

# **ANIMAL CONTROL CONFIDENTIALITY VIOLATIONS**

June 9, 2014

## **SUMMARY**

The 2013-2014 Grand Jury investigated ethics violations in the handling of large animal abuse and neglect cases. Animal Control Officers were releasing the names of complainants of animal abuse to the person against whom the complaint was filed. The complainants and their children were then harassed. The Grand Jury found these complaints to be valid.

Animal Control has urged owners to relinquish control of animals but has not sought prosecution for animal care violations. Many incidences of neglect or abuse have continued for years with little or no improvement in the condition of the large animals. Often in cases where animals have been removed, abusing owners have acquired new animals within weeks and abuse starts again. This has led to distrust within the community of the Mendocino County agencies responsible for animal control and care.

The Grand Jury is recommending that ethics training on confidentiality be re-emphasized in both Animal Control and Animal Care.

## **GLOSSARY**

- Animal Control    Law enforcement activity relating to state penal code and local ordinances pertaining to animals, a unit of the Sheriff's Office
- Animal Care        Local governmental activities surrounding the licensing, humane housing, medical care, and disposition of collected animals, a unit of the Health and Human Services

## **BACKGROUND**

The Grand Jury responded to citizen complaints about the delivery of animal control and care services for large animals. Animal Control has substantial numbers of complaints about horse abuse each year. Members of the community who have complained to Animal Control have found themselves harassed. This has led to distrust of the County of Mendocino agencies responsible for animal control and care within the community.

## **APPROACH**

The Grand Jury reviewed complaints and documents, and conducted interviews.

## **FACTS**

Mendocino County Animal Care and Control was split in November 2009 into two agencies. Animal Care remained with Health and Human Services; Animal Control was assigned to the Sheriff's Office in February 2010.

Animal Control has urged owners to relinquish control of animals but has not sought prosecution for animal care violations. Many incidences of neglect or abuse have continued for years with

little or no improvement in the condition of the large animals. Often in cases where animals have been removed, abusing owners have acquired new animals within weeks and abuse starts again.

The *Mendocino County Sheriff's Animal Control Officer Field Operations Manual*, page 2, "Animal Control Officer Code of Ethics," states: "I will keep secret whatever I see or hear of a confidential nature or that is confidential to me in my official capacity except when revelation is necessary in the performance of my duty." (Appendix A)

Testimony of multiple complainants before the Grand Jury revealed ethics violations within the Animal Control Unit of the Sheriff's Office. These ethics violations involved the release of names of complainants who reported animal neglect or abuse to the Sheriff's Office. Individuals complaining to Animal Control for large animal neglect or abuse were subsequently harassed. Harassment included anonymous telephone calls to complainants and their families. Children of complainants were taunted on school grounds regarding their parents' actions. During testimony, several other individuals were identified as being harassed. However, many of these individuals refuse to come forward for fear of future retaliation.

Complainants are convinced that Animal Control Officers revealed their names to perpetrators. A witness to the Animal Control Officers revealing the names of the complainants to the perpetrators substantiated the veracity of the accusations.

The telephone number given for handling loose and stray animals is incorrect. The Grand Jury found that the telephone number for animal control issues in both the telephone directory and on the County of Mendocino web page was for the Animal Care facility, not the Sheriff's Office. The Sheriff's Office Animal Control unit handles the investigation and pick-up of loose and stray animals.

## **FINDINGS**

- F1. The facts listed above support the accusations by the large animal handling community that the unethical practice of releasing of complainants' names has occurred.
- F2. There is strong circumstantial evidence to support allegations that complainant names were leaked by Animal Control Officers thereby violating the Animal Control Officer's Code of Ethics.
- F3. Breach of confidentiality by Animal Control Officers compromises the effectiveness of Animal Control and discourages future citizen complaints.
- F4. The telephone number for handling loose and stray animals is that of *Animal Care* rather than *Animal Control*.

## **RECOMMENDATIONS**

The Grand Jury recommends that:

- R1. Animal Control Officers participate in annual ethics training with an emphasis on confidentiality of complainants' names. (F1, F2, F3)
- R2. The public telephone numbers for handling Animal Control issues be corrected in directories and on web pages. (F4)

## **RESPONSES**

Pursuant to Penal Code §933.05, responses are required from the following individuals:

- Sheriff, Mendocino County (All findings and All recommendations)

## **BIBLIOGRAPHY**

*Mendocino County Sheriff's Animal Control Officer Field Operations Manual.*

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code §929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

**Appendix A. Animal Control Officer Code of Ethics Oath/Contract**

**Animal Control Officer Code of Ethics**

As an Animal Control Officer, my fundamental duty is to serve the citizens of Mendocino County, to enforce animals laws and regulations mandated by the State of California and the County of Mendocino, to protect the human population from animals to the extent that health and safety require and to diligently prevent the inhumane and malicious treatment of any living animal.

I will be constantly mindful of the welfare of others, maintain calm in the face of scorn or ridicule and develop self-restraint. I will be exemplary in obeying the laws of the land and the regulations of my department. I will keep secret whatever I see or hear of a confidential nature or that is confidential to me in my official capacity except when revelation is necessary in the performance of my duty.

I will not act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. I will enforce the law courteously and appropriately without fear or favor, malice or ill will, without unnecessary force and never accepting gratuities.

I recognize the badge of my office as a symbol of public-faith and I accept and wear it as a public trust.

Animal Control Officer \_\_\_\_\_

Date of Hire \_\_\_\_\_