

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**OFFICE OF POLICE COMPLAINTS**  
1400 I Street, NW, Suite 700  
Washington, DC 20005  
Tel: (202) 727-3838  
Fax: (202) 727-9182  
24-Hour Toll-Free Hotline: (866) 588-0569  
www.policecomplaints.dc.gov

**COMPLAINT FORM**

1. OPC Control Number

*To Be Completed by OPC Staff*

2. Date & Time Complaint Received

*To Be Completed by OPC Staff*

3. Received By:

In Person | Fax | E-mail | U.S. Mail

MPD | Other Specify:

*To Be Completed by OPC Staff*

4. How Did You Hear About OPC:

Public knowledge.

*Please Specify:*

5. Complainant's Name – Last, First, Middle

Mirah A. Horowitz, as Executive Director, Lucky Dog Animal Rescue

6. Date of Birth

[REDACTED]

7. Age

[REDACTED]

8. Gender

[REDACTED]

9. Race, Ethnicity or N.O.

[REDACTED]

10. Home Address

[REDACTED]

11. Home Telephone Number

[REDACTED]

12. Work Address

[REDACTED]

13. Occupation

[REDACTED]

14. Work Telephone Number

[REDACTED]

15. Other Means of Contacting Complainant (cell phone, page, e-mail, friend, etc.)

[REDACTED]

16. General Nature of Incident

Animal cruelty; unnecessary and excessive force.

17. Location of Incident

In front of: 2311 18th Street NW, Washington, DC 20009.

18. D.C. Ward (where incident occurred)

Ward 1

19a. Day of Week Incident Occurred

Sunday

19b. Date of Incident

September 12, 2010

19c. Time of Incident

Approx. 1:15 p.m.

20. Witnesses

Please see Exhibit A to attached Description of Incident.

21. Officers Involved (name, badge number, police district, if known)

Scott Fike

22. Police Vehicle No. / Description

N/A

23. Physical Description of Officer(s) (hair and eye color, height, sex, race/ethnicity, etc.)

Please see photograph of Officer Fike in Exhibit E to attached Description of Incident.

24a. Describe Injuries (if any)

Please see attached Description of Incident.

24b. Where Treated (name of hospital, doctor, etc.)

N/A

25. Preferred Language of Communication (if other than English)

N/A

26. Name(s), Telephone Number(s) or Contact Information for Other People Present During the Incident (including other police officers)

Please see Exhibit A to attached Description of Incident.

Complainant's Name – Last, First, Middle

OPC Control Number

*To Be Completed by OPC Staff*


27. Describe the Incident: Please see attached Description of Incident.

Attach Additional Pages if Necessary

Page of

28. Complainant's Certification

I hereby certify that to the best of my knowledge, and under penalty of perjury, the statements made herein are true.

  
Complainant's Signature

Date

10/26/2010

## Office of Police Complaints

### Complaint of Mirah A. Horowitz, Lucky Dog Animal Rescue

#### Description of Incident

This complaint arises from an incident on September 12, 2010 in which MPD Officer Scott Fike assaulted, shot, and killed Parrot, a dog owned by Lucky Dog Animal Rescue ("Lucky Dog") and under the care of Lucky Dog volunteer Aaron Block. Parrot, Lucky Dog, and Mr. Block are each victims of the misconduct of Officer Fike. The description of the incident set forth in this complaint was prepared by Lucky Dog's counsel based upon interviews with 11 eyewitnesses, each of whom is identified in the attached **Exhibit A**.

At the time of the incident, Parrot was an approximately four-year-old male Pit Bull Terrier mix who was neutered and had no known bite history. Because of his sweet disposition, Parrot had been a favorite of the Baltimore animal shelter staff who **cared for him before Lucky Dog, and** when Parrot was scheduled to be euthanized due to overcrowding, the shelter staff asked Lucky Dog to save him. Lucky Dog rescued Parrot on the day he was to be euthanized.

The veterinary records for Parrot provided by the **shelter** repeatedly indicate his "Temperament Condition" to be "Friendly." See **Exhibit B**. Mr. Block, who cared for Parrot as a Lucky Dog "foster," found Parrot to be easygoing, affectionate, and eager to please. Mr. Block frequently took Parrot to work with him at Skyline Innovations, which is located in a large two-room workspace shared with a number of other start-up firms. Parrot was well-loved in the Skyline office, where he would typically spend the day napping and soliciting belly-rubs from Mr. Block and his officemates. Representative photographs of Parrot at the office, Mr. Block's apartment, and Lucky Dog adoption events are attached as **Exhibit C**.

