

Table of Contents for Appeal Hearing for Berkley on February 16, 2021

Pages 1 to 2: Muzzle Order

Pages 3 to 4: Statement of Account from Adam Chalmers

Pages 5 to 12: Fangs But No Fangs Canine Behavioral Consultant Assessment

Page 13: Fangs But No Fangs Canine Behavioral Consultant Addendum

Page 14: Reference Letter – Lynda Slade-Watsham

Page 15: Reference Letter – Kaila and Stewart Evans

Page 16: Reference Letter – Kayla and Joshua Sguigna

Page 17: Reference Letter – Deb Foerster

Page 18: Reference Letter – Kelly Henning

Page 19: Reference Letter – Laurie Zimmerman

Page 20: Reference Letter – Brenda Kelsey

Pages 21 to 22: Puppy Kindergarten Training Proof of Enrollment



Adam Chalmers

November 2, 2020

Queen St.
Neustadt ON

Mr. Chalmers

As per the investigation that commenced on October 25 2020 involving your dog a female Rottweiler Shepherd cross known as Berkley attacked and bit a small breed dog, the dog was significantly injured requiring emergency Veterinary care.

On October 29 2020

I received a second complaint, from a different individual that in August of 2020, 2 dogs left your property and attempted to attack a different small breed that was being walked on leash and on the sidewalk by your house. The complainant advised that you were able to stop the attack before any injury could occur to the small breed dog.

I understand that you have been in contact with Karl Schipprack, Karl and I have discussed your matter at length. I understand that you are disputing owning 2 dogs and that your dog has never been involved in any other incidents.

The Municipality of West Grey will impose the following restrictions on your female Rottweiler/ Shepherd cross breed dog known as Berkley.

As outlined in the Municipality of West Grey **Bylaw 87-2009** a by-law for the licensing of dogs, and for regulating the running at large of dogs and regulating kennels within the Municipality of West Grey,

Section 6 states;

MUZZLING OF DOGS

MUZZLING OF DOGS

6.a) Where the Officer is satisfied on the balance of probabilities, and in the absence of any mitigating factors, that a dog has bitten a person or animal, the Officer may issue a muzzle order to the owner of the dog.

b) The Officer may impose conditions on the muzzle order to ensure the health and safety of the owner, the dog, and other persons and animals.

c) The muzzle order may be served by:

i) delivering it personally to the owner of the dog; or

ii) by posting it up in a conspicuous place on the premises of the owner, or

iii) sending it by registered mail to the last known address of the owner of the dog.

d) Service of a muzzle order served by registered mail is deemed to be made on the seventh day after the day of mailing.

e) Notwithstanding any other section of this By-law, when a muzzle order has been served, the owner of a dog shall:

i) not permit the dog to be off the premises of the owner unless it is properly leashed and muzzled; and

- ii) ensure that the dog does not bite, chase or attack a person or a domestic animal on any property, including that of the owner; and*
- iii) either tether the dog on a chain capable of restraining the dog or confine it within a fenced yard capable of preventing the dog from escaping; and*
- iv) put the dog under the control of a person at least sixteen (16) years of age when the dog is not on the owner's premises; and*
- v) notify the Officer within five (5) days of transfer if the dog is transferred to a new location or if the ownership of the dog is transferred to another person; and*
- vi) not contravene any other condition imposed in the muzzle order; and*
- vii) shall within seven (7) days, purchase a Dangerous Dog warning sign and place it in a conspicuous place at the entrance to the owner's premises indicating the presence of a dog, and inform the Officer of same.*
- f) A muzzle order expires when the dog dies or the Officer is satisfied that it no longer resides in the Municipality.*
- g) Where a muzzle order has been issued, the owner of a dog may apply for a hearing to appeal the order to the Appeal Committee.*
- h) An application for a hearing shall be made in writing and delivered to the CAO/Clerk of the Municipality within thirty (30) days after the muzzle order has been served.*
- i) An application for a hearing shall be accompanied by the Hearing Request of fifty (\$50.00) dollars.*
- j) Notice of a hearing shall be served on the owner at least seven (7) days prior to the hearing. Service shall be affected in accordance with sections 6. c) & d) of this By law.*

The above noted restrictions will be in place for the life time of your dog. Failure to adhere to the restrictions could result in further charges under the Bylaw or proceedings in the Provincial Offences Court- the Dog Owners liability Act R.S.O. 1990.

If you have any questions or wish to discuss this matter please contact me at 519 373 1000. I have included a copy of the above mentioned By-law 87-2009 with Section 6 highlighted for your convenience.

