

## ANIMAL WELFARE INSPECTION REPORT

**DATE OF INSPECTION:**

Attended Amblin Partners on 8 February 2017

Attended Birds and Animals Unlimited on 7 February 2017

**DATE REPORT WRITTEN:** Completed 28 February 2017**CASE#:** 2017- 01-0059**OWNER/BUSINESS NAME:**

1) Amblin Partners

100 Universal City Plaza, Bldg. 5121, Universal City, CA 91608

Chief Operating Officer & General Council Mr. Chris Floyd

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2) Birds and Animals Unlimited – General Manager Mr. Mark Forbes 1125 Bulla Vista Road, Acton CA 93510

General Council Jonathan Pink

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**NATURE OF CONCERN:**

On 18 January 2017, The Animal Care Line (ACL) received a complaint(s) regarding alleged abuse of a dog on the set of "A Dog's Purpose". Video Shows an anxious German Shepherd. The video provided is two separate clips. One clip is a German Shepherd dog that appears to be resisting being placed by a person in turbulent water from a platform. The second clip is a German Shepherd dog in turbulent water that appears to be attempting to swim and becomes submerged under water, people in the video can be seen coming to the aid of the dog, the clip ends while the dog appears to still be under water. **(COMPLAINT)**

[Act] 3 (1) Infliction upon an animal acute suffering, serious injury or harm or extreme anxiety or distress that significantly impairs its health or well-being.

**NUMBER AND TYPE OF ANIMALS:**

1 German Shepherd dog

<b>LOCATION OF ANIMAL:</b> ADM Storage, 304-3000 McGillivray Blvd., Oak Bluff, Manitoba
<b>PHYSICAL FACILITIES (HOUSING):</b> Movie set – shooting of A Dogs Purpose
<b>FEED SUPPLIES:</b> adequate
<b>BEDDING:</b> Adequate
<b>WATER:</b> Adequate
<b>SALT/MINERAL:</b> N/A
<b>DESCRIPTION OF CARE/FEEDING/CONDITION OF ANIMAL:</b> Hercules is a medium sized male German Shepherd, he is very friendly, gentle dog, good temperament, bright eyed, healthy and well groomed. Hercules gives the appearance of a well socialized and trained dog. He is provided medical care as required. His vaccinations are all up to date. Care and feeding of this dog is more than adequate.
<b>EVIDENCE OF ILLNESS/INJURY:</b> None
<b>INSPECTOR AND/OR OWNER'S COMMENTS:</b> On 18 January 2017, The Animal Care Line (ACL) received a complaint(s) regarding alleged abuse of a dog on the set of “A Dog's Purpose”. Video Shows an anxious German Shepherd. The video provided is two separate clips. One clip is a German Shepherd dog that appears to be resisting being placed by a person in turbulent water from a platform. The second clip is a German Shepherd dog in turbulent water that appears to be attempting to swim and becomes submerged under water, people in the video can be seen coming to the aid of the dog, the clip ends while the dog appears to still be under water. <b>(COMPLAINT)</b>  Location and Date of Shoot – October 29, 2015 - ADM Storage, 304-3000 McGillivray Blvd., Oak Bluff, Manitoba R4G 0B0.  The video was aired by TMZ. TMZ is an American syndicated entertainment and gossip news television show. Charlie Neff, TMZ news desk contacted ACL and disclosed that TMZ was receiving a lot of calls and wanted to know if the Chief Veterinarians Office (CVO) was investigating the incident and what was being done about it. The CVO lead investigator contacted Neff, she was asked a number of questions. It is not known if she was being uncooperative or simply did not know the answers. She did state that the aired video “was what we got” and it was sent in anonymously. Neff volunteered an incorrect date that the video was taken.  The CVO lead investigator contacted each of the complainants and learned that they were basing their complaint solely on the TMZ video, they had no personal knowledge of the incident(s).  As a result of the CVO investigation a total of 23 witnesses were interviewed, 7 of these

witnesses were present at the shooting of the movie scene(s) and had first hand knowledge of what occurred.