On September 12, 2010, Mr. Block and Parrot participated in a Lucky Dog adoption event at the annual Adams Morgan Day festival on 18th Street NW. Mr. Block had Parrot on a leash and harness, and Parrot was well-behaved at the event. A photograph of Parrot sitting calmly with a young woman who met Parrot at the event and expressed interest in adopting him is attached as **Exhibit D**.

Shortly after 1 p.m. that day, Mr. Block took Parrot for a walk through the festival to give him more exposure to potential adopters. As Mr. Block walked Parrot down 18<sup>th</sup> Street, Parrot got into an altercation with a Bichon Frise-Poodle mix named Sushi on the sidewalk in front of The Brass Knob (2311 18th Street NW). The street was crowded, and because Sushi and his owner had approached Mr. Block and Parrot from behind, Mr. Block did not see how the altercation began. Witness accounts are inconsistent as to which dog was the initial aggressor.

During the altercation, Parrot bit one of Sushi's paws and would not let go, while Sushi repeatedly bit Parrot's face. Mr. Block, who had dropped to the ground to try to separate the two dogs, reached his hand inside Parrot's mouth to pry his jaws apart. While doing this, Mr. Block cut one of his fingers on Parrot's teeth and began to bleed. At no time, however, did Parrot bite Mr. Block. In addition, an employee at the Spaghetti Garden (2317 18th Street NW), was bitten by Sushi on the thumb after he tried to help separate the dogs. There were no other injuries to people. After another bystander intervened by lifting Sushi into the air by his leash, Parrot released Sushi, who was immediately placed in the arms of his owner. Sushi's owner quickly removed him from the scene.



## Office of Police Complaints

### Complaint of Mirah A. Horowitz, Lucky Dog Animal Rescue

Parrot remained on the ground, bleeding from bite wounds to his face. Mr. Block was also on the ground with his arms around Parrot, soothing him. Witnesses have uniformly stated that Parrot was under Mr. Block's control at this time and doing nothing aggressive. It was then that Officer Fike and three other unknown MPD officers appeared.

Identifying himself as a K-9 officer, Officer Fike pushed Mr. Block away from Parrot, saying that he knew how to handle the situation. As he ordered onlookers to stand back, Officer Fike used the full weight of his body to pin Parrot to the sidewalk, pushing down on Parrot's head with his left hand and kneeling with his left shin across Parrot's neck and upper back. Witnesses described the technique employed by Officer Fike as choking Parrot and grinding his face into the concrete. A photograph of this stage of the incident is attached as **Exhibit E**.

Officer Fike kept Parrot immobilized in this manner for a minute or two. In that time, according to witnesses, Parrot made no attempt to break free of Officer Fike and did nothing threatening. Officer Fike then twisted Parrot's right foreleg up and behind him, causing him to squirm, although Parrot still remained under control and made no attempt to harm Officer Fike. At that point, without warning, Officer Fike abruptly lifted Parrot by the neck and collar, carried him to a basement walk-down in front of The Brass Knob, lifted Parrot chest-high over the metal railing surrounding the walk-down, and hurled Parrot violently to the concrete floor approximately one story below street level. A photograph of the walk-down is attached hereto as **Exhibit F**.

Officer Fike then moved quickly around the railing to the top of the stairwell, drawing his service weapon (a 9mm Glock pistol) as he went. Upon reaching the stairs, he pointed the pistol into the walk-down and fired a single shot, hitting Parrot in the neck. Witnesses on the porch of the Brass Knob who had a direct view into the walk-down as this occurred described Parrot as being stunned from the fall, struggling to regain his feet on the concrete floor of the walk-down, and facing away from the stairs when Officer Fike fired. After being shot, Parrot collapsed and did not get up again. A witness who looked into the walk-down immediately after the shooting confirmed that Parrot's head and body were facing away from the direction of the stairs.