Cheryl Roberts



Animal Control Officer
Municipality of West Grey

Karl Schipprack



CBO
Municipality of West Grey



Adam Chalmers
[REDACTED] Queen Street
Neustadt, ON N0G 2M0
[REDACTED]
[REDACTED]

October 26, 2020

To Whom It May Concern

Yesterday, October 25, 2020, I was bringing my dog, Berkley, into the garage from the car. While we were entering into the garage there was a small dog across the road that was barking. I was carrying a couple items in my one hand and had Berkley's leash in the other. Berkley then pulled in an opposite direction then I was walking. While she was pulling her leash came loose from my hands as she ran towards the other dog. I immediately started running after her. During the time that Berkley had come loose from my hands. I believe the other dog had bitten Berkley's left front paw. Berkley had then bit the other dog. Once I was able to grab Berkley's leash, the incident was over, and she did not act aggressively in any matter after the incident. The entire incident was over very quickly. Prior to this incident Berkley had never acted aggressively towards another animal or person. She has always loved all dogs and only wanted to play with them. The other dog owner went home and contacted the police. Berkley was favoring her left paw for the remainder of the day and again today. I did not take her to the vet as I could not see any visible damage, but will continue to monitor her.

At this time Anthony Bere, came up the street, from Hillside Manor, yelling numerous times that he was going to kill both Berkley and myself. Berkley and I were on the sidewalk in front of my neighbour's property as Chris and I were talking. Tony proceeded to walk around my car that was parked in my driveway and slammed both fists into the trunk and he was still uttering death threats to both Berkley and I. Once he realized that I was not going to come close to him due to the threats he returned home.

Shortly thereafter, the police responded to Hillside Manor to discuss the incidents with Tony and Alicia. Officer Meyers then responded to my property to discuss with me what happened. At this time, Berkley was still on the leash. She did not act aggressively towards the officer in any way and continued to stand by my side. While Officer Meyers and I were discussing the events, Tony, Alicia and their dog walked up to the incident scene. At this time Berkley was also not showing any aggression towards them even though they were about the same distance away as to when the incident occurred. Tony then proceeded to come towards the officer and myself uttering death threats again towards both Berkley and I. It was then then that Officer Meyer directed them back to their place of residence. Officer Meyer then informed me that Cheryl Roberts would be coming to discuss the next steps with me.

When Cheryl Roberts came to the house, she discussed with me that they were taking their dog to the vet as there were signs of fresh blood. She told me that once a dog has a taste for blood, then they will bite again, so a muzzle order was going to be issued. I asked for more information on the by-laws in which she directed me to review them on the West Grey website.

Later in the night, she called me and informed me that the vet bill was approximately \$352.00 and she would pick up a copy of the vet bill for me from Anthony Bere. Cheryl stated that they did have to take the dog back tomorrow to the vet and would let me know if there were any further charges. Cheryl stated that she would pick up the cheque and deliver it as Anthony and Alicia were quite upset with me. I wrote a cheque in that amount and told her that I would be placing it in the mailbox at the front of the house, as she was going to deliver it today.

Sincerely,



Adam Chalmers

Fangs But No Fangs

Canine Behavioral Consulting Services



662 Old Dundas Road
Ancaster, ON L9G 3J5, Canada,
Phone: 416-738-6059
E-Mail: info@k9shrink.ca
Web: www.k9shrink.ca



December 20, 2020

Mr. A. Chalmers
■ Queen Street
Neustadt, ON, Canada

In the matter of Berkley Chalmers:
To Whom It May Concern;

Please consider this letter in the matter of assessment and recommendations for Berkley Chalmers, a female, spayed 22-month-old mixed breed dog, of approximately 45lbs, belonging to Mr. Adam Chalmers, and his wife, Mrs. Natasha Chalmers, of Neustadt, Ontario, referred to herein as 'the owner(s)'. The owners contacted me for assessment and behavioral recommendations for Berkley in order to provide recommendations to the court or tribunal for the dispensation and appeal of a muzzle order and a dangerous dog designation in accordance only with the town's by-laws.

