 15, 2021.




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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 *July 15, 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 JUNE 2, 2021, HEARING IN THE APPEAL OF RYAN GORANSON, REGIONAL ANIMAL SERVICES OF KING COUNTY FILE NOS. V21011876 & V21011889-A21001590**

David Spohr was the Hearing Examiner in this matter. Participating in the hearing were Chelsea Eykel, Joseph Monserud, Joshua Stevenson, Haneen Alattal, Ryan Goranson, Brandon Stenton, and Mo Gluaymai. A verbatim recording of the hearing is available in the Hearing Examiner's Office.

The following exhibits 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 | Online Complaint form of April 9, 2021 incident by Haneen Alattal, dated April 9, 2021 |
| Exhibit no. D3 | RASKC investigation report no. A21001590   |
| Exhibit no. D4 | Photographs from Ms. Alattal of Mr. Goranson's dogs loose                              |
| Exhibit no. D5 | Shoreline Police Report C21011109, dated April 9, 2021                                 |
| Exhibit no. D6 | Photographs of fence at Mr. Goranson's residence                                       |
| Exhibit no. D7 | Photograph of window dogs escaped from   |
| Exhibit no. D8 | Photograph of Rand and microchip   |
| Exhibit no. D9 | Photographs of Raygar showing thicker coat and curly tail and microchip                |



Exhibit no. D10 Photographs of Watson showing slick coat and microchip  
 Exhibit no. D11 Notice of violation no. V21011876-A21001590, issued April 10, 2021  
 Exhibit no. D12 Proof of Service  
 Exhibit no. D13 Notice and order for removal no. V21011889-A21001590, issued April 14, 2021  
 Exhibit no. D14 Proof of Service  
 Exhibit no. D15 Appeal, received April 16, 2021  
 Exhibit no. D16 Complaint form of September 1, 2019 incident by Joshua Stevenson, dated September 8, 2019  
 Exhibit no. D17 Email from Joshua Stevenson A19005928  
 Exhibit no. D18 RASKC investigation report no. A19005928  
 Exhibit no. D19 Warning Notice V19009834  
 Exhibit no. D20 Complaint form of January 9, 2020 incident by Michael Eng, dated January 9, 2020  
 Exhibit no. D21 Photographs of injury A20-000144  
 Exhibit no. D22 RASKC investigation report no. A2000144  
 Exhibit no. D23 Shoreline Fire Department Report SHFD00021420, dated January 9, 2020  
 Exhibit no. D24 Notice of violation no. V20010250-A20000144, issued January 13, 2020  
 Exhibit no. D25 Bite Quarantine Notice  
 Exhibit no. D26 Proof of Service  
 Exhibit no. D27 RASKC investigation report no. A20013554  
 Exhibit no. D28 Notice of violation no. V20011094-A20013554, issued September 3, 2020  
 Exhibit no. D29 Notice and order for removal no. V20011095-A20013554, issued August 28, 2020  
 Exhibit no. D30 Proof of Service  
 Exhibit no. D31 Appeal A20000114, received September 19, 2020  
 Exhibit no. D32 Hearing Examiners Order of Dismissal, dated October 6, 2020  
 Exhibit no. D33 Map of subject area

The following exhibits were offered and entered into the record by the appellant:

Exhibit no. A1 Photographs of dogs and invisible fence

DS/lo

June 15, 2021

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**CERTIFICATE OF SERVICE**

SUBJECT: Regional Animal Services of King County file nos. **V21011876 and V21011889**

**RYAN GORANSON**

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 June 15, 2021.



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Lauren Olson  
Legislative Secretary

**Alattal, Haneen**

Hardcopy

**Dulaney, Derrick Max**

Hardcopy

**Eykel, Chelsea**

Regional Animal Services of King County

**Gluaymai & Monserud, Officers**

Shoreline Police

Hardcopy

**King County Sheriff Dispatch**

**Ryan Goranson, Brandon Stenton**

Hardcopy

**Stevenson, Joshua**

Hardcopy