As Parrot lay bleeding from his gunshot wound, the MPD officers made no effort to obtain emergency veterinary care for him or ease his suffering. A witness observed that Parrot was still breathing and informed an MPD officer that Parrot was alive in the hope that the police would assist him. Instead, the officer turned to one of his colleagues and said, "Go over there and finish off that dog." When the officers still did nothing to assist Parrot, the witness again told the officers that Parrot was alive. In response, an officer ordered the witness to get back and said

## Office of Police Complaints

### Complaint of Mirah A. Horowitz, Lucky Dog Animal Rescue

that the police were in control of the situation. Over the next one to two hours, Parrot slowly bled to death on the floor of the walk-down.<sup>1</sup>

Shortly after the shooting, another witness approached an MPD officer and asked to give a statement concerning the incident. The officer refused, saying, "We have enough statements." This witness saw five or six other people who were also offering to give statements at the time, but the officers refused to take them.<sup>2</sup>

Later that day, Officer Fike filed an "Incident-Based Event Report" that purports to describe the incident. See **Exhibit G**. The report falsely states that Parrot was "trying to bite" Mr. Block and "appeared to be out of control." The report also falsely states that Officer Fike "attempted to control the pitbull but was bitten on the hand and wrist," and that after Officer Fike had thrown Parrot into the walk-down, Parrot "got back up and charged up the stairs." As described above, each of these statements is contradicted by multiple eyewitnesses who observed the incident firsthand and confirmed that Parrot took no aggressive action towards Officer Fike or any other person. The report's description of Officer Fike's injury as an "abrasion" and "scratching to hand and wrist" for which he refused medical care is likewise inconsistent with a dog bite wound.

In addition, Lucky Dog has received anonymous reports that this was not Officer Fike's first dog-shooting. According to these reports, Officer Fike violated MPD K-9 unit rules by bringing his K-9 partner dog home to play with his own dog, an unneutered male Rottweiler. When the Rottweiler and K-9 dog got into an altercation, Officer Fike shot and killed the Rottweiler with his service weapon. We submitted a FOIA request for records concerning this incident. In response, MPD informed us that an animal control incident was reported in the block where we understand Officer Fike resided at the time of the shooting, but that no written report of the incident exists.

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<sup>1</sup> The following timeline of events establishes that Parrot remained alive for approximately one to two hours after the shooting: (1) apart from bystanders who informed the officers that Parrot was still alive, no one had assessed Parrot's condition by the time Mr. Block was taken to the police station approximately 45-60 minutes after the shooting; (2) when Mr. Block returned to the scene approximately an hour later, he learned that an emergency medical technician ("EMT") from the festival had checked Parrot and that Parrot was still alive, but that the EMT had not treated Parrot's injuries or administered any other care because he had no medical supplies for dogs; and (3) Parrot was dead when animal control removed him from the walk-down at approximately 3:30 p.m., which was slightly more than two hours after the shooting.

<sup>2</sup> The officers had covered up the name tags on their uniforms, so the witness was unable to identify the officers who refused to take statements.

# **Exhibit A**

## Exhibit A – Witnesses

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]
8. [REDACTED]
9. [REDACTED]
10. [REDACTED]
11. [REDACTED]

# **Exhibit B**



10-129

## Medical History Report

## Animal



BALTIMORE ANIMAL RESCUE & CARE (HETTER, INC.)  
Printed: 01/21/2010 03:12PM

Pawt

## Animal Details

A08501745      Parrot  
Dog  
Male  
Adult Dog- 1yr-8yrs      Terrier, Pit Bull/Mix, Brown, Large, 57.00 pound  
4 y 4 m 6 d, DOB: 9/15/2005, Previously Altered: No, Currently Altered: Yes  
Short Smooth Coat, Brown Eyes, Semi-erect Ears, Long Tail, Declawed None  
Collars: Blue Nylon, Bitten: No Bite History

## Microchip

Microchip Number  
0A11447B0F

Microchip Provider  
24PetWatch

Microchip Issue Date  
10/31/2009 12:00:00 AM

## Exam

ExamID: E07678152      Exam Date: 1/2/2010 11:26:00 AM      Entered By: Icos      Performed By: Laura Cos  
Weight: 57.20 pound      Body Temperature: 0      Medical Status: Minor Issues      Temperament Condition: Friendly

Condition      Review Date

Infection

## Medication

Medication	Dose	Frequency	Duration	Review Date	Route	Lot #
Cephalexin 500mg	1.00 capsule	2 daily	14 Days			
Hydroxyzine HCL 50mg	1.00 tablet	2 daily	7 Days			

## "Exam Notes"

Skin infection on ventral abdomen. Scratching present.

