

Formal Statement: Defense Against Allegation of Unprovoked Dog Bite

Subject: Incident on 12/31/24

To Whom It May Concern,

I am writing to formally address the incident involving my dog, Chewy, which occurred on 12/31/24 at my home. I would like to provide a detailed account of the events leading up to the bite and present evidence demonstrating that Chewy was provoked into reacting defensively. In addition, I will show that Matt Fillebrown is not a reliable source in reporting the facts.

Incident Description and Evidence of Provocation

At approximately 19:30, Chewy was in (our 12 year old son) Noah's bedroom along with our youngest son, Tucker (5 years old). Noah was playing a video game and Tucker was standing next to Chewy who was sitting on the floor:

- Through peripheral vision, Noah observed Tucker strike Chewy hard in the nose.
- It startled Chewy and he responded by biting Tucker in the face as that was the closest (and at the same level) part of Tucker's body near Chewy. Tucker fell to the floor crying and Chewy laid down on the floor visibly shaken by what had occurred.
- Chewy had responded in a natural canine way to the provocative strike on the nose and was in no way the aggressor in this situation.
- The teeth marks on Tucker's face show clear evidence that this was a singular, defensive bite and not a mauling or prolonged attack. There is no evidence of a secondary bite.

Character Evidence for Chewy

- Chewy has no prior history of aggression. Even when Tucker has been rough with Chewy in the past, Chewy has not responded with aggression whatsoever. This includes Tucker randomly hitting Chewy, blowing hard into his ear and even trying to insert objects into his nostril.
- Chewy received obedience training during his time with his previous owner. Chewy has been a part of our family for 4 years and we think that he is somewhere around 6 or 7 years old.

- In the 4 years of having Chewy, myself, my wife and our four sons have enjoyed his companionship and appreciated his calm and well-behaved demeanor. This incident was most certainly out of character during all his time with us.
- We have taken Chewy to the groomer numerous times over the last four years and have never received any complaints or negative comments regarding his behavior or demeanor.
- We frequently travel with Chewy and take him with us on vacations and family visits. Chewy adjusts well to new environments and people without issue, including being around other small children and pets.

Relevant Legal Context

- Provocation is recognized as a valid defense in cases involving dog bites.
- Matt Fillebrown inserted himself into the situation days after the incident claiming that after reviewing the report of CSO Yang that he would need to become involved.
- Matt Fillebrown then proceeded to issue a report containing false statements (such as stating the children were asleep), began making accusations with no basis (such as the bite being unprovoked), and attempted to sensationalize this defensive bite as a “mauling”.
- Matt Fillebrown persistently attempted to gaslight me during phone conversations and spoke in a threatening manner giving ultimatums to include forcing Chewy to be euthanized, issuing costly citations, or permanently labeling Chewy as an aggressive animal which comes with associated consequences that can be overwhelming.

Steps Taken Post-Incident

To prevent any future incidents, I have:

- Complied with the order to keep Chewy quarantined for 10 days.
- Cooperated with the process of having Chewy participate in 3 required observations by professionals (please see attached letter from Fox Valley Humane Association regarding those observations).
- Enhanced my vigilance in closely supervising Chewy when interacting with people.
- Maintained diligence in teaching my son, Tucker, to interact with animals appropriately.

Conclusion

Chewy acted out of self-defense in response to provocation. Evidence clearly shows that this was a provoked bite and in no way a representation of Chewy's normal behavior before or since the incident.

I respectfully request that this evidence be carefully considered in evaluating the incident. I am committed to ensuring the safety of those around me while maintaining responsible ownership of my pet.

All parties involved see the evidence and conclusive facts to show that this was a one-off incident brought on by my son Tucker pushing the limits just a little bit too far one time. The only person who sees this incident differently is Matt Fillebrown who seems to be on a power trip toward incorrectly labeling a family pet as a Dangerous Animal to bring dire consequences - for what purposes I am unsure.

My family, CSO Yang and Outgamie County Humane Officer Vicki Prey all agree that Matt has missed the mark on this one and see no evidence that would warrant the actions Matt Fillebrown is intent on taking. We plead with you to reject the action of declaring Chewy a dangerous animal from a single, provoked incident. Our family has suffered enough and we do not want to further the pain by losing our beloved pet or seeing him muzzled every time he goes outside.

Please do not hesitate to contact me for further information or clarification. I am also willing to cooperate fully with any investigation into this matter.

Sincerely,

Steve Jenkins
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January 14, 2025

To Whom It May Concern,

Chewy was seen at Fox Valley Humane Association for his 3 required observations after he bit a member of the family and was ordered to be quarantined.

I saw Chewy for his first 2 observations and was present when the FVHA Veterinarian did the final observation.

Observation 1: Upon arrival Chewy was hesitant to enter the building. I took a seat away from Chewy and spoke to him in a normal voice. His body then relaxed and he sat next to his owner Steven. He was calm and quiet during the remainder of the observation.

Observation 2: Chewy entered the building confidently, wagging his tail while I spoke to him. He sat quietly and calmly next to his owner for the remainder of the observation.

Final Observation: Chewy entered the building confidently and was interested in the new person in his presence, Dr. Nelson, DVM. He wagged his tail and exhibited normal dog curiosity as she was speaking to him. There was no change in his behavior as she squatted down to get a better look at Chewy.

It is important to understand that dogs communicate through their behavior, and after Steven explained what led up to the bite to his son, it is likely that this was a defensive response rather than aggression.

Respectively submitted,

Vicki

Vicki Prey

Outagamie County Humane Officer

Fox Valley Humane Association

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