

**Placer County Animal Services
Report: Risk Assessment Summary from Site Visit,
June 13- 14, 2005**

Site Visit #3 - Introduction Meeting: Contractor met with Larry Anderson and reviewed three reports submitted associated with the Site Visit of May 31-June 1, 2005. The contractor also briefly met with Dr. Lisa Boyer.

This report includes interaction with Auburn Field Staff and Dispatcher, Auburn Clerical Staff, meetings with Leilani Vierra, Chief Executive Officer of the Placer SPCA, and interviews requested by line staff on June 13-14, 2005 which resulted in the following five Areas with their respective Findings, Liabilities and Potential Recommendations/Solutions for Discussion listed in priority order:

Field Services, Dispatch, Clerical Services, Staff Concerns and Comments by the SPCA Director.

Auburn Shelter Field Operations (ASFO)

All field operations observations occurred during a time when officers had recently been instructed not to wear their sidearm on their utility belts, some officers appeared confused and unclear about recent changes in firearm policy, some were outspoken in their protests and others silently protested the changes.

Alternatives to officers wearing firearms on their utility belts are listed separately from the AASFO Findings, at the end of this section.

ASFO Finding One: Firearms/Officer Protection

- a. All officers have access to the weapons safe.
- b. Body armor vests are outdated.
- c. Use of Force Policy does not include Extended Use of Force, up to and including Deadly Force.
- d. Officers keep loaded, unsecured firearms in their vehicles while completing field calls away from the vehicle.
- e. When taking firearms out of vehicles, officers are instructed to either hold the firearm in their hand, place the firearm in the waistband of their pants, or in the pocket of their cargo pants.
- f. Officer weapon training could not be verified.
- g. Officers exhibited concern over "command presence."
- h. Officers exhibited concern over management/supervisory expertise and guidance with law enforcement questions and development of Policies and Procedures.

Liability:

- a. When large numbers of employees have accessibility to secure areas (i.e., firearms safe) it increases the possibility for misuse/abuse of firearms which may result in a potential liability for the County. The Animal Service weapons "safe" no longer becomes a secure holding area for firearms.
- b. Ballistic vests have a "shelf life" of which the equipment provides full protection as determined by each manufacturer. Continued use of vests post-recommended replacement may result in less than optimum protection for employees and may give ACOs a false sense of security that could result in injury or even death.
- c. Law enforcement agencies must develop a Use of Force Policy, including Deadly Force when carrying firearms.

Penal Code 830.3(t)

Notwithstanding any other provision of this section, a peace officer authorized by this section shall not be authorized to carry firearms by his or her employing agency until that agency has adopted a policy on the use of deadly force by those peace officers, and until those peace officers have been instructed in the employing agency's policy on the use of deadly force.

Every peace officer authorized pursuant to this section to carry firearms by his or her employing agency shall qualify in the use of the firearms at least every six months.

Altercations that may escalate to deadly force may pose liability for the County when officers do not have Policies and Procedures and training to defend their actions.

In addition, carrying of weapons by animal control officers must be designated by a local ordinance or, if the governmental agency is not authorized to act by ordinance, by a resolution:

Penal Code 12031.

Permits Animal Control Officer and Humane Officer to Carry Loaded Firearms
(2) The carrying of weapons by animal control officers or zookeepers, regularly compensated as such by a governmental agency when acting in the course and scope of their employment and when designated by a local ordinance or, if the governmental agency is not authorized to act by ordinance, by a resolution, either individually or by class, to carry the weapons, or by persons who are authorized to carry the weapons pursuant to Section 14502 of the Corporations Code, while actually engaged in the performance of their duties pursuant to that section.

- d. Due to the nature of field calls in Animal Services, officers may exit and return to their vehicle several times during a single call or an ACO may be required to immediately pursue an animal on foot. These

- circumstances increase the chance that a vehicle may inadvertently be unlocked for a short period of time with a loaded, unsecured firearm stored in the vehicle. This is a potential liability for the County if the firearm is stolen and/or used in the commission of any crime (up to and including injury or death of a person).
- e. When a firearm is not holstered but still must be available for field use, it is handled more frequently, which increases the possibility there may be an accidental discharge. Each time a firearm is discharged, there is the possibility of injury.
 - f. If the County Policy dictates that officers will carry firearms, it is the responsibility of the County to provide initial firearms training, schedule dates and ensure approved completion of no less than twice per year qualifying, supervise daily employee safety and use procedures, and fulfill any other necessary firearms certification requirements. If an accident involving inappropriate firearm use should occur, it will be assumed that field officers are out of compliance if there is no sequential, up to date training and certification documentation for each employee which could be a County liability.
 - g. ACOs currently receive POST certified Peace Officer Orientation, Arrest and Firearms (832) training which qualifies them to carry firearms when an Animal Control department agrees this is necessary. However, ACOs have not completed an official police academy and are not held to the same level as police officers in terms of firearm use. Some ACOs that currently carry firearms have an increased, perceived level of "command presence" when carrying a firearm which may adversely affect their actions and field decision making process. If the County doesn't clearly define the ACOs use of the firearm, supervise firearm use, and identify and retrain ACOs that may misinterpret "command presence" when carrying a firearm, the County may be placing some ACOs and the public in a potentially dangerous situation.
 - h. In order to avoid liability situations, non-senior or unseasoned ACOs in the field need supervisory guidance for assistance with unusual animal emergency situations, animal law interpretation (search and seizure), and case complications in order to ensure department law enforcement continuity, lower the opportunity of legal error and lower the potential for employee and public safety concerns.

Recommendations:

- a. The department needs to develop Firearms Policies and Procedures that identify only one to two officers who will receive the combination to the firearms safe. The Policy will also identify who will be responsible for daily sign in and sign out of each firearm to each officer (similar to a custodian of evidence in a case investigation).

