[ms-0398.012.011.003]

#2 Mr. Robert Perry, a witness, stated that the officers pulled the screen door open by one pulling on the knob and one pulling on the bottom causing the screen to bend. The officers deny this allegation. In the meantime, Mr. Elliot Perry took command of his aggressive German Shepard dog and prevented the officers from apprehending him.

#3 Directly inside the front door, Miss Perry attempted to scratch and kick one of the officers. She then grabbed his tie pulling it from him. Another officer seeing this placed Miss Perry under arrest. Miss Perry resisted and she became so violent and aggressive that an officer had to pin her down to the floor by sitting on her back and then attempted to handcuff her. Miss Perry alleges that the officer kneed her in the back, the officer denies this allegation. Miss Perry grabbed the legs of a 75-gallon aquarium and attempted to upset it on the officer. The officer used his mace which had little or no affect on her and a standard police sleeper hold was used to bring her under control. Any injuries sustained during Miss Perry's arrest were the result of her aggressive behavior and misconduct. When Miss Perry was transported to the police station, she began having difficulty breathing, apparently a reaction to the mace aggravated by an asthmatic condition. She was then taken to the hospital for treatment.

Miss Perry refuses to release any information on her medical records to assist in investigating her allegation, and her complaint of excessive force is not sustained.

Mr. Perry alleges that an officer raised his baton above his head stating, "I'm going to beat your dog's brains out". The officer denies this allegation stating that he never removed his baton or made this statement. The officer believes that he told Mr. Perry that if he turned the dog loose on him that he would shoot it. #4 No overt act was made toward Mr. Perry and no officer's gun was unholstered. Mr. Coplin, Animal Regulations Officer, obtained a snare from his truck and he informed Mr. Perry to give up his dog or he would take it with the snare. Mr. Perry gave up and he removed his dog from the residence, placing it in the Animal Regulations truck.

Mr. Perry was arrested for interferring with an officer's duties and battery. He is scheduled to appear in court on March 20, 1973 to no date answer to the charges. A notify warrant has been issued for Linda Perry charging her with interferring with an officer's duties, disturbing the peace, and allowing a dog to run loose.

The allegations made by the Perrys are not sustained. The officers were acting within the scope of their responsibility, and used only the amount of force necessary to overcome the resistance they met.