

ANIMAL SHELTER SERVICES — WHAT'S GOING ON?

INTRODUCTION

The Animal Services Division (Division), under the umbrella of the Sheriff's Department, is responsible for providing animal care and control services throughout the County of San Luis Obispo. The animal shelter is located off Highway 1, four miles west of downtown San Luis Obispo. The Division is funded by internally generated revenue, service contract fees and the County's general fund. The Division's operating budget for the current fiscal year is approximately \$2.1 million.

The Division has four primary functions:

1. Field Services
2. Shelter Services (**The Jury's review focused on the Shelter Services function.**)
3. Administrative Functions
4. Public Health and Education

In addition to housing, caring for, and promoting the adoption of stray animals, the shelter also receives animals relinquished by their owners and strays brought in by local citizens. The shelter (kennel operations) is staffed with one part-time and three full-time kennel workers. Inmates from the Honor Farm of the San Luis Obispo County Jail are assigned to the shelter to clean animal cages and perform other maintenance duties. Additionally, a cadre of 30-40 volunteers provides various functions at the shelter.

ORIGIN/PURPOSE

The 2007-2008 San Luis Obispo Grand Jury received numerous citizen complaints from volunteers working at the shelter relating to its operations and personnel. The complaints included claims of:

- Animal neglect, lack of medical treatment for animals and inhumane treatment of animals
- Animal abuse by the Honor Farm inmates
- Hayden Law infractions (not following state mandated euthanizing protocol)
- Personnel issues
- Lack of standard operating procedures

The purpose of the Grand Jury review was to determine the validity of numerous allegations directed toward Shelter Services and its personnel. (See Appendix A)

METHOD

As part of its investigation, the Grand Jury:

- Toured the animal shelter
- Interviewed twelve people familiar with shelter operations (seven volunteers, three shelter staff and personnel from the Sheriff's Department)
- Monitored press coverage on animal shelter issues
- Reviewed information received from the Animal Services Manager
- Reviewed meeting minutes from Animal Services Staff and volunteers (Ad Hoc Group)
- Interviewed some Ad Hoc Group members
- Reviewed draft shelter policy and protocol manual
- Reviewed "Shelter Evaluation Animal Services Consultation" from the Humane Society of the United States (HSUS)

NARRATIVE

Grand Jury Interviews/Other Pertinent Events:

1. Grand Jury Interviews - The Grand Jury completed most of its interviews with the shelter volunteers, shelter staff, Ad Hoc group members and Sheriff's Department personnel in November, 2007. The Jury learned during these interviews that a number of positive actions were being taken or planned by the county to address problems at the animal shelter.

2. Formation of the Ad Hoc Group - An Ad Hoc Group was assembled by two members of the Board of Supervisors (BOS) to address alleged problems at the shelter that had been brought to their attention by the public. The group included two Supervisors, the Animal Services Manager, the Undersheriff, shelter volunteers and county administrative staff. The group was formed in August of 2007. There were two meetings held in 2007 (August and October) and one meeting in January of 2008.

Note: The Grand Jury requested that it have a few representatives attend the October meeting as observers only. The purpose of having members of the Jury attend the meeting was to verify that the Ad Hoc Group was addressing the overarching issues that were identified in complaints received by the Jury. Had the Jury been able to make this determination, its intention was to "back off" and possibly not write a report. The Jury was first told that it could attend the October meeting then, at the last hour, the Jurors were uninvited. The Jury was told by the Ad Hoc Group that they would prefer the Jury not attend their meetings because the group was working toward building relationships and trust. The group facilitator believed that having Jury participation might hinder that effort. The Jury requested and received copies of the draft minutes for the October 2007 and January 2008 meetings. A review of these minutes showed that the Ad Hoc Group had not specifically addressed many of the complaint issues described in Appendix A of this report. Developing a shelter Policy and Procedures Manual was discussed in the October 2007 meeting. The minutes indicated that a draft policy manual was in the review stage.