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- b. If ballistic vests are distributed to ACOs, they should be approved for full protection based on manufacturer recommendations. Vests that are used, damaged, or ones that do not provide full protection should not be distributed to ACOs in the field. In addition, Firearms Policies and Procedures should indicate whether or not ACOs are required to wear vests at all times that they are on duty for the department or indicate if it is optional for the officer.
- c. If the department makes a permanent decision that ACOs will be carrying firearms, then Firearms Policy and Procedure must include a section on the Use of Force Policy, including Deadly Force when carrying firearms. In all cases in use of Deadly Force or as directed by the Department Manager, ACOs that discharge a firearm under these circumstances should be reviewed by a pre-designated shooting review board similar to the type utilized by the Sheriff's department.
- d. Loaded firearms should not be kept in County vehicles unless they are properly mounted and secured in the vehicles (i.e., the vehicle headliner which can only be accessed when the ignition to the vehicle is turned on). This would cover securing .22 rifles or 12, 16, or 20 gauge shotguns in County vehicles. Some manufacturers of Animal Control vehicles do install small gun safes onto the floor of the cab where a .38 revolver can be securely stored. This type of gun safe was not observed in the ACO vehicles at Placer County.
- e. If the department makes the decision that ACOs will be carrying weapons in the form of a sidearm, then each ACO must be wearing a duty belt with a holster which is approved and authorized by the sheriff's department.
- f. The department should appoint an officer or supervisor in charge of the following areas:
 - Person qualified or trained as a Rangemaster or utilization of Sheriff Department Rangemaster to schedule firearms bi-annual qualifying, inform ACOs of the dates, and organize details at the range,
 - ACO Supervisor should maintain documentation for training/bi-annual qualification to be submitted for placement in personnel files,
 - Person qualified or trained as an Armorer or utilization of Sheriff Department Armorer who is responsible for checking firearms submitted by the field that are not properly functioning and determine if the firearm needs to be submitted for repair or replacement,
 - ACO Supervisor should perform random, weekly inspections of officer's firearms to monitor cleaning and condition of weapons.
- g. The department should train ACOs that they have "command presence" with or without firearms because they are wearing a badge, enforcing laws, writing citations and performing investigations/search

and seizure. In addition, the department should strengthen relationships with the Sheriff's department so that those officers will be supportive in the field when ACOs call in for sheriff assistance and support.

If sidearm is carried by ACOs, it should not change an officer's attitude (toughen or create an overly aggressive/bully mentality). Officers should project the positive image of Placer County Animal Services as a humane animal law enforcement department.

- h. A standard chain of command protocol that correlates with experienced and reliable supervisors that are respected by the ACOs and reachable when officers are in the field should be developed and followed. The chain may be developed based on officer seniority or designated supervisor, or may be categorized by area of expertise (Le. different chain of command for assistance with animal abuse cases versus barking dog investigations).

Alternative Firearms Policies

During the assessment process, the topic of wearing firearms versus not wearing firearms in the field was discussed with ACOs, supervisors, dispatch and administrators.

The following statutes in the Penal Code define peace officer status:

Penal Code 830.9

Animal control officers are not peace officers but may exercise the powers of arrest of a peace officer as specified in Section 836 and the power to serve warrants as specified in Sections 1523 and 1530 during the course and within the scope of their employment, if those officers successfully complete a course in the exercise of those powers pursuant to Section 832. That part of the training course specified in Section 832 pertaining to the carrying and use of firearms shall not be required for any animal control officer whose employing agency prohibits the use of firearms.

For the purposes of this section, "firearms" includes capture guns, blowguns, carbon dioxide operated rifles and pistols, air guns, handguns, rifles, and shotguns.

The department Firearms Policy and Procedure does not indicate that officers carry firearms for the intent of using deadly force (Use of Force official policy does not have a section on deadly force) nor have officers received police academy level weapon training in addition to 832 training to be classified as peace officers.

Reviewed Placer County documentation on discharge of firearms by an ACO involves dispatching of wildlife (Le. injured and/or suffering deer) in the field. Many ACOs told me that small mammals such as injured raccoons or skunks are often

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taken to wildlife rescue organizations for care rather than dispatched in the field. When injured/ill raccoons or skunks have a reported human exposure, those animals are transported to the shelter for injectable euthanasia rather than dispatched in the field because the head is needed for rabies testing.

The following types of humane euthanasia can be performed in the field by officers:

- Handgun - various calibers from .32 to .45
 - The muzzle should never be placed in direct contact with the animal's head.
 - The officer should shoot from approximately 2 inches facing the front of the head and aim down the length of the neck into the main bulk of the body.
 - Round-nose lead bullets are ideal to facilitate penetration. Buck shot equivalent to gun caliber can be used for dispatching small mammals, bird, and snakes. Target-shooting ammunition is not suitable.
 - A suitable backstop must be found in case the free-bullet exits the body. These include manure heaps, hay or straw stacks, and earthen banks. There should be no dead ground (hidden dips) between the target and the backstop.
 - If no backstop is available, the area behind the target must be clear of roads and dwellings for a distance of 3,000 yards, and any onlookers must stand behind the officer.
- Shotgun - 12, 16, 20, bore used with 4, 5, or 6 birdshot.
 - The muzzle of the gun should be held 2-10 inches from the animal's forehead, aiming down the line of the neck into the main bulk of the body.
 - The shot strikes the skull as a single, large-caliber mass and once inside the skull, the pellets separate and disperse within the brain cavity.
 - A shotgun is a safer firearm than a weapon using a free bullet.
- Rifle - .22
 - Some animal control agencies use rifles in the field when wildlife is gravely injured and suffering severely but the animal remains somewhat ambulatory. In these situations, the officer would use a rifle to perform field euthanasia so that the animal does not travel away from the location to soon after suffer an inhumane death.
- Correct Shot Locations by Species
 - Cattle - the ideal point of penetration is in the middle of the forehead, at the crossing point of two imaginary lines drawn between the middle of each eye and the center of the base of the opposite horn. This should establish a position about two inches above a line drawn across the forehead at the back of the eyes. The shot should enter at a right angle to the skull.