The incident has been documented; thus, I will only very briefly recap the stipulated details as they relate to my evaluation and recommendations. According to the owners, Mr. Chalmers was getting out of his car in his driveway while holding Berkley's leash in his hand and bags in the other. The victim dog, a small dog estimated at approximately 15lbs or so by Mr. Chalmers, was across the street with its owner, and barked at them. Berkley suddenly pulled to the other dog causing Mr. Chalmers to accidentally lose his grasp of the leash. Berkley and the other dog had a brief altercation, during which the other owners picked their dog up and Mr. Chalmers crossed the road and was able to quickly regain leash control of his own dog. During this altercation, both dogs sustained injuries. Berkley's injuries were minor soreness in her front paw, and the other dog suffered unknown moderate injuries necessitating veterinary care. Mr. Chalmers walked Berkley back across the road towards his own home. The owner of the other dog continued to verbally confront Mr. Chalmers, and at one point was heard to threaten both him and his dog. The next-door neighbor of Mr. Chalmers was on the porch when the incident occurred, and Mr. Chalmers waited with the neighbor and the neighbor's dog on their porch due to the continued presence of the other owner acting in a confrontational and threatening manner towards Mr. Chalmers and Berkley. Police were called and Animal Control investigated the incident, resulting in the issuance of a muzzle order and the requirement for Mr. Chalmers to post a 'Beware of dog' sign in his window. Mr. and Mrs. Chalmers have complied with all requirements to date.

The incident, while unfortunate and preventable, does not rise to the level of an invocation of a Dangerous Dog designation, nor does it merit the issuance of a muzzle order. This finding is based primarily on the fact that no human was harmed or threatened, nor was there any evidence of significant or mortal injuries to the other dog. There are a number of factors which also impacted this recommendation as will be explored in more depth in the following pages.

It is important to carefully weigh all contributory factors, contextual influences, and final outcomes for all parties when making a decision or characterization of a dog as 'Dangerous' and/or imposing a muzzle order which may be in place for the life of the dog. The standard must be reasonableness when the duty of care to others is concerned. In this particular instance, it was not reasonable for Mr. Chalmers to have anticipated Berkley's reaction to this dog, as there was no prior history of her suddenly pulling and running to another dog. Even if her response could have been anticipated,

Your dog isn't your adversary, don't train him like one.



Berkley has no history of aggression, and when she encounters other dogs, had always been socially appropriate and playful. Thus, without a multiplicity of reported incidents, significant harm, or other compelling indicators of future risk, the punishment, in this case, is not commensurate with the infraction.

This does not mean however, that the Chalmers should not, in the future, take more stringent precautions to ensure the safety of both Berkley and other dogs. It is my recommendation at this time that the 'Dangerous Dog' designation and the muzzle order be unconditionally lifted for Berkley so long as the owners abide by the following five stipulations:

1. The owners maintain the fence to their property in order to ensure that there are no gaps, and that all gates are securely closed at all times unless in use.
2. When Berkley is in a vehicle, the owners are to securely fasten her in the car, using a seatbelt designed for dogs such that she cannot accidentally exit a vehicle when the door is opened. A crate is also a suitable method of confinement for the purposes of satisfying this requirement.
3. Whenever possible, if Berkley is in a vehicle arriving at home, the car should be driven into the garage and the garage door closed securely before she is taken out of the vehicle.
4. Berkley is only to be walked by an adult or a person 18-years of age or older.
5. When walking Berkley on public sidewalks and pathways she must have a leash securely clipped to a collar, harness, or head halter. When she is in parks or areas where the owners' line of vision is unimpeded as to oncoming dogs, she may be walked using a long line or retractable leash. She may be off leash when in areas where this is permitted by law and it is safe to do so. It is always the owners' responsibility to ensure that they have full control of Berkley and that she is not off leash in non-sanctioned areas or where dogs may appear suddenly without preparation.

I thank you for your consideration of these materials and findings. I have attached more in-depth explanation of the analysis and my reasoning, a copy of the Dunbar Bite Scale, a widely used court tool in assessing dog-bite cases, and my resume. Should you have any further questions please do not hesitate to contact me.

Kind Regards;



Joan Weston M.A. Ed
IAABC-Certified Canine Behavior Consultant, Fear Free Certified Trainer
Fangs But No Fangs
Canine Behavioral Consulting Services
Ancaster, Ontario Canada
www.k9shrink.ca
info@k9shrink.ca



PROCEDURES AND FURTHER EXPLANATION

IN HOME ASSESSMENT:

I met with the owners at their home in order to evaluate the following criteria:

