



Franklin County Regional Animal Control
 Franklin County Sheriffs Office • 160 Elm Street • Greenfield, Ma 01301

Case Number:
C20-094

INCIDENT REPORT

Reporting Officer: Kyle Dragon
 Approving Officer: Leslee Colucci

Reporting Officer Signature: *Kyle Dragon* Date: 12/30/2020
 Approving Officer Signature: *Leslee Colucci* Date: 1/5/2021

Incident Type: **Complaint: Dog Running-At-Large**

Case Validity: **Confirmed valid**
 Case Status: **Closed**
 Case closed by: **Kyle Dragon**

CASE DESCRIPTION

154 Bray Road - Buckland, MA
 Complaint of neighbors dogs unrestrained and acting aggressive towards complainants.
 Referred to Municipal Hearing Authority.

VIOLATIONS / ENFORCEMENTS

VIOLATIONS

Offense: Failure to Restrain	Location: 154 Bray Road, Buckland Ma Date Time: 12/26/2020 at 12:00 PM	Owners Property: No Action Taken:N/A Action Status: Complete
Notes: Failure to Restrain (bylaw). Running at large (bylaw).		

ENFORCEMENTS

Type: Referred to Municipal Hearing Authority	Enforcement Number: E21-001 Date/Time of Issue: 12/28/2020 at 01:36 PM	Fine: Officer: Kyle Dragon
Notes: Referred complaint to Buckland Hearing Authority.		

VIOLATIONS

Offense: Failure to Restrain	Location: Bray Road, area of #150, Buckland, Ma Date Time: 12/27/2020 at 12:00 PM	Owners Property: No Action Taken:N/A Action Status: Complete
Notes: Failure to restrain (bylaw) Running at Large (bylaw)		

ENFORCEMENTS

Type: Referred to Municipal Hearing Authority	Enforcement Number: E21-001 Date/Time of Issue: 12/28/2020 at 01:36 PM	Fine: Officer: Kyle Dragon
Notes: Referred complaint to Buckland Hearing Authority.		

INVOLVED ANIMALS

Involvement: **Subject of case** Injury: **N/A** Rabies Exp: **09/14/2021**

Name: **Bluebear** Species: **Dog** Breed: **Pit Bull Terrier (mix)**
Gender/ Altered: **Female / No** Age: **Approx. 1 year as of 01/04/2021 (approx. DOB: 9/3/2019)**
Color(s)/Pattern: **Black / Solid**
Current Location: **Owner/guardian: Courtney Zarish**
License: **[No current licenses]**
Microchip:
Cautions:

Involvement: **Subject of case** Injury: **N/A** Rabies Exp:
Name: **Boo** Species: **Dog** Breed: **Pit Bull Terrier (mix)**
Gender/ Altered: **Male / No** Age: **Approx. 6 months as of 01/04/2021 (approx. DOB: 7/4/2020)**
Color(s)/Pattern: **White / Solid**
Current Location: **Owner/guardian: Courtney Zarish**
License: **[No current licenses]**
Microchip:
Cautions:

INVOLVED PARTIES

Involvement: Injury: **N/A**
• **Complainant**
Name: **Hodges, David**
Address: **154 Bray Rd | Buckland, Ma**
Phone: ***Cell: (413) 625-8552** Email: **No current e-mail addresses**

Involvement: Injury: **N/A**
• **Called for dispatch**
• **Complainant**
Name: **Hodges, Nancy**
Address: **154 Bray Rd | Buckland, Ma 154 Bray Road | Shelburne Falls, Ma 01370-9679**
Phone: ***Home: (413) 625-8552** Email: **No current e-mail addresses**

Involvement: Injury: **N/A**
• **Called for dispatch**
• **Complainant**
Name: **[REDACTED] *C1***
Address: **[REDACTED]**
Phone: **[REDACTED]** Email: **No current e-mail addresses**

Involvement: Injury: **N/A**
• **Called for dispatch**
• **Officer assigned to case**
Name: **Dragon, Kyle**
Address: **10 Sandy Lane | Montague, Ma**
Phone: ***Office: (413) 768-0983** Email: ***Business: kdragon@fcso-ma.us**

Involvement: Injury: **N/A**
• **Other**
Name: **Crossman, McGrady**
Address: **150 Bray Road | Buckland, Ma**
Phone: ***No Known Phone Number: (999) 999-9999** Email: **No current e-mail addresses**

Involvement: Injury: **N/A**
• **Auto-added with enforcement: Referred to Municipal Hearing Authority: E21-001 dated 12/28/2020**
• **Violator/offender**
Name: **Zarish, Courtney**
Address: **150 Bray Road | Buckland, Ma 150 Bray Road | Shelburne Falls, Ma 01370-1403**
Phone: ***Cell: (386) 344-5186** Email: **No current e-mail addresses**