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- Deer - the ideal aiming point is in the middle of the forehead, at the crossing point of two imaginary lines drawn from the middle of each eye to the top of the opposite ear. The angle of the shot should be through the brain stem, as in cattle.
 - Horses - the shot should be aimed in the middle of the forehead, but slightly higher than the aiming point in cattle. Two imaginary lines should be drawn from the middle of each eye to the base of the opposite ear; the aiming point should be approximately three-quarters of an inch above the point where they cross. The muzzle of the firearm should be tilted slightly upward or downward so that the shot is directed through the cerebral cortex towards the brain stem.
 - Sheep and Goats - the aiming point is in the midline, just above the eyes, with the shot directed down the line of the spine and into the bulk of the body. The animal's head must be in the normal position before shooting. Heavily horned sheep can be shot from behind the poll (the top of the head) but it is dangerous with a free-bullet weapon and the animal must always be on soft ground. Whenever possible, a shotgun is recommended for this type of shot.
 - Pigs - are among the most difficult animals to shoot and a shotgun should be used if possible. The ideal site is one finger's width above eye level, on the mid-line of the forehead, aiming towards the tail.
- If dispatching an animal in the field, an officer must have Supervisor's approval prior to discharging his/her firearm unless the County Firearm Policy states that officers have pre-authorization from supervisors to dispatch animals in the field.

Penal Code 597.1 (e)

Notwithstanding any other provision of this section, any peace officer, humane society officer, or any animal control officer may, with the approval of his or her immediate superior, humanely destroy any stray or abandoned animal in the field in any case where the animal is too severely injured to move or where a veterinarian is not available and it would be more humane to dispose of the animal.

Whenever a firearm is discharged by an officer in the field, a section of the County Policy and Procedure Manual should indicate that a Discharged Firearm Report must be completed by that officer by the end of his/her shift.

- Sodium Pentobarbital Injection - requires secure transport and maintenance of logs for controlled substances by officers. On a daily basis officers will need to log out a numbered bottle of euthanasia

solution from the medical division or ACO Supervisor. The officer must secure the solution and equipment (needles and syringes) in a lock box that is secured to the vehicle.

A controlled substance log correlating to the numbered bottle of euthanasia solution and the amount of solution dispensed is kept by the officer in the vehicle. At the end of the ACOs shift, the bottle of euthanasia solution is checked back in to the shelter, the controlled substance log is presented and matched to the inventory log, and the solution is secured at the shelter.

The department has the following firearm policy options:

In the options listed below, when any firearm is used in the field, but not carried on the officer in a holster, the weapon is removed from its secure holding area in the vehicle directly before the officer uses it to dispatch an animal in the field and immediately returns the weapon to its secure holding area in the vehicle which is then locked prior to the officer completing the field call.

- Officers can wear a sidearm on their utility belt in an approved holster and check out shotguns from the gun safe as necessary for specific emergency calls.
- Officers can secure handguns in vehicle gun safes and check out shotguns from the gun safe as necessary for specific emergency calls.
- Officers can carry sodium pentobarbital in vehicle safes and check out shotguns from the gun safe as necessary for specific emergency calls.
- Officers can wear a sidearm on their utility belts, carry sodium pentobarbital in vehicle safes and check out shotguns from the gun safe as necessary for specific emergency calls.
- Officers can secure handguns in vehicle gun safes, carry sodium pentobarbital in vehicle safes and check out shotguns from the gun safe as necessary for specific emergency calls.

All options listed above should also include pepper spray, batons and tazers as non-firearm safety equipment. Officers will need to undergo training and become certified to carry both items.

Whatever option is chosen by the department, it is important that officers have some degree of input and/or participation in the decision making process so that they have a clear understanding how the policy was derived and are a part of its successful implementation.

ASFO Finding Two: Officer Safety/Security Issues

- Officers and dispatch complained that radio communication is often cut off or non-existent in certain areas of the County while being used by field officers.

- Observations of officers and safety concerns:
 - Officer responded to field call, left the vehicle and approached the doorway of a private residence in a rural area without taking any safety precautions (did not carry or have on her utility belt a lead rope, bite stick, or baton).
- Contractor observed officer remain in his vehicle in the driveway of a residence where he just responded to a call in order to complete paperwork and make telephone calls.
- Officers do not have expertise/training with equipment utilized for animal restraint and self defense:
 - Lariat/rope handling
 - Tazer training
- Rolling gate to the shelter where vehicles are parked remains unlocked and entry is frequently unsupervised.

Liability:

- The County may be liable when an officer's safety is at risk due to loss of radio contact with dispatch or fellow officers when working alone in remote areas of the county or in potentially dangerous situations.
- The County may be liable if an officer is injured when not following policy and procedure if the ACO Supervisor has knowledge of the insubordination and takes no corrective action or is unaware of the policy violation due to improper monitoring/supervising and managing of field officers.
- The County could potentially be liable if an officer is injured in the field under circumstances which could have been prevented if the ACO were provided with standard training and equipment that is commonly used in field operations of animal control agencies.
- The unlocked rolling gate provides unmonitored access by the public to the shelter facility where animal control vehicles are parked and have the potential to be broken into in order to steal firearms, controlled substances, and animals from vehicle cages. In addition to vehicle accessibility, animals in other holding areas, equipment, and sharp instruments are also at risk of being stolen and used for illegal purposes from the back parking area.

