

**Sheriff's Office of Cabarrus County**

**Sheriff D. Brad Riley**

30 Corban Avenue SE

Concord NC, 28025

704-920-3000; [dbriley@cabarruscounty.us](mailto:dbriley@cabarruscounty.us), [pjpatterson@co.cabarrus.nc.us](mailto:pjpatterson@co.cabarrus.nc.us)

Animal Control Division, Lt. David Taylor: 704-920-3288; [dwtaylor@cabarruscounty.us](mailto:dwtaylor@cabarruscounty.us)

Chief Deputy Hunt: 704-920-3002; [pdhunt@cabarruscounty.us](mailto:pdhunt@cabarruscounty.us)

**Roxann Vaneekhoven, District Attorney**

District Attorney's Prosecutorial District #19A

Cabarrus County Courthouse

PO Box 70

Concord, NC 28026

ph: 704-786-6171; fax: 704-795-2359

[info@roxann4da.com](mailto:info@roxann4da.com)

**Mayor J. Scott Padgett**

693 Union Street

Concord, N.C. 28026-0252

ph: 704-920-5215; fax: 704-786-7068

[padgetts@ci.concord.nc.us](mailto:padgetts@ci.concord.nc.us)

Council Member David (Dave) W. Phillips, Mayor Pro-Tem

507 New Castle Court-NE / Concord, N.C. 28025-2575

704-382-2430; [dwphilli@duke-energy.com](mailto:dwphilli@duke-energy.com)

Council Member Jim Ramseur (District 2)

133 Hillcrest Avenue, SE / Concord, N.C. 28025

[jeramseur@mindspring.com](mailto:jeramseur@mindspring.com)

Council Member Ella Mae Small (District 3)

160 Boger Court SW / Concord, N.C. 28025

[smalle@ci.concord.nc.us](mailto:smalle@ci.concord.nc.us)

Council Member Alfred M. Brown, Jr. (District 4)

100 Grove Avenue-NW / Concord, N.C. 28025

[browna@ci.concord.nc.us](mailto:browna@ci.concord.nc.us)

Council Member W. Lamar Barrier (District 5)

29 Brookwood Avenue-NW / Concord, N.C. 28025

[barrierl@ci.concord.nc.us](mailto:barrierl@ci.concord.nc.us)

Council Member Hector H. Henry II (District 6)

524 Elizabeth Lee Drive NW / Concord, N.C. 28027

[henryh@ci.concord.nc.us](mailto:henryh@ci.concord.nc.us)

Council Member John A. Sweat, Jr. (District 7)

5215 Rocky Shoals Place / Concord, N.C. 28025

[sweatj@ci.concord.nc.us](mailto:sweatj@ci.concord.nc.us)

Dear Officials Of Cabarrus County, NC and the City of Concord, NC:

On 4/29/10, Sheriff's Deputy Animal Control Officer Sean Austin shot Bella, one of two pit bulls who escaped from a fenced yard. Something is wrong when an ACO guns down a family dog as she flees between two homes. The scenario grows more problematic if that officer says the dog displayed no aggression.

When Bella and Jaxson got loose, witnesses claim the dogs ran into the yard of a neighbor who called Concord Police. Officers at the scene caught Jaxson, but Bella proved skittish.

All witnesses agree — in written and oral testimony — that Bella's behavior indicated fear, not aggression. Jeff Daniels later asked Deputy Austin why he killed Bella and videotaped Austin's response on his phone: "I'm not sitting here for three hours when I got calls in."

Bella inconvenienced Deputy Austin, so he shot her?

I trust that an internal investigation is well underway. I urge swift punitive action, including suspension from the department. Deputy Austin violated the North Carolina General Statutes, Cabarrus County Animal Control Ordinance, and City of Concord Code of Ordinances. Animals are still legally defined as property. When Deputy Austin shot his firearm in the city, he took away the Daniels' "property" without due process of law. When he killed Bella rather than seize her, he denied their right to "redeem the animal."

Deputy Austin's behavior warrants charges and penalties. At the very least, the unprovoked killing denotes misconduct within the sheriff's department.

Bella never endangered adults or children. But even if she had, why were no warning shots, batons, or other deterrents tried first? Please equip law enforcers with the knowledge to neutralize animals perceived as aggressive — without resorting to lethal force.

I encourage the sheriff's office to learn skills to distinguish anxiety, fear, and protective canine behaviors (i.e., barking, growling) from genuinely hostile behavior. Ordinarily an experienced animal control officer can make this distinction, but Deputy Austin failed on all counts.

Deputy Austin discharged a firearm in close proximity of children. He killed a family pet with no history of aggression. His utter lack of judgment demands your utmost attention. Please inform me of any progress in this very disturbing case.

Sincerely,