MEETING AGENDA
BOARD OF ANIMAL SERVICES COMMISSIONERS
CITY OF LOS ANGELES
Monday May 22, 2006
10:00 a.m.
LOS ANGELES CITY HALL
200 N. Spring St.
Room 1060
Los Angeles, CA  90012

Commissioners:
Kathleen Riordan, President
Tariq Khero, Vice-President
Marie Atake
Glenn Brown
Deborah A. Knaan

Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend. For information please call (213) 482-9501.

Si require servicios de traduccion, favor de notificar la oficina con 24 horas por anticipado.

COMMISSION MEETING.

1. REPORT OF THE GENERAL MANAGER
   A. To Be Determined

2. OLD BUSINESS
   A. Board Report: Procedure for Handling Abused or Neglected Animals
   B. Discussion Item: Assistant General Manager Position Description

3. NEW BUSINESS
   A. Commission Recommendations For New Agenda Items

4. COMMISSION BUSINESS
   A. Approval of the Minutes for April 24, 2006
   B. Meetings/Events Attended

5. GENERAL MANAGER RECOMMENDS FOR BOARD ACTION
   A. Board Report: Do Not Adopt Policy
   B. Board Report: RFP For Spay and Neuter Clinic Operations

REGULAR AGENDA DISCUSSION ITEM
   C. None

6. PUBLIC COMMENT PERIOD - (Comments from the public on items of public interest within the Board’s subject matter jurisdiction.)
7. ADJOURNMENT

AGENDAS - The Board of Animal Services Commissioners (Board) meets regularly every second (2nd) and fourth (4th) Monday of each month at 9:00 A.M. Regular Meetings are held at City Hall, 200 North Spring Street, Room 1060, in Los Angeles, CA 90012. The agendas for Board meetings contain a brief general description of those items to be considered at the meetings. Board Agendas are available at the Department of Animal Services (Department), Administrative Division, 221 North Figueroa Street, 5th Floor, Los Angeles, CA 90012. Board Agendas may also be viewed on the 2nd floor Public Bulletin Board in City Hall East, 200 North Main Street, Los Angeles, CA 90012. Internet users may also access copies of present and prior agenda items, copies of the Board Calendar, as well as electronic copies of approved minutes on the Department’s World Wide Web Home Page site at http://www.laanimalservices.com/CommissionAgendas.htm

Three (3) members of the Board constitute a quorum for the transaction of business. The Board may consider an item not listed on the Board Agenda only if it is determined by a two-thirds (2/3) vote that the need for action arose after the posting of an Agenda. Some items on the Agenda may be approved without any discussion.

The Board Secretary will announce the items to be considered by the Board. The Board will hear the presentation on the topic and gather additional information from Department Staff. Once presentations have finished, the Board President will ask if any Board Member or member of the public wishes to speak on one or more of these items. Each speaker called before the Commission will have one (1) minute to express their comments and concerns on matters placed on the agenda.

PUBLIC INPUT AT BOARD MEETINGS – Public Participation on Agenda Items. Members of the public will have an opportunity to address the Board on agenda items after the item is called and before the Board takes action on the item, unless the opportunity for public participation on the item was previously provided to all interested members of the public at a public meeting of a Committee of the Board and the item has not substantially changed since the Committee heard the item. When speaking to an agenda item other than during Public Comment (see Public Comment below), the speaker shall limit his or her comments to the specific item under consideration. California Government Code Section 54954.3.

Public Comment. The Board will provide an opportunity for public comment at every regular meeting of the Board. Members of the public may address the Board on any items within the subject matter jurisdiction of the Board as part of Public Comment.

Speaker Cards. Members of the public wishing to speak are to fill out one speaker card for each agenda item on which they wish to speak and present it to the Board secretary before the item is called.

Time Limit for Speakers. Speakers addressing the Board will be limited to one (1) minute of speaking time for each agenda item. The Chairperson, with the approval of a majority of the Board, may for good cause extend any speaker’s time by increments of up to one (1) minute. Total speaker time on any agenda item will be limited to ten (10) minutes per item and fifteen (15) minutes for Public Comment, unless extended as above.

Brown Act. These rules shall be interpreted in a manner that is consistent with the Ralph M. Brown Act, California Government Code Section § 54950 et seq.

STANDARDS OF CONDUCT. Speakers are expected to behave in an orderly manner and to refrain from personal attacks or use of profanity or language that may incite violence.

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disrupting the meeting, interfering with the rights of others to address the Board and/or interfering with the conduct of business by the Board.

