



CORONER'S COURT OF BRITISH COLUMBIA

held at PORT COQUITLAM, British Columbia

VERDICT AT CORONER'S INQUEST

We, the Jury, having been duly sworn and serving at the inquest, commencing on 5th February a Port Coquitlam, British Columbia, and continued on the following dates February 6th, 7th, 2007 into the death of Cody John Anger find he/she came to his/her death at approximately 1212 hour on the 27th day of December, 2004 AD, at or near Maple Ridge, British Columbia

MEDICAL CAUSE OF DEATH

- (1) Immediate Cause of Death: a) Acute Hemorrhage DUE TO OR AS A CONSEQUENCE OF Antecedent Cause if any: b) Multiple Incised/ Puncture Wounds DUE TO OR AS A CONSEQUENCE OF Giving rise to the immediate cause (a) above, stating underlying cause last: c) An Animal Attack

(2) Other Significant Conditions Contributing to Death:

CLASSIFICATION OF THE EVENT [X] ACCIDENTAL [ ] HOMICIDE [ ] NATURAL [ ] SUICIDE [ ] UNDETERMINED

The above verdict certified by the Jury on the 7th day of February AD, 2007.

LIANA WRIGHT

Presiding Coroner's Printed Name

Presiding Coroner's Signature

TO BE COMPLETED BY PRESIDING CORONER

Age: 3 years Gender: [X] Male [ ] Female Date of Birth: 9 JUNE, 2001 Native: [ ] Yes [X] No Coroner's Case No.: 2004-210-1363 Post Mortem: [X] Full [ ] External [ ] None Police File No.: 2004-31410 Toxicology: [X] Yes [ ] No Police Department: RIDGE MEADOWS RCMP Identification Method: [X] Visual [ ] Other (specify below) Court Reporter: VERBATIM WORDS Identified by: MOTHER Phone: 604-591-6677 Premise of Injury: PRIVATE RESIDENCE Premise of Death: HOSPITAL

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FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST

INTO THE DEATH OF

**ANGER**

SURNAME

**CODY JOHN**

GIVEN NAMES

**INTRODUCTION**

The Inquest into the death of Cody John ANGER commenced at 0930 hours on February 5th, 2007 at the Port Coquitlam Courthouse, Port Coquitlam, BC, and continued on February 6<sup>th</sup> and 7<sup>th</sup>, 2007. Mr. Chris Godwin was counsel to the coroner. Ms. Helen Roberts appeared on behalf of the RCMP and Mr. Richard Meyer appeared on behalf of the Ministry of Children and Family Development (MCFD). Deputy Sheriff Rod Bonthoux took charge of the jury and recorded the following exhibits:

1. Registration of Death
2. Report of Postmortem Examination
3. Statement of Jason Warren Harvey
4. Statement of Jenny Babee
5. Photographs
6. Forensic Laboratory Report
7. Canadian Food Inspection Agency Report of Analysis/Rabies Sample Submission (x 4)
8. Animal Health Centre/Case Reports (x 4)
9. Practice News/Information and Practice Supports from the Fraser Region Practice Development Team
10. Director's Review, Fraser Region, (Recommendations Only)
11. Dangerous Dogs/Vicious Dogs Bylaw, Corporation of the District of Maple Ridge

Evidence was heard from duly summoned witnesses. The following witnesses testified:

1. Dr. Sharon Boone
2. Sean Lund
3. Sheri Fontaine
4. Cst. Element
5. Cst. Miller
6. Dr. Wasti
7. Sgt. B. Pitt-Payne
8. Gail Hildebrandt
9. Bruce McNeill
10. Dr. Stanley Coren



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**PRESIDING CORONER'S COMMENTS:**

The following is a brief synopsis of the issues reviewed during the Inquest. The purpose of these comments is to assist the reader to more fully understand the Verdict and Recommendations of the jury. It is not intended to be considered evidence nor is it intended in any way to replace the jury's Verdict.

On December 27, 2004, at approximately 1150 hours, Cody John ANGER was rushed by his mother and her boyfriend to Ridge Meadows Hospital Emergency Department. Cody was attended to immediately by emergency room staff. On arrival, his vital signs were absent and his pupils were fixed and dilated. He had sustained extensive wounds to his scalp, neck and extremities in an alleged dog attack. Cardiopulmonary resuscitation was commenced immediately. Despite all efforts, resuscitation proved futile. Cody was pronounced deceased at 1212 hours.

Ridge Meadows RCMP were notified by hospital staff of the young boy's death. Officers attended both the hospital and Cody's Maple Ridge home where the incident occurred. An investigation into the circumstances was conducted.