Recommendation:

- The County needs to evaluate alternatives to improve the reception with the current radio communication system used for the field staff. One alternative would be to contact the Sheriff's department to determine if they would allow Animal Control to "piggyback" on their system on a radio frequency uniquely assigned to the department.

- Update the Policy and Procedure Manual for Field Services to include detailed protocols mandating safety procedures and requirements, provide training for all officers in these practices, and provide daily supervision to ensure compliance.
- Provide lariat/rope and tazer training for all ACO staff. Incorporate use of lariat/rope for animal handling into safety policy and procedure for field services.
- Mandate that the rolling gate remain locked during regular business hours either by chain and padlock or the back area of the shelter is secured by installing an electronically controlled rolling gate.

ASFO Finding Three: Officers complain they are unable to work effectively

- Field decisions and issuing citations by officers are often reversed by administration if the public complains.
- Animal cruelty investigations that involve seizure of animals are put on hold until the public health officer gives permission for the ACO to impound animals.
- Officers are mandated to leave the scene of a field call if any conflict arises with members of the public regardless of the circumstances.
- Officers do not have trust or respect for the acting ACO Supervisor.



Liability:

- The County is at risk of providing preferential treatment for certain citizens and practicing selective law enforcement.
- By delaying or postponing a decision made by an ACO where he/she believe that an animal should be seized due to animal neglect/cruelty is in violation of the following penal code section. Not responding immediately may result inadvertently in perpetuating the neglect/cruelty and/or sending the negative message to the community that animal control does not consistently enforce laws that prevent and protect animals from neglect and cruelty situations.

Penal Code 597 .1 (b)

When the officer has reasonable grounds to believe that very prompt action is required to protect the health or safety of an animal or the health or safety of others, the officer **shall immediately seize** the animal and comply with subdivision (f).

- Officers encounter conflict with the public in numerous field situations (i.e., dog fight investigations, hoarder investigations). If they are mandated to exit a situation whenever disagreements arise, it may result in officer negligence if a misdemeanor or felony is being committed or may soon occur if the officer disengages from the scene and does not take appropriate legal action.

- Field work may become inconsistent and even illegal when all levels of officers are making advanced legal decisions without following official policies and procedures that are upheld and monitored by well-trained and experienced supervisors.



Recommendation:

- The County should implement an official process for dismissing a citation issued by an ACO. All citation complaints should be reviewed in the same manner, by the same level of staff, and circumstances systematically analyzed to determine the validity of the complaint. No citation should arbitrarily be dismissed whenever a citizen complains it was issued.
- The ACO Supervisor should have the training, experience, and must be accessible to field staff, and should be held accountable to make decisions involving the seizure of animals.
- Law enforcement staff should be trained to diffuse conflict situations between themselves and citizens when working in the field. If staff can not effectively handle these situations, the County should provide training for staff in conflict resolution and provide ancillary supervisory support for staff when situations escalate and the officer's or the public's safety are at risk.
- The County needs to permanently fill the ACO Supervisor position with a qualified, trained, experienced, leader as soon as possible. The person selected will need to devote a great deal of time to working directly with the officers and re-establishing trust and respect between the officers and supervision.



ASFO Finding Four: Vehicle Issues and Equipment Issues

- As stated in Report: Risk Assessment Summary from Site Visit, May 23-24, 2005, the cooling units for animal compartments do not consistently function properly in each vehicle. During a ridealong, an officer commented that the cooling unit on her vehicle sounded "funny" and she wasn't sure if it was properly working. Comments by other staff during the assessment period indicated that the cooling units are not currently being repaired due to unspecified manufacturer and County vehicle maintenance/repair issues.
- There is no official washing station for vehicles, no cleaning supplies, and the power spray unit is unavailable when being used by ACT staff to clean the parking lot.
- Contractor observed and confirmed with officers that there is no protocol for standard vehicle set up which would include specific safety gear, location of safety gear in the vehicle, standards for cleanliness, disposal of sharps etc.

Vehicles were observed in various states of disorganization with loose papers scattered on the seats and dashboard of the cab, dirty floor mats, dirty bench seats, and used tranquilizer darts from chemical immobilization performed three days earlier. Some officers stated that they had cleaned the interior of their vehicles to reach the aforementioned presentation for the contractor's anticipated inspection and ridealong.

- The vehicles do not have lock boxes that are secured to the floor of the cab for carrying handguns or for carrying controlled substances (i.e., euthanasia solution).
- The vehicles do not have computers which are tied into the shelter's animal inventory system and dispatch and vehicles are not equipped with microchip scanners.

Liability:

- Penal Code 597.1 (a)

Every owner, driver, or keeper of any animal who permits the animal to be in any building, enclosure, lane, street, square, or lot of any city, county, city and county, or judicial district without proper care and attention is guilty of a misdemeanor.

- Many vehicles travel on dirt or gravel roads when responding to field calls in desolate areas on a daily basis and must be cleaned routinely so that officers can travel safely (i.e., vision is not obstructed by a dirty windshield, etc.).
- No matter what vehicle an officer is assigned to, it must be equipped with the same safety items located in the same place for easy access in case of an emergency to prevent injury to the ACO and members of the public.
- The County may be potentially liable if a handgun or controlled substances are stolen from the vehicle due to inappropriate security precautions and later used to commit a crime.
- Without microchip scanners and field access to the County database, ACOs are unable to use all means to identify animals, efficiently research identification on recently picked up strays (currently receive assistance by dispatcher when possible), and unable to provide prompt delivery back to owners. Unidentified potentially owned animals picked up by officers are currently transported to the shelter where they could be exposed to infectious diseases and could be mistakenly euthanized.

Recommendation:

- Expedite the repair of all cooling units on ACO trucks. Take ACO trucks in need of repair, out of service until repaired. If the units can not be repaired, they should be replaced.
- Establish a wash rack area and purchase cleaning equipment for ACOs to wash their vehicles. Establish protocols for this procedure and the ACO Supervisor should perform random inspections on vehicles.

