Fairfax County Police Department

Animal Services Division Organizational Review

June 2016

Fairfax County, Virginia

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1.0 Executive Summary

Animal Services in Fairfax County have evolved significantly over the last 15 years. Our Animal Control Officers (ACOs) are among the best-trained officers in the Commonwealth of Virginia. Our animal shelter, once disparaged as a pound and criticized for its policies and actions, has become one of the most proactive and progressive municipal animal shelters in the country. It enjoys an excellent reputation and receives both accolades and support on social media from the community.

Animal control and the animal shelter are both respected organizations, however different primary missions for each group have sometimes lead to tension between the two. The primary mission of animal control is public safety and enforcement of animal laws, while the animal shelter is focused more on animal welfare. Operationally, all three factors are of importance to both animal control and the animal shelter.

On April 28, 2015, outgoing County Board Supervisor Michael Frey, well known for his advocacy for animals in the community and for Fairfax County's Animal Services, proposed a Board Matter to review the current Animal Services Division of the Police Department and determine whether or not changes should be made. The Board concurred and directed staff to conduct a study and report back with recommendations.

To help identify the issues and find a solution, interviews were held with over 95% of animal services staff as an initial step in the study. Based on feedback from staff, differing missions are part of the reason for tension between the two groups, but other factors such as communication and rotating leadership in animal control are contributing. The County must find a way to foster a positive and effective relationship between these two groups that will benefit the organizations, the animals and the community.

Fairfax County ACOs are proud of their status as members of the Fairfax County Police Department (FCPD). Feedback collected for this study clearly shows that most of the community holds these officers in high regard and values their presence. There are some who feel ACOs are too zealous in using their authority as law enforcement personnel, however, the majority of people interviewed in this study believe that Fairfax County ACOs should remain in FCPD.

The majority of people interviewed, including County staff, other stakeholders and citizens, also believe that the animal shelter is misplaced in FCPD. Interviewees gave several reasons for this opinion. First, the disparity of missions between an enforcement agency and an animal welfare-oriented organization has contributed to a cultural gap between the two. Second, the FCPD hiring process is too lengthy for a civilian organization because it is geared toward recruiting uniformed law enforcement officers rather than civilian shelter employees. Finally, the FCPD disciplinary system is too lengthy and complicated for civilian personnel.

Many interviewees expressed concerns about removing the shelter from FCPD even if they favored the concept. Feedback collected through interviews and focus groups revealed that many were concerned about the shelter's financial security. Without the deeper pockets of FCPD, an independent animal shelter would be less protected from position and budget cuts. In tough budget times, the animal shelter's ability to perform at its current level of excellence, including a positive release rate of over 90%, could be compromised.

Recent years have seen a widening cultural divide between animal control and the animal shelter. Some ACOs and even a few shelter staff believe that the FCPD oversight strengthens adherence to animal laws. Disagreements about which dogs should be put up for adoption and conflict about authority to make euthanasia decisions are at the core of this friction. Unfortunately, suspicion and lack of trust between some members of the two groups has polarized the two organizations and created an internal environment of crisis. The continuing discord was one factor in initiating an organizational review of the animal services division.

In the course of this organizational review and a study of animal welfare trends, an internal study team collected feedback from staff and volunteers, subject matter experts, and affiliate organizations such as the Animal Services Advisory Commission and Friends of the Fairfax County Animal Shelter. The team also solicited comments from special interest groups such as those in favor of deer management, those against it and those involved by virtue of their positions in related County agencies like Urban Forestry, the Park Authority, the Health Department, and the Virginia Department of Game and Inland Fisheries. The team also polled other animal welfare organizations with regard to the structure and function of their animal services.

The internal study team maintained a balance in focus between the needs and challenges of animal control, the animal shelter and the wildlife biologist tasked with the County mandated deer management program. Initially, the study team considered many possible combinations of organizational structure and evaluated the advantages and disadvantages of each. After collecting and analyzing data, and considering other factors such as the passage of the Animal Protection Police (APP) legislation, that provides the option of elevating ACOs to sworn law enforcement, the team focused on three specific options. Each of these is discussed and outlined in Section 9 of this report.

The animal welfare industry itself has changed significantly in the last two decades. In the past, euthanasia was the primary method of managing pet overpopulation. Today we have adopted a more humane and progressive approach that includes enhanced adoption programs, community outreach through social media and events, proactive spay/neuter, supportive programs for the shelter such as volunteer and foster groups, behavioral modification and proactive medical care.

It is also important to remember that animal welfare in all its forms is a passionate field; and it continues to evolve. Change is a constant – it is how we make progress. But change is often accompanied by conflict, particularly in a field where passions run high. Those conflicts need to be addressed and resolved for progress to continue.

Animal welfare is not a "black and white" field. Providing protection for both people and animals creates a delicate balance between animal advocacy and public safety. Community expectations and progress in the animal welfare field generate many critical and complex questions. The outcome of this organizational review will only be another step in the County's forward progress rather than a final destination.

