

February 24, 2026

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**
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www.kingcounty.gov/independent/hearing-examiner

REPORT AND DECISION

SUBJECT: Regional Animal Services of King County file nos. **V25017913 and V25017955**

SHANEE COLSTON
Animal Services Enforcement Appeal

Activity nos.: A25005567 and A25005822

Appellant: **Shanee Colston**
[REDACTED]
Bellevue, WA 98007
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
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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 Ms. Colston's appeal but reduce the applicable monetary penalties.

Procedural Background

2. On December 1, 2025, Jonathan Arras filed an online complaint with Regional Animal Services of King County (Animal Services) for an incident on December 1. Ex. D3. On December 4, Animal Services issued Notice of Violation V25017913-A25005567 to Shanee Colston for her dogs, Rhino and Kilo, being unlicensed unaltered, and her dog, Kingston, being unlicensed unaltered, running at large second offense, and menacing second offense. Ex. D4. Ms. Colston filed a timely appeal on December 13. Ex. D6.
3. On December 16, Jonathan Arras filed an online complaint with Animal Services for an incident on December 16. Ex. D3. On December 23, Animal Services issued Notice of Violation V25017955-A25005822 to Ms. Colston for Kingston running at large third offense and menacing third offense. Ex. D5. Ms. Colston filed a timely appeal on January 23, 2026. Ex. D6.
4. We went to hearing on February 9. Participating in the hearing were: Sgt. Chelsea Eykel representing Animal Services, complainant Jonathan Arras, appellant Shanee Colston, and her witness Tezjahnai Lions.

Appeal Issues

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

5. Whether the December 5, 2025, notice for Kilo, Rhino, and Kingston being “Unlicensed and Unaltered” in violation of KCC 11.04.230.P and the associated \$200 penalties are supported by a preponderance of the evidence and appropriate under the facts of this case.
6. Whether the December 5, 2025, notice for Kingston “Running at Large” 2nd Offense (KCC 11.04.230.O) and the associated \$100 penalty is supported by a preponderance of the evidence and appropriate under the facts of this case.
7. Whether the December 5, 2025, notice for Kingston “Menacing” 2nd Offense (KCC 11.04.230.E) and the associated \$100 penalty is supported by a preponderance of the evidence and appropriate under the facts of this case.
8. Whether the December 23, 2025, notice for Kingston “Running at Large” 3rd Offense (KCC 11.04.230.O) and the associated \$200 penalty are supported by a preponderance of the evidence and appropriate under the facts of this case.
9. Whether the December 23, 2025, notice for Kingston “Menacing” 3rd Offense (KCC 11.04.230.E) and the associated \$200 penalty are supported by a preponderance of the evidence and appropriate under the facts of this case.

Factual Findings

Weighing all the evidence and testimony, the Examiner finds the following facts by a preponderance of the evidence:

10. On December 1st, Mr. Arras exited his home with his dog, on-leash, to walk to an adjacent grassy area. Arras Testimony; Ex. D7. As they walked off of their property, Ms. Colston’s dog, Kingston, came toward them. Kingston was off-leash and unsupervised. Arras Testimony.
11. Kingston barked and lunged at Mr. Arras and his dog from about 12-18 inches away. *Id.* Mr. Arras stepped between the dogs and yelled for Kingston to get back. Mr. Arras described Kingston as snarling and growling between barking, and his posture (lowered head and body) made it look like he could attack them at any time. *Id.* Mr. Arras was able to take his dog back to the house where he waited about 20 minutes to try to take his dog out again. *Id.*
12. When they left the house a second time, Kingston was still outside. Kingston cornered Mr. Arras and his dog in their driveway and repeated the lunging, barking, growling, and snarling behavior. *Id.* Mr. Arras again got between the dogs and yelled at Kingston to leave. Mr. Arras noticed there were multiple people trying to chase and contain Kingston but they were unable to do so effectively. *Id.*
13. Kingston did not make physical contact with Mr. Arras or his dog on December 1st. *Id.*
14. On December 16, Kingston was outside in the neighborhood when Mr. Arras and his son left the house to go to their car parked on the street. Kingston chased them, barking and growling, similar to the December 1st incident. *Id.* Mr. Arras again stepped between Kingston and his son and got into the car. *Id.* Once they were inside the car, Mr. Arras took photographs of Kingston loose in the neighborhood. Ex. D4.
15. Kingston did not make physical contact with Mr. Arras or his son on December 16th. *Id.*
16. Mr. Arras was clear that he is requesting that Kingston be safely contained and avoid additional incidents where he is loose in the neighborhood. Arras Testimony. Sgt. Eykel also testified that Animal Services is not interested in escalating the violations for Kingston and wants to ensure he is properly contained. Eykel Testimony.
17. Ms. Colston acknowledged that Kingston does get out of the house on occasion and, when he does, there are several people at her house “trying to corral” him. Colston Testimony. Ms. Colston testified that she has taken a number of steps to avoid Kingston having repeat incidents of being at large in the neighborhood including training, using baby gates, and increasing his exercise. *Id.*
18. There was an additional, unappealed incident involving Kingston in November of 2025, which was the basis for the first round of “menacing” and “at large” violations. Ex. D5. Those violations are considered true on appeal and not reviewable in this proceeding.

19. Sgt. Eykel clarified that the violations for A25-5567 had incorrectly identified Ms. Colston's other two dogs as "unaltered." Eykel Testimony. Ms. Colston promptly took care of licensing for all three dogs after the Notice of Violation for A25-5567 was issued. *Id.* The violation and associated fees were modified in the Notice of Violation and are further corrected and reduced as discussed below.