- The ACO Supervisor should develop a standard list identifying what equipment must be kept in each vehicle and where the equipment will be located.
- Each vehicle currently in the fleet should be retrofitted with lock boxes for firearms and/or controlled substances if utilized in the field. Vehicles ordered in the future should include this custom item.
- The department should contact microchip manufacturers and obtain free scanners or scanners at a reduced price to be placed in each vehicle that is actively used in the field. The department should research the cost of lap top computers as well as permanent installation of computers in the vehicles and consider in future annual budget planning.

ASFO Finding Five: Prioritizing and Documentation of Field Calls

- There is no official listing of field calls in priority order for use by dispatch, ACOs, and Sheriff's department dispatch.
- Officer was observed responding in the field to a call for a recheck on an ill animal and there was no historical documentation on the initial call regarding veterinary contact and/or treatment recommendations.
- ACOs complete the Daily Call Log either directly after completing the call (ideally) or wait until the end of the shift after returning to the shelter to review paperwork and make all entries of daily calls.

Liability:

- Calls that pose a public safety or health threat may not be responded to in a timely manner, which may result in liability for the County, if calls are not consistently assigned based on a pre-determined priority level.
- Accurate field documentation by ACOs on animal abuse/cruelty investigations (including medical information) becomes the official verification and proof utilized by the District Attorney for successful prosecutions.
- Daily Call Logs should be completed at the time the field call is completed to prevent errors or omissions from the report.

Recommendation:

- The department must develop and distribute to officers and all dispatchers an official listing of field calls in priority order.
- Officers must be trained and monitored in report writing and animal abuse/cruelty investigation procedures. The current computer inventory system does not allow extensive note/information input in report sections. By upgrading the computer based system it will help facilitate inputting notes and observations for these types of reports.

ASFO Finding Six: Training Issues

- Officers reported to the consultant that they are not offered the opportunity for off-site attendance to seminars and law enforcement training to the degree they understand is department policy.
- Officers reported that there is no designated training officer for new ACO recruits and often times the selected Field Training Officer (FTO) has only one year of field experience.
- Officers complained that the most current November 2004 Policy and Procedure Manual is filled with errors and does not contain procedures, only policies.

Liability:

- Officers that don't have up to date training in pertinent areas of animal control, may be unable to effectively handle cases or issues in the field that could result in liability for the County.
- Placing inadequately and inconsistently trained officers in the field who must handle firearms, controlled substances, potentially dangerous animals, and deal with situations involving conflict with the public may be a potential liability for the County.
- Using an inaccurate and incomplete Manual of Policies and Procedures to justify employee actions may potentially place the County in a position of liability.

Recommendation:

- Officers should be allowed to attend a certain amount of off-site training that falls within the designated training budget on an annual basis. Officers attending training should be required to submit a written report and/or provide a brief verbal overview in a staff meeting of the highlights of the training, so all officers can benefit from the information.
- The ACO Supervisor or an officer should be designated as the official training officer. Their responsibilities should include enrolling recently hired officers at a nearby approved academy, arranging field training with an experienced FTO, establishing objectives/case work that must be successfully mastered prior to release from the FTO, and monitoring with regular written reviews by the training officer/supervisor once the new recruit is assigned their own vehicle and "beat."
- Review the current Policy and Procedure Manual, make corrections and additions where necessary, and work with staff to expand the manual in order to identify all aspects of shelter operations and include them in the revised manual.

ASFO Finding Seven: ACO Schedules/Weekend Duty

- Officers complained to the consultant that not all officers arrive at designated shift start times and do not receive disciplinary action for repeated violations.



Liability:

- The County's action of not treating employees equally may become a factor in future Union disputes and other private legal action of which employees may pursue. Officers that are late or absent may not be present when a field call is dispatched in their "beat" resulting in the call not being answered in a timely manner potentially posing a public safety issue.
- The County may find themselves in discussion with representatives of the Animal Control Officer's Union, may be required to pay officers additional monthly wages for not providing adequate notice for schedule changes, and may cause unrest and opposition among officers and management.

Recommendation:

- The Policy and Procedure Manual should address attendance, tardiness, and disciplinary action for violations of the policy. The ACO Supervisor must monitor each shift to make sure officers are present and "beats" are covered adequately and in a timely manner. The Supervisor must recommend incremental disciplinary action for officers who are in violation of County policies and procedures.
- The ACO Supervisor must be familiar with Union requirements associated with scheduling and changes to approved schedules. All shifts should be distributed equally among officers with special consideration for unseasoned officers who may need additional support from senior officers.

ASFO Finding Eight: Morale Issues

Officers reported to the contractor that morale among officers is at an all time low [REDACTED]. They also expressed that they didn't feel management was doing anything to attempt to improve the relationship with field staff.

Liability:

Officers with low morale may be at risk of making poor or inaccurate judgments in the field which may result in a public safety concern that could place the County in a situation of potential liability.

Recommendation:

Permanently fill the ACO Supervisor position with a qualified, experienced leader. Until the position is filled, administration should allow field staff to have a voice in discussing policy changes so that their concerns are considered when administration makes the final policy decision.

Administration should monitor and support the relationship between the new supervisor and existing staff by listening and responding to staff requests and attending periodic staff meetings and/or holding special meetings for officers so that they can discuss any concerns or present ideas for positive change.

ASFO Finding Nine: Issues/Conflict between Auburn and North Lake Tahoe Shelters

The following complaints were stated by Auburn officers:

- Tahoe officers are not held accountable for the number of calls completed or not completed.
- The Tahoe facility has a history of animals disappearing from the shelter and in response, administration does not follow up or track these incidents and no disciplinary action is recommended.

