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Wednesday, 05/10/06

## Dogs' owner may not face charges

*Officials say law may not back criminal case in death*

By LEON ALLIGOOD  
Staff Writer

**DECHERD, Tenn.** — The owner of two Franklin County dogs accused of killing a local woman Saturday may face no criminal prosecution because of weak state laws, authorities said.

The charge of allowing dogs to run at large, off their leashes, "may be the worst thing that could be charged" in the death of Dianna Acklen, 60, Sheriff Mike Foster said.

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"The DA will have to make that call. If I had to guess, I don't think any criminal charges will be filed," the sheriff said.

His comments came Tuesday, the same day Acklen was eulogized and buried.

"There could be some responsibility by the owners if the dogs had a history of violence, but as far as specific charges, it's hard to say at this time. It could be criminal, or it could just be a civil matter. We'll have to wait on the evidence to be looked at and analyzed," Assistant District Attorney General Bill Copeland added.

Although Acklen's family said she had complained twice about the dogs' behavior to the owner, identified by authorities as Ronnie Swann of 2982 Knights Church Road, the sheriff's office said no one had ever made an official complaint.

The woman, who was well-known as a longtime county library employee and a citizen active in many pursuits, was near the end of the daily route she had traveled on foot hundreds of times since she began walking for exercise about two years ago.

Authorities are unsure whether she was attacked in the road and fled to the house for safety, or if she entered the yard to make another complaint with the owners, who were out of town at the time. Her lifeless body was reported to authorities at 5:23 p.m.

Meanwhile, another element in the tragedy came to light Tuesday when authorities said a third dog may have been involved in the death of Acklen, 60.

"In fact, that's a good question to be asking — was there another dog there? How do we know there wasn't another dog there and that dog was the primary aggressor?" the sheriff said.

Emergency workers told James Henry "Bub" Wilkinson, Franklin County rabies control officer, there was a large dog, perhaps a Great Pyrenees, across from the Swann home on the evening of the attack.

"I was told he had blood on him," Wilkinson said.

The chocolate Labrador retriever and its mixed-breed companion are being held together in a cage segregated from other dogs in the small county-run dog pound. The dogs wagged



[enlarge](#)  
The dogs suspected in the fatal attack are being kept away from other animals in the Franklin County Animal Control facility in Decherd, Tenn. (DIPTI VAIDYA / STAFF)



[enlarge](#)  
"I couldn't say enough good things about her," Leon Williams said of Dianna Acklen in Decherd, Tenn., Tuesday. Williams is a former pastor at Acklen's church, Elk River Baptist Church. (DIPTI VAIDYA / STAFF)



[enlarge](#)  
The dog attack occurred outside this house in Decherd, Tenn. (DIPTI VAIDYA / STAFF)

their tails at Wilkinson's presence and offered no sign of aggression.

"Sometimes you just can't tell," Wilkinson said.

The county animal officer said investigators would return soon to make impressions of the animal's teeth so they can be compared with Acklen's bite wounds.

"Eventually, they will be put down. I'm licensed to handle that," he said.

Meanwhile, as the animals acted friendly, oblivious to the harm they are suspected of causing, family and friends gathered Tuesday afternoon at Moore-Cortner Funeral Home in Winchester to say goodbye.

"She was one of the finest people to walk on the face of the earth. I couldn't say enough good things about her," said Leon Williams, a former pastor at Acklen's church, Elk River Baptist Church.

Sonda Lewis recalled the woman's smile.

"She was always willing to do anything for anybody," she said.

"Exactly," added her husband, Kelly.

Retiree Paul "Pat" Williams said he served as Sunday school superintendent at Elk River Baptist for 30 years. "Dianna was always there as Sunday school clerk. She was always the one to pay the bills and get the Christmas baskets together and send flowers when somebody died," Williams said.

"Now we've lost her."

Dennis Acklen, who lost his wife of 41 years, said the last bittersweet memory of his wife was at their only grandchild's first birthday party Saturday. On Tuesday he stood outside his brick home, waiting on a ride to the funeral home. He said that the little boy's actual birthday is Wednesday.

"We didn't want the funeral to be on his birthday," he said. •



Dianna Acklen was a well-known library employee and active in many pursuits.

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