1. The physical layout of the home itself.
 2. Berkley's response to strangers entering the home.
 3. The owners' ability to control Berkley.
 4. The level of Berkley's compliance to commands on leash
 5. Berkley's on-leash behavior in the presence of other dogs and people
-
1. The layout of the home is such that there is a secure backyard area, a main front door and a door to enter the home directly from the garage. The fence surrounding the backyard is a 6-foot solid wood construction. This is the best design for any dog enclosure, preventing visual and physical access to passerby and other animals.
 2. When I entered the home, Berkley barked initially and quickly quieted, displaying no further barking. She was shy, and attempted to avoid me, by moving away from me appropriately. She was able to approach me briefly, in a shy but friendly manner, and was able to eat treats that were tossed to her. There were no signs of aggression or threat, and at no time did she display any warning or concerning behaviors towards me. She appears to be a shy but friendly dog who, given time and space, would acclimate to strangers and act in an appropriate and affectionate manner towards them.
 3. The owners demonstrated reasonable control of Berkley. They were able to command her attention both indoors and outside, and she responded to their verbal and physical cues.
 4. The owners demonstrated appropriate control of Berkley while walking on-leash. Berkley walked well on-leash and did not demonstrate any significant pulling or reactive behavior. Mrs. Chalmers was able to easily control Berkley at all times.
 5. When encountering a smaller dog on the leash walk who was walking in front of her initially, and then stopped when its owner paused to talk to a neighbor, Berkley showed significant interest in the other dog. She paused and watched the other dog intently at a distance of approximately 20 – 30 feet away. After a few moments of this, she then redirected to other behaviors, and, although she was interested in the dog as the owners walked towards it, she did not pull or vocalize, and Mrs. Chalmers was able to walk with a loose leash. When Berkley was closest to the other dog, the smaller dog stared at Berkley, a behavior which may trigger a defensive or aggressive response in many dogs. Berkley's body language remained loose, with her tail actively wagging, and she turned away. This act of looking away is a recognized calming signal that dogs will use to help to defuse any tension or make another dog feel more comfortable in their presence. As the owners passed by the smaller dog and the neighbors, Berkley walked by easily and did not pull towards them at any time.



CANINE BEHAVIOR HISTORY:

Berkley has no history of any aggression nor altercations towards other dogs. She successfully completed a group obedience class with her owners approximately 18-months ago. In the class, she was in close proximity to a number of other dogs of varying sizes and their owners.

She has several dogs in the neighborhood with whom she plays with on a regular basis. On the same day, after the incident occurred, while waiting for the officer to arrive Berkley was social and engaging with the neighbor's dog. There was no evidence of aggression. The owners report that she often greets other neighborhood dogs on leash, of all sizes, in a playful manner. While on the walk with the owners during the assessment, we encountered a small dog as described above. The small dog's owner's body language and behavior was consistent with Berkley's owners descriptions of their encounters. The small dog's owner smiled and greeted them and made no attempt to move her dog away nor did she show any concern or avoidance behaviors when Berkley was approaching.

and the owners report that she only barks at dog or reacts to them if the other dogs bark at her first. There is a yard along their walks with two smaller dogs who regularly run at the fence and bark aggressively at Berkley whenever she walks past the fence. Berkley will bark back at these dogs as she passes by. This may have been the critical factor in this incident. It is possible that having been subjected to many repetitions of smaller dogs barking aggressively at her, that when she ran to see the other smaller dog, when it was barking at her, she reacted defensively resulting in an altercation.

OWNERS' BEHAVIOR HISTORY BOTH PRE- AND POST- INCIDENT:

The owners have demonstrated that they are responsible dog owners both prior to as well as following this incident. When these actions are considered in their totality, they show a clear commitment to public safety and responsible dog ownership. They have been pro-active in their efforts and they have made significant financial investments to this end. Some examples are below:

- Attended Dog Training classes to educate themselves and their dog and graduated successfully
- Installed a solid wood 6-foot fence around the perimeter of the yard
- Provided a check for payment of veterinary care bills in good faith prior to receiving an itemized copy of the invoice in question. It is worth noting that although their payment has been received, they have to date, not received any invoices or billing to confirm that the amount requested was, in fact, the sum total of the vet bill related solely to the incident.
- Have only taken Berkley in and out of the car when the car is parked in the garage
- Purchased and use a muzzle as per directive any time she is off the owners' property or on leash
- Contacted a trainer and then a Certified Canine Behavior Consultant for assistance with the assessment and for input as to future training

PROFESSIONAL INCIDENT ASSESSMENT:

Based upon the owner's report and the provided documentation, it is my professional opinion that this was an accident, rather than a reliable harbinger of future behavior or genetically modulated temperament. There is no reason to suspect that this was anything other than a one-off occurrence, a 'perfect storm'. Had Mr. Chalmers arrived home 60 seconds later, had he gotten the bags from the car first before getting Berkley, had the smaller dog not barked or reacted; if any one of these had occurred, then it is reasonable to assume that the incident would never have happened.