Liability:

- Lack of supervision and monitoring of completion of field calls may result in situations of public safety concern and potential liability for the County.
- After animals complete the legal holding period, they become County property and their final disposition becomes the responsibility of the County. Other animals being held in the facility may include personal property animals or animals with identification. If missing animal inventory consists of animals associated with pending legal cases or animals that pose a potential risk to public safety, this may be a potential legal liability for the County.

In addition, the County loses revenue by paying for the care and feeding of the animal while it was impounded at the shelter and not receiving an adoption fee on each missing animal.

Recommendation:

- Officers at both facilities should all be accountable, evaluated, and supervised similarly whether at Auburn or the Tahoe facility. The ACO Supervisor must follow the same procedures for violations of policies and recommend incremental disciplinary action as required.

The department must utilize information from the Daily Call Log to develop statistics from which action plans can be created. Information corresponding to call response time, nature of pending calls, officer productivity, activity per "beat" to justify staffing increases and degree of work performed in contract cities can all be obtained from analysis of the report. The ACO Supervisor should be assessing this information on a monthly basis and reporting it to administration.

- As indicated in the Report: Risk Assessment Summary from Site Visit, May 23-24, 2005, a daily animal inventory system must be put in place in order to determine which animals are missing from the facility in a timely manner. Every incident where an animal has been reported stolen or missing from a

facility requires an investigation and corrective/preventive action when possible. This may include disciplinary action of employees who may have been involved with the disappearance of an animal.

ASFO Finding Ten: Uniforms

Some officers stated that wearing ballistic vests was part of the uniform; others commented that wearing a vest was a personal decision made by each officer.

Liability:

If wearing vests is mandatory for officers, then the County must obtain vests that provide full protection as described by the manufacturer (see ASFO Finding One (b)). Secondly, there must be official policy that states officers must wear vests at all times that they are in uniform. Currently, some officers are not wearing vests and if they are injured in the field as a result of not wearing a vest, the County may be liable for not providing adequate written direction that wearing the vest is mandatory and monitoring staff to ensure they are in compliance with department established protection for officers.

Recommendation:

The Department should distribute a written policy establishing whether or not officers are mandated to wear protective vests or if this is optional as part of the official uniform.

Dispatch (D)

D Finding One:

Radio transmission from dispatcher to officers in the field is poor and non-existent in some parts of the County.

Liability:

The County may be liable when an officer's safety is at risk due to loss of radio contact with dispatch or fellow officers when working alone in remote areas of the county or in potentially dangerous situations.

Recommendation:

See ASFO Finding Three Recommendation to contact the Sheriff's department to "piggyback" with their communication system.

D Finding Two:

Dispatcher is answering all telephone lines including non-emergency calls from the public such as shelter hours of operation, directions to the shelter etc.

Liability:

The dispatcher may be unable to answer calls of high priority when she is sidetracked by shelter operational calls. As a result, officers may not be dispatched calls of imminent nature immediately which could lead to officers responding on the

scene of a situation that has escalated and may put the officer or the public in danger.

Recommendation:

The County should work with the Information Technology division to develop a phone tree system for Animal Services. Calls from the public requesting shelter operational information (i.e., days and time of operation, directions to the shelter, adoption fees, license fees etc.) should all be pre-recorded information on the phone tree. Public calls concerning animal emergencies or lower priority field calls should be directed from the phone tree to the dispatcher.

D Finding Three:

Currently, there is one dispatcher who works Monday through Friday from 8:00-5:00 p.m., with no other dispatch staff to cover this shift during her vacation or sick days. Some of the ACOs have minimal hands-on training (as provided by the dispatcher) but cannot perform the full scope of duties as currently assigned to this position. When these officers are placed in dispatch, they are removed from the field and this void creates a backload in call responses and deficient "beat" coverage.

Liability:

By not having adequate dispatch coverage, there is the potential that substitute dispatchers (ACOs) that are not completely trained might mismanage the call system and fail to prevent a public safety situation and may not adequately monitor and protect officers in the field.

Recommendation:

The field division needs an additional dispatcher or part-time dispatcher to adequately provide service to the field officers.

D Finding Four:

██████████ complaints from the public that field calls (██████████ approximately 30%) are not being answered by ACOs in a timely manner.

██████████ commented that there are times at the beginning of the 8:00 a.m. shift that ██████ has to verbally request that officers leave the ACO trailer and get out into the field because pending calls were piling up. On the particular day that we interviewed (June 13th) there were 40 pending calls at noon.

Liability:

The County may be liable for escalation of events that occur in the field as a result of officers not responding to calls in a timely manner and initially resolving the issue. These events may become public safety concerns or animal abuse/cruelty issues.

Recommendation:

Officer supervision needs to be improved and each officer should be accountable to start their shift on time as scheduled and be out in the field responding to pending calls as soon as possible after the daily ACO briefing meeting.

Also discussed in, D Finding Five Recommendation, an upgraded computer system would allow for tracking ACO response times to calls, total calls responded to daily, and the nature of calls per "beat."

D Finding Five:

Computer System Issues

- No security "In Field Ops" page
 - Example: Page with listing of individual pending calls
 - Any information originally entered about the call can be changed by the officer (i.e., the time the ACO arrived etc.)
- The current system can not be programmed to produce field statistics
 - Example: Efficiency of call response

Liability:

Documentation from the law enforcement division must be recorded accurately without the ability to be manipulated in order to maintain the integrity of the report. These reports may become evidence used in court and their content must be truthful.

Recommendation:

Upgrade the current computer system to include document security, date, time, and identification of staff when entries are changed. The new system should also have program capability for generating field statistics that could be utilized to evaluate productivity of officers, determine which "beats" are high traffic, and support increased staffing requests.