In addition to first hand accounts of what had occurred the lead investigator viewed unedited video footage, interviewed the dog's trainers and had an opportunity to evaluate the dog, Hercules.

It was learned that Hercules had been selected for his role in the movie because of his love of water. After his selection, Hercules received 6 weeks of professional training. Through gradual progressions and positive training methods Hercules was trained to swim out to a stunt actor and pull her back to the side of the pool giving the appearance of swimming out and pulling a victim to safety.

Early in the investigation a pattern emerged from interviewing witnesses that continued throughout the investigation that all the dogs in the movie were treated well, with care and respect and safety precautions and protocols were continually practiced/observed.

From interviewing eyewitnesses it was established that the video aired by TNZ was edited and was misleading. The two scenes shown in the video were filmed at different times. Hercules had been conditioned to swim out to a stunt person from a platform that was approximately 1 foot underwater. After swimming, out to the stunt person, he was trained to take hold of clothing worn by the stunt person and pull her back to the submerged platform. Hercules had reportedly done this successfully several times that day. The entire scene was approximately 30 seconds in duration.

Prior to shooting the scene safety meetings were held to go over and reinforce safety precautions and protocols. The American Humane Association had a Certified Animal Safety Representative on hand, 1 dog trainer was in the water, a diver/lifeguard was in the water, 2 trainers were on the deck, a safety consultant was on the deck and a stunt coordinator was present throughout the water scene to supervise and safeguard the dog.

Production personnel required more video of Hercules swimming and asked that he enter the pool from a different location so he could be filmed swimming from a different angle.

In the first scene, the handler/trainer and Hercules moved to a different location. Hercules on leash stood with his handler/trainer on the deck for approximately 1 minute. The leash was removed and for approximately 40 seconds the handler/trainer attempted to coax Hercules into the water. During this time the handler/trainer lowered Hercules into the water anticipating Hercules would focus on the target, another trainer. Hercules did not focus on the target as hoped and was removed from the water. What was not shown was the handler/trainer interacting playfully with Hercules for a few seconds before leaving the location and returning to the original spot.

In the second scene Hercules was taken to the area he had been conditioned to work from. Steps went down from the deck to the submerged platform. One of the trainers held onto Hercules at the edge of the platform. The handler/trainer was on the far side of the pool. The handler/trainer called to Hercules and he swam across the pool. The trainer swam alongside Hercules. Once Hercules reached the handler/trainer, the handler /trainer turned him around and aimed him in the direction of the submerged platform. From viewing the video, it appears that Hercules missed the platform and the turbulence took him under water. Using a stop watch it was determined that Hercules was under water for approximately 4 seconds. Moments before Hercules went under

water the trainer and diver/lifeguard who were both in the water were seen rushing in towards Hercules. Hercules was lifted up and placed on the deck by the trainer and the diver/lifeguard. Moments later he was reportedly shaking off the water and wagging his tail. There were accounts of Hercules being petted by the handler/trainer and Hercules wanting to get back into the water to play. The American Humane Association Representative and trainers both agreed that was enough for the day. Production also agreed and it was called a day.

A Board Certified Veterinary Behaviorist who viewed unedited video footage and interviewed the dog's trainers concluded that there was no lasting stress response or conditioned fear of the water as a result. The dog reportedly still shows a strong desire to swim, making a conditioned fear-response or long-term psychological trauma from this event unlikely. The Veterinary Behaviorist further noted that the trainer interaction viewed in the video does not reflect the overall treatment received by the dog from this trainer or his other trainers.

