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ADMINISTRATION DIVISION

August 20, 2010

Honorable Steven J. Howell, Presiding Judge
Butte County Superior Court
One Court Street
Oroville, CA 95965

FILED
Superior Court of California
County of Butte
AUG 25 2010
By Kimberly Flener, Clerk
Deputy

Re: **Public Health Director Response to the 2009-2010 Grand Jury Final Report (REVISED)**

Honorable Judge Howell:

Penal Code Section 933 and 933.05 provides that the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body. The Board of Supervisors, as the governing body of the County of Butte, will provide its response to the 2009-2010 Grand Jury Report by the statutory deadline. The Grand Jury, though, has asked that I provide a direct response to the Presiding Judge. While all legal requirements for a response to the Grand Jury Report have been met by the County of Butte with the Board of Supervisors response, in the spirit of cooperation, I am providing this direct response to the Grand Jury Report on Butte County Animal Control and Shelters as requested by the Grand Jury.

BUTTE COUNTY ANIMAL CONTROL AND SHELTERS

Grand Jury Findings

F1. In Butte County, 90% of calls for services are generated by 10% of the population, who are habitual offenders.

The respondent neither agrees nor disagrees with the finding. The Butte County Animal Control division does not have statistics that support this finding, nor is there an ability to verify this finding with current resources.

F2. Animal control has a much easier time identifying the owners of animals with implanted micro chips.

The respondent agrees with the finding. The Butte County Animal Control division encourages all owners to microchip all adopted animals and all animals who have been redeemed after an episode of running at large.

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F3. Gridley Animal Haven does not have adequate separate accommodations for new intakes and quarantined animals. Currently they are in the same area with adoptable animals.

The respondent neither agrees nor disagrees with the finding. Butte County Animal Control is not involved in the operation of Gridley animal control services or shelters, and has no basis to form an opinion on this finding.

F4. Gridley Animal Haven does not have an alternate, reliable contact phone number posted when the officer is not available.

The respondent neither agrees nor disagrees with the finding. Butte County Animal Control is not involved in the operation of Gridley animal control services or shelters, and has no basis to form an opinion on this finding.

F5. Gridley Animal Haven is still in need of improvement to the facilities. Currently the animals remain in a cage where they eat, sleep, and defecate. They are only exposed to exercise when taken for a walk if someone is available or to a portable caged area in the asphalt parking lot. The caged area is small, the size of one parking space, and has no grass.

The respondent neither agrees nor disagrees with the finding. Butte County Animal Control is not involved in the operation of Gridley animal control services or shelters, and has no basis to form an opinion on this finding.

F6. The Butte County Animal Control is a division of the Department of Public Health.

The respondent agrees with the finding.

F7. The Town of Paradise needs a separate intake and quarantine area for the animals.

The respondent neither agrees nor disagrees with the finding.

Butte County Animal Control is not involved in the operation of Town of Paradise animal control services or shelters, and has no basis to form an opinion on this finding.

F8. The facility currently being utilized by the Butte Humane Society, which is owned by the City of Chico, is old, inadequate, outdated, and in poor repair.

The respondent neither agrees nor disagrees with the finding. Butte County Animal Control is not involved in the operation of City of Chico animal control services or shelters, and has no basis to form an opinion on this finding.

F9. The City of Chico does not have a low-cost spay and neuter clinic.

The respondent neither agrees nor disagrees with the finding. Butte County Animal Control is not involved in the operation of City of Chico animal control services or shelters, and has no basis to form an opinion on this finding.

F10. Most facilities have expressed a desire to be able to accept credit cards for payment of all imposed fees and fines.

The respondent neither agrees nor disagrees with the finding. Butte County Animal Control has from time to time been asked to accept credit card payments for fees related to redemption of animals. Credit card availability would require the animal owner to pay an additional fee for this transaction, as it would cost the county a per transaction fee to use cards and we would pass that on to the user. Additionally the use of credit cards requires more labor intensive accounting reporting and monitoring requirements that the Public Health department has yet to determine meet a cost benefit ratio in terms of department operation.

F11. Butte County does not allow the Northwest SPCA to collect imposed fees and fines. Animal owners must make payment of county fees and fines directly to the Butte County Animal Control, thereby precluding owners from retrieving their pets whenever county offices are closed.

The respondent agrees with the finding. Because Northwest SPCA is a contractor and not a county entity, they maintain their own cash handling and accounting practices as a privately operated business. The Butte County Public Health Department must adhere to the cash handling procedures established by the Butte County Auditor and we could not guarantee those procedures would be adhered to outside of the operational oversight of Butte County government. Butte County animal control does not charge an animal owner fees for the 3 hours of the week that NWSPCA is open when we are closed. If the animal owner comes to pay the fees on Monday and tells us they tried to redeem their animal from SPCA on Saturday, we waive the fees for the days we were unavailable.

Grand Jury Recommendations

R1. Owners of animals who are habitual offenders should be subject to increased fees for repeat violation.

The recommendation has been implemented. Butte County Animal Control currently does have in place a fee schedule that provides for increased fees for 2nd and 3rd offenses in addition to increased fees for violations involving unaltered animals. Fees for violations are also higher for unlicensed animals.

R2. Owners not wishing to have a microchip placed in their animal should be subject to additional fees.

The recommendation will not be implemented due to the following consideration: Currently citizens in Butte County have a difficult time paying the existing redemption fees for their animals. Butte County Animal Control also recognizes a large number of animals are not redeemed due to inability to pay the existing fees. If the fees were increased as a penalty for not placing a microchip, respondent believes there would be a higher number of animals who are not redeemed by their owners and the euthanasia rates would rise accordingly.