Bite Level: Another consideration in assessment is the level of harm sustained by the primary victim. Regardless of how infrequently aggression may occur, if a dog were to do significant or mortal harm then the muzzle order should rightly be upheld. In this case, there is no evidence of significant harm to the smaller dog. Although the Chalmers have yet to receive an itemized invoice for the vet bill, despite providing payment for the other dog's care without hesitation, the amount of the bill would lend itself to the presumption that the other dog's injuries were moderate at best, requiring prophylactic antibiotics, and wound cleaning and care during the visit. There is no evidence of any invasive or surgical intervention, nor is there any evidence of specialist referrals or follow-up care outside of the normal course of action.



Thus, it may be assumed that if there was a bite during the incident, that it was a level 1 or 2 bite on the Dunbar Scale, and that the motivation was social, not predatory aggression.

Post-incident behavior: The owner reports that the incident itself lasted less than a minute, and that when he regained control of Berkley, she walked back across the street with him calmly and obeyed his commands. If the dog were a dangerous dog or if this had been a predatory attack, calmly walking away with the owner would be highly atypical behavior. When a dog is in the moment of an offensively aggressive attack, it cannot be easily disengaged, and many dog trainers and owners have scars attesting to this fact. The dog will often bite and lash out at anything that comes near or tries to restrain it, resulting in collateral damage to well-meaning bystanders who try to intervene. There is no evidence here of any harm to the other dogs' owner, nor was there any harm, or any attempt to harm Mr. Chalmers.

FURTHER RATIONALE FOR RECOMMENDATIONS:

My rationale for my recommendations is also based on the fact that consideration in decision making should take into account the dog's past behavior / temperament.

- Past behavior / temperament:
 - Berkley has no prior reports or complaints of aggressive behavior while on leash or in public. Berkley has lived in a neighborhood with repeated exposure to adults, children, and dogs for her entire life.
 - The owners' practice has been to expose her to other dogs both on- and off-leash where appropriate, for play. Over the course of almost two years, there has never been any concern or complaint raised with the Humane Society or Animal Control as to her demeanor with other animals or people.
 - The owners have acted in a responsible and trustworthy manner. They have expressed remorse over the incident and are open to education and prevention of such behavior in the future. There is no reason to expect that the owners will be anything but responsible and compliant in the future to ensure public safety, as they have demonstrated this behavior in the past.
 - The owners have demonstrated a history of responsible dog ownership. They took their dog to obedience classes as a young dog. They have respected all leash laws, always maintaining physical control over their dog when in public.
 - The intent of such by-laws while maintaining safety for all, is primarily driven by an overweening duty of care to human safety, as well as other animals. This is not to say that the law should not consider and weigh the welfare of animals, but rather to point out that, when examining the intent of the legislation, its primary concern is that of human safety. In this case, the dog in question has a virtually impeccable record when interacting with people. Thus, there is no known risk to the public, nor benefit in requiring the use of a muzzle, where there is no reasonable expectation of risk of harm to others.



662 OLD DUNDAS ROAD
ANCASTER, ONTARIO L9G 3J5
416-738-6059
INFO@K9SHRINK.CA
WWW.K9SHRINK.CA

JOAN WESTON M.A.ED, IAABC CERTIFIED CANINE BEHAVIORIST

SUMMARY OF QUALIFICATIONS

- Extensive teaching experience with a wide variety of learners from children to adults
- One of the most respected canine behavioral consultants within Toronto and surrounding areas
- Head Instructor at Scholars in Collars Dog Training School, Burlington, Ontario
- Founder and operator of Goalers, an elite hockey goaltending school in Toronto and Boston
- Presenter: Toronto Animal Services Professional Development Annual Meeting
- Contracted to implement The ITREAT Protocol and provide staff training to Brampton Animal Services
- Commitment to continuing education and professional development
- Nominee: Dog Writers Association of America – Excellence in Journalism Award
- Presenter: Animal Shelter Administrators of Ontario annual conference

EDUCATION

2013 – 2017

Central Michigan University

- Master of Arts: Education
- GPA: 3.96

1988 – 2003

University of Toronto

- Course work in Physical and Health Education and The Psychology of Sport and Performance

1981 – 1986

Northeastern University

- Bachelor of Science Honors: Major: Criminal Justice
- Dean's List Academic Award

WORK EXPERIENCE & ACCREDITATION

20120

Fear Free Pets – www.fearfreepets.com - Certified Fear Free Trainer

2018

International Association of Animal Behavior Consultants- www.iaabc.org - Certified Canine Behavior Consultant



2001 – Present

Fangs But No Fangs Canine Behavioral Consulting Services
Canine Behavioral Consultant

- Specializing in behavior disorders in companion dogs including aggression and anxiety
- Work privately with clients in their homes to assist them in resolving behavioral problems with their pets
- Recognized as an expert witness in court cases
- Compose, write and present seminars on canine behavior and learning across North America
- Published author in both national and regional publications
- On staff Canine Behavioral Consultant for Who's Walking Who - Toronto's largest dog training school, Referral source for canine behavioral problems for many trainers, veterinarians, rescues, and schools
- Owner / Trainer of bulldog used as Hearing Service Dog. All training done to rigorous standards and compliant with service dog standards of behavior and training.