ExamID: E07128494      Exam Date: 10/6/2009 2:00:00 PM      Entered By: Batterman      Performed By: Stephanie Batterman  
Weight: 57.00 pound      Body Temperature: 0      Medical Status:      Temperament Condition: Friendly

Condition      Review Date      Treatment      Review Date

Appears Healthy

Neuter - Dog

## Vaccine

Vaccine	Manufacture	Lot Number	Expiration /Re-Vac Dates	Pet ID Number /Type	Route /Body Part
Bordetella Intra Nasal Booster	Schering		10/06/2010 02:00PM		

## "Exam Notes"

Neuter by Dr. Price at BARCS

ExamID: E07111682      Exam Date: 10/3/2009 12:05:00 PM      Entered By: Icos      Performed By: Laura Cos  
Weight: 0      Body Temperature: 0      Medical Status:      Temperament Condition:

Condition      Review Date

Appears Healthy

## Vaccine

Vaccine	Manufacture	Lot Number	Expiration /Re-Vac Dates	Pet ID Number /Type	Route /Body Part
DHLPP Booster	Schering		10/03/2010		

12:05PM

<b>ExamID:</b> E07108879		<b>Exam Date:</b> 10/2/2009 5:13:00 PM		<b>Entered By:</b> tswartz		<b>Performed By:</b> Teri Swartz	
<b>Weight:</b> 59.00 pound		<b>Body Temperature:</b> 0		<b>Medical Status:</b> Healthy		<b>Temperament Condition:</b> Friendly	
<b>Condition</b>		<b>Review Date</b>					
None							
<b>Vaccine</b>							
<b>Vaccine</b>	<b>Manufacture</b>	<b>Lot Number</b>	<b>Expiration /Re-Vac Dates</b>	<b>Pet ID Number /Type</b>	<b>Route /Body Part</b>		
Rabies- Rabdomun	Rabdomun		10/02/2010 05:13PM	XXXX Rabies Tag			
<b>Medication</b>							
<b>Medication</b>	<b>Dose</b>	<b>Frequency</b>	<b>Duration</b>	<b>Review Date</b>	<b>Route</b>	<b>Lot #</b>	
Pyrantel Pamoate Booster	6.00 cc	0	0 Days	10/02/2010 05:13PM			

<b>ExamID:</b> E06902074		<b>Exam Date:</b> 9/25/2009 4:51:00 PM		<b>Entered By:</b> bmammato		<b>Performed By:</b> Bobbie Mammato DVM	
<b>Weight:</b> 53.80 pound		<b>Body Temperature:</b> 0		<b>Medical Status:</b>		<b>Temperament Condition:</b> Friendly	
<b>Condition</b>		<b>Review Date</b>					
Kennel Cough							
<b>Medication</b>							
<b>Medication</b>	<b>Dose</b>	<b>Frequency</b>	<b>Duration</b>	<b>Review Date</b>	<b>Route</b>	<b>Lot #</b>	
Doxycycline 100mg	3.00 tablet	1	10 Days		Oral		

<b>ExamID:</b> E06834086		<b>Exam Date:</b> 9/13/2009 11:30:00 AM		<b>Entered By:</b> tswartz		<b>Performed By:</b> Teri Swartz	
<b>Weight:</b> 58.00 pound		<b>Body Temperature:</b> 0		<b>Medical Status:</b> Healthy		<b>Temperament Condition:</b> Friendly	
<b>Condition</b>		<b>Review Date</b>					
None							
<b>Vaccine</b>							
<b>Vaccine</b>	<b>Manufacture</b>	<b>Lot Number</b>	<b>Expiration /Re-Vac Dates</b>	<b>Pet ID Number /Type</b>	<b>Route /Body Part</b>		
Bordetella Intra Nasal Intake	Schering		10/04/2009 11:30AM				
DHLPP Intake	Schering		10/04/2009 11:30AM				
<b>Medication</b>							
<b>Medication</b>	<b>Dose</b>	<b>Frequency</b>	<b>Duration</b>	<b>Review Date</b>	<b>Route</b>	<b>Lot #</b>	
Pyrantel Pamoate Intake	6.00 cc	0	0 Days	09/23/2009 11:30AM			
Vectra	1.00 app	0	0 Days				
<b>"Exam Notes"</b> sweet boy							

## Vaccination Certificate

Tel: 410-396-4695



Baltimore Animal Rescue & Care Shelter, Inc. (BARCS)  
 301 Stockholm Street  
 Baltimore Maryland 21230 USA  
 info@baltimoreanimalshelter.org  
 www.baltimoreanimalshelter.org