Cody John Anger lived with his mother Sheri Fontaine, her boyfriend Jason Harvey, and his three older siblings, who at the time were between the ages of 8 to 10. At the home also resided two of the family's dogs; a young rotweiler named 'Baby' and a border collie by the name of 'Cocoa'. Also staying at the home were two adult rottweillers named 'Peso' and 'Professor' that belonged to a family acquaintance who had been temporarily staying at the home. On the evening of December 26, 2004, the owner of Peso and Professor was away visiting family in Edmonton. The dogs were left in Ms. Fontaine's care.

That evening, friends attended the home for dinner, leaving some hours later. Ms. Fontaine also had an acquaintance by the name of Sean Lund staying overnight in the basement of the home. Sometime after 0130 hours on December 27<sup>th</sup>, Ms. Fontaine brought Peso and Professor indoors and into the kitchen. The dogs often stayed in the basement or outside. She would bring them inside when it became cold outdoors. Sean Lund was visiting with friends in the basement, so she barricaded the dogs in the kitchen using a sheet of plywood which would block their access to the living room and dining room area. She instructed her boyfriend to place the dogs downstairs in the basement before he came to bed.

Ms. Fontaine reported that her two dogs, Baby and Cocoa, retired with her into her bedroom when she went to sleep. She was not aware of when her boyfriend came to bed that morning. She recalls having put Cody to bed at approximately 1900 hours the previous evening. He had his own bed and shared a room with his older sister.



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Mr. Lund fell asleep on a chair in the basement at approximately 0300 hours. Later that morning, he was awoken by Cody who was calling for Jason Harvey from the top of the stairs that led into the basement. Cody was asking for a treat for having used the toilet. This was the positive reinforcement that was used in the home as an incentive for using the toilet. Mr. Lund went upstairs and gave Cody an orange and a soda pop. He noted that the plywood barricade was in place and did not notice any of the dogs. After chatting with Cody for a short period, Cody asked to go and watch cartoons on television in the living room. Mr. Lund assisted Cody to move the plywood, letting him pass into the living room. He then replaced the board. Mr. Lund then went back downstairs to change his clothes. He reported hearing some thumping on the floor and assumed someone else had awoken upstairs. He then went back upstairs and went into the bathroom to get ready to leave.

A short while later, a high-pitched child's voice was heard yelling 'He's dead, he's dead'. The screams brought Sheri Fontaine, Jason Harvey and Sean Lund into the living room. Cody's brother had discovered Cody's lifeless body partially lying on the living room couch. Sheri picked Cody up in a panic and ran to her room where she wrapped him in a blanket. She and Mr. Harvey drove Cody to the hospital while Mr. Lund called 911 and stayed with the other three children.

Investigation revealed that the three rotweillers were present in the living room when Cody's body was discovered. Evidence heard from summoned witnesses who were in the home at the time of the incident, failed to reveal how the rotweillers gained access to the living room that morning. It was determined that the border collie was not involved in the attack. None of the four dogs were known to have demonstrated a propensity for aggression prior to this incident. The dogs were removed by the SPCA and consent was obtained from the owners to have the dogs destroyed. Necropsies did not reveal any significant findings that would account for the dogs' behaviour. Tests for rabies were negative for all four dogs.

Sgt. Pitt-Payne testified that at the scene, blood was present throughout the living and dining rooms and that dog feces was scattered throughout the house. He testified that at the conclusion of the police investigation, there was insufficient evidence to meet the elements of the offence of criminal negligence causing death.

A forensic autopsy conducted on the child determined the cause of death to be Acute Hemorrhage due to Multiple Incised/Puncture Wounds due to an Animal Attack.

The Anger-Fontaine family was known to MCFD. Sheri struggled with drug addiction and the family required frequent visits and monitoring. In September 2001, all four of the children were removed from the home due to Sheri's failure to pass a urine drug screen test. The children were returned in November 2002 after Sheri made significant improvements to gain her children back. The social worker did report seeing a rotweiler in the home in January 2003, but this was not 'Baby'. The social worker was assured by Sheri that both Cocoa and the rotweiler were good with the children. The social worker did not view the dogs as a risk to the children's

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safety, but rather an extra financial burden to the family. The social worker last visited the home in August and September 2004. The children were enrolled in activities and the family appeared to be doing well. They were considered to be at less risk than they had been in the past. Approximately six weeks before Cody's death, Sheri adopted the rotweiler named Baby. The social worker was not aware of this at the time. She was also not aware that Peso and Professor had moved into the home with their owner in November 2004.