1998 – Present

Scholars In Collars Dog Training School
Head Instructor

- Head Instructor of both Basic and Advanced Level Classes for pet owners
- First assistant instructor to be promoted to a Head Instructor in the school's history
- Work with school's owner on design and implementation of class curriculum, format and revision of teaching strategies
- Behavioral referral representative for behavioral problems that clientele may be experiencing with their dog

2010 – 2016

Durham College, Oshawa Ontario

Professor and Curriculum Development: ACAB-1200 – Animal Behavior:

Professor and Curriculum Development: COMM 2500 – Interpersonal Communications: 2014, 2015

Professor IACW-1300 – Issues in Animal Care and Welfare: 2014, 2015

REFERENCES AND TESTIMONIALS

Available upon request

EXTRACURRICULAR ACTIVITIES

- WoofJocks: Canine All-Stars Performance Team: Entertainment show performing for thousands of fans yearly. Owner of fan favorite, PotRoast the bulldog.
- Commercial and film work: Owner and trainer for Tag, the Mattress Discounter's Spokesdog. 2011-2013.
Film commercials and public appearances for western United States based retailer
- Bulldog Rescue – assist with foster and placement of bulldogs in need
- 1987 – First overall pick to the United States National Women's' Hockey Team
- Competed in Inaugural Women's' World Ice Hockey Championships in North York, Ontario Canada
- Player – National Women's Hockey League - Toronto Aeros





Dr. Ian Dunbar's Dog Bite Scale (Official Authorized Version)

An assessment of the severity of biting problems based on an objective evaluation of wound pathology

Level 1. Obnoxious or aggressive behavior but no skin-contact by teeth.

Level 2. Skin-contact by teeth but no skin-puncture. However, may be skin nicks (less than one tenth of an inch deep) and slight bleeding caused by forward or lateral movement of teeth against skin, but no vertical punctures.

Level 3. One to four punctures from a single bite with no puncture deeper than half the length of the dog's canine teeth. Maybe lacerations in a single direction, caused by victim pulling hand away, owner pulling dog away, or gravity (little dog jumps, bites and drops to floor).

Level 4. One to four punctures from a single bite with at least one puncture deeper than half the length of the dog's canine teeth. May also have deep bruising around the wound (dog held on for N seconds and bore down) or lacerations in both directions (dog held on and shook its head from side to side).

Level 5. Multiple-bite incident with at least two Level 4 bites or multiple-attack incident with at least one Level 4 bite in each.

Level 6. Victim dead.

The above list concerns unpleasant behavior and so, to add perspective:

Levels 1 and 2 comprise well over 99% of dog incidents. The dog is certainly not dangerous and more likely to be fearful, rambunctious, or out of control. Wonderful prognosis. Quickly resolve the problem with basic training (control) — especially oodles of Classical Conditioning, numerous repetitive Retreat n' Treat, Come/Sit/Food Reward and Back-up/Approach/Food Reward sequences, progressive desensitization handling exercises, plus numerous bite-inhibition exercises and games. Hand feed only until resolved; do NOT waste potential food rewards by feeding from a bowl.

Level 3: Prognosis is fair to good, provided that you have owner compliance. However, treatment is both time-consuming and not without danger. Rigorous bite-inhibition exercises are essential.

Levels 4: The dog has insufficient bite inhibition and is very dangerous. Prognosis is poor because of the difficulty and danger of trying to teach bite inhibition to an adult hard-biting dog and because absolute owner-compliance is rare. Only work with the dog in exceptional circumstances, e.g., the owner is a dog professional and has sworn 100% compliance. Make sure the owner signs a form in triplicate stating that they understand and take full responsibility that: 1. The dog is a Level 4 biter and is likely to cause an equivalent amount of damage WHEN it bites again (which it most probably will) and should therefore, be confined to the home at all times and only allowed contact with adult owners. 2. Whenever, children or guests visit the house, the dog should be confined to a single locked-room or roofed, chain-link run with the only keys kept on a chain around the neck of each adult owner. (To prevent children or guests entering the dog's confinement area.) 3. The dog is muzzled before leaving the house and only leaves the house for visits to a veterinary clinic. 4. The incidents have all been reported to the relevant authorities — animal control or police. Give the owners one copy, keep one copy for your files and give one copy to the dog's veterinarian.