The lead investigator attended Birds and Animals Unlimited and conducted an inspection of the facility. The facility appears to be well managed and maintained. 4 staff members were observed continually cleaning the premises. The General Manager authorized pictures to be taken which are attached to this report. All birds and animals seen at the facility were clearly in good condition, healthy, alert and well cared for. After the inspection, Hercules was brought out. He is a medium sized male German Shepherd, he is very friendly, gentle dog, good temperament, bright eyed, healthy and well groomed. Hercules gives the appearance of a well socialized and trained dog. Hercules is privately owned, he lives with his family in California. Medical records provided by Birds and Animals Unlimited show that he is provided medical attention as required. During the investigation, it was pointed out that when on the set 29 October 2015 at Oak Bluff, Manitoba he was not injured or seen to be unduly stressed therefore he was not provided with veterinary care. Since the complaint, Hercules has been examined by a veterinarian and found to be in good health. (Assessment/Diagnosis: Healthy Animal – medical records obtained))

#### **RECOMMENDATIONS/ACTION:**

Hercules was selected for his role in A Dogs Purpose because of his love of water and his trainability.

During the first scene Hercules was taken to a location where he was not conditioned to enter the water (this was not planned). His trainer/handler attempted to coax him into the water. The deck was narrow at this location, the noise from the motors was louder and Hercules did not want to enter the turbulent water from the deck. Because of the dog's love of water and the training the dog had received it was reasonable to expect that the dog would enter the pool from the new location. When Hercules did not react as predicted it was reasonable for the trainer/handler to attempt to coax him into the water. Signs of anxiety or stress were observed and attempts to coax Hercules into the water were discontinued.

In the second scene Hercules was in the usual spot, he was reportedly excited to get in the water. His handler/trainer called him and he entered the water and swam towards his handler/trainer with the other trainer swimming alongside. Hercules reached his handler/trainer and was turned around and directed towards the underwater platform. From viewing the video, it appears he may have missed the platform and was caught by the turbulent water and dragged under for 4 seconds. One of Hercules's trainers and the lifeguard/diver were already in the water and reacted immediately racing towards him and lifting him out of the water. Both trainers commented when interviewed that the motors were not turned off (turbulence in water not reduced) as the dog

neared the underwater platform as in previous shots. The preparation and safety measures in place effectively resulted in Hercules being safely removed from the pool.

The American Humane Certified Animal Safety representative was present along with 3 seasoned dog trainers who saw no need for medical attention for Hercules. No sign of injury was observed therefore there was no requirement for medical attention. A veterinarian was not called to the scene and Hercules was not taken to a veterinarian.

Moderate stress or anxiety was observed in the unedited video during the first scene. In the second scene Hercules likely suffered a higher level of stress that lasted for a moment. Dogs are resilient animals and quickly recover from momentary exposure to stress. The Board Certified Veterinary Behaviourist concluded that a conditioned fear-response or long-term psychological trauma from this event was unlikely.

Recommend that file be concluded, no further action.

**OWNER ACKNOWLEDGEMENT:**

Representatives of both Amblin Partners and Birds Animals Unlimited spoken to over the phone and spoken to in person. Copy of this report to be sent by email to General Council of both organizations.

Chief Operating Officer & General Council Mr. Chris Floyd, Amblin Partner

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General Council Mr. Jonathan Pink representing Birds Animals Unlimited

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**DATE AND ANIMAL PROTECTION OFFICER (APO) OF PREVIOUS INSPECTION: N/A**



Leon Flannigan, M.O.M., M.St.J.  
Animal Protection Officer #106



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The lead investigator Leon Flannigan is a retired police officer with over 35 years' police experience. During his tenure as a police officer he was a police dog handler and trainer for 10 years. For 8 years, he was the Sergeant /supervisor of Traffic, By-Law/Animal Control and K-9 Sections. As a Detective Sergeant, he was the lead investigator in many major crimes including murders. The last 5 years of his career he served as Chief of Police. Since his retirement, Leon has been a search and rescue volunteer and has trained several search and rescue dog teams that have been government certified. Leon continues to train and handle his own certified Search and Rescue Dog, a German Shepherd named Kime. Leon presently is designated as a Manitoba Animal Protection Officer appointed by the Minister of Agriculture.