

January 21, 2026

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**
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REPORT AND DECISION

SUBJECT: Regional Animal Services of King County file no. **V25017713-A25004620**

JASON THOMPSON
Animal Services Enforcement Appeal

Activity no.: A25-004620

Appellant: **Jason Thompson**
[REDACTED]
Snoqualmie, WA 98065
Telephone: [REDACTED]
Email: [REDACTED]

King County: Regional Animal Services of King County
represented by **Chelsea Eykel**
Regional Animal Services of King County
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Overview

1. After hearing the witnesses' testimony and observing their demeanor, studying the exhibits admitted into evidence, and considering the parties' arguments and the relevant law, we deny Mr. Thompson's appeal.

Procedural Background

2. On September 29, 2025, Janet O’Callahan filed an online complaint with Regional Animal Services of King County (Animal Services) for an incident on September 27, 2025. Ex. D3. On October 6, 2025, Animal Services issued Notice of Violation V25017713-A25004620 to Jason Thompson for his dog, Mazzy, being designated as dangerous. Ex. D6. Jason Thompson filed a timely appeal on October 6, 2025. Ex. D8.
3. We went to hearing on January 7, 2026. Participating in the hearing were: Sgt. Chelsea Eykel representing Animal Services, complainant Janet O’Callahan, and appellant Jason Thompson.

Appeal Issues

Per the Notice of Hearing, the issues identified for consideration on appeal are as follows:

4. In Mr. Thompson’s October 6 appeal statement, he requests Mazzy’s dangerous animal designation be removed.
5. Based on the scope of the appeal statement, the issue(s) on appeal are as follows:
 - A. Whether the September 27 dangerous animal violation of KCC 11.04.230(F) and the associated \$500 penalty are supported by a preponderance of the evidence and appropriate under the facts of this case.

Factual Findings

Weighing all the evidence, the hearing examiner finds the following facts by a preponderance of the evidence:

6. Mr. Thompson acknowledged that Mazzy jumped on Ms. O’Callahan. However, he requested that Mazzy’s dangerous animal designation be removed for the following reasons: Mazzy has an extensive training history, Mr. Thompson did not see Mazzy bite Ms. O’Callahan, Ms. O’Callahan began jogging before Mr. Thompson finished leashing Mazzy which startled her into action, and Mazzy’s jump was similar to when she is playing. He further seemed to believe that the designation was somehow due to Mazzy’s breed.¹ The parties testified as follows.
7. **Sgt. Chelsea Eykel**, representing Animal Services, testified that photographs of the complainant’s injuries were not included in Animal Services exhibits due to the sensitive nature of the injury location; however, the medical report detailing the injury was submitted. Ex. D4-001-006.

¹ Pursuant to RCW 16.08.110(2), we do not make determinations on whether to uphold a violation based on a dog’s breed. Our decision would be the same no matter the breed of the dog.

Animal Services' primary function is public safety. This is a case of the complainant running on a public trail when she encountered Mr. Thompson holding Mazzy by the collar. Both Mr. Thompson and Ms. O'Callahan agree that they were eight to nine feet apart upon meeting on the trail. Ms. O'Callahan was four to five steps into her jog when Mazzy approached and bit her. This is not a case where Ms. O'Callahan came too close or accidentally made contact with Mazzy. Rather, Mazzy ran to Ms. O'Callahan, which Mr. Thompson also agreed with.

The submitted medical report corroborates what Ms. O'Callahan provided regarding the bite. *Id.* The sustained injuries from the treating physician are noted as two bites to the pubic region. Ex. D4-001.

Mazzy was not provoked into action that day. Even if the injury was not a bite (and rather some other injury such as a scratch), the dangerous animal designation should still remain because the designation does not require a bite. Animal Services believes that Mazzy's behavior that day meets the code requirement for "dangerous" and requests that the designation and associated restrictions be upheld.

8. **Janet O'Callahan** testified that on September 27, she was running on a trail when she noticed Mr. Thompson and an off-leash Mazzy which prompted her to slow down. As she approached, she saw Mr. Thompson holding Mazzy by the collar. She intended to walk by and pass them on the left side, approximately two meters or six to nine feet away. She walked until she became parallel to Mazzy and then began her jog again. She heard Mr. Thompson tell Mazzy to "wait." She continued on the trail and had gotten past Mr. Thompson and Mazzy when Mazzy appeared in front of her and bit her in the crotch area. She was approximately three-meters ahead of Mr. Thompson and Mazzy when confronted and bitten by Mazzy.

Following the incident, Ms. O'Callahan walked home and when she arrived, she noticed she was bleeding in four places. She sought medical treatment which included the wounds being irrigated and a single suture being placed to allow drainage. Ex. D4.

Ms. O'Callahan was bandaged for the next few days following the incident and was prescribed antibiotics. She was limited in what food and drinks she could consume due to the antibiotics. She could not run for ten days nor swim for two weeks.