A Deputy Director's Review was conducted after Cody's death. Four recommendations were made, one of which involved development of instructions for child protection workers to assist them in identifying the potential harm from vicious dogs. As a result, a guide was developed, published and distributed to staff in the Fraser Region (Exhibit 9). Five major situations were identified which may lead to serious injury or death in children by dogs. These included:

- an unattended newborn left alone with the family dog;
- a toddler interacting with the family dog or a dog known to the family even if the dog has no prior history of aggression towards children. This was identified as the most common situation for serious injury to children;
- an unattended younger child interacting with a dog that is roaming or tied in the neighbourhood, beyond the immediate supervision of adults;
- a school age child playing with friends, riding their bike or delivering newspapers;
- poorly supervised dogs, particularly in groups, attacking a person of any age.

The guidelines also encourage child protection workers to 'discourage dog ownership in families with preschool children who do not already own a dog.'

The Corporation of the District of Maple Ridge has dangerous dog and vicious dog by-laws. None of the four dogs in this incident were ever identified as either dangerous or vicious. A total number of three dogs is the maximum allowed in any home in Maple Ridge. Having more than three dogs requires that the owner obtains a kennel license.

Dr. Stanley Coren, a renowned expert in dog behaviour, gave evidence that dogs view humans as members of their pack or family. They will establish hierarchies in the family in which they live. Certain individuals will be seen as having a dominant role as opposed to other members of the family. With big dogs and less trained dogs, a dog will place itself higher on the hierarchy list and will put itself higher than the younger, smaller people in



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the family. A dog that is kept mostly in the house and sees only the family and occasional visitors, becomes fearful which can display as aggressive behaviour.

Dr. Coren described rotweillers as having an edgy personality. Their dominant and aggressive tendencies can cause direct harm. They are large dogs and can easily knock a person down. Their bite strength is described as 2000 pounds per square inch. He recommended that rotweillers not be kept in homes with children. His evidence was that a more suitable family dog would be one that is highly socialized, low in aggression and activity level, and smaller in size. He further went on to say that no matter how well behaved a dog may be, it should never be left alone with a young child.

Dr. Coren cited statistics from the United States in which rotweillers make up 1.5% of the registered breeds but account for 16% of the fatal dog bites. Further data he cited is that just over one third (36%) of all fatal dog bites involve two or more dogs. He reported that the vast majority of fatal bites are to children under the age of nine. Currently, there is no Canadian federal or provincial registry to track dog bites that require medical treatment.

Dr. Coren further added that an owner is unable to be completely objective when assessing his dog's behaviour. Owners will be in 'denial' and will often make excuses for their dog's behaviour. Assessment is more accurately done by another person.

Dr. Coren was not supportive of legislation that bans specific breeds. He encourages that dogs and their owners attend obedience class and that bite-proofing lessons are taught to young children in schools. His evidence was that teaching children at about the grade 3 level reduces biting incidences by as much as 80%.

The jury deliberated on all evidence heard and exhibits entered during the Inquest and made six recommendations.

Pursuant to Section 3(2)(d) of the Coroners Act, the following recommendations are forwarded to the Chief Coroner of the Province of British Columbia for distribution to the appropriate agency.

Liana Wright, A Coroner  
in and for the Province of British Columbia



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**RECOMMENDATIONS OF THE JURY:**

**To: The Honourable Tom Christensen  
Minister of Children and Family Development  
PO Box 9057 Stn Prov Govt  
Victoria BC V8W 9E2**

1. That it be mandatory that the Comprehensive Risk Assessments be completed as per present Ministry Policy and Practice Standards whenever a significant change is indicated within the family dynamic.
2. That a Bite Prevention Evaluation Form (attached hereto) be completed whenever child protection workers become aware that a dog is present in the family home.
3. A copy of the General Information for Parents and or Care Providers (attached hereto) be provided by the child protection worker and reviewed with parents and or care providers at the completion of the Bite Prevention Evaluation.
4. The Bite Prevention Evaluation should include the child protection workers' recommendations arising from the evaluation.

**To: The Honourable Shirley Bond  
Minister of Health  
PO Box 9045 Stn Prov Govt  
Victoria BC V8W 9E2**

5. An education program be developed and put in place at the grade 3 level to minimize the risk associated with dog interactions.

**To: The Honourable George Abbott  
Minister of Education  
PO Box 9050 Stn Prov Govt  
Victoria BC V8W 9E2**

**Mark Parsons  
Director, Governance & Legislation  
Ministry of Agriculture and Lands  
PO Box 9120 Stn Prov Govt  
Victoria BC V8W 9B4**

6. In cooperation with BC SPCA, medical professionals and law enforcement agencies a registry be developed and put in place to record incidents of serious dog bites and/or attacks.

