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Bernalillo County deputy sues over dog bite

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By ASSOCIATED PRESS

February 27, 2006

ALBUQUERQUE (AP) - A Bernalillo County sheriff's deputy who shot and killed one of the department's own dogs last year after it attacked her has sued the sheriff and two other department officials.

Detective Heather Schreckendgust, in a lawsuit filed Friday in U.S. District Court, seeks unspecified damages and evaluations by the department of the need for muzzles on attack dogs, how they're trained and their role.

Schrenkendgust's lawsuit alleges she was attacked as the result of negligence, recklessness and excessive force arising from the use of an uncontrollable dog.

The dog, a Belgian malinois called Bart, also was the focus of a lawsuit alleging it attacked and refused to let go of a woman who was chased by deputies in 2003.

Schreckendgust's lawsuit names Sheriff Darren White as policymaker; the dog's handler, Deputy Larry Harlan; and the lead canine trainer, Deputy Kevin Sheldahl.

White said his office disagrees with her allegations.

"We were all saddened by what happened to Deputy Schreckendgust and pleased she was able to recover from her injuries and return to full duty," White said Sunday. He had no further comment.

Schreckendgust was guarding evidence on the edge of an area where deputies were looking for a man in connection with a stabbing last Oct. 17. Bart, off his leash sniffing for the man, attacked Schreckendgust. When she couldn't get the animal off, she pulled her gun and shot it.

The lawsuit said Bart's handler _ who was not close enough to command Bart _ had to pry the dead dog's jaws off her arm.

Schreckendgust was treated and released from the hospital the day she was bitten. She returned to full duty this month, but her arm sustained permanent nerve damage and scarring, according to the lawsuit.

The lawsuit says the case arose in part from aggression training for dogs, "entrenched policies of using dogs without muzzles," training deficiencies and policies that caused a dog "that already was known as uncontrollably violent" to attack her.

The lawsuit said department officials were aware of the earlier lawsuit targeting Bart. That lawsuit, filed by Toni Osborn, alleged Bart chewed on Osborn's arm for nearly three minutes, essentially destroying it, and that an officer had to put a shock collar on the animal to stop it.

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Brad Hall, who filed Osborn's lawsuit, also is Schreckendgust's attorney.

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