9. **Jason Thompson** testified that Mazzy is the first dog they purchased as a family. The safety of his family is of the utmost importance as he has three young children. Mr. Thompson sought training for Mazzy that included verbal and nonverbal cues, which he and Mazzy have perfected. Ex. A1-004-005.

On September 27, just prior to their encounter with Ms. O'Callahan, Mr. Thompson and Mazzy were finishing their walk and, on their way home. Mazzy was positioned behind Mr. Thompson and in front of Ms. O'Callahan which placed Mazzy in the middle of the two. Mazzy picked up on Ms. O'Callahan's presence and came to Mr. Thompson's heel as she is trained to do. He asked Ms. O'Callahan to wait a moment so that he could secure Mazzy's leash. Ms. O'Callahan stopped approximately eight to ten feet from them.

As Mr. Thompson was in the process of leashing Mazzy and before he could finish, Ms. O'Callahan began running which startled them both. Mazzy jumped on Ms. O'Callahan as she does when she plays with Mr. Thompson.

Mr. Thompson checked on Ms. O'Callahan to ensure she was alright. He did not see any torn clothing or blood. They exchanged contact information.

Mazzy did not have her hackles raised at any point and was not aggressive as they spoke after the incident. Mazzy was startled but Mr. Thompson corrected the behavior immediately and she complied.

Mr. Thompson witnessed Mazzy's paws on Ms. O'Callahan's chest and opined that her injuries were due to scratches from Mazzy's paws rather than a bite. Mazzy's face was never near Ms. O'Callahan's crotch area. Had a bite occurred, it would have been to her chest area as that is where Mazzy's face was when she made contact with Ms. O'Callahan.

Mr. Thompson disagreed with Ms. O'Callahan's assertion that the trail is wide. The trail is not wide and is six feet wide at most. Mr. Thompson does not believe that Mazzy passed Ms. O'Callahan since the trail is so narrow. Mazzy did not show any aggressive traits until Ms. O'Callahan tried to pass them.

Mr. Thompson asserted that Mazzy's reaction was not one of aggression but rather due to her being startled. He questioned how the treating doctor knew Ms. O'Callahan's injuries were a result of a bite rather than a scratch without personally witnessing the incident.

Mr. Thompson has spent a significant amount of time training Mazzy. He walks her daily. Mazzy does not respond to other joggers and only to him when out on the trails. Mazzy successfully walks past Safeway, children on scooters, and strollers without incident. Mazzy has never had a reactive incident until September 27. Had he had a fraction of a second longer to finish leashing Mazzy, this would not have occurred. Ms. O'Callahan did not comply as she said she would. Mazzy is not aggressive.

Mr. Thompson is open to more training for Mazzy and for Animal Services to come and personally see her behavior. He is very sorry for what happened to Ms. O'Callahan.

Conclusions of Law

10. The hearing examiner has jurisdiction pursuant to KCC 20.22.040.
11. Animal Services bears the burden of proving by a preponderance of evidence both the violation and the appropriateness of the remedy it has imposed. KCC 20.22.080.G; .210.B. We do not grant substantial weight or otherwise accord deference to agency determinations. Exam. R. XV.F.3.

12. **Preponderance of the Evidence Standard:** We base our decisions on a preponderance of the evidence standard. This means that Animal Services must prove that the incident more-likely-than-not occurred.
13. Before we get to our case analysis and conclusions, it should be noted that the parties disputed on the width of the trail; however, our decision is based on Mazzy’s behavior that day and whether she was provoked into action. In this particular case, the width of the trail is not relevant and our decision would be the same regardless of the trail’s width.
14. **“Dangerous animal”** means any animal that “[i]nflicts severe injury on ... a human or domesticated animal without provocation...” KCC 11.01.120(A)(1)(2). **“Severe injury”** means any physical injury that results in [o]ne or more broken bones; [o]ne or more disfiguring lacerations, avulsions, cuts or puncture wounds requiring medical attention, including, but not limited to, one or more sutures, steri strips or staples...” KCC 11.01.370. Here, *as all the parties agreed*, Mazzy at least jumped on Ms. O’Callahan. From that encounter, Ms. O’Callahan was injured and sought medical treatment per the medical report which is dated September 27. Ex. D4. The injury that Ms. O’Callahan received is noted to be “...1.5 cm in size, gapping with subcutaneous tissue visible.” Ex. D4-002. Ms. O’Callahan’s injury required the placement of a single suture in the middle of the laceration to allow drainage. Ex. D4-002-003.
15. We understand that Mr. Thompson does not agree that Mazzy bit Ms. O’Callahan since he did not see the bite occur. We do not doubt his veracity in his explanation of how the events of September 27 unfolded. However, it is not uncommon, even in hearings where the fact of a bite is *not* in dispute, that an eyewitness standing right there later notes not actually seeing the bite. Sometimes even the *victim* acknowledges not immediately noticing they had been bitten.
16. We further acknowledge Mr. Thompson’s opinion that Ms. O’Callahan’s injuries were due to Mazzy scratching rather than biting. However, Mr. Thompson wrongly believes that a bite is the qualifying act that meets the dangerous animal criteria. A bite is not necessary for an animal to be deemed dangerous, only that (without provocation) the animal inflicted the injury and that the injury was severe.
17. Since Ms. O’Callahan received a suture from her encounter with Mazzy, the injury meets the code criteria for a “severe injury.” We find that Mazzy inflicted severe injury on Ms. O’Callahan that day and absent some act of provocation, Mazzy’s actions qualify her as a dangerous animal.
18. Mr. Thompson seems to assert that since Ms. O’Callahan started to jog again before he could get Mazzy fully leashed, she startled and provoked Mazzy into action.
19. **“Provocation”** means “to torment, agitate, or harass an animal immediately before the attack, chase or menacing behavior; it does not include actions taken to defend oneself, other humans, animals or property.” KCC 11.01.350. Further, in animal jurisprudence, reviewing courts focus on how an average dog, neither unusually aggressive nor