D Finding Six:

██████████ explained that the current Spay/neuter outsourcing program involves daily delivery of adopted animals to multiple private veterinary hospitals. ██████████ commented that there is not continuity in direction from the supervisor regarding who will make the early morning deliveries. Often times, one or multiple ACOs are asked to deliver animals which may take several hours causing a backup of calls in that ACO's "beat."

Liability:

The County may be liable for ACO's lack of or untimely responses to high priority calls (i.e., those of a public safety nature or animal abuse/cruelty) because they have been redirected to deliver adopted animals to multiple veterinary hospitals.

Recommendation:

The Spay/Neuter Outsourcing Program should be adjusted so that adopted animals are delivered the following day to one veterinary hospital. Adopters should be informed at the time of adoption that the shelter can not accommodate each adopter's individual request for the altering surgery to be performed at the contracted veterinary hospital near their residence. Several hospitals should be utilized for the program and should be rotated throughout the week so that the department is only delivering adopted animals to one hospital per day.

D Finding Seven:

Observations by dispatcher regarding categorization of field calls

- Dead animal pick up is very time consuming for officers
- Calls that officers do not respond to in a timely manner
 - Dead animal pickup
 - Barking dog
 - Annual kennel inspections

Liability:

The County may be liable for ACO's lack of or untimely responses to high priority calls (i.e., those of a public safety nature or animal abuse/cruelty) because they are busy responding to other lower priority calls (i.e., dead animal pick up).

Recommendation:

The County does not currently have an accurate annual assessment of the number of field calls based on call description. The County should research this information and make a determination regarding the cost and benefit of performing dead animal pick up versus contracting this service out to a private agency.

The ACO Supervisor should consider assigning officers who have greater expertise in certain areas such as annual kennel inspections, barking dog investigations as leads in order to assist in distributing these calls equally among officers and monitoring them to ensure that they are completed in a timely manner.

D Finding Eight:



Liability:



Recommendation:



Auburn Shelter Clerical Services (AS-CS)

AS-CS Finding One:

The current PetWhere animal management computer system is not "user friendly" for clerical staff and cannot perform all necessary accounting functions required in the front office of an animal control department.

See Information Technology for Site Visit May 31- June 1,2005: Clerical Issues (CI) that discusses recommendations for the following findings:

- **CI Finding One:** The current PetWhere system does not contain an Accounts Receivable function. The clerical staff performs this duty utilizing a paper ledger system.
- **CI Finding Two:** Issues with payment of dog license fees:
 - The license renewal process requires several repetitions of the License Number data entry.
 - There is no ability for members of the public to pay license fees on line.
- **CI Finding Three:** An inordinate amount of time for clerical staff to complete data entry for a relinquishment was observed. This single task required the clerical staff switch between eight screens, entering a small amount of data on each screen which took over ten minutes.

Liability:

The County may have potential liability for monetary/accounting errors caused by the limitations of the current animal management system which results in increased customer wait times and customer dissatisfaction and complaints about the department.

Recommendation:

Develop an itemized overview of the computer accounting needs for the department and then upgrade the current animal management system to one that can fulfill these requirements. Clerical staff will require training on the system and should assist in the development of the Policies and Procedure manual sections pertaining to accounting and licensing.

AS-CS Finding Two:

There are no official County protocols/procedures or check and balance system for the clerical division.

Liability:

Inconsistency in performing clerical duties (i.e., accounting, accurate rabies vaccination documentation, submitting paperwork for owner requested euthanasia, submission of kennel cards for rabies testing) may create liability concerns for the County when there is no check and balance system to monitor when tasks are inaccurately completed or not completed at all.

Recommendation:

An itemization of clerical responsibilities at all three clerical levels including Senior, Journey, and Entry should be developed with the input of staff within these levels. Once the list of duties is created, they should be incorporated into the County Policy and Procedure Manual along with checks and balances and staff training guidelines.

After staff has been trained on the department's clerical procedures, a Supervising Clerk must be designated to monitor staff's performance and possess the skills to "trouble shoot" when clerical issues and public disputes in the lobby arise.

AS-CS Finding Three: There is no official Clerical Supervisor on site at the Auburn Shelter.

After interviews with clerical staff it was unclear whether or not the current Senior Clerk managed the Journey, Entry, and Temporary clerical staff [REDACTED]

The current clerical team does not take the initiative to problem solve issues regarding daily duties, doesn't evenly distribute tasks, does not function as a team and will leave pending issues unresolved until an administrator takes notice and intercedes with a solution.

Liability:

Clerical staff may not have a complete background and understanding of the legal ramifications regarding certain tasks if they are not properly handled through the department (public health responsibilities with rabies vaccination certification and quarantine, establishing ownership of animals, accepting owner requested euthanasia etc.).

Recommendation:

County administrators need to choose a well trained and experienced on-site supervisor who will lead the clerical staff, delegate duties equally, schedule staff in accordance with assigned duties (i.e. later hours if assigned reconciliation of receipt

journals), and actively assist staff at the front counter. This individual should also have input on the development of the Clerical Division Manual of Policies and Procedures.

AS-CS Finding Four:

ACTs could be cross-trained to assist the Clerical Division with specific animal related tasks that don't require fee collection such as:

- Intake of strays
- Intake of surrenders
- Train the public in the set up and operation of rented cat traps
- Answer telephones

The clerical staff should continue to perform duties that require collection of fees such as adoptions, redemptions, owner requested euthanasia, rental of cat traps, and quarantines.

Liability:

Currently, the clerical staff is handling animal related issues (see above) at the front counter that they may not have sufficient expertise. This could result in any or all of the following potential liabilities: distribution or collection of inaccurate information, inability to recognize a potential public/staff safety issue in the lobby when possibly aggressive animals are brought in at the same time, and providing insufficient information on handling feral cats in County rented traps that could lead to public injury.

