

If you get bit by a dog call the police!!! Have a **police report** done. They will interview the owner of the dog. This is the best way to get information about the owner of the dog. Also, Take pictures!!!!!!! Everyone has a camera on their cell phone. Take pictures of; where the attack took place, injuries, where the dog came from and went after...

No one can take the dog from the owner. Only with a court order the Dog Warden can.

The police department can deem the dog dangerous right then after seeing the damage and confirming ownership. We can deem after the fact as well only if there is a police report. Police can also write a ticket for the Dog Running at Large.

The police report is needed for the civil case you will file with the court to recuperate damages. You can sue the owner for damages to you and/or to your dog.

If you sustain injuries and costs in excess of \$5,000.00; it is recommended you hire an attorney to sue the dog owner for damage you and/or your dog sustained. Many attorneys will take a portion of the settlement fee as payment and won't require out of pocket costs.

Dog wardens are not part of this legal process. We cannot seize someone's dog or force them to euthanize it. Only the owner can euthanize the dog after the quarantine period and after a veterinarian check.

We do not get notified about all the bites in Trumbull County. If a police report is generated they may send to us.

Quarantine and the health department:

If the **dog breaks skin with it's teeth**, the health department needs to be made aware of the incident. Ask the police if they will send a copy (they usually do) to the health department.

The dog warden is not routinely notified of bites. The police department may contact the Dog Warden if the incident rises to the level of needing to have the dog deemed dangerous or vicious. Although, the police officer can also designate the dog.

When someone goes to the hospital or to a doctor for stitches or medical treatment after a dog breaks skin with its teeth, a report is sent to the Health Department. The health department then sends a letter to the owner of the dog advising that the dog needs to be quarantined for 10 days after the bite. This is not punitive; it is to comply with rabies protocol. The dogs can only be quarantined in their home or at a county dog Pound. After the 10 days, the dog needs to go to a veterinarian to be cleared of rabies symptoms. A paper is signed by a veterinarian and sent to the health department.

If the owner violates any part of this the health department or a police officer can cite. We do not have the authority to write those tickets.

If the owner wants to **euthanize the dog**, they have to wait for the 10 days of quarantine. Then they need to take the dog to a veterinarian who will check the dog for rabies symptoms. A paper is signed by a veterinarian and sent to the health department. They will notify the victim of the bite that the dog is cleared of rabies. They will notify the police or us, whoever deemed the dog dangerous.

Certain violations of rules after a dog is deemed vicious or dangerous can lead to a court ordering the owners have their dog go through obedience training or be humanely destroyed:
<http://codes.ohio.gov/orc/955.99v1>

Dangerous Dog Law ORC 955.11:

The following section of the ORC (Ohio Revised Code – laws for the state of Ohio) covers what is required from a dangerous dog owners. Police should be notified if a dog that was deemed dangerous gets loose, bites someone or an animal or is sold.

(B) No owner, keeper, or harbinger of any female dog shall permit it to go beyond the premises of the owner, keeper, or harbinger at any time the dog is in heat unless the dog is properly in leash.

(C) Except when a dog is lawfully engaged in hunting and accompanied by the owner, keeper, harbinger, or handler of the dog, no owner, keeper, or harbinger of any dog shall fail at any time to do either of the following:

(1) Keep the dog physically confined or restrained upon the premises of the owner, keeper, or harbinger by a leash, tether, adequate fence, supervision, or secure enclosure to prevent escape;

(2) Keep the dog under the reasonable control of some person.

(D) Except when a dangerous dog is lawfully engaged in hunting or training for the purpose of hunting and is accompanied by the owner, keeper, harbinger, or handler of the dog, no owner, keeper, or harbinger of a dangerous dog shall fail to do either of the following:

(1) While that dog is on the premises of the owner, keeper, or harbinger, securely confine it at all times in a locked pen that has a top, locked fenced yard, or other locked enclosure that has a top ;

(2) While that dog is off the premises of the owner, keeper, or harbinger, keep that dog on a chain-link leash or tether that is not more than six feet in length and additionally do at least one of the following:

(a) Keep that dog in a locked pen that has a top, locked fenced yard, or other locked enclosure that has a top;

(b) Have the leash or tether controlled by a person who is of suitable age and discretion or securely attach, tie, or affix the leash or tether to the ground or a stationary object or fixture so that the dog is adequately restrained and station such a person in close enough proximity to that dog so as to prevent it from causing injury to any person;

(c) Muzzle that dog.

