



October 17, 2017

To Whom It May Concern:

Pinky, a high-risk dog, was impounded by the City of Des Moines in late March 2016. Pinky was unlicensed and had no proof of rabies vaccination when it ran loose and was seen attacking a neighbor's cat by violently shaking it in its maw. The cat's owner believed if she did not intervene the cat would be killed. The dog was scared off by the cat's owner but the cat still required 36-staples and additional medical treatment.

Pinky was impounded pursuant to 18-167 (unlicensed, unvaccinated) and Declared Dangerous within the quarantine period under 18-196(2) and (3) (attacking another animal which required cosmetic or corrective surgery). The dog was then sold to Dianne Helmers and the Declaration appealed. The City prevailed at the administrative level and then prevailed at the District Court level. Ms. Helmers has appealed to the Iowa Supreme Court, where we are confident the City will prevail yet again.

The Animal Rescue League (ARL) is not named as a party in the case, but cares for Pinky at its facility pursuant to contract with the City. The City controls the status of the dog and the litigation and the ARL is simply Pinky's care provider. Since February 2017, the City has attempted to resolve this matter by offering to send Pinky to an out-of-state no-kill shelter for potential adoption. This proposal has been rejected several times by Ms. Helmers as she continues the litigation. This is the sole cause of the delay and the sole cause for the dog continuing to be confined. Should the City prevail, we still hope to unilaterally carry out this offer.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Sanders".

Scott E. Sanders
City Manager

cc: City Attorney