-- Marnie Goodrich

8259 Waterford Road  
 PASADENA, Maryland, 21122 USA

Tel: 410-255-0424

## Animal Information

Name: Parrot Animal ID: A08501745 Primary Breed: Terrier, Pit Bull Primary Color: Brown  
 Types: Dog Gender: Male Secondary Breed: Mix Secondary Color:   
 DOB: Current Age: 4 y 4 m 6 d Size: Large Pre-Altered: Yes

## Vaccination Certificate

Vaccine Name	Length	Re-vac Date	Manufacturer	Lot #	Expiration	Admin Type	Admin Date	Pet ID Number	Pet ID Type
Rabies-Rabdomun	1 years	Oct 2 2010	Rabdomun			Exam	Oct 2 2009	xxxx	Rabies Tag
DHLPP Booster	1 years	Oct 3 2010	Schering			Exam	Oct 3 2009		
Bordetella Intra Nasal Booster	1 years	Oct 6 2010	Schering			Exam	Oct 6 2009		

Signature

Date



# Exhibit C

**Exhibit C – Photographs of Parrot**





**Exhibit C – Photographs of Parrot**

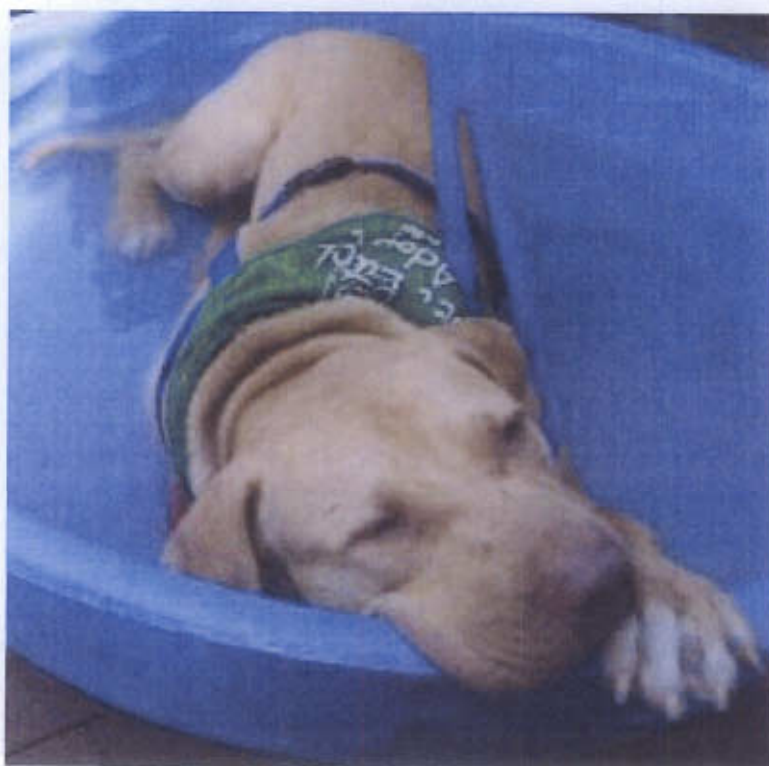


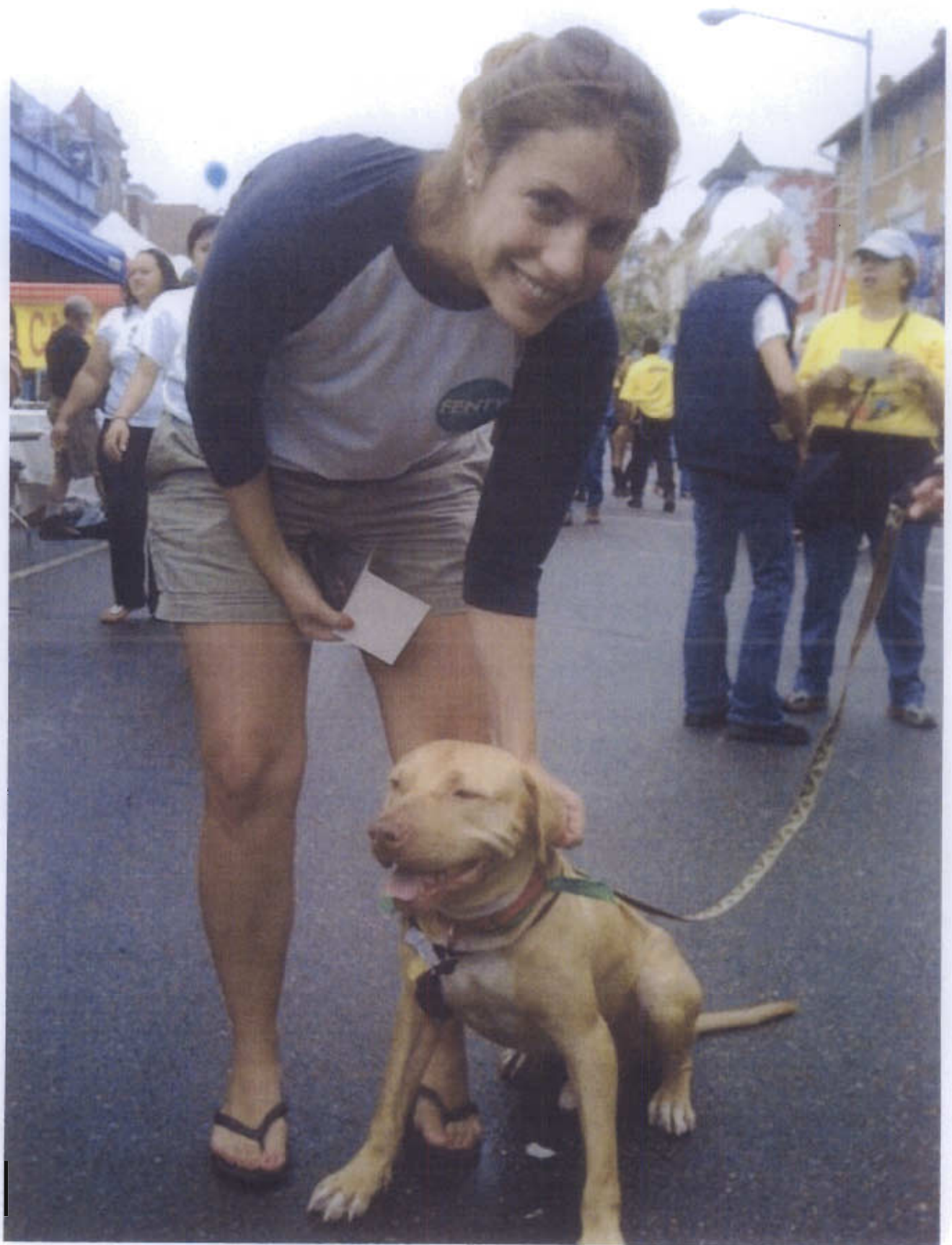


Exhibit C – Photographs of Parrot



# **Exhibit D**

Exhibit D – Parrot at Adoption Event



# **Exhibit E**



Exhibit E – Officer Fike Pinning/Choking Parrot



# **Exhibit F**



Exhibit F -- Walk-Down Below Brass Knob



# Exhibit G



## Exhibit G – Incident-Based Event Report

Metropolitan Police  
Department**Incident-Based Event Report**  
*Preliminary Public MPD Document*

Washington, D.C.

Report Status Approved

CLASSIFICATION OF EVENT								