Conclusions of Law

20. The hearing examiner has jurisdiction pursuant to KCC 20.22.040.
21. 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.
22. **Running at Large:** "At large" means "any animal off the premises of its owner and not under control of a competent person," with "under control" defined as "a domesticated animal ... restrained, by a human using a leash or competent and effective voice or signal control, from approaching any bystander or other domesticated animal and from causing property damage." KCC 11.01.090; KCC 11.01.380.
23. Ms. Colston did not dispute that Kingston was off of her property and loose in the neighborhood on either occasion. She indicated that when Kingston does escape the house, her kids are quick to round him up and bring him back to the house.
24. The parties disputed how long Kingston was out in the neighborhood on the December 1st and December 16th events. Ultimately the amount of time Kingston was at large is irrelevant. Even if it was for a very short period of time, Kingston was off the Colston property and not under the control of anyone living at the house, allowing Kingston to approach Mr. Arras, his dog and his son. This meets the code definition to establish a violation. A preponderance of the evidence supports the Running at Large violations for Kingston on both instances.
25. Ms. Colston took issue with the escalation of the monetary penalties from the 2nd to 3rd instances without having a final determination on her appeal of the 2nd instance. The way Ch. 11.04 KCC is written does not require a final ruling on appeal before additional violations (with escalating fines) can be assessed. If one of the violations were reversed on appeal, the lower of the two fines would apply. However, Ms. Colston's legitimate concern about the penalty escalation will be weighed, in addition to consideration of the steps Ms. Colston has taken to address Kingston's behavior, in the fee reductions discussed below.
26. **Menacing:** It is a public nuisance for a domesticated animal to "menace" a person or other domesticated animal "under circumstances not meeting the definition of 'potentially dangerous.'" "Menacing" is not defined in Title 11, but commonly means "a

show of intention to inflict harm” or “a dangerous or threatening quality.”¹ To support a violation of KCC 11.04.230.E, a preponderance of the evidence must indicate that, based on a reasonable person standard, Kingston’s behavior had a dangerous or threatening quality which was reasonably interpreted as an intent to inflict harm.

27. The accusation of "menacing" behavior depends on the assessment of a dog's demeanor and the credibility of the individual making that assessment. Mr. Arras’s testimony was credible. His description of Kingston’s behavior and specific posture, leading him to believe Kingston could attack, was reasonable. Mr. Arras’s testimony was not limited to “subjective fear” as stated by Ms. Colston, but was based on Kingston’s barking, lunging, snarling, and growling, which was reasonably interpreted aggressive and threatening. A preponderance of the evidence supports affirming the “menacing” violations under KCC 11.04.230.E for both incidents on appeal.
28. Ms. Colston was concerned that Kingston was being viewed as “dangerous” – but that is not the violation identified by Animal Services. It is clear that Kingston did not make physical contact or cause physical harm in either of the incidents on appeal. However, that is why there is a less egregious violation for “menacing” where aggressive behavior from a domesticated animal does not rise to the level of “potentially dangerous.” The facts in this case are precisely the type of behavior that qualifies as menacing. There is no allegation of behavior that would qualify Kingston as dangerous (or potentially dangerous) and no indication that Kingston is currently at risk for removal.
29. Because of Ms. Colston’s genuine efforts to curb Kingston’s ability to escape from the house, costs incurred for training, concerns with ability to pay, and the proximity of the violations resulting in the escalation of fines, I am reducing the monetary penalties.
 - A. For A25-5567, one of the “unlicensed unaltered” violations is duplicative and that \$50 penalty is removed. Ex. D4. I am also reducing the Running at Large and Menacing 2nd offenses to \$50 each. The total penalties due for this case are \$250.
 - B. For A25-5822, I am reducing the Running at Large and Menacing 3rd offenses from \$200 to \$50 each. The total penalties due for this case are \$100.

DECISION:

1. The total monetary penalties for A25-5567 are reduced to \$250.
2. The total monetary penalties for A25-5822 are reduced to \$100.
3. The remainder of Ms. Colston’s appeal is DENIED.

¹ <https://www.merriam-webster.com/dictionary/menace>

ORDERED February 24, 2026.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Devon Shannon
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 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 FEBRUARY 9, 2026, HEARING IN THE APPEAL OF
SHANEE COLSTON, REGIONAL ANIMAL SERVICES OF
KING COUNTY FILE NOS. V25017913 AND V25017955**

Devon Shannon 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 for V25017913:

Exhibit no. D1	Regional Animal Services of King County staff report
Exhibit no. D2	RASKC investigation report no. A25005567
Exhibit no. D3	Online Complaint form of December 1, 2025, incident by Jonathan Arras, dated December 1, 2025
Exhibit no. D4	Notice of violation no. V25017913-A25005567, issued December 4, 2025
Exhibit no. D5	Email chain between Ms. Colston, Animal Services administrative staff and appeals staff addressing prior appeal
Exhibit no. D6	Appeal, received December 13, 2025
Exhibit no. D7	Map of subject area

The following exhibits were offered by Animal Services and entered into the record for V25017955:

Exhibit no. D8	Regional Animal Services of King County staff report
Exhibit no. D9	RASKC investigation report no. A25005822
Exhibit no. D10	Online Complaint form of December 16, 2025, incident by Jonathan Arras, dated December 16, 2025
Exhibit no. D11	Photograph of Kingston at Large
Exhibit no. D12	Notice of violation no. V25017955-A25005822, issued December 23, 2025
Exhibit no. D13	Appeal, received January 23, 2026
Exhibit no. D14	Map of subject area

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CERTIFICATE OF SERVICE

SUBJECT: Regional Animal Services of King County file nos. **V25017913 and V25017955**

SHANEE COLSTON

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, 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 February 24, 2026.



Lauren Olson
Legislative Secretary

Arras, Jonathan
Hardcopy

Colston, Shanee
Hardcopy

Eykel, Chelsea
Regional Animal Services of King County