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## Vicious dog spared death sentence

By [TARINA WHITE](#), SUN MEDIA

Struggling with what he deemed an ambiguous animal bylaw, a Calgary justice today set free a dog that savagely attacked a letter carrier.

Justice of the Peace Mal Brown said there is no question Rosco, a 21-month-old mastiff-cross that bit a Calgary postie June 19, should be declared a vicious animal.

But he said branding the animal with that label restricted him from ordering the dog be destroyed under the Responsible Pet Ownership Bylaw.

“It ties my hands,” he said about the wording of the bylaw.

“I don’t believe I can do one as well as the other.”

When bylaw prosecutor George Gaschler asked whether Brown would have ordered Rosco be destroyed based on the facts of the case alone, the justice declined to answer.

Outside court, Natasha Bosse, 23, teared up after it sunk in that she could take Rosco home.

“I’m really relieved that they’re not putting my dog down,” she said.

“He’s got a big fat T-bone steak waiting for him at home.”

Mailman Rob Hill, who required 13 stitches to close three of six puncture wounds he received on his right arm during the attack, said he’s upset with the decision.

“What has to happen for an animal to be put down?” he said.

“(Brown) just made the easiest decision for himself.”

Gaschler said he’s considering an appeal and will also take a closer look at the wording of the bylaw.

“We’ll look at the language to see whether an appeal is the appropriate step or whether re-writing that section that the judge commented on is the right step,” he said.

“We believe that any kind of dog that inflicts this kind of unprovoked injury on a person ... should have been destroyed.”

An appeal must be lodged within 30 days.

Brown also declared Bosse’s 11-month-old mastiff cross, Zeus, which threatened Hill during the attack, a vicious animal.

Both dogs must be muzzled and on kept a one-metre leash in public; they must be locked in a secure pen when left in the backyard; and they must wear tags indicating they are vicious animals.

Bosse must also display signs at her residence indicating there are vicious dogs at the home.

Rosco will be sent to live with family at an acreage in Bowden, she said.