1. TYPE OF REPORT Incident	2. EVENT START DATE/TIME 09-12-2010 1317	EVENT END DATE/TIME 09-12-2010 1318	3. DATE OF REPORT 09-12-2010	4. TIME OF REPORT 1430	5. DISTRICT 3D	6. SECTOR 2	7. PSA 303	8. COMPLAINT NO. 10132369
9. EVENT LOCATION ADDRESS 2311 18TH ST NW		POSITION In front of	CORNER / BLOCK OF N	10. REPORT RECEIVED BY On-Scene	11. RADIO RUN AND EVENT LOCATION SAME? N		12. PROPERTY TYPE Public	
13. EVENT NO. 1 OTHER INCIDENT			14. EVENT NO. 2 ANIMAL BITE			15. EVENT NO. 3		
16. FORCED ENTRY N		17. POINT OF ENTRY N/A		18a. METHOD USED N/A		18b. TOOLS USED N/A		19. WEATHER CONDITIONS Cloudy
20. HATE CRIME? N None		21. SECURITY SYSTEM Not Applicable		22. LOCATION TYPE Sidewalk		23. DESIGNATED AREA 1 Stairwell		23. DESIGNATED AREA 2 Other
GANG RELATED? N		INTRA-FAMILY? N		PD378 ISSUED? N		CPO TPO OUTSTANDING? CPO TPO #		SUSPICIOUS? N None OFFENDER COUNT# 0
VICTIM (None Specified) / COMPLAINANT (1) / REPORTING PERSON (None Specified)								
2. Complainant Name SCOTT FIKE		Related to Event(s) 1,2		Language Assistance Needed? N		Language Assistance Needed for: (None Specified)		Date of Birth - Sex Male
Home Address 2301 L ST, NW WASHINGTON, D.C. 20012			Residency DC Resident		Home Phone		Other Phone	Race White Ethnicity W - White
Occupation POLICE OFFICER	Work Related Y	Business/School Address			Work Phone 202-645-0072	Additional Contact		Reporting Person N Received Referral Form N
Injury Code A = Abrasion		Describe Injury SCRATCHING TO HAND AND WRIST			Where Taken		By Whom? REFUSED	Amb # REFUSED Injury Status N/A - Not Applicable

