

COUNTY DELIVERY OF ANIMAL CONTROL SERVICES

June 9, 2014

SUMMARY

The 2013-2014 Grand Jury found a consistent problem with communication between Animal Control, Animal Care, the District Attorney's Office, veterinarians, and the public. The Grand Jury is recommending changes to address these problems. The Grand Jury recommends that Animal Control and Animal Care be re-integrated into one operational unit under the Sheriff's Office.

This Grand Jury investigated ethics violations during the handling of large animal abuse and neglect cases, resulting in a report, Animal Control Confidentiality Violations. This led to further investigation of the County's entire delivery system of animal control and care. Major issues at the Animal Care Shelter are discussed in a second report, County Delivery of Animal Care Services.

This report covers issues that contribute to the dysfunction of overall delivery of services including:

- Problems of data communication between two different county agencies
- Lack of written policies and procedures with respect to inter-departmental interactions
- Inadequate staffing
- Inequitable salary structures not commensurate with responsibilities
- Issues associated with the interaction between the county agencies and private veterinarians
- Prosecution concerns

GLOSSARY

Aegis	The computer database system used by law enforcement agencies in Mendocino County containing confidential law enforcement information.
AAC	Aegis Animal Control, a subprogram of Aegis used by Animal Control
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 relating to licensing, humane housing, medical care, and disposition of collected animals, a unit of Health and Human Services
Animal Care Shelter	Mendocino County Animal Care Shelter, 298 Plant Road, Ukiah, California 95482
Chameleon	The computer database system used by most Mendocino County departments including the County Animal Care Shelter
CAC	County Animal Care, the Chameleon subprogram configured for the Animal Shelter

BACKGROUND

The 2013-2014 Grand Jury received complaints about the handling of large animal abuse and neglect cases by the Sheriff's Office Animal Control unit (Animal Control). The complaints included allegations that Animal Control did not remove abused or neglected animals from their owners in a timely manner and did not prosecute owners. The investigation revealed multiple issues of dysfunction and failure in services delivered by Animal Control and the Animal Care Shelter. Many related problems are addressed in two other 2013-2014 Grand Jury Animal Control/Care reports.

APPROACH

The 2013-2014 Grand Jury reviewed the structure of Animal Control and Animal Care functions within the County. The Grand Jury conducted interviews and site visits, reviewed documents, and studied how the agencies functioned and interacted.

FACTS

Information Transfer and Case Files

Case reporting at the Sheriff's Office is entered into the Aegis database (AAC) by Dispatch from radio communication with the Officer in the field.

The Animal Care Shelter (Shelter) maintains ownership and license information on Chameleon database software (CAC).

Data from either the Animal Control or Animal Care database must be manually re-entered into the other database to maintain a parallel system of information accessible to both Animal Control Officers and the Animal Care Shelter. The two databases are not linked.

The Aegis database contains highly confidential law enforcement records. Only personnel approved by the Sheriff are allowed access to Aegis information. Animal Control Officers in the field have no direct access to either AAC or CAC data because there are no computers in their vehicles.

Animal Control Officers in the field must rely on personal cell phones to make contact with the Animal Care Shelter to gain access to licensing information. Animal Control Officers can successfully place a call to the Animal Care Shelter about 50% of the time when in the field. Because of the difficulty getting through on the cell phone, Animal Control Officers have "given up" on obtaining licensing information from the Animal Care Shelter because:

- Cellular telephone service is inadequate
- The Shelter is not staffed during non-business hours
- Shelter personnel do not answer phones when busy with other tasks

Animal Care only becomes involved in a case when an animal is delivered to the Shelter.

Policies and Procedures

Animal Control has neither written policies and procedures specific to handling large animal abuse or neglect cases, nor a formal check list for confiscating large animals. The confiscation of

large animals requires integration of the efforts of multiple government agencies, private organizations, and individuals.

Animal Care has no formal procedures or check list for handling the intake and care of large animals.

Neither Animal Control Officers nor Animal Care personnel have formal protocols for interacting with each other.

All Animal Control Officers were consistent, complete, and correct when asked difficult questions pertaining to euthanasia performed in the field and procedures proscribed in the California Penal Code.

Reduced Staffing Levels

Three County Animal Control Officers patrol the 3,878 square miles in Mendocino County. Two are based in Ukiah and one in Willits. In the past, the County employed as many as seven Animal Control Officers.