Level 5 and 6: The dog is extremely dangerous and mutilates. The dog is simply not safe around people. I recommend euthanasia because the quality of life is so poor for dogs that have to live out their lives in solitary confinement.



Fangs But No Fangs

Canine Behavioral Consulting Services



662 Old Dundas Road
Ancaster, ON L9G 3J5, Canada,
Phone: 416-738-6059
E-Mail: info@k9shrink.ca
Web: www.k9shrink.ca



December 21, 2020

Addendum to Assessment and Direct Response to Muzzle Order Document Issued on November 2, 2020 regarding Berkley Chalmers, owned by Mr. Adam and Mrs. Natasha Chalmers

To Whom It May Concern.

This addendum is submitted in order to more directly address statements written in the Muzzle Order referred to above as they pertain to my recommendation for removal of the muzzle order as per conditions stated in my original letter.

As per Bylaw 87-2009 Section 6, it is important to take into consideration the presence of "...mitigating factors". In this case, there is evidence that mitigating factors should have been considered including:

- This dog was not running at large, nor has there been any evidence presented to the contrary. At no time have the owners permitted their dog to run at large in any areas other than those where it is permissible to do so. This was an accidental one-off mishap that caused Mr. Chalmers to lose control of the leash.
- The township and its representatives have yet to deliver to the owners any proof whatsoever of the actual physical damage, if any, to the complainant's dog. The Chalmers have, acting out of trust and as responsible dog owners, paid a large sum of money which was ostensibly used to reimburse the complainants for the vet bills directly and wholly related solely to this incident. However, without documentation, it is impossible to know for sure what, if any, damage was done to this dog. Without such verification, the muzzle order should not have been issued. The injuries, including their location on the body and the severity of harm are more than mitigating factors, they should be considered as critical when a muzzle order is being considered. Dogs use their mouths in many ways and in many situations, not all of which are agonistic. Without having an expert review the details of any bite, the town is left open to conjecture and the suppositions of those who may not be qualified to speak with authority in the matter.
- There is no evidence of any prior complaint against the owners or this dog. This dog and the owners should be regarded as having been exemplary canine neighbors up until this incident. The absurdity and unprofessionalism of attempting to refer a phantom prior complaint from months gone by with only the vaguest of details should be summarily dismissed. This is the canine equivalent of attempting to invoke a prison sentence for a jaywalker because someone who looked like them was seen with someone else who looked like them at a bank robbery four months prior. The Chalmers and this dog, Berkley, must be regarded as having no prior complaints or incidents and having lived peaceably in the community since her arrival.

I thank you for your consideration of this supplemental material.

Kind Regards;

A handwritten signature in black ink, appearing to read 'Joan Weston'.

Joan Weston M.A. Ed

IAABC-Certified Canine Behavior Consultant, Fear Free Certified Trainer

Your dog isn't your adversary, don't train him like one.



Jan. 27/21

To whom it may concern:

Please be advised that I live in Neustadt and have two dogs which I walk daily. One is a 7 year old female German Shepherd, the other a 3 year old male Shih Tzu / Terrier cross.

The times that my dogs have met up with Berkley, I can attest she has never displayed any aggression towards either one of them.

Should you need to contact me further I can be reached at:

[REDACTED] Enoch St.
Neustadt, ON
N0G 2M0

[REDACTED]
Lynda Slade-Watsham

January 15, 2021

To Whom This May Concern,

We have known the Chalmers and Berkley now for almost two years. In that time, Adam and Natasha have proven to be excellent and responsible pet owners. We own two dogs of our own, one who is still under a year. Our dogs have socialized quite regularly in the last two years and there has been no cause for concern in regards to Berkley's temperament or interactions, with people or with dogs.

Our adult dog and Berkley got along from the very beginning. Berkley seems to have been well socialized, she is responsive to social signals and canine body language. With most play, Berkley tends to take on the more submissive and passive role. Even when our younger dog was a small puppy, Berkley was appropriately playful while being very gentle. Our dogs have interacted with Berkley in multiple different locations, she has never shown signs of possessive, territorial, or predatory aggression. All interactions between our dogs and Berkley have been positive.

We have also witnessed Berkley's interactions with dogs who are not our own. She has shown the same sweet and playful demeanour. At no point in time have we ever witnessed behaviours to suggest that Berkley is aggressive towards dogs or humans in any way.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kaila SE', written in a cursive style.

