

**SEMINOLE COUNTY
DEPARTMENT OF PUBLIC SAFETY
ANIMAL SERVICES**

**LIMITED REVIEW OF
ANIMAL DISPOSITION**

REPORT NO. 043009

APRIL 2009

Prepared by:
The Office of
Clerk of the Circuit Court



MARYANNE MORSE
Clerk of the Circuit Court
Seminole County

April 28, 2009

The Honorable Bob Dallari
Chairman
The Board of County Commissioners
Seminole County, Florida
1101 East First Street
Sanford, FL 32771

Dear Mr. Chairman:

I am very pleased to present you with the attached limited review of the Department of Public Safety. The review focused on animal disposition by the Animal Services Division.

The review found conditions that warrant management's attention. These conditions are included in the report that follows.

I would like to personally thank the men and women of the Seminole County Department of Public Safety for their assistance throughout the course of this review. Their assistance was deeply appreciated. With warmest personal regards, I am

Most cordially,

Maryanne Morse
Clerk of the Circuit Court
Seminole County

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**Seminole County
Department of Public Safety
Animal services**

Limited Review of Animal Disposition

The Office of the Clerk of the Circuit Court has completed a limited review of animals impounded by Seminole County Animal Services Division.

PURPOSE

The purpose of the limited review was to determine if the procedures for disposing of animals in the custody of Animal Services comply with Chapter 20 of the Seminole County Code.

BACKGROUND

The Seminole County Department of Public Safety is responsible for enforcing Seminole County Code Chapter 20 entitled "Animals and Fowl." The Animal Services Division is responsible for the capture of stray animals, issuing pet licenses, and investigating animal complaints.

Under Section 20.09 of the Seminole County Code, the animal control official may recommend rules and regulations incident to the proper administration, implementation and enforcement of the provisions of Chapter 20 of the Seminole County Code.

Section 20.24 of the code covers the disposal of fierce, dangerous or vicious animals found at large. Section 20.37 covers the impounding, disposing of and redeeming of animals.

In both cases, animals must be held for five days by the animal control official and then destroyed in a humane fashion or disposed of alive. "Disposed of alive" includes transfers to other agencies, returns to owners, adoptions, and foster care. If the animal bears indicia of ownership, the five days begins upon receipt of proof of delivery of certified mail to the owner of the animal.

Per Sec 20.37(b)(1), animals that, in the personal discretion of the animal control official, or a licensed veterinarian, is ill or injured so seriously that medical treatment would needlessly prolong the animal's life, may be put to death, if the animal bears no indicia of ownership.

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SCOPE OF WORK

This limited review focused on the following:

- a) Reviewed the revenues and expenses recorded in the County Finance Department records to determine revenue and expenses for the fiscal year ending September 30th, 2008;
- b) Interviewed the manager of Animal Services and several employees to determine familiarity and compliance with internal procedures;
- c) Toured Animal Services Division facilities;
- d) Reviewed the Operating Manual to assess the adequacy of county policy and also for compliance with management directives; and,
- e) Reviewed animal disposition reports to determine compliance with county code and policy.

The limited review was performed by the Clerk's Office.

OVERALL EVALUATION

The division has an on-line computerized system that tracks the disposition of each animal received. This system has the controls to ensure accountability. However, the division was not able to provide timely reports to us as requested. In addition, there is no monthly performance report that details the status of each animal. By not having a report, it is difficult to evaluate whether all animals have been accounted for properly.

The following issue requires management attention:

- In some cases, animals are transferred or adopted earlier than the five days required by the county code;
- Policy does not require assessing a fee to outside organizations;
- A management performance report is not readily available; and,
- The division does not have a formal policy for determining which agencies may receive animals by transfer.

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FINDING NO. 1

Animals are transferred or adopted before the five day holding period expires.

Seminole County Code Sec 20.37(a) states:

When any rabies-susceptible animal is found without a current tag, or when any animal is found in violation of any provision of this part, said animal may be taken into custody by the animal control official or any other law enforcement officer to be impounded at the animal shelter and disposed of as follows:

(1) Where such animal bears no indicia of ownership, said animal shall be confined by the animal control official for five days from the date said animal is taken into custody. At the expiration of said five days, if no owner has appeared to claim said animal, said animal shall be deemed unowned and destroyed in a humane fashion or otherwise disposed of alive.

(2) Where such animal bears an indicia of ownership, the animal control officer shall notify the owner of said animal by certified mail, return receipt requested, of the animal's impoundment. Said animal shall be confined by the animal control official for five days from the date said certified mail return is received. At the expiration of said five days, if no owner has appeared to claim said animal, said animal shall be deemed unowned and destroyed in a humane fashion or otherwise disposed of alive.

From October 23, 2008 through January 3, 2009, there were 97 animals transferred to other agencies. Eighteen of these animals were transferred in five or less days. One hundred seventy six animals were directly adopted from the Animal Services Division during the same period. Seven were adopted in five or less days.