Sheriff's Office Dispatch handles approximately 1,500 calls for Animal Control services annually. Both the Fort Bragg and Willits Police Departments handle additional calls requiring County Animal Control Officer services. Animal Control Officers often provide their private cell phone numbers to citizens so they may make direct contact.

The County closed its Fort Bragg Animal Care Shelter in 2007-2008, relying on local volunteer organizations for impoundment facilities. Response time for sending Animal Control Officers to the coast is approximately four hours. Unless a serious threat to public health and safety is involved, first response animal control services are provided by local police. Local law enforcement officers on the coast have neither training nor equipment to handle serious animal control needs.

Low priority calls, e.g., barking dogs, are ignored due to inadequate staffing.

The County eliminated funding for a fourth Animal Control Officer in the 2013-2014 Budget.

Salaries

Animal Control Officers represent a continuous and visible public face of the County; they interact daily on a face-to-face basis with the community. This face-to-face contact is at times volatile, and sometimes hostile.

Animal Control Officers are required to have special training with equipment that, if not used correctly, can adversely impact the safety of animals and endanger citizens who may be present. (Appendix A)

Animal Control Officers are required to carry firearms. They are required to have weapons training and be prepared to use deadly force.

There is a disparity between compensation and responsibilities in the Sheriff's Office. The starting salary for an Animal Control Officer in Mendocino County is \$33,966 annually. The top salary is \$36,546 annually. The starting salary for a Deputy Probation Officer I is \$36,920 annually. The top salary for an Animal Control Officer is less than the starting salary of a Deputy Probation Officer I.

Probation Officers have Mendocino County Employee Retirement Association (MCERA) Safety Officer's retirement. Animal Control Officers have MCERA retirement but not Safety Officer's retirement.

The responsibilities of the Animal Control Officer to the health and safety of the community exceed those of a Deputy Probation Officer I. (Appendices A and B)

Veterinarian Issues

Veterinarians testified that the County does not pay for their services on a timely basis.

Some veterinarians will not work with Animal Control Officers. They believe that Animal Control Officers do not remove abused or neglected animals from their owners in a timely manner. Further, abusive owners are not barred from obtaining additional animals.

The District Attorney's Office does not give a high priority to animal neglect or abuse cases.

FINDINGS

- F1. Manual re-entry of data is costly, inefficient, and introduces the possibility of transcription errors.
- F2. Animal Control Officers often have difficulty making contact with Animal Care while in the field.
- F3. Information access limitations restrict efficient handling of loose and stray animals because no background information is available to officers in the field.
- F4. Not being able to return stray animals directly to their owners leads to a more costly process for both the public and the Animal Control/Care system.
- F5. Not all data about an individual case is necessary to proceed on most licensing (small animal) cases. Large animal abuse or neglect cases require more extensive information from both Aegis and Chameleon to proceed.
- F6. Animal Control does not have adequate policy and procedures to meet the best practices criteria for handling large animal abuse or neglect cases.
- F7. There are no mutually agreed upon written procedures that cover responsibilities, contacts, logistics, and other items for large animal integrated operations involving the community and multiple agencies of the County.
- F8. The Sheriff's Office Animal Control unit logs an extensive number of calls beyond the capacity of current staffing level.
- F9. The absence of an Animal Control Officer stationed on the coast represents a serious risk to public health and safety.
- F10. Coastal calls require at least two extra hours of officer time.
- F11. There is an egregious degradation of coverage on the coast.
- F12. Staffing levels directly impact available and timely service.
- F13. The absence of a County Animal Care Shelter on the coast requires extensive transportation costs.

- F14. The closing of the County's Fort Bragg Animal Care Shelter has added to the overload at the County Animal Care Shelter in Ukiah.
- F15. The impact of budget decreases has degraded services for the entire County.
- F16. Animal Control Officers are a visible presence of County Government.
- F17. Animal Control Officers are more than dog catchers. They are underpaid for the level of training they are required to have and the responsibilities they perform.
- F18. Animal Control Officers do not have safety officer retirement benefits equal to those of a Probation Officer I.
- F19. A comparison of job descriptions reveals a higher level of responsibility of the Animal Control Officer than that of the Deputy Probation Officer I. (Appendices A and B)
- F20. Veterinarians are not paid in a timely fashion when providing services to the County
- F21. There is a disagreement between veterinarians and Animal Control over interpretation of what Animal Control can and cannot do.
- F22. Veterinarians and Animal Control Officers are concerned about the District Attorney's lack of prosecution of animal abuse or neglect cases.
- F23. The District Attorney's reluctance to prosecute animal abuse cases, for whatever reason, has led to abusive owners keeping the abused animals longer.
- F24. Lack of prosecution leads to Animal Control putting more emphasis on working with abusive owners longer in an attempt to alter owner behavior before proceeding with removal of the animals.

