



F44 The Prince and the Princess — A Deadly Combination

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The goal of this presentation is to present a case of a dog mauling death to show how the assistance of a forensic odontologist may have been helpful in the investigation.

The "Prince" was Prince Elias, a 22-month-old registered Rottweiler known as "Max." The "Princess" was Kristin A. Jolley, a 12-month-old girl who lived across the street from Max.

October 21, 2001 was a chilly autumn day in Lovell, Wyoming. Jackie Ann Jolley, Kristin's mother, left her one-year-old daughter in the front yard of their home while she allegedly went into her trailer to do some laundry. It was reported that Jackie was talking with Kristin's father, H.B., on the bed in the master bedroom. H.B. was apparently working the night shift at the local bentonite mine and was trying to catch up on his rest during the daylight hours.

Discovery testimony elicited two different explanations: One, that the gate on the front yard fence was faulty; the other that the front gate was left open when Kristin was left alone to play. Whatever the reason, Kristin proceeded to exit the front yard, cross the city street and walk into the maw of an allegedly malnourished dog at the end of a 5-foot chain.

At approximately 1:30pm that day two construction workers were driving down 2nd Avenue when they saw a large dog mauling what they thought was a baby. One of the workers drove two blocks to obtain help from their foreman. The other worker knocked on the door of the neighbor's house and the son of the owner came out to help. The worker then ran across the street to the Jolley's house and was unable to get a response from either Jackie or H.B. Jolley. When a police officer arrived, one of the workers shouted, "Get your gun and shoot the dog. It's eating the baby." The police officer witnessed Max standing on the girl's chest, "chewing the flesh from her face." The officer used his pepper spray twice and was able to get the dog off of Kristin. Due to the severity of the injuries, rather than summoning an ambulance one of the construction workers held the baby while the officer drove to the hospital. It wasn't until approximately fifteen minutes after the incident was discovered that Kristin's mother came out of her trailer to investigate the commotion across the street. She finally asked about her child and was escorted to the hospital by a friend. Kristin's father didn't appear on the scene until several minutes later. Several attempts were made to resuscitate the child at the emergency room of the North Big Horn County hospital to no avail. Kristin was pronounced dead at 2:47 pm.

Many incidents occur where the investigations might be enhanced by the assistance of a forensic odontologist. One forensic odontologist was subpoenaed for this case to testify about the wounds allegedly caused by the dog. Unfortunately, the odontologist was not the person who gathered the evidence. In addition, the photos taken following the incident weren't presented to the forensic dentist until one week prior to the scheduled court date. Forensic odontologists need to do everything possible to educate members of the courts, law enforcement, and health care institutions as to the resources available in the forensic community.

Max was owned by defendant Ann Shine and co-defendant Matthew Martinez. The two had obtained Max from a local breeder, Ms. Hytek, who had purchased the dog from a breeder in Montana. Ms. Hytek was looking for a good home for Max, apparently due to his habit of chewing up the underclothes of the breeder. Ms. Hytek had just purchased a new home and didn't want Max tearing up her belongings. Several people who knew Mr. Martinez, including a former girlfriend, testified that he had spent several years looking for a rottweiler that he could train to be a guard dog. Ms. Shine was happy to have a vicious dog on the property because, "he would keep everybody from looking in the windows."

Two years prior to this incident Mr. Martinez was fined \$130 for an animal cruelty violation. His neighbors had called the local police department because one of the dogs he harbored at his place of residence was observed to be on the end of a 6-foot chain, dead. Mr. Martinez was allegedly belligerent to the police officer who arrived on the scene.

Ms. Shine and Mr. Martinez had owned Max for approximately two months. Several photos were taken with the children of the former owner showing how docile Max had been. The breeder stated that her 8-year-old daughter walked Max on a regular basis. Max also slept with her 17-year-old son.

According to court documents, Max weighed approximately 105 pounds when Ms. Shine acquired him. At the time of the necropsy following the incident, Max weighed 65 pounds, a loss of 40 pounds. The stomach contents of Max were also examined at the time of the necropsy. The local veterinarian found absolutely no fecal material in the digestive tract. The only thing found in the stomach contents was the four cups of food that Max ate upon arrival at the vet's office along with hair, skin, cartilage, teeth, and an eyeball apparently from the baby girl. The dog's body was sent to the Department of Criminal Investigation in Cheyenne, Wyoming for DNA analysis. Tooth and cheek swabs were also taken of "Chyna" a female rottweiler found upon the premises of Ms. Shines to see if that dog was involved in the attack. Numerous neighbors testified that they had never seen Max given food, water, or shelter.

Following the incident Ms. Shine was upset that authorities asked to have the dog euthanized. Also, she asked the police "what that girl was doing in my yard to begin with?" Ms. Shine and Mr. Martinez were not at



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home at the time of the attack.

The county coroner was not notified of the death until approximately 20 hours after the incident. By the time forensic odontologists were contacted, the autopsy was about to commence over 130 miles away. Upon examination of autopsy photos semicircular contusions were noted on the left wrist and the left thigh. The forensic pathologists did not pursue further investigation of these wounds compared to the massive number of puncture wounds and fresh lacerations.

On December 17, 2002, both defendants plead guilty to the charge of involuntary manslaughter. Each received split sentences of two years imprisonment with six months to be served in the Big Horn County Jail with work release, if appropriate. The balance of the sentence to be suspended and the defendants placed on five years supervised probation. The defendants must refrain from owning any dogs during the term of their probation. Though the prison sentences were to commence January 2, 2003, neither defendant has appeared to serve their terms in jail.

Dog Bite, Bite Mark, Death Investigation