By not waiting the mandatory five days before transferring custody, the division is not in compliance with Seminole County Code.

Recommendation

Create a written policy on transfer and adoption procedures.

Management Response

We concur in part to the policy and procedures. We dispute the finding as indicated below.

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Your findings indicate the following: "Eighteen of these animals were transferred in five days or less."

Attached you will find the highlighted areas of concern. Please note the type and disposition of each of these animals as well as the explanation at the end of the spreadsheet. I believe that this will sufficiently answer the question.

Also mentioned, "Seven were adopted in five days or less." In review of this data, in every case, these animals had been adopted out on a prior date and returned to Animal Services because of incompatibility issues within the adopted home atmosphere. When returned to Animal Services, they were immediately available for adoption through normal process.

Audit Comment

The additional documentation provided by Animal Services shows that of the 18 animals shown as transferred prior to five days, five were wildlife and not subject to the holding period. Three of the transferred animals were severely injured dogs transferred to rescue groups who could pay medical expenses of the animals in lieu of euthanizing the animals. Three of the animals were given up by their owners and then transferred. Five were transferred after five days including the date of receipt, which is within guidelines. One animal was reclaimed by a rescue group and one animal was transferred one day early. (See Attachment 1)

Of the seven animals shown as adopted early, one, according to additional documentation provided by Animal Services, was adopted on the fifth day and not early. One animal was relinquished by its owner, two were relinquished by the SPCA to Animal Services. Three of the animals were kittens which were adopted out prior to the five day period because holding them in the kennel subjects them to a high risk of contracting an upper respiratory infection which results in the kittens having to be euthanized. Per Animal Services, these animals were transferred early to avoid this outcome. (See Attachment 2)

Seminole County Code Sec 20.37(a), see above, specifically require a five day holding period. There are not exceptions written in the code for release by owner or early adoption or transfer for health reasons.

However, Seminole County Code Sec 20.37 (d) states:

At the discretion of the animal control official, animals may be disposed of by adoption, under conditions specified by the animal control official. Those animals may be adopted by agreement in writing to the conditions of adoption and payment of such fees as may be established by resolution of the Board of County Commissioners. Those conditions and cost of adoptions shall be prominently displayed at the animal shelter.

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The code does not state that the conditions of (a) must be met before (d) applies. It appears that in some cases, releasing an animal prior to a five day holding period may be required to save its life, and that Animal Services is using the discretion provided in (d) to further this goal.

A written policy addressing in what circumstances animals may be transferred or adopted without a five day holding period should be included in the overall written policy on transfers and adoption. Further, the procedure to be followed when animals are returned to Animal Services following adoption should be included in the overall written policy.

This policy should be reviewed by the County Attorney to ensure compliance with Seminole County Code Sec 20.37.

FINDING NO. 2

Policy does not require assessing a fee to outside organizations.

Seminole County policy does not require the Animal Services Division to assess a fee to outside organizations (i.e. pet rescues, SPCA, etc) receiving animals for adoption. With limited space available at Animal Services and the costs associated with storing the animals, it has been the practice to off-load as many animals to non-profit pet rescue type organizations as necessary.

During the period October 23, 2008 through December 31, 2008, (a little more than two months,) 120 dogs and four cats were transferred to other agencies for disposition. Annualized this equates to over 720 dogs and 25 cats. Had a small fee been charged for these animals i.e. \$10, the county would have potential revenue of \$7,450.00 per year. In addition, there may be opportunities to recover even more costs if Animal Services could hold on to some of the dogs or cats that can be easily adopted. Some of the pet rescues are charging up to \$300 for puppies. Animal Services could advertise the same for about \$150. This might provide an opportunity to not only recover more of the division's costs, but also offer its citizens a better value.

By not charging a fee for the animals transferred to outside organizations, the county is losing a potential source of revenue.

Recommendation

Enter into agreements with agencies receiving animals for adoption for the county to receive a percentage of adoption fees received by the agencies.

Management Response

We concur in part. We agree that there should be a simple agreement for the transfer of animals to rescue agencies and Seminole County. We do not agree with a percentage of the adoption fees from rescue agencies nor any fees to be charged. These agencies are county and statewide partners working collaboratively with us to reduce the euthanization rates and placing companion animals into appropriate households. We believe that having such a fee in place would be counterproductive to the work we have already done to establish a relationship with the different rescue groups.

Audit Comment

We concur that a primary goal is to take all the necessary steps to minimize the euthanization rates and to continue to place animals in appropriate households.

However, because some rescue organizations sell puppies for \$300.00 and others for \$200.00, a \$5.00 or \$10.00 fee would offset costs incurred by Animal Services and not have an impact on rescue agencies performing their jobs.

FINDING NO. 3

A management performance report is not readily available.

