

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

440



FROM: Executive Office

SUBMITTAL DATE:
December 16, 2003

SUBJECT: Grand Jury Report: Animal Services Riverside County/Riverside City Shelter

RECOMMENDED MOTION: That the Board instruct the Animal Services Riverside County/Riverside City Shelter to forward to the Executive Office – within 30 days – a draft of the Board’s response to the findings and recommendations of the Grand Jury that pertain to the Department’s operational areas; and direct the Executive Office to submit draft responses to the Board within 60 days.

BACKGROUND: The attached report has been issued by the Grand Jury.

Section 933 (c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury’s recommendations pertaining to matters under the control of the Board, and that a response be provided to the Presiding Judge of Superior Court within 90 days.

Draft responses received from the affected department will be consolidated and presented for the Board’s consideration; the response ultimately approved by the Board will then be forwarded to the Grand Jury as required by statute.

TONY CARSTENS
Deputy County Executive Officer

Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$	In Current Year Budget: Budget Adjustment: For Fiscal Year:
	Current F.Y. Net County Cost:	\$	
	Annual Net County Cost:	\$	

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE.

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent
- Dep't Recomm.:
- Exec. Ofc.:

303 DEC 10 10:10 AM
OFFICE OF THE COUNTY CLERK
COUNTY OF RIVERSIDE, CALIFORNIA

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

District:

Agenda Number:

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CONFIDENTIAL

RIVERSIDE COUNTY GRAND JURY

(909) 955-8990 OFFICE • (909) 955-8989 FAX

December 8, 2003

Riverside County Board of Supervisors
4080 Lemon Street
Riverside, CA 92501

Subject: 2003-04 Grand Jury Report:
Animal Services Riverside County / Riverside City Shelter

Dear Board Members:

Please note that Penal Code Section 933 et seq., specifies that you respond within ninety days. Further, it specifies that this report be kept **confidential for a minimum of two working days** prior to public release. The contents of this report will be made public after the close of business **December 10, 2003**.

Sincerely,

Margaret Malone, Foreperson
2003-04 Riverside County Grand Jury

MM:gs
Attach.

2003-2004 GRAND JURY REPORT

The Department of Animal Services

Riverside County/Riverside City Shelter

Background

The Riverside County / Riverside City Animal Shelter is overseen by Riverside County Community Health Agency and operated under the Department of Animal Services (DAS).

DAS manages animal shelters in the cities of Hemet, Indio, Blythe, and Riverside. DAS also contracts animal shelter services with San Jacinto, Lake Elsinore, and the City of Riverside.

DAS operates on an annual budget of \$5.6 million funded by the County General Fund and through licensing, pet adoption, impound and boarding fees. DAS employs, on an average, 100 personnel countywide.

As the human population of Riverside County increases, so does the number of domestic animals. As a result, pet overpopulation is a serious challenge local animal shelters are facing.

According to the Humane Society of the United States, an estimated eight to ten million homeless animals enter shelters across the nation, and approximately half are euthanized.

Riverside County / Riverside City Animal Services Advisory Committee Summary Report. FY July 2002 / June 2003

	DOGS	CATS	TOTAL	
IMPOUND	12,137	8,955	21,092	
ADOPTION	3,075	1,273	4,348	20%
RETURNED TO OWNER	1,408	79	1,487	7%
EUTHANIZED	6,300	6,191	12,491	59%
The balance is comprised of animals currently retained in the shelter and animals unaccounted for.				14%

The primary function of an animal shelter is to protect and serve the citizens of Riverside County and provide humane treatment and care to all animals. Animal shelters must strictly adhere to specific mandated statutes. The following California Statutes and Riverside County Ordinance are referenced in this report:

1. **California Penal Code Section 597(e)** – In case any domestic animal is at any time so impounded and continues to be without necessary food and water for more than 12 consecutive hours...
2. **California Civil Code Section 1834** – A depository of living animals shall provide the animals with necessary and prompt veterinary care, nutrition, and shelter, and treat them kindly. Any depository that fails to perform these duties may be liable for civil damages as provided by law.
3. **California Food and Agricultural Code Section 30503(d)** – Unclaimed funds.
4. **California Food and Agricultural Code Section 32003(b)** – Circumstances under which the animal was taken up, medically treated, euthanized, or impounded.
5. **California Business and Professions Code Section 4826 (c)** – Veterinary Practice Act. Practice defined for administration of medicines.
6. **Riverside County Ordinance 630.9 Section 11** – Impounded Dogs and Cats and Service Fees.

Findings

1. There is a considerable lack of shelter administrative leadership regarding implementation of policies, procedures, and protocols; adversely affecting the overall function of the department.
2. In June 2003, shelter administration instituted an impound fee for "unaltered" stray dogs without the approval of the Board of Supervisors. This action is in direct violation of Riverside County Ordinance 630.9 Section 11a (1), (2) and (3).
3. The shelter administration is severely deficient in keeping personnel abreast of local and state mandates pertaining to animals.