3. Supervisors Order Study to Reorganize Animal Services Division - In December of 2007, County Supervisors ordered their staff “to find a new way to organize the Animal Services Division”, including the possibility of moving the Division out of the Sheriff’s Department. This action by the Supervisors followed numerous requests from the Sheriff’s Department, over the past couple of years, to the County’s Administrative Office regarding the management of Animal Services. The Sheriff asked that the Board transfer oversight and management responsibility for the Animal Service function to another department or to a stand-alone department. Based on an article in *The Tribune* dated May 15, 2008, any proposals to reorganize the Animal Services Division will be delayed until August, 2008.

4. Shelter Evaluation by the Humane Society - The Animal Services Manager and the Undersheriff requested, and the Board of Supervisors approved, \$25,000 for a contract with the HSUS for a comprehensive review of animal care and control services at the shelter. The review was intended to obtain an objective evaluation of shelter operations and to formulate plans on how to address evolving operational challenges. Discussions with HSUS to arrange for the audit were begun in 2006, well in advance of volunteer complaints. Based the Jury’s review of the HSUS proposed evaluation outline, the evaluation of shelter facilities and operations appeared to include most of the complaint areas listed in Appendix A of this report. The use of Honor Farm inmates was not mentioned in the HSUS review outline but subsequent interviews indicated that inmate issues were discussed at the HSUS exit briefing. The HSUS review was conducted March 17-21, 2008. An exit briefing was conducted by HSUS on March 21, 2008, to summarize results of the review. The Grand Jury requested that a single representative attend the exit briefing, again as an observer. The purpose for our presence was to determine if the HSUS review had addressed the issues identified in the Jury’s investigation. The Jury was barred from attending the exit briefing by the County Administrator’s Office. The explanation given the Jury was that the meeting would deal with potential litigation and personnel discipline matters. The Jury subsequently interviewed a County Supervisor and the Animal Services Manager, both of whom had attended the exit briefing. The Jury was given an overview of the HSUS shelter evaluation based on the interviewees’ recollections and meeting notes of the presentation. The broad issues discussed at the exit briefing included: staff training, communications issues, implementation

of the shelter Standard Operating Procedures, and control over the volunteers activities. Animal Services has started to address some of the issues identified by HSUS, but funding for any substantial changes has not yet been appropriated. The Jury will not learn the full extent of the HSUS findings until the final report is issued in July 2008, too late for this Jury to review the results and incorporate them into this report.

CONCLUSIONS

The Grand Jury commends the formation of the Ad Hoc Group as an attempt to resolve Animal Services issues. The Jury also recognizes requests made by the Sheriff's Department for alternatives to the current responsibility for oversight of Animal Services. Lastly, the Jury applauds the Sheriff's Department and the Shelter Manager for initiating the outside evaluation of Animal Services by HSUS and the Board of Supervisors for approving funding for the review..

The Jury has waited (since November, 2007, when most interviews were completed) to learn what actions the Ad Hoc Group has implemented or proposed and to learn the results of the Humane Society's evaluation regarding shelter operations. The Jury did not want to duplicate the efforts of these separate reviews.

The Jury has been frustrated by:

- Being asked not to attend The Ad Hoc Group, resulting in the Jury's inability to determine whether the Ad Hoc Group was effectively addressing the issues related to shelter operations and its personnel.
- Being barred from attending the HSUS exit briefing by the County Administrator's Office, resulting in the Jury's inability to determine whether the HSUS audit had any recommendations regarding issues raised in the complaints to the Jury.

The Jury did interview attendees from both of the above meetings; however, their testimony has to be considered "hearsay". While the Grand Jury can consider hearsay testimony, it does not carry the same weight as direct testimony and is difficult to validate. These restrictive actions

have limited the Jury's ability to objectively examine and report on the Animal Services Division's problems. There was some concern expressed that having jurors present might compromise the privacy of these meetings. Grand Jurors take an oath of confidentiality not to disclose anything said by the Grand Jurors as part of their deliberations, or the manner in which the Grand Jurors vote. Secrecy and confidentiality are vital to the successful performance of the Jury's watchdog and investigative functions. Jurors take this oath very seriously and risk prosecution for any violation.