RECOMMENDATIONS

The Grand Jury Recommends that:

- R1. Animal Control Officers be given the technology and equipment to access the animal care database from the field. (F1, F2, F3, F4, F5)
- R2. Animal Control and Animal Care be re-integrated into one operational unit under the Sheriff's Office. (F1, F2, F3, F4, F5)
- R3. Animal Control and Animal Care develop joint policies and procedures for handling large animal removal and subsequent care. (F6, F7)
- R4. Animal Control develop and regularly update formal policy and procedures for investigation and handling of large animal abuse or neglect cases. Policies and procedures including: (F6, F7)
 - a. Addition of the investigating officer's notes to the written case file
 - b. When to close an animal abuse or neglect case
 - c. Documentation of animal condition per best practices
 - d. Decision Tree regarding when to call a Veterinarian
 - e. Decision Tree regarding when to confiscate an animal

- f. Logistical check list for animal removal
 - g. Procedures for removal and transport of large animals
 - h. Decision Tree regarding when to perform field euthanasia
 - i. Filing a case with the District Attorney
 - j. Complainant confidentiality rules
- R5. The County Administration restore the level of staffing of the Sheriff's Office Animal Control unit to at least four Animal Control Officers and restore appropriate funding. (F8, F9, F10, F11, F12, F13, F14, F15)
- R6. The Animal Control Officers' salaries should be made at least commensurate with that of a Deputy Probation Officer I. (F16, F17, F18, F19)
- R7. Animal Control Officers be given the opportunity to join MCERA Safety Officers classification. (F18, F19)
- R8. The Sheriff's Office personnel and the County Contracts Office personnel meet with the veterinarian community to let them air their grievances. (F20, F21)
- R9. The Sheriff's Office and the County Contracts Office act in accord with their best knowledge to solve the issues. (F20, F21)
- R10. Board of Supervisors pass a County ordinance which forbids individuals found guilty of animal abuse from owning animals for a set period of time. (F24)
- R11. The District Attorney and the County Sheriff meet to establish guidelines setting forth the standards necessary to refer a case to the District Attorney's Office for prosecution. (F22, F23, F24)

RESPONSES

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

- Sheriff, Mendocino County (All findings and All recommendations)
- District Attorney, Mendocino County (F6, F7, F22, F23, F24 and R4, R10, R11)

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

- Board of Supervisors, Mendocino County. (F1, F2, F3, F4, F5, F8, F9, F10, F11, F12, F13, F14, F15, F16, F17, F18, F19, F24 and R1, R2, R5, R6, R7 R10)

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

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. Job Description for an Animal Control Officer

Note that this job description includes entry responsibilities for County Animal Care personnel.

JOB SUMMARY:

Under general supervision, to enforce state laws and county ordinances pertaining to the care, control, and licensing of animals; and to perform related duties as required.

DISTINGUISHING FEATURES:

Animal Care and Control Officer is the journey level classification in the animal control officer series. Incumbents in this class handle routine to complex cases, and are expected to possess considerable knowledge specific to the job assignment within the scope of the class. Incumbents in this class are distinguished from Senior Animal Care and Control Officer in that the latter provides lead worker support for other animal care and control staff; and/or serves as a technical expert in a specialized function within the normal scope of work such as firearms trainer. This class is distinguished from Animal Care & Control Officer-in-Training in that the latter is primarily involved in gaining the knowledge, skill and ability necessary to independently perform the full range of duties of the journey class.

ESSENTIAL JOB FUNCTIONS: (All responsibilities may not be performed by all incumbents.)