4. Shelter administration has been indifferent in addressing internal discord between management and staff.
5. Numerous grievances and complaints have been filed with Riverside County Human Resources from shelter management and staff, indicating obvious dissension and low morale.
6. A new work schedule for weekend personnel was implemented by shelter management during mid October 2003. This schedule has reduced the feeding time for all animals resulting in thirty-three (33) hours or longer between feedings. This action is in direct violation of California Penal Code Section 597(e) and California Civil Code Section 1834.
7. Shelter management does not actively pursue alternative avenues for acquiring grants to supplement projected revenues.
8. No procedure exists that promotes solicitations for donations from pet food companies, resulting in added financial obligations to the shelters' services and supplies.

At the request of the 2003-2004 Riverside County Grand Jury, an emergency audit was performed by the Office of County Auditor-Controller. *The findings and recommendations from said audit are incorporated into this report, as listed in Findings 9-12 and Recommendations 7-10.*

9. "Adequate controls have not been established to ensure unclaimed spay and neuter deposits were used in accordance with State Food and Agriculture Code 30503. Review results revealed, general ledger accounts and procedures have not been established to ensure funds that should be restricted for spay and neuter programs were segregated from County General Funds, and that expenditures and unused balances were monitored and reconciled periodically."

Donations: The Auditor-Controller's Office identified \$11,183 posted to the donation revenue account during fiscal year 2002/03 and an additional \$7,200 posted to date for fiscal year 2003-04. Monetary donations range from 5 cents to \$500 with the exception of a single \$1,000 donation that was made in July 2003. The review of donations identified only one expenditure specifically linked to donated funds. During September 2003,

donations of \$1,326 were received from multiple donors for "Dogtober Fest"; during October, \$600 in expenditures was recorded for that event."

10. "Donated funds are not adequately segregated, accounted for, and monitored to ensure they are used for the purpose intended. The Auditor-Controller's review identified the General Fund donation general ledger account is used for both unrestricted and restricted donations. For example, a check issued by the organization making a \$1,000 donation designated the donation for spay and neuter programs; however, Animal Control's recording did not indicate such a designation. Consequently, the donation may not necessarily be used for the purpose intended by the donor."

Cash Receipts: The Riverside Shelter uses the Chameleon (software) receipting and animal tracking system, the Blythe Shelter uses manual receipts, and Indio Shelter uses cash register receipts. This represents a variance in how revenue and donations are tracked and reported system-wide. The Auditor-Controller's review identified inconsistent cash reporting processes that could result in inefficiencies and inaccurate reporting of financial transactions from shelter to shelter. While the new shelter in Blythe will be using the Chameleon system when it is opened in late 2004, there is no plan to update the process at the Indio shelter."

11. "The Riverside Shelter does not have a good system of controls over fees received through the mail. These receipts are not immediately recorded in a control document as they are received; checks are not restrictively endorsed for deposit only to the County's account; and, deposits are not made for up to one week after the mail is delivered. This process increases the risk of loss because it does not establish a sound chain of custody for funds, and the untimely deposits negatively impacts the County's cash management program."
12. "Periodic cash counts of revolving funds are not performed. The Auditor-Controller's testing revealed surprise cash counts have not been performed on the established change funds at the Riverside and Indio Shelters. Chapter 2, Paragraph 3.d of the Auditor-Controller Internal Control Handbook indicates surprise cash counts of revolving funds should be conducted at frequent intervals."

13. On August 24, 2003, the shelter's veterinarian submitted a proposal of areas that needed change for general health improvement of the animals. As of November 2003, none of the veterinarian's suggestions have been addressed or implemented.
14. For the month of September 2003, the shelter's veterinarian was away from the shelter premises. During his absence unregistered kennel personnel were permitted by shelter management to administer medications both orally and by injection, to the animals on a daily basis. This practice is in direct violation of California Business and Professions Code, Section 4826(c) of the Veterinary Practice Act.
15. Due to an inoperative time clock, hourly employees are responsible for recording their own time sheets. It has become evident that some employees are receiving preferential treatment from shelter management staff.
16. Employee's duties that include assignment to euthanize animals must perform this duty for a 30-day period and up to six hours daily, causing substantial emotional stress.
17. Due to inadequate software and poorly trained personnel, the shelter's adoption website is not current. Therefore, the majority of the animals pictured on the website will have already been euthanized.
18. Although shelter management has assigned an employee to contact various rescue organizations, communications are sporadic, resulting in excessive and unnecessary euthanasia.
19. According to Riverside County Euthanasia Protocol and Procedures, at no time should one animal be euthanized in front of another animal in the euthanasia room. Therefore, a towel or shade must be placed over the face of the holding cages. As of November 13, 2003, there are no shades or curtains being utilized in this area.

