



'Off leash' dog attacks child in Rowley

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ROWLEY — Just weeks after resolving the case of Niko, a Labrador retriever accused of killing a neighbor's pet goat in February, the town is being forced to consider yet another case of an off-leash dog attack.

The parents of a 12-year-old say their son is living in fear after a neighbor's dog — a German shepherd named Bear — attacked the child the evening of April 2 while he played basketball with his brother and friends in the driveway of their home at 294 Main St.

In a letter to the Rowley Board of Selectmen, Kevin McManus said his son Patrick and several boys were out enjoying one of the first nice spring afternoons of the season when the dog approached.

Kevin McManus said Bear was unleashed when he came outside, accompanied by the owner, Glen Gavin of 292 Main St., and the dog immediately ran through the Gavins' invisible fence, through the thin strip of woods that separate the two properties, and onto the McManus property, where he jumped up and bit Patrick in the stomach.

"Terrified and screaming (Patrick) hit the dog in the nose to free the dog's grip," wrote McManus. "Bear let go for a second and then charged at him again. This time the dog latched onto his arm."

April McManus, Patrick's mother, said their older son Andrew began kicking the animal in the stomach and was able to free his younger brother before the dog could knock Patrick to the ground.

"If his brother hadn't been there (the dog) would have knocked him down and mauled him, and that would have been it," April McManus said.

A 10-day quarantine was issued against the dog at the time of the incident but has now lapsed, so selectmen reviewing the case this week have issued a temporary restraining order, effective immediately.

The board will hold a hearing on May 12 at 7 p.m., to discuss various remedies suggested in this case. The selectmen will hear and act on the recommendations of animal control officer Reed Wilson, who was called to the scene the night of the incident.

The McManuses say although the Gavins have been good neighbors through the years and have an invisible fence to keep their dog contained, they haven't taken Bear's aggression as seriously as they should have.

The dog frequently breaches the perimeter of the fence, the McManuses say, and upon doing so has exhibited vicious behavior toward the whole McManus family — especially to Patrick.

Attempts to reach dog owners Cindi and Glen Gavin were unsuccessful.

April McManus said before the latest incident the family had started to develop a natural instinct to avoid a dangerous encounter with Bear, after he tried to attack her and Patrick while they were shoveling snow.

They fought him off with their shovels that time. Another incident happened shortly thereafter, with the dog lunging to attack Patrick's face and neck, she said. He was thwarted by her husband, who scared the dog away.

"If he comes in the yard and does the aggressive barking, it's usually a sign he's coming at us," April McManus said. "In the past if we've heard that aggressive bark we've been able to get into the house."

The dog left puncture marks and bruising throughout Patrick's stomach area, and at least 12 bite marks to his arm, April McManus said. At the time of the incident, those responding to the McManuses' 911 call recommended Patrick be transported by ambulance to Anna Jaques Hospital in Newburyport.

Although no lasting physical damage occurred, the incident has changed the family's life forever, the McManuses said. They say their son won't play alone outside anymore, is having trouble sleeping and scans the backyard for signs of the wandering German shepherd.

"As long as there are people out there with him, he's OK," April McManus said. "We're all conscious when we're out — whether it's safe to be out or not."

The McManus family said they are seeking a "dangerousness evaluation" of the dog and possible remedies, including muzzling, mandatory leashing outside the home and mandatory hard fencing.

"I think we should do something about irresponsible dog owners in this town," said Selectman Richard Cummings, no doubt referring to the hotly debated case of Niko that caused a stir just weeks ago.

"Dogs have more rights than people," Cummings said.

That case of Niko and the goat garnered much attention — with some questioning the board's decision to euthanize the animal given there were no firsthand witnesses to the attack. The board ended up changing the decision and mandating the dog be permanently restrained instead, in part because the selectmen lacked evidence to prove the dog was in fact guilty.

The dog's owner had hired a lawyer, appealed the ruling, and promised a legal fight the town said it could not afford.

In contrast to the first case, several witnesses were on the scene of this latest attack, and historically cases involving dog attacks on humans are judged much more severely than in cases of animal-on-animal attacks.

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