The information that follows will help to answer the questions posed by Supervisor Michael Frey's Board Matter from April 28, 2015. Based on the findings of this study, the group recommends keeping animal control in FCPD, converting the animal shelter into an independent county agency, and relocating the wildlife biologist/deer management program to an organization more consistent with the Board mandate for this function. These changes will place each of the animal services functions in the optimal environment to support their differing but related missions. Despite these proposed changes, the organizations will remain interdependent and must collaborate effectively.

Study Limitations

The timeframe for data gathering and summarizing information for this report spanned a period of approximately seven months. Much of what is recorded are opinions and perspectives of individuals and groups. In addition, we recorded conflicting perspectives in an effort to accurately outline the scope of an issue and to reflect the opinions of all who participated.

Since the start of the study some of the issues identified within the report have begun to be addressed and some changes in the operation of the division have occurred.

2.0 Background

In the fall of 2015, the Fairfax County Police Department hired Public Financial Management, Inc. Consultants (PFM) to conduct a pay and compensation parity study for Police and Sheriff. As an add-on, they also asked PFM to conduct an organizational comparison study of the Animal Services Division and other high performing animal service organizations within the region and throughout the country.

The Department had been directed by the County Board of Supervisors to look at the structure of the Animal Services Division and determine if it was time to remove the Animal Services Division from the Police Department. The stated objective was to facilitate continuation of animal services' forward momentum as more of an animal resource center in the community and less of an enforcement agency.

The PFM contract deliverable required the consultant to review 10 other organizations and provide a recommendation for an organizational structure that would support the

continuation of a 90% positive release rate for the shelter. They were also asked to assess the importance of sworn law enforcement versus non-sworn status for animal control officers, and the location of the County's Wildlife Biologist/Deer Management Program, currently located within the Animal Shelter portion of the organization.

Based on the assumption that an organizational assessment needs to incorporate feedback from staff, stakeholders, end users and subject matter experts, Fairfax County Public Safety leadership also chose to form an internal study team to assist in the evaluation. The role of the study team was to provide the opportunity for staff and stakeholders to have input in the evaluation and provide feedback on the current and future state of the county's animal services. The study team also interviewed subject matter experts from national organizations and reviewed information from an additional seven animal services organizations both within Virginia and around the country.

At the start of the study, both the animal control section and the animal shelter were in a transitional state, which accentuated issues and is reflected in the feedback provided by staff and stakeholder groups. Animal control officers were facing an uncertain future, not just from the potential outcome of the study, but, from recent legislative and policy changes which affected their powers and authority. ACO morale was at an all-time low.

Concurrently, the director of the animal shelter resigned in June 2015 and by late summer took two top management staff with her, removing top leadership at the shelter, and leaving behind a management team that was literally cut in half. This information is noted here as a reminder that the feedback collected at the time of the study was collected at a particularly volatile and vulnerable time for both animal control and animal shelter staff.

The internal Animal Services study team was made up of eight individuals with cross-functional experience and varying levels of involvement and expertise in animal welfare issues. The group committed to maintaining anonymity and confidentiality for staff, conducting a valid and reliable public satisfaction survey and providing the opportunity for feedback from a variety of stakeholders including volunteers, special interest groups and subject matter experts. Their task was to consider options for the Animal Services organization that would address both the questions from the Board Matter and other ongoing organizational issues such as lack of communication within animal services and the widening cultural divide between animal control and animal shelter management.

The internal study team consisted of the following individuals:

John Burton, Assistant County Attorney
Phil Church, Animal Services Advisory Commission
Karen Diviney, Team Chairperson, Liaison to the Chief and former Animal Shelter Director (2004-2012)
Barbara Hutcherson, Acting Shelter Director
Leia Huggins-Ellis, Human Resource Analyst, Department of Human Resources

Lt. Colonel Tom Ryan, Deputy Chief of Police for Administration
Sara Simmons, Executive Director, Civil Service Commission
Sergeant Alena Swartz, Animal Control Officer

2.1 Background questions to be answered

Based on Supervisor Frey's Board Matter, there are three questions to be answered:

1. Should Animal Services, specifically the animal shelter, remain a division of the Police Department or is it time to consider creating a separate agency?
2. Do our Animal Control officers need to attend a full Police Academy and be sworn officers or should Fairfax County consider a non-sworn animal control unit focused more on animal welfare and less on enforcement?
3. Where should the function of the wildlife biologist/deer management program be located with the county organizational structure?

The ASD study team recommends the following:

1. The animal shelter should become an independent agency - Animal Sheltering Services;
2. ACOs should continue to attend the police academy and be sworn law enforcement (APP), although the county should consider forming a non-sworn community outreach team focused on welfare and proactive delivery of services to underserved areas;
3. The WLB should be relocated in DPWES or in the Operations Support Bureau of FCPD to ensure more autonomy and support for the function. A naturalist should be assigned to the shelter to advise and educate citizens on wildlife issues. The current program should be retitled "Wildlife Management" to denote a team as opposed to the Wildlife Biologist/Deer Management Program which implies a single individual.

For additional information see Section 8, options and Section 9, key findings.