Recommendation:

In accordance with ACT job descriptions, an ACT could be trained to rotate from the kennel area to the clerical area throughout the day performing duties that are related to animal handling and animal education for the public. In order to separate the clerical/accounting duties from these animal tasks that occur in the front lobby it would be helpful to re-design the lobby entrance to contain clerical counters on one side and an animal receiving area on the opposite side of the entrance hallway.

There are currently two doors at the public entrance to the shelter, but only one is actively used. If both doors were utilized and the counters redesigned so that clerical staff could work two counters from one side of the room, the area opposite this counter (the current second clerical counter) could be transformed into an animal receiving area for stray and surrenders. The animal receiving area should contain a bank of holding cages on a moveable rack, a desk area for ACTs to complete impound paperwork, and space to place cat traps and provide training to the public on setting up the traps and safely handling feral cats when transporting to the shelter.

This will allow more time for the current designated number of clerical staff to complete their tasks in a timely manner and decrease counter wait times for the public.

AS-CS Finding Five: Clerical Safety

There is no protective glass at the counter area between the clerks and the general public. There is an emergency call button located under the counter which activates a doorbell that rings in the ACT trailer (former ACO trailer). The objective of activating this doorbell was to alert a uniformed officer that assistance is needed in the front lobby. In addition, there is no official procedure when handling a disgruntled citizen when a situation escalates to a potential staff safety concern.

Liability:

The County has a potential liability if an employee is injured while working in the clerical area if sufficient protection is not provided to them by the County.

Recommendation:

Initially, the County must develop procedures for handling escalating situations in the front lobby, including available staff to assist and make definitive decisions on controversial issues. Installation of protective glass at the public counters should be considered and a doorbell alert system put in place that contacts employees that are available and qualified to provide protective assistance to the clerical division.

AS-CS Finding Six:

Clerical staff does not prioritize tasks per customer when multiple transactions are requested.

Recommendation:

In order to better accommodate the public, the clerical staff should prioritize the individual needs of each customer who has multiple transaction requests so that they can be completed in the most efficient manner. There are "short cuts" in the animal management computer program and repeated steps for different tasks that can be combined to decrease transaction time per customer. The Clerical Supervisor should include this type of information in the Policy and Procedure Manual and put together a "helpful hints" sheet that directs the clerical team on how to more efficiently combine multiple transactions.

Auburn Shelter Staff Concerns

Several staff members requested short, private conferences with me to discuss their concerns and ideas for improvement at the Auburn Shelter. The following is a listing of their comments listed in the order of which they were presented to the contractor.

Officer Comments

- Exhibited concerns regarding interpretation of May 20, 2005 Memorandum to Animal Control Officers,

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#6 Animal Control Officers are not peace officers, so the firearms, batons, and bite sticks are intended as tools only for managing, and in some cases dispatching animals. These items are not intended as tools for self-defense against hostile persons. Rather, officers are expected to recognize warning signs of growing hostility and remove themselves from hostile situations prior to those situations escalating to a confrontation. Training in this area will be provided as needed.

Some officer's impressions are that any of these safety tools listed above can never be used to defend themselves in the field.

- May 20, 2005 Memorandum to Animal Control Officers,
#5 The department will provide current officers with snap-on holsters for their revolvers so that they can be put on the belt with a minimum of time and effort.


Officers voiced concern that this type of holster does not properly secure their sidearm and is unacceptable.

- Officers requested that when ballistic vests are purchased that the County choose male and female style vests to accommodate all officers.
- Officers complained about conflicting verbal versus written orders from acting ACO Supervisor and other administrative supervisors.
- [REDACTED] This includes complaints of a hostile work environment, gender discrimination and scheduling controversies.
Officers cited County Policy: Appendix Q Code of General Conduct for Managers, Supervisors, and Staff
2. All customers and co-workers are to be treated equally, fairly and with respect, regardless of sex, race, religion, political or union affiliation.
- Officers commented that they felt that supervisors should be held to higher standards than the officers and should lead by example. Officers cited County Policy:
Appendix Q Code of General Conduct for Managers, Supervisors, and Staff
1. Managers, Supervisors, and Staff should always set an example of appropriate and professional behavior, both toward our customers and co-workers.

Several officers commented that supervisors are currently not accountable and not knowledgeable in law enforcement and animal control.

- [REDACTED]

Appendix Q Code of General Conduct for Managers, Supervisors, and Staff.
3. Loud, threatening, and/or derogatory/abusive language and comments toward our customers or among co-workers is not acceptable behavior and will not be allowed in the work environment.

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- Officers request damaged equipment to be repaired by completing a specified report that is submitted to the Supervisor. Their requests are not being taken seriously and equipment is not being repaired and/or replaced in a timely manner.
- Officers have requested that a binder containing County Personnel Policy and Procedures be placed in the ACO trailer because all staff is not granted access to the Internet to locate information on personnel questions. The Human Resource representative for the department has been contacted about this, but has not produced the requested information.
- Some officers feel that the installation of video cameras in strategic locations around the shelter would improve safety.

Animal Care Comments

- Overall morale in the kennel division is very low.
- Some ACTs stated that they wanted upper administration and the current Kennel Supervisor removed and replaced with people who care and protect the staff.

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Comments by the Placer SPCA Director

- SPCA goal is to be supportive of all agencies within Placer County
- SPCA wants to maintain good communication with Animal Control

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- SPCA goals for the plans involving building a new shelter
 - Currently looking for a new site to build the facility
 - Two facilities: Intake facility and Adoption/Education facility
 - Interested in discussing a co-located facility with Placer County Animal Control taking over field services for the cities in the area
 - SPCA does not want their relationship with Animal Control to be dominant because they do not want to interfere or compete with other local non-profits that currently work successfully with the department.
 - SPCA suggested that when the new Animal Control Director is hired by the County that the contractor is brought in to meet with this individual to discuss in detail the issues identified in the assessment reports and the suggested recommendations.