Because of limitations placed on the Grand Jury, it had no option but to write a report outlining what it was able to learn regarding the allegations levied against the Animal Shelter by volunteers – many of which appeared serious. The Jury was unable to either substantiate or refute these allegations. See Appendix A.

The Jury will not make shelter related recommendations in this report because of the many changes currently being considered for the shelter operations, which include:

- The on-going actions in response to the Ad Hoc Group's recommendations
- The Animal Services reorganization study
- The final HSUS shelter report due to be published in July, 2008

FINDING

The Jury was limited in its efforts to objectively and thoroughly review the Animal Services Division. Of particular importance were meetings held by the County that discussed current problems and potential solutions. While County staff may have had the legal authority to deny the Grand Jury's request to attend these meetings, not being able to hear these discussions firsthand definitely impacted the Jury's ability provide adequate oversight necessary to fully respond to the complaints. The meetings in question were:

- The Ad Hoc Group asked Jury members not to attend their meetings thereby limiting access to the material and relevant information needed for its investigation.

- The Grand Jury was barred from attending the HSUS exit briefing which would have provided the Jury with an independent, first-hand view of shelter issues and HSUS suggested solutions.

RECOMMENDATION

The Board of Supervisors should take steps to facilitate Grand Jury access to proceedings of the Board and its agencies where parallel reviews are taking place. The Jury should not be viewed as an adversary on these occasions rather as the county’s watchdog doing its job to provide independent and objective evaluation of county government.

REQUIRED RESPONSE

A Response to the recommendation is required from the San Luis Obispo County Board of Supervisors

The response shall be submitted to the Presiding Judge at the San Luis Obispo Superior Court by **October 21, 2008**. Please provide a copy to the Grand Jury as well. The mailing addresses for delivery are:

Presiding Judge	Grand Jury
Presiding Judge Martin Tangeman Superior Court of California 1035 Palm, Room 385 San Luis Obispo, CA 93408	San Luis Obispo County Grand Jury P.O. Box 4910 San Luis Obispo, CA 93403

APPENDIX A

While the original purpose of this report was to determine the validity of the many allegations contained in the complaints to the Jury, the Grand Jury's efforts in this regard were impeded by the limitations placed on the Jury's access to first-hand, relevant and objective testimony. Therefore, the Jury will not make any determinations as to the validity of these allegations. However, in order to provide a complete record, and to assist those currently involved in resolving the shelter's issues, the Jury provides the following information regarding the five areas of concern listed in the Origin/Purpose section of the report. This information was taken from the many hours of testimony heard by the Grand Jury.

It should be noted that the data in this Appendix primarily represents the views of the shelter volunteers. The volunteers interviewed work at the shelter on the average of 3 days/week for a total of 18 hours/week. This means that volunteers are not at the shelter full-time and cannot observe what goes on at the shelter during an entire day of operation.

Questions to interviewees addressed the following five primary areas of concern:

1. Animal neglect, lack of medical treatment for animals and inhumane treatment of animals. - Many of the volunteers and some staff interviewed reported observing the following:

- Cats often had no food or water
- Cats were often dehydrated
- Litter pans were piled, there was urine in the cage and blankets were dirty
- Cats were found dead in their cages
- Cats were not receiving proper medical care

These conditions were reported to kennel workers, the Shelter Coordinator or the Shelter Manager. Corrective action was taken in some cases; however, the interviewees did not know the status of the corrective action in all cases.

2. **Honor Farm Inmates used at the shelter** - Inmates are used at the shelter to clean cages and perform maintenance. The inmate program has been a long term problem at the shelter. The Jury was told that inmates are a challenge because many of them assigned to work at the shelter are not motivated and don't want to be there. Most of the Honor Farm inmates have short sentences and are just serving out their time. However, replacing the work the inmates do at the shelter with paid shelter personnel would have a significant impact on the shelter budget. The Shelter Manager has made recommendations in the past to replace inmate labor with paid shelter staff; however, funds were never made available.

Based on the information gathered in the interviews (volunteers and staff), there were two specific areas of concern about inmates:

- Inmates are not adequately supervised while at the shelter
- Inmates are not adequately trained to perform their cleaning duties

Other problems with the inmates were also identified, but they were not observed on a frequent basis. Volunteers did make their concerns known to kennel staff. In most cases, corrective actions were not observed by the volunteers.

