

# Response to Grand Jury Report

Report Title: **6.1 Animal Control Confidentially Violations**

Report Date: **June 9, 2014**

Response by: **Mendocino County Sheriff's Office**

## Findings

I (we) agree with the findings numbered: **F3**

I (we) disagree wholly or partially with the findings numbered: **F1, F2, F4**

*Attach a statement specifying the findings or portions of the findings that are disputed, and include an explanation of the reasons therefor.*

## Recommendations

Recommendations numbered **F1** have been implemented.

*Attach a statement describing the implement actions.*

Recommendations numbered **F2** have not yet been implemented, but will be implemented in the future.

*Attach a statement with the schedule for implementation(s).*

Recommendations numbered    require further analysis.

*Attach an explanation, and the scope and parameters of the analyses or studies, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.*

Recommendations numbered    will not be implemented because they are not warranted or are not reasonable.

*Attach an explanation.*

Signature: \_\_\_\_\_

  
Thomas D. Allman, Sheriff-Coroner

Date: 08-05-14

Number of pages attached:   6

# Response to Grand Jury Report

**Report Title: 6.1 Animal Control Confidentiality Violations**

**Report Date: June 9, 2014**

**Response by: Thomas Allman, Sheriff, Mendocino County**

## **FINDINGS**

**F1. “The facts listed above support the accusations by the large animal handling community that the unethical practice of releasing of complainant’s names has occurred.”**

I (we) disagree wholly with this finding. The Mendocino County Sheriff’s Office does not have any independent evidence to support this statement.

**F2. “There is strong circumstantial evidence to support allegations that complainant names were leaked by Animal Control Officers thereby violating the Animal Control Code of Ethics.”**

I (we) disagree wholly with this finding. The Mendocino County Sheriff’s Office does not have any independent evidence to support this statement.

**F3. “Breach of confidentiality by Animal Control Officers compromises the effectiveness of Animal Control and discourages future citizen complaints.”**

I (we) agree with this finding. The investigation of Animal Control issues are often complex and time consuming for Animal Control Officers. Animal Control Officers often rely upon members of the public to provide information to help them identify situations of animal abuse and neglect. Animal Control Officers understand the identities of these individuals need to be kept confidential wherever possible to prevent them from being harassed or retaliated against.

**F4. “The telephone number for handling loose and stray animals is that of Animal Care rather than Animal Control.”**

I (we) partially disagree with this finding. A search of the governmental pages in the November 2013/2014 Lake & Mendocino Counties published telephone book shows no listing for Animal Control under the County of Mendocino section. The Animal Care Services section of the County of Mendocino website identifies the Mendocino County Sheriff’s Office as being the agency that provides Animal Control services in the unincorporated areas of the county and lists the telephone number for the Mendocino County Sheriff’s Office dispatch center as being 707-463-4086.

## **RECOMMENDATIONS**

**R1. “Animal Control Officers participate in annual ethics training with an emphasis on confidentiality of complainant’s names”**

This recommendation has been implemented. The Animal Control Officers have begun to conduct an annual review of the Animal Control operating policy as it relates to confidentiality of reporting persons and the Animal Control Officer Code of Ethics.

**R2. “The public telephone numbers for handling Animal Control issues be corrected in directories and on web pages.”**

This recommendation has not been implemented, but will be implemented in the future. Attempts will be made to update the Lake & Mendocino Counties published telephone book to show the Mendocino County Sheriff’s Office as being the agency responsible for the Animal Control services within the incorporation areas of the county. The Mendocino County Sheriff’s Office website ([www.mendocinosheriff.com](http://www.mendocinosheriff.com)) will also be updated to have its own Animal Control section, which will outline the service areas and contact telephone numbers for the public.

# 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 \_\_\_\_\_