FRANKLIN COUNTY REGIONAL ANIMAL CONTROL
160 Elm Street - Greenfield, Ma 01301

Case Number: C20-094

Reporting Officer: Kyle Dragon

Date: 12/30/2020

CASE NARRATIVE

On 12/26/2020 at about 624pm, while off duty, I, Deputy Sheriff Kyle Dragon, Animal Control Officer for the Franklin County Sheriff's Office received a text communication from the Shelburne Falls Regional Communication Center. I was advised via text that HODGES, Nancy (HODGES, N.) of #154 Bray Road was looking to speak with me in regards to her neighbor's dogs attacking her chickens.

At about 633pm on 12/26/2020, I made contact with HODGES via phone. I was advised by HODGES that the neighbor's dogs had been back on her property earlier that day and that her husband David (HODGES, D.) had found them attempting to gain entry into the enclosures for their chickens. HODGES informed me that HODGES, D. had yelled at the dogs and the dogs turned towards him growling and barking, in what was perceived as an aggressive manner. This caused HODGES, D. to be concerned for his safety. I inquired if any livestock or people had been injured and was advised by HODGES, N. that there was not. HODGES, N. did inform me that this has started to become an issue and that the dogs in question have been coming over to their property for the past (3) three weeks or so. I advised HODGES, N. to let me know if there were ANY further occurrences and that I would follow up with the owner of the dogs on Monday. HODGES, N. stated that she would.

On 12/27/2020 at about 1205pm, while off duty, I, Deputy Sheriff Kyle Dragon, Animal Control Officer for the Franklin County Sheriff's Office received a text communication from [REDACTED]. At this time, [REDACTED] wishes to remain anonymous due to safety concerns (C20-064) in which he feels he was threatened by a party at the involved address, therefore he shall be referred to *C1* for the remainder of this report. *C1* informed me in this text message that he had been out jogging on the public road of Bray Road in the Town of Buckland when (3) dogs entered upon the roadway from the residence of #150 Bray Road. He further advised me that as he continued North on Bray Road, (2) of these dogs chased him up the road barking aggressively. *C1* video recorded this occurrence and provided me with the video.

Upon review of the video from *C1*, I noted that there where (2) dogs following *C1* up the road. At one point one of the dogs charges at *C1* and he yells "Leave it" at the dog, the dog then retreats a short distance. I noted that throughout the entire video that the dogs are barking in what appears to be an aggressive/territorial manner. For the duration of the video the dogs are on the public way of Bray Road and are not on the property of their owner or keeper. Towards the end of the video a female party is heard yelling for the dogs and she is then recorded exiting the driveway of #150 Bray Road. I noted that the dogs did not immediately return to her when she was yelling for them. It took several attempts as well as her walking up the road to get them to recall. During this time, *C1* yells to her to keep her dogs on a leash and she replies "Sorry, they got out", during this time, I noted that the female party was yelling the name "BlueBear". I know from past incidents that Bluebear is owned by ZARISH of #150 Bray Road, I was not familiar with cream colored dog that was involved. I requested that *C1* complete a complaint form, which he stated that he would. I also advised him that I would be following up with the dog owner first thing Monday morning.

On 12/28/2020 at about 1205pm, I attempted contact at 150 Bray Road. I noted that there know vehicles in the driveway, however upon knocking on the door. The Door was opened by her son whom is known to as CROSSMAN, McGrady. Upon seeing me, he

asked "Is it about the dogs" I advised him it was, he stated that he would get his mother. He then returned into the residence and a few seconds later, ZARISH came outside. I advised ZARISH that I was there following up on (2) separate complaints over the weekend. I advised her that the first one was from her neighbors after her dogs where back over on their property and trying to get at the chickens. I also informed her that when a resident there had attempted to stop them, the dogs started to act aggressive towards the resident. I then informed her, that I was there about the incident on Sunday in which (2) of her dogs chased a jogger up the road and made him concerned for his safety. She advised me there had been an incident which the dogs went up onto the roadway. I inquired with her about which dogs where involved, she advised me that it was 'Bluebear' and. I asked who Boo was and she advised me that it had been one of the puppies from August. I requested to see the puppy to get an updated photo of the dog. ZARISH went back into the residence to retrieve the dog, while in the residence, I could hear CROSSMAN telling ZARISH "I told you not to just let them out, but you don't listen to me". ZARISH returned with the dog, which I noted to appear very fearful/ nervous. I photographed the dog and then it scrambled to get back inside the residence. I advised her that based on what had happened, the town would be holding a hearing and that she would be hearing from the Town of Buckland. ZARISH stated that she understood this, I advised her to that the dogs needed to be kept on her property and that what had happened could not continue. ZARISH stated she understood.