unusually docile, would react to an inciting act.² And a key touchstone of courts' analyses is that "provocation" requires the dog's reaction to be roughly proportional to the victim's act.³

20. In our case, Ms. O'Callahan did not do anything that qualifies as tormenting, agitating, or harassing Mazzy. It is not as if she ran into Mr. Thompson and Mazzy or inadvertently stepped on Mazzy during her jog. Simply being on the same trail and walking/jogging by cannot be provocation of an animal. Further, we do not find that an average dog, neither unusually aggressive nor unusually docile, would jump on a passerby and/or bite them inflicting an injury that would require a suture. Further, even if Mazzy was startled by Ms. O'Callahan beginning her jog, jumping on Ms. O'Callahan is not proportional to any stimulus that Ms. O'Callahan caused. We could find it reasonable for a startled dog to bark, growl, or run away from some startling event. However, Mazzy's actions that day went too far even if her actions were not aggressive as Mr. Thompson asserted. We do not find that Mazzy was provoked.
21. It is worth noting that Mr. Thompson initially blamed Ms. O'Callahan for starting to jog before he could get the leash secured and both he and Mazzy were startled. He further testified that he corrected Mazzy's behavior after the jump. Mr. Thompson then asserted that when Mazzy jumped on Ms. O'Callahan, her behavior was playful as this is how she plays with him. This line of thinking does not make sense. Was Mazzy behaving playfully or was she startled? In either event, our decision would still be the same as the dangerous animal designation does not require a finding of aggression.
22. Lastly, Mr. Thompson provided that he would be amenable to taking part in additional training presumably for a reversal of Mazzy's designation. Unfortunately, the code does not provide for that type of resolution. Moreover, there are no administrative mechanisms to implement or enforce remedies that deviate from the code's requirements.
23. Mazzy's dangerous animal designation is affirmed along with all associated restrictions and fines.

DECISION:

Mr. Thompson's appeal is DENIED.

² *Bradacs v. Jacobone*, 244 Mich. App. 263, 273, 625 N.W.2d 108, 113 (2001) (citing *Kirkham v. Will*, 311 Ill. App. 3d 787, 792, 724 N.E.2d 1062 (2000)).

³ *Stroop v. Day*, 271 Mont. 314, 319, 896 P.2d 439 (1995); *Bradacs*, at 273–75; *Kirkham*, at 792.

ORDERED January 20, 2026.



Leila Arefi
Hearing Examiner pro tem

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 in accordance with Ch. 7.16 RCW. It is the responsibility of the party seeking to appeal the examiner’s decision to determine and meet the legal requirements for filing an appeal.

MINUTES OF THE JANUARY 7, 2026, HEARING IN THE APPEAL OF JASON THOMPSON, REGIONAL ANIMAL SERVICES OF KING COUNTY FILE NO. V25017713-A25004620

Leila Arefi was the Hearing Examiner in this matter. A verbatim recording of the hearing is available in the Hearing Examiner’s Office.

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

Exhibit no. D1	Regional Animal Services of King County staff report
Exhibit no. D2	RASKC investigation report no. A25-004620
Exhibit no. D3	Online Complaint form of September 27, 2025, incident by Janet O’Callahan, dated September 29, 2025
Exhibit no. D4	Medical treatment summary
Exhibit no. D5	Vaccination record for Mazzy
Exhibit no. D6	Notice of violation no. V25017713-A25004620, issued October 6, 2025
Exhibit no. D7	Dangerous Designation
Exhibit no. D8	Appeal, received October 6, 2025
Exhibit no. D9	Map of subject area

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

Exhibit no. A1	Email from Mr. Thompson, dated December 23, 2025
Exhibit no. A2	Video
Exhibit no. A3	Video

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CERTIFICATE OF SERVICE

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JASON THOMPSON
Animal Services Enforcement Appeal

I, Jessica Oscoy, 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, through Quadient-Impress, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED January 21, 2026.



Jessica Oscoy
Administrator

Callahan, Janet
Hardcopy

Eykel, Chelsea
Regional Animal Services of King County

Thompson, Jason
Hardcopy