20. Riverside County Euthanasia Protocol and Procedures manual states "Routine euthanasia procedures should be completed by the time the shelter opens for business." It is evident that on multiple occasions, animals had been euthanized during business hours, contrary to Riverside County Euthanasia Protocol and Procedures.
21. Records indicate that as many as eighty (80) animals have been euthanized in a single day. A significant number of these euthanasia's appear to be due to:
 - a) Arbitrary carelessness and indifference with regard to following Riverside County Protocol and Procedures.
 - b) Negligence in not contacting the animal's owner.
 - c) Overall complacency in promoting adoption programs.
 - d) Disregard for rescue organizations and individual animal sponsors.
22. Some euthanasia records are inaccurate and incomplete, violating California Food and Agricultural Code Section 32003(b).
23. The court assigns many people convicted of minor offenses to a work release program. Some offenders are required to work at the animal shelter on a daily basis, performing specific duties such as cleaning kennels and food containers. It appears that on weekends, supervisory personnel are not scheduled to work resulting in "work release" persons:
 - a) Having access to unattended and unsecured hypodermic needles in the receiving area and the euthanasia room.
 - b) Working along with one or two kennel employees, possibly jeopardizing their safety.
 - c) Interacting with the general public.
 - d) Inability to account for animals disappearing from the general kennel population.
 - e) Not being trained in the proper methods of cleaning and disinfecting cages and food containers.

24. There is no accountability or inventory control of the shelter's unsecured hypodermic needles, resulting in possible abuse or theft.
25. Air conditioners in the animal compartments on several animal control vehicles are defective. This has resulted in animal control officers having to make frequent returns to the shelter, demonstrating an inefficient use of personnel time and resources.
26. For a period of one week, the shelter had substituted the cat litter with "Oil Dri", an absorbent material specified for industrial use only. This product contains respirable crystalline silica, which is known to the State of California to cause cancer.
27. There is evidence to show that in one instance an elected Riverside City official received preferential treatment from the shelter administration, by having the required return to owner fees reduced for their impounded animal.
28. In 1998, the Board of Supervisors appointed a group of volunteer citizens as members of the Blue Ribbon Committee. The committee was formed to amend and create county ordinances relating to dogs and cats. There is evidence to show that one member of the committee has been allowed by shelter administration to influence the shelter's daily operations.

Recommendations:

Board of Supervisors
Community Health Agency
Riverside City Manager

1. Immediately mandate DAS to adhere to established policies, procedures and protocols.
2. Enforce strict compliance with all California statutes and Riverside County Ordinances relating to the treatment and welfare of animals.
3. Take a position of zero tolerance for violations of California State Codes and County Ordinances relating to animals.

4. Designate a human resource specialist to negotiate working relations between shelter management and staff.
5. Institute a program and appoint or hire an employee to continually seek grants and donations to supplement projected revenues, and provide a quarterly report to the Riverside County Board of Supervisors.
6. Designate a proactive shelter employee to initiate daily contact with rescue organizations and sponsor groups.
7. "To ensure County compliance with State Food and Agriculture Code 30503, procedures should be established to properly account for receipts and disbursement of spay and neuter deposits. Animal Control, Community Health Agency – Fiscal personnel should meet with appropriate Auditor-Controller and Executive Office personnel to discuss and clarify the amount to be reclassified from the General Fund to restricted funds for spay and neuter programs."
8. "Management should improve accounting procedures for donations ensuring funds are tracked by and used for the intended and purpose."
9. "Management should improve the internal controls over mail receipts by ensuring all mail collections are recorded in a mail log immediately upon receipt, and transfers of funds documented. The process should also ensure checks are restrictively endorsed and deposited timely to the appropriate accounts."
10. "Periodic cash counts of the change funds, and the recently established petty cash fund at the Riverside Shelter, should be performed by a management representative, and signed documentation maintained in department files."
11. Develop a procedure to review all written suggestions made by the shelter veterinarian and paid staff.
12. Reinstall time clock.

13. Shelter administration encourage counseling or group stress training through County Employee Assistance Program (EAP), and reduce the length of time assigned to euthanasia duty.
14. Discontinue use of the Adoption Website until Information Technology updates the software, and employees are properly trained to utilize the system.
15. Comply with Riverside County Euthanasia Protocol and Procedures regarding euthanasia before the shelter opens for business.
16. Ensure that one shelter supervisor is scheduled to be on the shelter premises during each shift.
17. Schedule an adequate number of employees to ensure that shelter animals will be supplied with the proper amount of food and water every twelve hours as required by law.
18. Institute mandatory inventory control of all hypodermic needles, and secure them in a locked container when unattended by registered or certified personnel.
19. Ensure that the animal compartment air conditioners on all animal control vehicles are inspected routinely and are in proper operating condition.