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Owner of dog killed by Utah police officer intends to sue

BY ERIN ALBERTY

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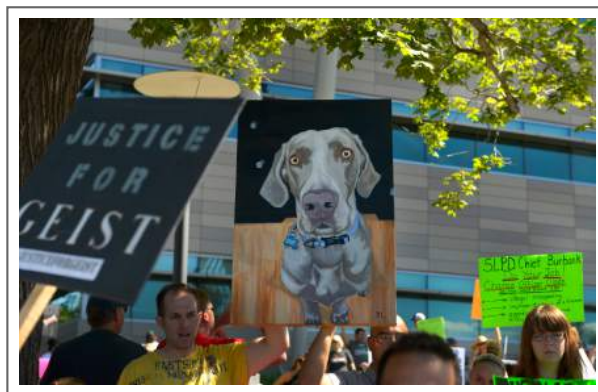
The owner of Geist, a Weimaraner shot to death by a Salt Lake City police officer this summer, has notified the city that he intends to sue for at least \$1.5 million over the dog's death.

Sean Kendall filed the notice of claim Wednesday, arguing that the police department did not adequately train officers to deal with dogs, and that the officer violated his 4th Amendment rights by entering his property without sufficient cause.

Officers went to Kendall's neighborhood on June 18 to search for a missing neighbor boy, who was later found asleep in his own basement. Before the boy was found, Officer Brett Olsen went into Kendall's yard to look for the boy.

Olsen said Geist barked and ran toward him. When he was about 10 feet away, Olsen grabbed his pistol and fired when Geist was about 4 feet away, according to a report by the Police Civilian Review Board, which found Olsen violated no department policies.

Kendall claims Olsen should not have been in the yard in the first place. Police have held that searching Kendall's yard without a warrant was legal because the missing boy created "exigent circumstances." But Kendall's notice argues that officers never showed a connection between his particular property and the missing boy, making the search illegal.



Leah Hogsten | Tribune file photo
Salt Lake City earlier released the Police Civilian Review Board report into the shooting of the dog Geist, but had withheld the PCRB report into the Dillon Taylor shooting until Tuesday. Now, city officials say all such reports will be considered public unless their are special circumstances. In this file photo from June, marchers carried a portrait of Geist, who was shot during a police search for a missing child.

The notice also argues that Salt Lake City's attorney "negligently" failed to mention that connection was necessary while advising the Civilian Review Board.

Kendall also argues that Olsen should have tried to find out whether a dog was in the yard before going in, and had no reason to believe Geist posed a danger.

"SLCPD had no animal encounter training, or policy guiding actions the officer should take to protect himself and the animal," Kendall said in an interview.

Kendall earlier rejected an offer of \$10,000 from the police department to compensate him for his pet, saying he wouldn't be satisfied until the department changed its policies on using force against dogs.

In the complaint, he says he is seeking \$1.5 million, plus punitive damages.

"Geist was robbed of the vast majority of his life, and Kendall was robbed of Geist's continued life with him, which cannot be replaced any more than a child or other family member can be replaced," states the notice of claim, written by Kendall's attorney Ross "Rocky" Anderson. "Also, Kendall has suffered, and continues to suffer, severe and intense emotional pain, anguish, grief, and trauma."

ealberty@sltrib.com

@erinalberty

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