- Patrols the county in a vehicle for violations of animal laws.
- Picks up stray, owned, abused/neglected, injured, sick, abandoned, dead or aggressive animals.
- Locates, controls and impounds animals; quarantines animals suspected of being rabid, if needed.
- Investigates reported possible rabies exposure from animal bites to humans and wild animal bites to domestic owned animals.
- Investigates reported animal abuse/neglect; investigates livestock loss due to dogs.
- Issues citations, verbal and written warnings.
- Promotes good public relations by educating pet owners on laws pertaining to care and control of animals, spaying/neutering pets, and vaccinating and licensing pets; conducts or assists with education programs for schools and groups on animal care issues.
- Prepares documentation and court case reports; appears and testifies in court as required.
- Maintains records and logs relating to firearm discharges, use of drugs needed for treatment, vaccinations, euthanasia, and control and capture of animals.
- Maintains firearms and equipment.
- Orders and reorders supplies as needed.
- Performs kennel tasks, such as cleaning and disinfecting dog runs and cat cages; feeds and waters animals; performs euthanasia and disposes of animals, as needed.
- Performs shelter tasks, such as answering phones, accepting animals brought to the shelter by the public and other agencies, selling dog licenses, adopting animals, redeeming owned animals and otherwise assisting the public.
- Performs other related duties as assigned.

MATERIAL AND EQUIPMENT USED:

General Office Equipment, Computer, Pepper Spray, Flashlight, Vehicle(s), Radio Scanner, Leash, Muzzle, Cat Grabber, Phones, Traps, Camera, Firearms, Tranquilizer Gun, Syringes, Catch Pole

MINIMUM QUALIFICATIONS REQUIRED:

Education and Experience:

High School diploma or GED; and,

One year of progressively responsible related experience; or, any combination of education, training and experience which provides the required knowledge, skills, and abilities to perform the essential functions of the job.

Licenses and Certifications:

Valid Driver's License

Basic State Humane Officer Academy

Completion of Penal Code 832 Training

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of:

- Applicable state, federal and local ordinances, laws, rules and regulations.

- Record keeping, report preparation, filing methods and records management techniques.
- Characteristic animal breeds, common diseases and animal behavior.
- General office procedures, policies and practices, as well as basic knowledge of computer and other general office equipment.
- Correct English usage, including spelling, grammar, punctuation, and vocabulary.
- All computer applications and hardware related to performance of the essential functions of the job.

Skill in:

- Using tact, discretion, initiative and independent judgment within established guidelines.
- Preparing clear and concise reports, correspondence and other written materials.
- Organizing work, setting priorities, meeting critical deadlines, and following up on assignments with a minimum of direction.
- Communicating clearly and effectively, both orally and in writing.
- Applying logical thinking to solve problems or accomplish tasks; to understand, interpret and communicate complicated policies, procedures and protocols.
- Using a computer terminal to enter and retrieve data and information.
- Testifying in court.
- (Handling firearms)

Mental and Physical Abilities:

- Ability to establish and maintain effective working relationships with a variety of individuals.
- Ability to follow oral and written instructions.
- Ability to write reports and correspondence.
- Ability to speak effectively before groups.
- Ability to work with and handle animals safely, in a humane manner in hazardous and non-hazardous situations.
- Ability to react quickly, efficiently, and calmly in an emergency situation and to adopt an effective course of action.
- Ability to interpret, apply and enforce laws, regulations, ordinances and policies related to animal control.
- Ability to care for and use a variety of small firearms, pepper spray, and impact weapons.
- While performing the essential functions of this job the employee is regularly required to stand, walk, sit, use hands to finger, handle, or feel, reach with hands and arms, climb or balance, stoop, kneel, crouch, or crawl, and speak and hear.
- While performing the essential functions of this job the employee is frequently required to lift and/or move up to 100 pounds.
- While performing the essential functions of this job the employee is occasionally required to use color, sound, odor and shape perception and discrimination.

Working Conditions:

While performing the essential functions of this position the employee is frequently exposed to outdoor weather conditions, toxic or caustic chemicals, and sick or dangerous animals.

The incumbent's working conditions are typically loud.

This class specification should not be interpreted as all inclusive. It is intended to identify the essential functions and requirements of this job. Incumbents may be requested to perform job-related responsibilities and tasks other than those stated in this specification. Any essential function or requirement of this class will be evaluated as necessary should an incumbent/applicant be unable to perform the function or requirement due to a disability as defined by the Americans with Disabilities Act (ADA). Reasonable Animal Control Officer Class Specification Class Code: 27346 Page 4 Mendocino County Government, 2001. Accommodation for the specific disability will be made for the incumbent/applicant when possible.

Appendix B. Job Description for a Deputy Probation Officer I

JOB SUMMARY:

Primary responsibilities are to investigate assigned cases, prepare written reports and make recommendations to the referring court; work consists of varied and moderately complex professional duties.

