

David J. Young, MD, FACEP
87 Oxbow Lane
Guilford, CT 06437

I am writing to you with regard to item **16. H.B. No. 7297 (RAISED) AN ACT CONCERNING QUARANTINE AND DISPOSAL ORDERS OF ANIMAL CONTROL OFFICERS.**

Thank you for addressing this important and long overdue issue. Unfortunately, I am undergoing a current and painful experience with the current law 22-358 as it is currently written.

To give you a little background Our beloved family pet Simon has been on death row in the town of Guilford for over 1 1/2 years for defending his own property against an intruder armed with a lacrosse stick. Simon has never been off our property or had any issues in the 7 years we have had him! Simon and our family were not afforded any due process as this decision was decided in our absence.

A neighbor cut our wire fence to gain entry while Simon was being supervised in our yard by his long-time dog sitter. They were both startled by this strange person who suddenly appeared. Simon reacted as would be expected and warned him with a nip to the ankle. Rather than retreat he raised to stick as if to hit the dog so Simon bit him in the leg and chased him out of the yard. He sustained a minnow wound requiring 10 stitches. Again, Simon never left our yard on that day and has never had any prior incidents.

The neighbor is quoted as chanting "kill the dog, Kill the dog" in the police report. Unfortunately, this and another neighbor have political connections and pushed the First Selectman and Chief of police to issue a kill order. The town had a meeting with the neighbors, First Selectman, Chief of police and the town Attorney without me. During this meeting the order to kill Simon was decided. This is a violation of clearly defined open meeting laws. They then ordered the ACO to "change her ruling" This was clearly not her choice which is evident in the police report. Initially the ACO is repeatedly quoted as saying on the police report, that "Simon did no wrong and the neighbor was trespassing". The ACO has since filed to be transferred to another department.

To add insult to injury, the Chief of police threatened my wife and I to "keep this quiet, let it go and don't cause any trouble". I have been fighting this ever since. They know most people do have or will not commit the resources to fight them. I have. In addition, the town has thus far spent over \$40,000 of tax payer money defending their actions. In addition, in collaboration with the Department of Agriculture attempted to place a gag order on me to avoid this going public. This is a clear first amendment rights violation and in response I have filed a Federal lawsuit. The Judge agreed and issued an emergency injunction against the DOA. this happened in September and they have

since retaliated against me by refusing to hold any more hearings since last August. The actions of the town of Guilford in collaboration with the DOA clearly indicate the DOA is not working as an independent arbitrator as they should be. In fact, history shows that the DOA rules in favor of an initial kill order virtually 100% of the time. The DOA hearing process is essentially a kangaroo court.

The DOA in concert with town attorneys repeatedly hide their actions behind 22-358 and have often quoted 22-358 as it is currently written as giving them "wide latitude" to do whatever they want and therefore I have no rights or recourse to fight this unlawful ruling. This despite CT Statute **22-357** that clearly states that a dog and owner is not liable if ,1. there was unlawful trespass, 2. destruction of property, and 3. harmful intent. In Simon's case all these were met yet 22-358 ignores this. This particular case is political cronyism at its worse and reflects poorly on how the State of Connecticut does business.

As you can see the implications of Simon's case are huge and sets a very dangerous precedent! Which is why they are fighting this and is why the law 22-358 desperately needs to be changed. If 22-358 is allowed to stand as is, does this mean we are not safe on our own property against those who mean us harm. If 22-358 is allowed to stand, we the people, have do not have any due process and essentially no right to defend ourselves. This is unconstitutional and run counter to what we stand for as State and a nation.

I am an Emergency Medicine Physician working in Bridgeport who works closely with law enforcement and EMS on a daily basis to help those less fortunate. This is precisely why I went into Emergency Medicine. I have always taught my 4 children to live an honest, truthful and lawful life and to do the right thing. This is also why I feel this is so important for me and you as legislatures to set a good example and do the right thing.

I would welcome the opportunity to meet and speak further with any of you on this issue. Thank you.

David J. Young, MD, FACEP

www.savesimondog.com