Every animal in the safekeeping or confinement of the division is assigned an animal control number. This number allows management to track individual animals. While the information system is capable of creating monthly reports showing the status and disposition of animals by control number, disposition type, fees collected, and person or group who received the animal, management has not created or used such a report.

By not having a report, it is difficult to evaluate whether all animals have been properly accounted for, and all fees collected by the division can be balanced to the records maintained by the County Finance Department.

Recommendation

Prepare an appropriate management report to evaluate transfer and adoption times to insure that County policy on holding times is being observed. In addition, the type of disposition and to whom should be included. This report should include any fees received by Animal Services Division.

Management Response

We concur and the item has already been addressed.

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FINDING NO. 4

The division does not have a formal policy to determine eligibility of organizations to receive animals by transfer.

During the limited review period, the division transferred 144 animals. Based on interviews with division personnel, we determined that the decision to transfer animals was made using an informal policy based on employee knowledge of the organizations. We selected the two organizations that received the largest number of transferred animals and found that they were registered charitable organizations. We did this by reviewing the annual reports filed by the organizations with the Internal Revenue Service.

While we found no indication that animals were transferred to for-profit organizations, there is no written policy detailing where animals may be transferred. Per county code section 20.37, animals may be disposed of after a five day holding period at the discretion of the animal control official.

By not having a written policy in place regarding the transfer of animals, it is unclear what agencies or individuals are eligible to receive animals. Further, it leaves the county vulnerable to charges that animals are transferred in an inequitable or unsafe manner.

Recommendation

Create a written policy covering the transfer of animals to other agencies and individuals.

Management Response

We concur, but this appears to be a duplicate finding as mentioned in Finding No. 2.

Audit Comment

Finding No. 2 addresses fees. Finding No. 4 addresses policy.

Attachment 1

Type	Animal ID	Intake Date	Outcome Date	Days from Intake to Outcome	Intake Type	Type of Animal	Reason for Disposal
TRANSFER	A208637	11/21/2008	11/21/2008	0	STRAY	Dog	Severe Injury
TRANSFER	A208776	11/25/2008	11/25/2008	0	STRAY	Raccoon	Wildlife
TRANSFER	A208825	11/26/2008	11/26/2008	0	STRAY	Hawk	Wildlife
TRANSFER	A208892	12/01/2008	12/01/2008	0	STRAY	Dog	Severe Injury
TRANSFER	A208145	11/06/2008	11/07/2008	1	STRAY	Dog	Severe Injury
TRANSFER	A209879	12/30/2008	12/31/2008	1	STRAY	Bird	Wildlife
TRANSFER	A207429	10/22/2008	10/24/2008	2	STRAY	Horse	Owner Give Up
TRANSFER	A208699	11/24/2008	11/26/2008	2	STRAY	Pig	Owner Give Up
TRANSFER	A207829	10/29/2008	11/01/2008	3	STRAY	Eagle	Wildlife
TRANSFER	A208680	11/22/2008	11/25/2008	3	STRAY	Pig	Owner Give Up
TRANSFER	A209746	12/24/2008	12/27/2008	3	STRAY	Snake	Wildlife
TRANSFER	A208384	11/13/2008	11/17/2008	4	STRAY	Chicken	Livestock
TRANSFER	A208924	12/02/2008	12/06/2008	4	STRAY	Cat	Reclaimed by rescue
TRANSFER	A207965	11/01/2008	11/06/2008	5	STRAY	Dog	Transferred 1 day earlier
TRANSFER	A208359	11/12/2008	11/17/2008	5	STRAY	Chicken	Livestock
TRANSFER	A208360	11/12/2008	11/17/2008	5	STRAY	Chicken	Livestock
TRANSFER	A208361	11/12/2008	11/17/2008	5	STRAY	Chicken	Livestock
TRANSFER	A208362	11/12/2008	11/17/2008	5	STRAY	Chicken	Livestock

Attachment 2

Type	Animal ID	Intake Date	Outcome Date	Days from Intake to Outcome	Intake Type	Type of Animal	Reason for Disposal
ADOPTION	A208561	11/19/2008	11/20/2008	1	STRAY	Cat	Kitten released for health concerns
ADOPTION	A169351	11/29/2008	12/02/2008	3	STRAY	Dog	Owner Give Up
ADOPTION	A208920	12/02/2008	12/05/2008	3	STRAY	Cat	Kitten released for health concerns
ADOPTION	A209147	12/08/2008	12/12/2008	4	STRAY	Cat	Relinquished by SPCA
ADOPTION	A209421	12/16/2008	12/20/2008	4	STRAY	Cat	Kitten released for health concerns
ADOPTION	A209149	12/8/2008	12/13/2008	5	STRAY	Cat	Relinquished by SPCA, held five days
ADOPTION	A209155	12/8/2008	12/13/2008	5	STRAY	Cat	Held five days