At this time, based on the video I received from *C1* as well as the report I received from HODGES, in which the dogs where acting in a concerning manner towards HODGES, D. Also the fact that that a previous notice to restrain the canines has been issued to ZARISH. I will be seeking a hearing with the Buckland Hearing Authority.

On 12/28/2020 at about 1256pm, I received a signed complaint from *C1*.

On 12/28/2020 at about 136pm, I spoke with Buckland Town Administrator Butler. I advised her of the new occurrences and requested a hearing be scheduled.

On 12/29/2020 at about 1058pm, I was advised that a hearing had been scheduled for 01/12/2020 and that notification had been served in hand to ZARISH by the police department.

On 12/30/2020 at 1pm, I received a signed complaint from the HODGES.

Respectfully submitted,

Kyle Dragon
Animal Control Officer,
Franklin County Sheriff's Office



COMMONWEALTH OF MASSACHUSETTS
 Franklin County Sheriff's Office
 160 Elm Street
 Greenfield, MA 01301

DOG COMPLAINT
G.L. c.140, §157

COMPLAINANT INFORMATION

Name: [REDACTED] Telephone #: ([REDACTED])

Address: [REDACTED]

Date and time of Incident: 12/27/2020

Location of Incident: Approx. 152 Bray Road

Description of Incident: Three dogs came out before I even got 100 yds from the property, chasing and barking up the street as I backed away. I took a video as soon as I saw them.

DOG INFORMATION:

Dog's Name (if known): _____

Description (breed, color, distinctive markings, etc.): Dark brown Lab (?) mix & a light brown/yellow smaller dog.

OWNER INFORMATION (if known)

Owner's Name: _____ Telephone #: (_____) _____

Owner's Address: Approx. 152 Bray Road

COMPLAINT

I, the complainant identified above, state that the dog described in this complaint:

Constitutes a nuisance because it (you **must** select one of the following):

has a vicious disposition

barks excessively

causes the following disturbance (describe): Barks and runs out into the road, does not let me pass as I run b chasing me back up the street. It has happened several times over the last 6 months. The owners have con out, and at various times have been very aggressive, confrontational and threatening to me.

By reason of its excessive barking/and or other disturbance, constitutes a source of annoyance to the following sick person (name and address)

STATEMENT

I understand that my identity will not be released during the investigation and that if the investigation results in a hearing. I will be required to attend the hearing and make my complaint before the Hearing Authority. This complaint is made under the penalties of perjury.

[Signature]
 Signature of Complainant

12/28/2020
 Date of Complaint

Return completed signed complaint to:

Franklin County Regional Animal Control
10 Sandy Lane
Turners Falls, Ma 01376

OFFICIAL USE ONLY	
Date Received:	<u>12/28/2020</u>
Case No.:	<u>C20-094</u>



COMMONWEALTH OF MASSACHUSETTS
 Franklin County Sheriff's Office
 160 Elm Street
 Greenfield, MA 01301

DOG COMPLAINT
G.L. c.140, §157

COMPLAINANT INFORMATION

Name: Nancy-Jean Hodges & David Hodges Telephone #: (413) 625-8552
 Address: 154 Bray Road
 Date and time of Incident: 12/26/20 around noon
 Location of Incident: 154 Bray Road
 Description of Incident: _____

DOG INFORMATION:

Dog's Name (if known): _____
 Description (breed, color, distinctive markings, etc.): Pitbulls

OWNER INFORMATION (if known)

Owner's Name: Courtney Zareh Telephone #: (_____) _____
 Owner's Address: 150 Bray Road

COMPLAINT

I, the complainant identified above, state that the dog described in this complaint:
 Constitutes a nuisance because it (you **must** select one of the following):
 has a vicious disposition
 barks excessively
 causes the following disturbance (describe): Has killed live stock and has growled and barked at me (David Hodges) and (Nancy Hodges).
 By reason of its excessive barking/and or other disturbance, constitutes a source of annoyance to the following sick person (name and address)

STATEMENT

I understand that my identity will not be released during the investigation and that if the investigation results in a hearing, I will be required to attend the hearing and make my complaint before the Hearing Authority. This complaint is made under the penalties of perjury.

David Hodges
 Signature of Complainant

12/26/2020
 Date of Complaint

Return completed signed complaint to:
Franklin County Regional Animal Control
10 Sandy Lane
Turners Falls, Ma 01376

OFFICIAL USE ONLY	
Date Received:	<u>12/30/2020</u>
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