In the event that any speaker does not comply with the foregoing requirements, or if a speaker does not address the specific item under consideration, the speaker may be ruled out of order, their speaking time forfeited and the Chairperson may call upon the next speaker.

The Board, by majority vote, may order the removal from the meeting of any speaker or audience member continuing to behave in a disruptive manner after being warned by the Chairperson regarding their behavior. Section 403 of the California Penal Code states as follows: “Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 302 of the Penal Code or Section 18340 of the Elections Code, is guilty of a misdemeanor

**VOTING AND DISPOSITION OF ITEMS** – Most items require a majority vote of the entire membership of the Board (3 members). When debate on an item is completed, the Board President will instruct the Secretary to "call the roll". Every member present must vote for or against each item; abstentions are not permitted unless there is a Conflict of Interest for which the Board member is obliged to abstain from voting. The Secretary will announce the votes on each item. Any member of the Board may move to "reconsider" any vote on any item on the agenda, except to adjourn, suspend the Rules, or where an intervening event has deprived the Board of jurisdiction, providing that said member originally voted on the prevailing side of the item. The motion to "reconsider" shall only be in order once during the meeting, and once during the next regular meeting. The member requesting reconsideration shall identify for all members present the Agenda number and subject matter previously voted upon. A motion to reconsider is not debatable and shall require an affirmative vote of three members of the Board.

When the Board has failed by sufficient votes to approve or reject an item, and has not lost jurisdiction over the matter, or has not caused it to be continued beyond the next regular meeting, the issue is again placed on the next agenda for the following meeting for the purpose of allowing the Board to again vote on the matter.
SUMMARY:
The Board of Animal Services Commissioners (Commission) requested the Department of Animal Services (Department) to develop a procedure to enable employees to place animals with owners who have the ability to provide for their care and maintenance.

Irresponsible pet ownership is problematic in many ways. Whether owned or stray, unrestrained animals can attack people or other animals, get hit by cars or cause traffic accidents, and even spread disease. Animals depend on their caretakers not only to provide them with necessary sustenance, but also to make them comfortable and to keep them safe from abuse and neglect.

The Department of Animal Services wants to establish a Do Not Adopt policy to ensure that we are not placing an animal into a situation where they can be abused, neglected, or cause a public danger or nuisance. The public must realize that these companion animals are not just commodities, which can be easily exchanged, mistreated, or cast aside.

BOARD ACTION RECOMMENDED:
It is recommended that the Commission adopt a “Do Not Adopt Policy” as detailed in this report and direct staff to report back in 30 days with procedures and objective criteria for identifying those individuals to whom the policy will be applied.

FISCAL IMPACT:
Although there will be a slight increase in the amount of time required by staff to adhere to these procedures, the fiscal impact should be negligible.
BACKGROUND / HISTORY:

Over the years, the Department has experienced people who turn in companion animals that have been abused or neglected, or that have easily correctible behavior problems and then adopt another animal from the shelter.

RECOMMENDED SOLUTION:

The Department of Animal Services will not knowingly place a companion animal into a situation where they can be abused, neglected, or cause a public danger or nuisance. Individuals meeting any criterion listed herein shall be prohibited from obtaining any animal from the Department.

The following individuals shall not be allowed to adopt animals from the Department:

1. Anyone convicted of a violation of any animal-related law, regardless of jurisdiction.

2. Anyone who is currently under active investigation by the Department or any other law enforcement agency for alleged violation(s) of the Los Angeles Municipal Code or the California Penal Code for animal related violations.

3. Anyone who relinquishes an animal to the Department without sufficient and/or reasonable cause (to be determined by the Center Manager or his or her designee) and then attempts to adopt another animal within six months.

In every case where a Department employee becomes aware of an individual meeting any of the above criteria, it shall be his or her duty to ensure such information is recorded in Chameleon by attaching a note to the individual’s Person ID. The note shall indicate that the individual may not obtain animals from the Department and list the reason(s) why.

In the event that an individual meeting criterion #2 above is exonerated or the investigation is abated, the Department employee making that determination shall update the note attached to the individual’s Person ID to indicate as much. Persons otherwise prohibited from obtaining animals from the Department may petition the General Manager (or his designated representative) to have this designation removed from Chameleon. To qualify for such consideration, the individual must be able to demonstrate at least three consecutive years of responsible pet ownership and/or prove that the initial determination that led to their exclusion was erroneous. The decision by the General Manager in these matters shall be final.

