

## Hingham dog that bit to be euthanized -- Owner will appeal

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Hingham —

Following a lengthy public hearing Tuesday on how to handle complaints about the English Mastiffs, Gabriella and Spartacus, who have up until recently made their home in the Hingham Square Gallery at 61 South St., the Selectmen ordered Gabriella to be euthanized. They also directed animal control officer Leslie Badger to take immediate custody of the dog following the hearing.

The dogs belong to Gallery owners Robert and Megan Ullman. When the selectmen announced the decision, a distraught Megan Ullman hurriedly left the full meeting room. Following the hearing, Robert Ullman told the Hingham Journal that he plans to appeal the decision. The Ullmans have 10 days in which to do so.

The decision was based on two incidents involving Gabriella biting two customers when they entered the store. According to the Hingham police log, the first bite occurred on June 27, 2008 and the second a year later on June 13, 2009.

Stacy Wakefield of Hingham, who reported being bitten in 2008, and Krista Brewer of Braintree, who was bitten in the second incident, both appeared as witnesses in the case and provided testimony.

Wakefield, who is married to Red Sox pitcher Tim Wakefield, who accompanied her to the hearing, had not made any public statements before Monday's hearing. (The Journal had not identified her previously because she is a victim and had not come forward publicly).

Badger said that the Ullmans "have been asked numerous times to put signs up and to keep the dogs out of the store – that's why the hearing tonight." Based on the circumstances, she recommended that Gabriella be euthanized. "My initial inclination was to ban Gabriella from the Town of Hingham, but that would create a problem for another town. Because of the two bites, I recommend humanely euthanizing [her]."

Badger also recommended that Spartacus "remain alive but with strict orders for supervision at all times; that he not be in the Square or the Gallery; and if seen there or elsewhere in town without a leash or tags that he be banned from town.

"We cannot trust them. I don't want to see a third attack. Plain and simple – it's a big dog with a big bite. If it had been a small child, it could have been their neck or head," Badger said.

State law governs dog hearings and states that the selectmen or "person charged with the responsibility of handling dog complaints" shall investigate a complaint. An order from the board of selectmen can range from no action to banning the dog from town to having the dog put down depending on the severity of the findings.

Hingham Police Chief Taylor Mills said that if the MSPCA were to recommend a "safe place" for Gabriella, "that could be an alternative to euthanasia."

However, Badger said "while possible," such an alternative would not usually be recommended when a dog has a "bite history. It's our liability in the end," she said. Badger told the board that she once was called upon to respond to, in another community, an incident in which a child was killed by an English Mastiff.

There was at least one point of agreement among selectmen and the Ullmans – that it was not the dog's fault.

"This is a human error – it's not the dogs' fault. They're part of our family," he said.

They are watchdogs and protected our space when it was empty. I'm sorry. It's our fault and not the dogs', and the community can rest assured that it won't happen again."

Ullman also said, "Our business has suffered because many customers came to visit our dogs."

Selectman John Riley cited what he considered to be "a lack of cooperation and compassion. You stonewalled things – this suggests you didn't do your part," he said.

Ullman explained that he "didn't" make calls to check on how they were doing because it had become a legal matter and it wouldn't have been appropriate for me [to make contact]."

Riley noted that he hasn't seen dogs in other retail businesses, "except on construction sites and at junkyards," and that this is a liability issue.

Ullman responded with, "It's a feature of our business. People stop by with their kids just to see the dogs. It's part of the deal."

The selectmen also set conditions for Spartacus – that he be leashed when outdoors, banned from Hingham Square and the Gallery, that he be licensed and vaccinated at all times, and that he must be supervised and leashed when out of doors or out of his home.

The selectmen also set a requirement that Spartacus and his owners, the Ullmans, engage in professional dog obedience training "to avoid any similar incidents."

Riley, who grew up with animals, noted that he had to make the difficult decision to have a family German shepherd put down after he bit Riley's son. "I knew what I had to do, and as much as it hurts and pains me, I go along with [my fellow selectmen's] recommendation," he said.

The selectmen ordered Gabriella to be euthanized at a date to be determined by the animal control officer and the Ullmans.

Robert Ullman asked if there was an appeal process and he was told he had 10 days to appeal.

Town Administrator Kevin Paicos then suggested that Gabriella be taken into custody immediately after the hearing pending a potential appeal.

Following the hearing, Robert Ullman said he plans to appeal the selectmen's decision. "This is such an outrageous over-reacting to what's happened. There are reasonable alternatives available."

*See Thursday's Hingham Journal for full details.*

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