DISTINGUISHING CHARACTERISTICS:

This sworn peace officer classification is the entry-level position in the Probation Officer Series. Work is initially performed in a learning capacity under relatively close supervision. This class is distinguished from the Deputy Probation Officer II in that incumbents enter the classification series with less relevant previous experience and education and are not initially expected to function at the same skill level as the II. Incumbents are expected to gradually take on more complex duties, progressing to the Journey level.

SUPERVISION EXERCISED:

Exercises no supervision. May participate in training other staff.

EXAMPLES OF DUTIES: *Duties may include but are not limited to the following:*

- Manage caseload of assigned probationary cases; monitor adherence of probationers with terms of probation; search probationer and residence.
- Perform intake for juvenile cases; assess, investigate, evaluate and determine disposition for each case.
- Arrange and monitor placement of individuals on probation in rehabilitation, treatment and/or other programs.
- Compile, investigate, verify and present reports on personal, social, educational, financial, health and/or prior criminal involvement of probationers; present sentencing recommendations in court.
- Communicate with a wide variety of agencies, probation departments, law enforcement agencies, schools or other organizations to arrange and maintain needed services for probationers.
- Communicate with other law enforcement and/or social service agencies on crime investigation and prevention.
- Intervene in crises; counsel with probationers and/or family members; communicate with involved community and/or private agencies; make referrals.
- Maintain records; prepare and process various reports and court documents as needed.
- Make arrest of and transport probation violators to appropriate location, which may involve physically restraining and/or detaining individuals.
- Appear and/or testify in court for detention, jurisdictional, disposition and/or violation of probation hearings; attend special and/or annual review and sealing of records per assigned casework in both adult and juvenile cases.
- Perform drug tests following established policies and procedures; including collecting urine specimens, sending specimens to appropriate laboratory, monitoring and recording test results.
- Perform clerical duties such as filing, completing various forms, logging all contacts, and ordering supplies.
- Attend meetings and training seminars as scheduled.
- Perform other related duties as assigned.

MATERIAL AND EQUIPMENT USED:

General Office Equipment, Computer, Vehicle, Dictaphone, Pepper Spray, Flashlight, Handcuffs, Radio, Firearms

MINIMUM QUALIFICATIONS REQUIRED:

Education and Experience:

Associate's degree from an accredited college or university in Criminal Justice, Behavioral Science or a related field and six months of related experience. A combination of related education, training and experience performing duties such as custodial care, treatment counseling, probation, parole, corrections, criminal investigation or other related law enforcement or counseling work may be substituted for the education at a rate of two years of experience for each year of education requirement.

Licenses and Certifications:

Valid California Driver's License

PC 832 within first year

Probation Officer's Core Course within first year

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of:

- Principles of human behavior and applied psychology.
- Principles and techniques of interviewing and casework.
- Applicable state, federal and local ordinances, laws, rules and regulations.
- All computer applications and hardware related to performance of the essential functions of the job.

- Record keeping, report preparation, filing methods and records management techniques.

Skill in:

- Preparing clear and concise reports, correspondence and other written materials.
- Using tact, discretion, initiative and independent judgment within established guidelines.
- Organizing work, setting priorities, meeting critical deadlines, and following up on assignments with a minimum of direction.
- Applying logical thinking to solve problems or accomplish tasks.
- Understanding, interpreting and communicating complicated policies, procedures and protocols.
- Communicating clearly and effectively, both orally and in writing.

Mental and Physical Abilities:

- Ability to establish and maintain effective working relationships with a variety of individuals.
- Ability to write reports and correspondence.
- Ability to define problems, collect data, establish facts and draw valid conclusions.
- Ability to speak effectively before groups and respond to questions.
- Ability to read, analyze and interpret professional periodicals and journals, technical procedures and government regulations.
- While performing the essential functions of this job the employee is regularly required to sit, use hands to finger, handle, or feel, reach with hands and arms, and speak and hear.
- While performing the essential functions of this job the employee is occasionally required to lift and/or move up to 50 pounds.
- While performing the essential functions of this job the employee is occasionally required to arrest, detain, and/or restrain clients.

Working Conditions:

The incumbent's working conditions are typically moderately quiet but may be loud at times

This class specification should not be interpreted as all-inclusive. It is intended to identify the essential functions and requirements of this job. Incumbents may be requested to perform job-related responsibilities and tasks other than those stated in this specification. Any essential function or requirement of this class will be evaluated as necessary should an incumbent/applicant be unable to perform the function or requirement due to a disability as defined by the Americans with Disabilities Act (ADA). Reasonable accommodation for the specific disability will be made for the incumbent/applicant when possible.