

**HARRIS COUNTY BOARD OF COMMISSIONERS  
APPEAL HEARING OF ERIC WEBSTER  
REGARDING CLASSIFICATION OF GREAT DANE  
AS DANGEROUS DOG**

September 17, 2013

6:30 PM

Commissioners Present: J. Harry Lange, Becky Langston, Jim Woods, Charles Wyatt.  
Commissioners Absent: Joey M. Loudermilk. Staff Present: Greg Wood, County Manager; John Taylor, County Attorney; Nancy D. McMichael, County Clerk.

**CALL TO ORDER.** Chairman Lange called the Hearing to order, said that it was regarding the “dangerous dog” classification of a dog owned by Eric Webster, and asked John Taylor, County Attorney, to conduct the hearing.

**HEARING.** Mr. Taylor said that this is an appeal hearing under the Animal Control Ordinance regarding the “dangerous dog” classification of a dog under that Ordinance. He explained the procedures and said that it will be up to the Board to determine whether or not to uphold, change, or overturn the dangerous dog classification.

Mr. Taylor swore in Clyde Geter, III, Animal Control Officer, and Eric Webster.

Mr. Geter, in response to questions from Mr. Taylor, explained the complaint leading up to the dangerous dog classification; that an incident report was made by the Sheriff’s Office regarding the incident; that the complainant, Ricky Thompson, said that the Great Dane owned by Mr. Webster attacked and severely injured his (Thompson’s) dog; that in talked to the veterinarian who took care of the small dog, he was advised that the dog had died from its injuries; that apparently the Great Dane got away from the son of the owner and charged after the smaller dog and attacked it; that he had talked to Mr. Webster about the incident; and based on what he had learned, he classified the dog as a dangerous dog. He then reviewed and confirmed the exhibits submitted to the Commissioners, which included the miscellaneous incident report of the Sheriff’s office (Exhibit A), the investigation of complaint that he had completed (Exhibit B), the official notice of classification as a dangerous dog sent to Mr. Webster (Exhibit C), the appeal hearing request from Mr. Webster (Exhibit D), his notes of August 20, 26, and 29 and September 3 (Exhibit F), and a picture of Mrs. Webster walking the Great Dane and of Mr. Webster with the Great Dane. Also included in the exhibits was a copy of the letter from the County Clerk to Mr. Webster in response to the appeal hearing request dated August 29 (Exhibit E). Mr. Taylor asked Mr. Webster if he had any questions for Mr. Geter, to which Mr. Webster replied that he had no questions for Mr. Geter.

Mr. Taylor swore in Ricky Thompson, complainant, who explained that he and his wife were walking their three dogs, two on leashes and the small one not on a leash; that as they passed the Webster home, he heard a yell and saw the Great Dane come out of the Webster house, run across the yard and across the road, straight to his small dog, attack it, shake it, throw it in a ditch and then go in after it, and not releasing it until it stopped moving; that he and his wife tried to get the Great Dane off their dog; and that Mr. and Mrs. Webster did nothing to stop the attack. Mr. Taylor asked if there were questions for Mr. Thompson from the Board or from Mr. Webster. There being none, he asked Mr. Webster for his statements.

Mr. Webster distributed copies of his statement and the read same, which included that they were sympathetic to losing a family pet; that the dangerous dog classification is based on the Thompson’s account of the events that took place; that their Great Dane, Cameron, did have on a leash, but ran out of the house toward the Thompsons and their dogs; that Cameron ran to the smaller dog that was not on a leash, went down on his front paws in a playful manner, and was bit on the nose by the smaller dog; that Cameron reacted like any dog would; that Cameron is a 1½ year old Great Dane, is well behaved with people and other dogs; that his wife takes Cameron to Petsmart, the vet, and Flat Rock Park with no assistance and no incidents; that Cameron is an inside pet; that they have two children and the neighbors’ children are in and out of their house daily; and that the incident was an isolated incident. He continued by saying that since the incident, they have fenced in their yard; that and Cameron has been with a trainer; and that they believe the events that took place showed provocation. He showed a short 30-second video of the Great Dane interacting with other people and dogs. He then asked to read statements from two people, but Mr. Taylor said that if those individuals did not witness the incident, their statements are not relevant. Mr. Taylor asked if there were any rebuttal or questions for Mr. Webster.

LeAnn Thompson, wife of Ricky Thompson, asked to speak. Mr. Taylor swore her in after which she corroborated the events that led to the death of her dog and concluded by saying Mr. and Mrs. Webster did not do anything to help; and that she (Mrs. Thompson) had to resort to twisting the ear of the Great Dane to get him to release her dog. She also said that Mr. Webster had “opened the door” by indicating his dog had no previous incidents when she and her neighbors know differently. Mr. Taylor agreed that the “door had been opened” and allowed her neighbors to speak about other incidents.

Jim Davis, citizen who lives on Green Ridge Drive, appeared before the Board, and after being sworn in by Mr. Taylor, said that he does not know the Webster’s personally; that he used to walk his dogs by their house, but since he was “charged” by their Great Dane, he has since used another route to avoid any possibility of attack.

John Luthgren, citizen who lives on Owlsley Court, appeared before the Board, and after being sworn in by Mr. Taylor, said that on August 5 he was walking his dog and the Great Dane got away from the Webster’s son, who is 8 or 9, and jumped on his dog; and that he had to hit the Great Dane. He said that he found out about the dog being classified as a dangerous dog, and when he confronted Mr. Webster about the dog, he was belligerent about it; and then upon being videoed walking the dog, Mr. Webster “showed his intelligence with his middle finger”.

Richard Ogden, citizen who lives on Owlsley Court, appeared before the Board, and after being sworn in by Mr. Taylor, said that he feeds deer on his property; that one day the Webster’s beagle was chasing the deer, and a fawn jumped up, and that the fawn was immediately pounced on and killed by the Great Dane.

Misty Webster, wife of Eric Webster, after being sworn in by Mr. Taylor, said that they know nothing about the incidents being talked about, other than the initial incident with the Thompson’s dog; that the neighbors have been meeting and fabricating stories; and that if their dog was dangerous she would not have such an animal around her children nor the children of neighbors.

There being no further comments or comments, Chairman Lange closed the appeal hearing.

The motion to uphold the dangerous dog classification of the Great Dane was made by Commissioner Woods and seconded by Commissioner Wyatt. In response to a question, Mr. Taylor reviewed the regulations regarding dangerous dogs, to include insurance, distinctive collar and tag, annual registration, and being on a leash and muzzled. The motion passed unanimously. Mr. Taylor advised Mr. Webster that he would be receiving an official letter notifying him of the action by the Commissioners.

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J. Harry Lange, Chairman

Attest:

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Nancy D. McMichael, County Clerk