**BUSINESS/AGENCY (1)**

1.	TYPE	NAME	PHONE	ADDRESS
	Business	LUCKY DOG ANIMAL RESCUE	202-246-3332	3636 WINFIELD LN, NW WASHINGTON, D.C. 20017

**MISSING PERSONS (None Specified)****WEAPONS (None Specified)****PROPERTY (None Specified)****VEHICLES (None Specified)**

## Exhibit G – Incident-Based Event Report

### Narrative

(Event and Action Taken.)

ON THE ABOVE LISTED DATE AND TIME C-2 AND W-4 WERE WORKING POLICE OVERTIME AT THE LISTED LOCATION FOR ADAMS MORGAN DAY. WHILE AT THE LOCATION C-2 AND W-4 HEARD A LARGE GROUP OF PEOPLE YELLING AND GATHERING IN FRONT OF THE LOCATION. C-2 AND W-4 RESPONDED TO THE AREA TO INVESTIGATE. C-2 AND W-4 OBSERVED W-1 ON THE GROUND ON TOP OF A TAN COLORED PITBULL DOG TRYING TO CONTROL IT. W-2 WAS OBSERVED STANDING TO THE SIDE HOLDING A WHITE POODLE THAT HAD A BLOODY LEG. THE PITBULL WAS ATTEMPTING TO GET UP BY SQUIRMING BACK AND FORTH AND TRYING TO BITE AT W-1. THE PITBULL HAD A BLOODY NOSE AND APPERARED TO BE OUT OF CONTROL. W-1 WAS OBSERVED TO HAVE BLOOD ON HIS HANDS. C-2, BEING A CANNIE HANDLER, ATTEMPTED TO CONTROL THE PITBULL BUT WAS BITEN ON THE HAND AND WRIST. C-2 PICKED UP THE PITBULL AND THREW IT INTO A STAIRWAY. THE DOG FELL TO THE GROUND, GOT BACK UP AND CHARGED UP THE STAIRS TOWARD C-2. C-2, FEARING FOR HIS SAFETY AND THE SAFETY OF THE LARGE CROWD THAT HAD GATHERED, DISCHARGED ONE ROUND FROM HIS DEPARTMENTAL ISSUED 9MM GLOCK STRIKING THE PITBULL CAUSING IT TO FALL TO THE BOTTOM OF THE STAIRS. THE PITBULL LATERED EXPIRED. ANIMAL CONTROL WAS NOTIFIED AND RESPONDED TO THE SCENE TO REMOVE THE PITBULL. CRUISER 300, LT CARROLL, ADAMS MORGAN 1, LT JOVA, CRIME SCENE SEARCH RESPONDED TO THE SCENE.

EVIDENCE TECH/CSES #	TELETYPE	OTHER POLICE AGENCY	STATUS	REVIEWER
Technician: CSES No:	Notified: Teletype#: 0	N/A		
REPORTING OFFICER	SECOND OFFICER	INVESTIGATOR	INVESTIGATIVE REVIEW	SUPERVISOR
NAME: EVANS, DAVID ELEMENT: 1D BADGE #: 5284	NAME: , ELEMENT: BADGE #:	NAME: , ON SCENE:	NAME: , ELEMENT: BADGE #: RECOMMENDATION:	NAME: TERESTRE, DAVID ELEMENT: 3D BADGE #: S0828 RECOMMENDATION: Investigate Further