(E) No person who has been convicted of or pleaded guilty to three or more violations of division (C) of this section involving the same dog and no owner, keeper, or harbinger of a dangerous dog shall fail to do the following:

(1) Obtain liability insurance with an insurer authorized to write liability insurance in this state providing coverage in each occurrence because of damage or bodily injury to or death of a person caused by the dangerous dog if so ordered by a court and provide proof of that liability insurance upon request to any law enforcement officer, county dog warden, or public health official charged with enforcing this section;

(2) Obtain a dangerous dog registration certificate from the county auditor pursuant to division (I) of this section, affix a tag that identifies the dog as a dangerous dog to the dog's collar, and ensure that the dog wears the collar and tag at all times;

The following section explains the designation of a vicious dog. We deem serious injuries to be:

955.11(5) "**Serious injury**" means any of the following:

(a) Any physical harm that carries a substantial risk of death;

(b) Any physical harm that involves a permanent incapacity, whether partial or total, or a temporary, substantial incapacity;

(c) Any physical harm that involves a permanent disfigurement or a temporary, serious disfigurement;

(d) Any physical harm that involves acute pain of a duration that results in substantial suffering or any degree of prolonged or intractable pain.

(6) (a) "Vicious dog" means a dog that, without provocation and subject to division (A)(6)(b) of this section, has killed or caused serious injury to any person .

(b) "Vicious dog" does not include either of the following:

(i) A police dog that has killed or caused serious injury to any person while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties;

(ii) A dog that has killed or caused serious injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harbinger of the dog.

(7) "Without provocation" means that a dog was not teased, tormented, or abused by a person, or that the dog was not coming to the aid or the defense of a person who was not engaged in illegal or criminal activity and who was not using the dog as a means of carrying out such activity.

The following section of the ORC explains that a person has the right to kill a dog that is trying to attack them on their own property. This does not mean you can kill a dog after the incident as revenge.

Subject to divisions (A)(2) and (3) of section [955.261](#) of the Revised Code, a dog that is chasing or approaching in a menacing fashion or apparent attitude of attack, that attempts to bite or otherwise endanger, or that kills or injures a person or a dog that chases, threatens, harasses, injures, or kills livestock, poultry, other domestic animal, or other animal, that is the property of another person, except a cat or another dog, can be killed at the time of that chasing, threatening, harassment, approaching, attempt, killing, or injury. If, in attempting to kill such a dog, a person wounds it, the person is not liable to prosecution under the penal laws that punish cruelty to animals. Nothing in this section precludes a law enforcement officer from killing a dog that attacks a police dog as defined in section [2921.321](#) of the Revised Code.

(B) The owner, keeper, or harbinger of a dog is liable in damages for any injury, death, or loss to person or property that is caused by the dog, unless the injury, death, or loss was caused to the person or property of an individual who, at the time, was committing or attempting to commit criminal trespass or another criminal offense other than a minor misdemeanor on the property of the owner, keeper, or harbinger, or was committing or attempting to commit a criminal offense other than a minor misdemeanor against any person, or was teasing, tormenting, or abusing the dog on the owner's, keeper's, or harbinger's property. Additionally, the owner, keeper, or harbinger of a dog is liable in damages for any injury, death, or loss to person or property that is caused by the dog if the injury, death, or loss was caused to the person or property of an individual who, at the time of the injury, death, or loss, was on the property of the owner, keeper, or harbinger solely for the purpose of engaging in door-to-door sales or other solicitations regardless of whether the individual was in compliance with any requirement to obtain a permit or license to engage in door-to-door sales or other solicitations established by the political subdivision in which the property of the owner, keeper, or harbinger is located, provided that the person was not committing a criminal offense other than a minor misdemeanor or was not teasing, tormenting, or abusing the dog.