Approved

Edward A. Boks, General Manager
REPORT TO THE BOARD OF ANIMAL SERVICES COMMISSIONERS

SUBJECT: Do Not Adopt Procedures

GENERAL MANAGER

BOARD ACTION:

________ Passed

________ Passed with noted modifications

________ Tabled

Disapproved ________

Continued ________

New Date ________________

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Report to the Board of Animal Services Commissioners
Edward A. Boks, General Manager

COMMISSION MEETING DATE: May 22, 2006
SUBJECT: Procedures for Handling Abused or Neglected Animals Impounded at the Shelters

REPORT DATE: May 1, 2006

SUMMARY:
At the Board of Animal Services Commissioners (Commission) meeting on February 13, 2006, a request was made for statistical information regarding abused or neglected animals turned in to the shelters. Because existing procedures were found to be too narrowly focused and did not include a means to determine the information requested by the Board, a more detailed policy was developed. A new procedure was submitted to the Commission at the March 23, 2006 meeting. After reviewing the procedure the Commission recommended that the procedure be reviewed by prosecutors from the Office of the City Attorney to ensure it met the criteria for a successful prosecution. The Commission requested the procedure be placed on the agenda for the April 10, 2006 meeting. This was subsequently moved to the Meeting of May 8, 2006.

BOARD ACTION RECOMMENDED:
It is recommended that the Commission direct the General Manager to implement the procedures for handling abused or neglected animals at the shelters as detailed in the attached report.

FISCAL IMPACT:
Although there will be a slight increase in the amount of time required by staff to adhere to these procedures, the fiscal impact should be negligible.

BACKGROUND / HISTORY:
The Commission has made several recent inquiries regarding Department of Animal Services (Department) policies and procedures for initiating action against the relinquisher of an animal when it shows signs of abuse or neglect. At its meeting on February 13, 2006, the
Commission requested information regarding the number of times in the past three months an animal has been turned in to any shelter and an investigation of possible abuse or neglect was or was not conducted. In researching this request, it was determined that no mechanism is currently in place to track this type of information.

Current policy demands that if an animal exhibiting signs of abuse or neglect is relinquished at the animal shelter, the impounding employee shall ensure that an Animal Control Officer investigates the matter to determine whether the Department shall pursue criminal charges against the relinquisher and/or the owner of the animal.

If a decision is made to pursue the matter, an investigation is initiated and reports are made to record actions by the Department. In these cases, information is available that can be reported to the Board, but because of current recording practices, it can not be easily obtained. And, if the Animal Control Officer determines that no action is necessary, no investigation reports are generated and no statistical information can be obtained.

DISCUSSION / OPTIONS:
The Department’s procedures for taking action when an animal exhibiting signs of abuse or neglect is turned in to the shelter are too concise. Refining these procedures by adding detailed directions to Department staff will decrease the possibility that an abuser would not face the consequences of his or her actions. Steps can also be taken at this time to address the collection of the statistical information requested by the Board.

Department staff members are generally, if not always, sensitive to the welfare of impounded animals, and they are aware of the existing policies and procedures. Once the new procedures are established and staff receives training, any employee failing to comply with them would be subject to disciplinary action.

RECOMMENDED SOLUTION:
The revised procedures for instances where an animal turned in to the shelter exhibiting signs of abuse or neglect are detailed in the attached report. It is recommended that the Board approve the immediate implementation of these procedures.
Procedures for Handling Abused or Neglected Animals Impounded at the Shelters

Animal Care Center Personnel

When an animal is brought into an Animal Care Center and a criminal act of cruelty or neglect is suspected, the Field Supervisor or his/her designee must be notified immediately. The employee shall obtain as much information from the person as possible, including name, address, phone number, copy of photo ID and license plate. (This may be the same person who caused the harm to the animal). Also, note information regarding the person or other individuals with the person at time of relinquishment. Finally, note the condition of the animal as you observe it (i.e. DOA, body weight, ribs showing, breathing but not moving, severe flesh wounds, limping, etc).

An Investigation Report (46A) must be completed on all cases, even if the ACO determines there is no cruelty or neglect is involved. The investigation must be entered into Chameleon in the Activity window.

Field Supervisor

1. When the Field Supervisor or his/her designee agrees that there is sufficient cause to suspect animal cruelty, the Supervisor on duty must immediately ask the medical division for photographs and Vet Statement. They will also contact the Animal Cruelty Task Force and advise them of the case.

