

DOG'S OWNER FACES CHARGES IN ATTACK

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The owner of three pit bulls that police said attacked a Melville man and one of his three dogs Saturday faces assault charges in the fracas that nearly blinded the man in one eye.

Mary Graham, 49, of 11 Coe Pl. in Huntington Station, was charged with reckless endangerment and third-degree assault, both misdemeanors, in the Saturday afternoon attack on Richard Robbins, 44, of Melville, and his Siberian husky, Gina Marie, said Lt. Kenneth Fasano, commander of the Crime Section of the Second Precinct. The dog had wounds that required more than 100 stitches to close.

Graham was arrested yesterday afternoon but released on \$1,000 bail and given a desk appearance ticket for arraignment at a later date, Fasano said.

Graham's attorney, Michael Brown of Central Islip, countered the police version of events and said Robbins is the irresponsible one. Brown said it was Robbins' dogs, and not Graham's, that were unleashed and running wild, and that they provoked Graham's dog into attacking.

"It's unfortunate that he got hurt but when you stick your head in a lit stove you can't expect to come out unscathed," Brown said, adding that his client lost her grip on her dogs as they tried to fight off Robbins' dogs.

"At worst it's a case of negligence, and not on the part of Mary Graham but on the part of Richard Robbins," Brown said.

Robbins could not be reached for comment yesterday.

Fasano said Graham knew her three dogs were dangerous but irresponsibly released them as she walked them on the Birchwood Elementary School grounds in Melville at about 11 a.m., and they attacked Robbins and his dog.

When one dog bit Gina Marie's belly, Robbins intervened, himself biting one of the dogs in the head. After that, Robbins was bitten near his eye and on other parts of his body, receiving 37 puncture wounds in all, Robbins said. Passersby also came to Robbins' aid, helping to pry the dogs off, police said.

Fasano said it might not have been the first time that Graham's dogs scuffled with people.

"We're investigating the fact that there may have been past incidents with the dogs with other people," he said.

Brown said his client's dogs have never had any incidents with other people and that the criminal charges are "unfair" and unnecessary.

"This is a loving dog and a loving family," Brown said. "I think that ultimately my client will be acquitted of these charges. I am amazed that the police department felt this was criminal in nature."

Brown said the high-profile mauling death trial in San Francisco, where two Presa Canario dogs killed Manhasset native Diane Whipple in January 2001, may have influenced the decision to file criminal charges against Graham.

Brown said his client's dogs were acting in self-defense and that Graham's dog was beaten with a lead pipe and nearly strangled with his own chain by Robbins and a passerby.

"This situation just escalated and escalated," he said. "But by no means is it the fault of my client or her dog."