R3. The City of Gridley should take immediate action to completely separate new intakes and quarantined animals.

The respondent is unable to comment on this recommendation since it is directed to the City of Gridley.

R4. The City of Gridley should post reliable contact numbers when an officer is not on site.

The respondent is unable to comment on this recommendation since it is directed to the City of Gridley.

R5. If the City of Gridley wishes to continue operating an animal shelter, it should research an available location for Gridley Animal Haven more conducive to animal care and availability of animals to the public for adoption.

The respondent is unable to comment on this recommendation since it is directed to the City of Gridley.

R6. The Butte County Board of Supervisors should consider placing Butte County Animal Control under the jurisdiction of the Sheriff's Department or Butte County Animal Control should be dispatched through the Sheriff's Department for increased officer safety.

The respondent neither agrees nor disagrees with this recommendation.

The safety of the employees of the Butte County Public Health Department staff is the highest priority of the department. The officers in the Animal Control division are no exception. Issues regarding safety of animal control staff have resulted in many safety measures being put in place. The current animal control office was remodeled in 2007 to provide a window barrier and a combination door lock to provide for staff safety. Additionally officers received training in batons to provide additional officer protection from vicious animals in the field in 2008. Communications issues are problematic throughout Butte County and not only for the Animal Control Staff, but for all Public Safety staff. Effective March 2010 we reprogrammed all Animal Control radios to allow operation on the LG Law frequency which gives the officers greater coverage in areas not able to be reached by cell phone. This change has resulted in significant improvements in officer ability to access staff via radio in the more rural parts of Butte County.

Public Health Department staff are presently involved with the IT department in the project designed to improve radio coverage for animal control staff resulting from completion of the Bloomer Mountain radio site. This project will house a variety of radio and repeater equipment including that for Butte County Animal Control. The projected date for completion of this site is June, 2011.

Currently, Butte County Animal Control offices are in the process of an additional remodel to address even greater officer safety precautions and protective vests have been ordered for all Animal Control officers for their use in the field as an additional safety measure.

Public Health Department staff see great value in working with the staff of the Sheriff's department to determine if there are better/more effective ways to dispatch the day to day calls in animal control. Respondent believes that the volume of calls that actually require a dispatch vs the number of calls that come in to our office that are information only calls would preclude the Sheriff's office from being a cost effective means to distribute the calls to Animal Control staff. Currently Animal Control dispatches its calls through our computerized system known as Chameleon. This system is specific to the management of Animal control calls. If the Sheriff's department were to dispatch full time, they would need to implement this software and have numbers of staff trained in its use. The cost for this additional software and training and need for a dedicated staff person to deal with animal control calls as a primary function, would most likely be prohibitive for the Sheriff's department.

Animal control involves not only the enforcement of state laws to protect against inhumane treatment of animals, but also provides the ability to protect the public health of citizens through control of rabies by follow up of bite reports, testing of potentially rabid animals in the Public Health laboratory, and quarantine of animals suspected of carrying rabies virus. Animal control staff work closely with the communicable disease division in the Public Health Department on bite reports and investigations as well as with the environmental health division within the department. Animal control work includes disaster evacuations and emergency response work which is well suited to the significant medical disaster program operating within the Public Health department. Animal Control provides public education on the importance of responsible animal care including spaying/neutering, immunizations, proper medical care and licensing. The prevention focus is a core function of the Public Health Department and well suited to providing education regarding Animal Control issues. For these reasons and many others the respondent believes that the County's Animal Control program is properly located within the Public Health Department.

R7. The Town of Paradise should provide the Paradise Animal Shelter with an area for new intake animals as well as a separate, secure quarantine area.

The respondent is unable to comment on this recommendation since it is directed to the Town of Paradise.

R8. The City of Chico should acquire property and build a new animal shelter facility. The City is encouraged to consider using the Northwest SPCA as a model. We strongly feel this should be a priority project.

The respondent is unable to comment on this recommendation since it is directed to the City of Chico.

R9. The City of Chico should establish a much needed low-cost spay and neuter clinic. This clinic will lower the expenses being incurred by the city for so many unwanted animals.

The respondent is unable to comment on this recommendation since it is directed to the City of Chico.

R10. The Grand Jury recommends that all agencies not currently accepting payment of fees and fines by credit card should do so.

The recommendation has not yet been implemented, and requires further analysis. The Public health Department is currently exploring its ability to provide this service. There would be a service fee charged to each user, it is unknown if citizens would be willing to pay that fee in order to use a credit card. We expect to determine if we can provide credit card service by December, 2010.

R11. Butte County should develop a mechanism to enable Northwest SPCA to collect county fees and fines.

The recommendation has not yet been implemented and requires further analysis. Butte County and Northwest SPCA are tracking the number of times in the six month period from July 1 to Dec. 31, 2010 we have requests for Saturday redemption of animals. Previously, neither Butte County Animal Control nor Northwest SPCA had any hard data supporting or refuting the numbers of these requests, therefore an informed decision will benefit both organizations. Effective July 1, 2010 SPCA began sending a fax to Butte County Animal Control at the close of business on Saturday stating which citizens came to the shelter on Saturday to redeem their animal, so we may track the requests and reduce the fees charged the citizen when they come to Butte County Animal Control on the following Monday. If at the end of the monitoring period the numbers of requests are sufficient to justify the system monitoring and oversight needed to meet the requirements of the county cash handling policies we will explore the ability of the SPCA collecting fees for Butte County Animal Control.

This concludes the response from the Public Health Director.

Sincerely,



Phyllis L. Murdock, Director
Butte County Public Health Department