2. When completing the 46A, the following information must be included:
   a. The condition of the animal upon intake,
   b. Identification from the person with the animal,
   c. The person’s statement explaining:
      i. Why the animal is in that condition,
      ii. How long the animal has been in that condition, and
      iii. Any other information that may assist in a potential investigation.
      iv. Owner’s Vet information – records, last time visited.

3. When the owner is at the Center, have them complete an “Owner Surrender” form. This eliminates any questions concerning ownership.

4. The Field Supervisor has fourteen days from the conclusion of the investigation to file the case with the City Attorney’s office.

Medical Division:

1. A veterinarian must immediately examine the animal, take photographs and prepare a Vet Statement and any other relevant documentation as per LAAS protocol.

2. If a veterinarian is not available, a registered veterinary technician must perform a Preliminary Vet Statement and report the findings by phone to a staff veterinarian. The staff
Procedures for Handling Abused or Neglected Animals Impounded at the Shelters

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A veterinarian will then authorize an examination by a private veterinarian. If it is determined to be a possible cruelty case, the vet tech should place it a cruelty hold in Chameleon.

3. An LAAS veterinarian is responsible to make recommendations if cruelty is suspected and whether the ACTF should be notified. Copies of their findings should be forwarded to the Chief Veterinarian.

4. The Chief Veterinarian or his/her designee is to be contacted by the **Field Supervisor** immediately if additional medical services such as X-rays or a necropsy are needed or the animal needs to be euthanized for humane reasons.
   a. When it is determined to that the veterinarian must euthanize an animal for humane reasons, the body is to be tagged and held in the refrigerator/layout room until the investigating ACTF officer picks up the animal or informs LAAS that there is no case.
   b. If the suspected abused animal is given any type of medication, or the medical condition changes in any way, the prosecutor shall be notified in writing. Any disposition of an evidence animal must also be communicated to the prosecutor in writing.
   c. When it is determined there is no case, the Field Supervisor will authorize the release of the body for disposal.

5. All medical information must be forwarded to the Field Supervisor by the Examining Veterinarian or Technician within 24 hours.

6. Once the **Field Supervisor** has all of the information compiled, and cruelty is indeed suspected, he or she must provide all the collected data (original records and obtain a copy for LAAS files) to the ACTF. All relevant documents must be scanned and e-mailed to the Director of Field Operations.

7. The Medical staff will monitor the animal for the duration of its stay. If the animal becomes very ill, Medical staff will immediately notify the Chief Veterinarian.

**DISPOSITION OF CRUELTY CASES**

1. When the Department seizes an animal pending a criminal case, the Field Supervisor has 10 days from the completion of the investigation to have the case filed.

2. When an animal is seized by the police and brought to LAAS, it must be held the entire length of the case unless PD had the owner sign the animal over to LAAS or it may be released to foster with the permission of the Director of Field Operations. We will make an effort to contact the owner to see if they wish to surrender the animal to LAAS.

3. An animal that is surrendered by the animal’s owner, may be:
   a. Euthanized for humane reasons
   b. Placed for Adoption or New Hope placement
   c. Fostered out to an approved foster home. (The **Chief Veterinarian and DFO** must approve any release animals involved in a cruelty case. All documentation for a cruelty case must be completed prior to the animal’s release.)
Procedures for Handling Abused or Neglected Animals Impounded at the Shelters

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4. At the end of a cruelty case, the Field Supervisor is to enter the following information into the Chameleon Complaint/Citation window:
   a. Disposition Date
   b. Disposition Code
   c. Quantity Total and Type (to record amount of fine or jail time)
   d. Outcome Type

5. The Director of Field Operations is to be provided an update of all pending and closed out cruelty cases by the Field Supervisor on a bi-monthly basis.

ANIMAL ABANDONMENT CASES AT THE SERVICE CENTERS:

All Personnel:

1. When LAAS personnel believe there is sufficient evidence to prove someone has abandoned their pet, any and all pertinent information must be captured including:
   a. Name
   b. Current address
   c. Phone number
   d. License plate number
   e. Anything else that could assist in the prosecution.

2. The animal is to be impounded if necessary for the well being of the animal and the Supervisor on duty is to be contacted immediately.

Field Supervisor:

1. When the Field Supervisor on duty determines that the information obtained is enough to initiate an investigation, a hold is to be placed on the animal.
   a. The supervisor also ensures Chameleon records are updated accordingly.

2. ACTF is to be contacted immediately to pursue criminal charges if the owner has been identified. The above procedures should be followed.

3. When the Center Supervisor on duty determines that there is not enough information to warrant a referral to ACTF, the animal should be designated as a stray as per the LAAS Holding Policy.