3. **Hayden Law infractions (not following state mandated euthanizing procedures)** -

The Hayden Law was passed in 1988. The purpose of the law was to make animal shelters in California more accountable for humane treatment of animals. The law gives the public a longer time to find lost pets; established more convenient hours to visit the shelter; and provides that animals surrendered by their owners have four to six days to remain alive before being euthanized.

Based on information from the interviews, all volunteers said they did not believe that the staff had a sufficient understanding of The Hayden Law and, in their opinion, the requirements under Hayden Law were not followed when euthanizing animals. Half of those interviewed said that they had sent letters or emails to shelter staff, the Undersheriff

and to the Board of Supervisors regarding potential violations of The Hayden Law. In most cases, they received no response.

The Shelter Manager responded by saying:

- that he knew the requirements under the Hayden Law and adhered to them.
- that it is not within the job function of line staff (kennel workers) to be familiar with all of the regulations related to the operation of a public shelter.
- that volunteers may have incomplete knowledge of the specific situations regarding animals being euthanized.

Two other questions directed to volunteers concerning euthanizing animals included:

- **Are animals killed that should not be killed?**
- **Are cats killed when kennel space is available?**

All the volunteers questioned said they had observed animals killed, some as many as 30-50 while others observed just a few. October, 2007 seemed to have been a particularly bad month for cats being killed. Of those volunteers interviewed, most said animals were being killed unnecessarily.

For the period 2004-2006, the number of animals euthanized at the shelter has increased somewhat: 380 in 2004, 452 in 2005, and 499 in 2006. In 2007, the number of animals euthanized decreased to 476. While the actual numbers of animals euthanized have increased for the period 2004-2006, so has the number of animals coming into the shelter. However, the number of animals euthanized at the shelter is down substantially from a high of 3,000 in 1998 to 900 in 2002. Data provided to the Grand Jury by the Sheriff's Department show the annual percentage of animals euthanized in 2006 at the Animal Service Division (12.9%) was lower than that of twelve comparable counties in the state. The ratio of animals euthanized compared to the number of intakes has remained relatively constant for the period 2005-2007- (an average of 13%)

4. **Personnel issues** - Animal Services created a new Animal Shelter Coordinator position in August, 2007 to help meet the need of increasing numbers of animals admitted to the

shelter. The Jury reviewed the Shelter Coordinator's job description which included a long list of responsibilities and duties.

Interviewees (volunteers and staff) expressed concerns about the Shelter Coordinator's work ethic and job knowledge. Specifically, they raised questions about the Shelter Coordinator's job skills, organization skills, management skills and people skills. Based on the interview results, volunteers gave the Shelter Coordinator very low marks for these skills. They also attributed some of the shelter problems (animal neglect, inhumane treatment of animals, inmate issues and euthanizing animals) directly to the Shelter Coordinator. Others interviewed (staff) rated the Shelter Coordinator's job knowledge and skills as well below average or did not answer these questions. Those interviewed did say that the Shelter Coordinator's job responsibilities and duties were overwhelming for one person.

The Animal Services Manager was accused of:

1. Not addressing the medical needs of the animals on a timely basis.
2. Poor management, communication and people skills. According to some of those interviewed, the Shelter Manager does not generally respond in a timely fashion to complaints. A number of communication issues have been address by the Ad Hoc Group and corrective actions have been taken by the Shelter Manager.

5. **Lack of Standard Operating Procedures (SOP)** - There were no formal standard operating procedures in force at the Division of Animal Services at the start of the Jury's review. The SOP's are currently under development and review. The Jury was provided with a draft shelter policy and protocol manual index. The proposed policy manual will include the following five general areas:

- General Provisions
- General Operations
- Administrative Services
- Field Operations
- Kennel Operations

The draft policy and protocol manual appeared to include the necessary policies to address most of the problem areas discussed in Appendix A. The policy and protocol manual has since been completed and the Jury has received a copy for its review.