

Animal Care and Control

SUMMARY

San Francisco's animal services suffer from fragmentation among various agencies, philosophical differences among staff members of these agencies and funding problems. The 1996-1997 San Francisco Civil Grand Jury recommends moving dog licensing from the Tax Collector's office to the Department of Animal Care and Control (ACC), and vicious animal hearings from the San Francisco Police Department (SFPD) to a Court Commissioner. These changes would improve animal services to the citizens of San Francisco. The Grand Jury also urges the courts to take into consideration the cost to taxpayers, cruelty to animals, and hardship on caretakers, when animals are confined for lengthy periods awaiting trial decisions, and to expedite such hearings as much as possible within the limits of the law.

METHODOLOGY

The Grand Jury interviewed persons responsible for administering animal-related programs and those who physically care for and control animals, including state-licensed Animal Control Officers and supervisors at ACC and members of the SFPD and SF SPCA. The Grand Jury studied budgets, annual reports, audits, and local and state ordinances; inspected care facilities; witnessed vicious animal hearings; and spoke with both local veterinarians and animal control personnel in surrounding counties.

BACKGROUND

ACC was established on July 1, 1989, to perform services mandated by provisions of the California Health and Agriculture Codes. These are services previously contracted to the San Francisco Society for the Prevention of Cruelty to Animals (SF SPCA). They include rescuing and caring for stray, injured, abandoned, mistreated, and neglected animals; enforcing all state and local animal control and welfare laws relating to both companion animals and wildlife; and delivering effective, courteous, and responsive animal care services to San Francisco residents.

Uniformed, state-licensed Deputy Animal Control Officers perform field services such as impounding animals at large, rescuing animals in distress, investigating abuse, picking up sick or injured strays, and removing dead animals from city streets.

ACC operates a shelter facility at 1200-15th Street, which is open from 8 a.m. to 5:30 p.m., every day of the year. Kennels where citizens may adopt or redeem animals are open from noon to 5:30 p.m. daily except City holidays. Animal Control officers respond to requests for routine services from 8:00 a.m. to 5:30 p.m. daily except City holidays and to emergencies 24 hours a day.

State law (Health & Safety Code §1920) mandates rabies vaccination for dogs in all counties declared "rabies endemic," which now includes the entire state. Licensing is considered a means of easily determining an animal's vaccination status, as well as an aid to locating owners of lost pets. [\[1\]](#)

The San Francisco Tax Collector currently collects dog license fees. The San Francisco Board of Supervisors' Budget Analyst, in an April 1995 report, recommended to the Board that ACC take over this task. To date, ACC has failed in its attempts to obtain additional funds for this duty and is reluctant to take it on until financing is in place.

In many counties when a person has a dog vaccinated against rabies, local ordinances require the veterinarian to mail a certificate to the local animal control office, which then checks to see if the animal is licensed and, if not, initiates contact with the owner. Usual procedure is to send three notices before issuing a noncompliance citation. No such program exists in San Francisco. Despite the fact that San Francisco charges less for licenses than neighboring counties, for example, Oakland's fee is 2.5 times higher, San Francisco has a far lower percentage of licensed dogs. (See Appendix A)

The SFPD currently conducts all hearings on vicious dog attacks. These hearings, which take place in the chambers of the San Francisco Department of Public Health, resemble trials and often elicit strong passions from dog owners, victims, and witnesses. Because these hearings may be intense, complex, and lengthy, a maximum of three cases is heard per weekly session. All concerned parties interviewed for this report agreed a civilian should replace the hearing officer, who is currently a uniformed member of the police force.

Licensing

Findings

- San Francisco has an inadequate method of enforcing licensing requirements.
- ACC lacks sufficient funding to enforce licensing.
- San Francisco charges less for licenses than other Bay Area cities and counties.
- Animal control functions are dispersed among various city departments.

Recommendations

1. The City should institute a trial program under which ACC would take over dog licensing duties from the Tax Collector's office and receive appropriate funding. At the end of the trial period, the Controller should evaluate the cost-effectiveness of this endeavor and make appropriate recommendations.
2. ACC should evaluate the costs and benefits of requiring veterinarians to submit copies of all rabies vaccination certificates and using that information to notify owners of unlicensed dogs of the licensing requirement.
3. ACC should request an increase in license fees at least equal to those charged in Oakland.

Vicious Animals

Findings

- The Grand Jury agreed with the widely expressed admiration for the skills of the SFPD officer currently charged with hearing vicious animal complaints and also agreed with the consensus of the various parties involved that this function more properly belongs under the aegis of the Municipal Court.
- Vicious animal hearings resemble trials and often elicit strong emotions from participants, which, on occasion, have led to actual physical violence.

Recommendations

4. A Municipal Court Commissioner should be trained to take over this part-time, but sensitive, position.
5. Armed bailiffs should be present at all vicious animal hearings, and participants should pass through metal detectors en route to such hearings.

Holding Animals As Evidence in Court Cases

Finding

- Dogs confined as evidence in court cases where the charge is harboring a vicious or fighting animal or otherwise abusing an animal can be held in cages at ACC for up to a year and a half awaiting the trial. Nevertheless, the Grand Jury found no instance where a dog was actually brought into court. This is both inhumane and expensive. Furthermore, all experts the Grand Jury consulted agree that an animal confined to a cage for many months would not exhibit the same characteristics it had when first incarcerated. The "evidence" would change over time.

Recommendations

6. In those cases where the District Attorney has requested that ACC house animals, all parties involved , ACC and the District, City, and defense attorneys , should cooperate in developing a plan that will preserve the necessary evidence yet avoid the need to house those animals for up to a year and a half.

7. In cases of abused animals that ACC has determined to be no danger to the community and eligible for either release to owners or adoption, the Grand Jury recommends that ACC seek methods to expedite hearings to avoid the hardship of long-term caging on both caretakers and animals.

REQUESTED RESPONSES

Mayor

Board of Supervisors

Department of Animal Care & Control

City Attorney

REQUESTED RESPONSES CONTINUED

District Attorney

Public Defender

APPENDIX A
License Fees

License Fees in Selected SF Bay Area Jurisdictions

Intact dog/altered dog:

	<u>1 Year</u>	<u>2 Years</u>	<u>3 Years</u>
San Francisco	\$16/8	\$30/14	\$44/20
Oakland	\$40/10	\$70/18	\$100/26
San Mateo County	\$21/11	None	None
Contra Costa County	\$22/11	\$41/19	\$60/27

All jurisdictions offer substantially reduced fees for senior citizens.

Footnotes

1. It has been decades since confirmed case of rabies has occurred in a companion animal in San Francisco.