Kaila and Stewart Evans

December 22 2020

To Whom it may concern,

I am writing in regard to Berkley and the concerns regarding her. Myself and my husband have no concerns about Berkley, we have a 13-month-old daughter and dog that we have around Berkley all the time. Our dog and Berkley get along very well and spend most of their time running around with one another. Berkley also shows a lot of affection towards our daughter and Berkley also allows our daughter to play with her as well with us not having any concerns about our daughters safety when she is around Berkley.

Sincerely ,

Kayla & Joshua Sguigna

A handwritten signature in black ink, appearing to be 'K. Sguigna' or similar, written in a cursive style.

January 27/21

To Whom It May Concern:

Re: Adam Chalmers – His Dog Berkley

I wish to advise that when I take my dog Ozzy for a walk and we meet with Berkley, the dogs are excited to see each other. They meet, play with each other, without any incident. I have not had any problems with Berkley.

Deb Foerster,
[REDACTED] Queen St.,
Neustadt, Ont.

Home # [REDACTED]

January 27, 2021

To Whom it May Concern,

I have lived beside the Chalmers since 2016 and they adopted their dog, Berkley in June 2018. I have a dog named Tucker who Berkley has had interacted with on numerous occasions without any issues or incidents. I can attest that the Chalmers have only ever owned one dog, Berkley since I have lived beside them. I have never witnessed Berkley to be aggressive or have any incidents with any dogs or humans. I have always seen the Chalmers be responsible dog owners and Berkley is well taken care of.

Sincerely,

Kelly Hennig

██████ Queen St,

Neustadt, Ont

Jan. 21, 2021

To whom it may concern,

My name is Laurie Zimmerman Hopf.
I reside at [REDACTED] Queen Street, Newstadt,
Ontario. I live directly across
the street from Adam & Katarina
Chalmers, who reside at [REDACTED]
Queen Street.

I can say, with one hundred
percent certainty, that Mr. & Mrs.
Chalmers have only ever owned
1 dog, by the name of Berkley,
the entire time of home
ownership. They purchased the
home in 2015. They adopted
Berkley in June of 2018.

Regards,
Laurie Zimmerman
Hopf

Feb 3/21

To whom it may concern

To the best of my knowledge Adam and Natasha have only one dog who is Beibley. I have only ever seen them walk one dog, Beibley. They are very reliable pet owners and love Beibley very much

Brenda Kelsey

From: Natasha Chalmers
Sent: February 7, 2021 7:36 PM
To: Adam Chalmers
Subject: Fwd: Class Confirmation: Puppy Kindergarten - July 9th - August 27th

From: Unleash the Pawsitive <scheduling@acuityscheduling.com>
Sent: Monday, June 25, 2018 1:53:29 PM
To: [REDACTED]
Subject: Class Confirmation: Puppy Kindergarten - July 9th - August 27th

Class Enrolment Confirmed

for Berkley Chalmers

What Puppy Kindergarten - July 9th - August 27th
(Unleash the Pawsitive)

When

Monday, July 9, 2018 8:30pm
Monday, July 16, 2018 8:30pm
Monday, July 23, 2018 8:30pm
Monday, July 30, 2018 8:30pm
Monday, August 20, 2018 8:30pm
Monday, August 27, 2018 8:30pm
(6 hours)

FIRST CLASS INFO:

Your teacher for this class is Melissa!

Payment is due at the first class. We accept cash, check, debit or credit

card. This class costs \$165 + HST (\$186.45). Please note that most of our classes are waitlisted, if you are unable to attend this set please contact us immediately so we can fill your spot.

If you could bring your dogs most updated vaccine certificate with you that would be great! You can also take a picture and email it to us as well.

This first class is an orientation class, so no dogs, just humans, and I always encourage whoever is involved in training are welcome to come to class, this includes children as well that are over 5 years of age. This is the perfect time if you are having any training problems to ask them, so come prepared with questions if you have them!

We are located at 1119 Goderich St in Port Elgin. This is the Bud Rier Plaza, however we actually face Devonshire Road. We're right across the street from Lakeshore Recreation Tennis Courts & Saugeen Shores Family Eye Care

If you are unfamiliar with our location, it's better to put 642 Devonshire Road into google maps to see our location.

Please note there may be a class in progress when you arrive. Please wait patiently in lobby for your teacher to assist you!

Please don't hesitate to email me if you have any questions

Thank you!

Woofs & Wags,
Melissa, RVT
Unleash the Pawsitive
Web: <http://www.unleashthepawsitive.ca>
Phone: (519) 708-0470

Follow us on [Facebook](#) for News & Events

Follow us on [Instagram](#)!

[Unsubscribe](#)