

News

SHERIFF'S CANINE KILLED BY MARSHAL

DOG SHOT TO DEATH AFTER BITING FEDERAL OFFICER WHILE ON DUTY IN LATHROP

By **Joe Goldeen**
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CORRECTION: July 24, 2009

Niko was misidentified in the print version and photo of the story. The errors has been corrected online.

LATHROP - Niko, a San Joaquin County sheriff's canine assigned to Lathrop Police Services, was fatally shot by a federal marshal after he bit the officer Thursday afternoon during the execution of a fugitive warrant in Lathrop, according to law enforcement officials.

It was not the first time Niko, a 6-year-old Dutch shepherd partnered with Deputy Ryan Biederman, had been accused of biting the wrong person. On Aug. 13, 2006, he attacked Laura Maxwell of Stockton, then 47, an innocent bystander, knocking her to the ground and biting her in the torso.

At the time, the Sheriff's Office called the attack unfortunate but said protocol was followed when the attack occurred. Maxwell subsequently filed a complaint with the county, but it is unknown what the outcome of that complaint was.

In Thursday's incident, which occurred about 3 p.m. at a home on Louise Avenue near Fifth Street in Lathrop, the deputy marshal - whose name was not released - was on the ground with another officer attempting to handcuff suspect Glen Hughes when Niko appeared and bit the marshal on the lower calf.

The deputy marshal "did not realize it was a police canine at that point" when he shot Niko one time, said Carolyn Griffin, a supervising deputy with the U.S. Marshals Service in Sacramento.

"It was a very tragic, unfortunate incident," Griffin said, adding that the deputy marshal was taken to San Joaquin General Hospital in French Camp, where he was treated for the dog bite and released.

Niko and his partner were assisting with a multiagency task force during its service of the warrant at the home where Hughes, 42, was staying. He has been a hunted parolee at large for the past two years and is believed to have been involved in three unsuccessful police chases, including one Wednesday night, at which point the U.S. Marshals Service developed more information about his whereabouts.

He has been charged with auto theft and is a suspect in numerous burglaries and other crimes in San Joaquin County, according to Griffin.

He was fleeing the house when the deputy marshal and a state parole agent captured him and brought him to the ground, officials said.

Sheriff's spokesman Deputy Les Garcia said, "There was no suspect involvement with the shooting."

After Niko was shot, Biederman rushed him to San Joaquin General Hospital in French Camp, where emergency

physician Dr. Richard Buys had been informed that a police dog was coming in. They arrived about 3:15 p.m.

"My first thought was, we are a human hospital, not an animal hospital, but the officer had pulled into the parking lot with his dog and ran in with him in his arms. These guys love their dogs, and he was very upset. We put him in one of the trauma bays and tried to figure out how to do what we do for humans on a dog," Buys said.

He credited a registered nurse - Cindy Tinney, a former veterinary technician - with knowing dog anatomy and how to intubate Niko and administer intravenous fluids, the first steps in treatment.

"He had lost a lot of blood and was unresponsive. I thought initially he had already died, but as soon as it was clear there was a heartbeat, it was clear we had to go forward. We decided we will do what we can while searching for an emergency vet hospital," Buys said, noting there was a lot of emotion in the emergency room.

"It was a dog. We all seem to have that connection," he said.

After about 30 minutes, Niko was rushed by American Medical Response ambulance to Manteca Veterinary Hospital, where two veterinarians and their team were waiting.

An unconfirmed report put his death at about 4 p.m.

Sheriff Steve Moore and Lathrop Police Chief Dolores Delgado, a Sheriff's Office employee, were present at the animal hospital but said little publicly.

"I'm here supporting (Niko's) handler while he's inside saying goodbye to his partner," Moore said, referring all further comment to Garcia.

Two investigations are under way. The Sheriff's Office will look into the biting incident while the U.S. Marshals Service investigates the shooting, Garcia said.

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