2.2 Coordination with PFM Consulting

At the beginning of the process, the internal study team met with PFM consulting associate, Greg Butler, to discuss the project, strategy in collecting data, analysis and final reports. The consulting firm also hired a subject matter expert to help with their analysis, Melissa Levy, Director of Philadelphia Animal Welfare League. Greg, Melissa and the internal team met several times at the beginning of the process, utilizing both telephone conferencing and in person meetings to discuss strategy, objectives, anticipated deliverables and timeline. Although the two parallel data collections were done independently, the two groups maintained contact and provided assistance to each other as needed.

2.3 Policy and Legislative Changes

Animal control officers in Virginia can have different levels of enforcement authority depending on how the specific jurisdiction has organized its animal control. Currently, the Commonwealth of Virginia has two distinct animal control officer designations: Animal Control Officer (ACO) and Animal Protection Police (APP) Officer. ACOs can also be appointed as Special Conservators of the Peace, which grants additional law enforcement authority if the ACO is not already a sworn law enforcement officer. In some jurisdictions, police officers or sheriff's deputies handle animal control duties. A comparison of the authority and training requirements for ACOs, SCOPs and APP can be found in Appendix Table I.

Fairfax County Animal Control Officers attend a full police academy and are appointed as Special Conservators of the Peace (S-COPS) by the Fairfax County Circuit Court. ACOs must reapply each year for certification and renew their S-COP oath every four (4) years. FCPD has limited their responsibilities and powers by policy to enforcement of animal laws.

The Virginia Department of Criminal Justice Services (DCJS) recently advised FCPD that it would no longer certify the county's ACOs as law enforcement, due in part to recent legislation that clarified limitations on S-COP authority. This issue has created a great deal of stress and anxiety among members of animal control who were operating under the assumption that they had certain specific powers and authority as DCJS certified law enforcement officers. It has been an unsettling time for Fairfax County Animal Control Officers who were trained side by side in the academy with patrol officers and who had previously maintained their DCJS certifications as law enforcement officers.

In its 2016 session, the Virginia General Assembly passed House Bill 118, allowing Fairfax County to appoint an animal protection police (APP) officer and deputies. APP officers and deputies have all the powers and duties of animal control officers and are also law enforcement officers under Virginia law. The General Assembly passed similar legislation in 2010 applicable solely to Henrico County.

Fairfax County now has the option to have its animal control personnel operate as law enforcement officers with full law enforcement powers under APP. Virginia law requires that APP officers be treated administratively and in every other way the same as Patrol Officers. In addition to a full 6 month police training academy, APP officers must complete the three week state approved animal control officer curriculum.

County leadership must decide if Fairfax will continue to have an animal control unit staffed with criminal justice academy graduates. Two key points in this decision are whether or not the majority of our animal control officers actually need this level of criminal justice training to enforce animal laws and ensure the safety and well-being of animals and the community; and whether or not it is cost effective to require the same training for all animal control officers as is required for police officers.

From a budget perspective, there is a greater salary and benefit cost for all sworn ACOS. One option would be to retain a specialty unit of sworn ACOs with the remainder non-sworn at a lower pay grade. The cost savings of a partially sworn ACO unit however may result in unintended consequences with regard to overall effectiveness and functioning of the county's animal control division.

2.4 Considerations

Assistant Attorney General Michelle Welch, head of the Animal Law Unit in the Virginia Attorney General's Office, considers Fairfax County Animal Control to be the gold standard for animal control in Virginia. Ms. Welch noted that criminal investigative training at the police academy sets Fairfax County ACOs apart from other animal control units around the state. She believes this is the standard to which other jurisdictions should aspire and the direction for animal control officers in the state of Virginia in the future.

Opponents of a fully sworn animal control unit would point to the fact that this level of law enforcement training is not typical for animal service organizations. Most jurisdictions outside Virginia do not use sworn law enforcement officers for animal control.

Within Virginia, according to a 2012 Virginia Animal Control Association (VACA) census, approximately 36% of jurisdictions that responded to the survey have an animal control unit staffed with sworn law enforcement officers.

An important consideration is how FCPD's other operations may be affected if Fairfax County animal control officers are not sworn as law enforcement officers. Without the ability to conduct criminal investigations, make arrests and request and issue warrants, non-sworn ACOs will need back-up from patrol officers every time there is a criminal case. Animal cases may receive less attention from FCPD if they compete with more pressing matters. Over time, animal control could lose its reputation for professionalism, responsiveness, and investigative and enforcement ability.

Primary disadvantages of an academy-trained animal control workforce are the financial cost of the six-month academy versus the three week state required animal control training; the lead time required as a result of this academy training before new hires can be brought on board; and the initial focus for new officers on criminal law and enforcement rather than on animal welfare. While some have pointed to this initial training sequence as a disadvantage, others have noted that having academy first and animal welfare training second could have the advantage of the focus on animals being most recent to the actual start of the job.

An animal control supervisor also pointed out that academy training teaches officers about personal safety, interpersonal communication, public speaking, driving skills and a myriad of other skills necessary to perform their jobs, including extensive legal and

cultural training, in addition to topics of law enforcement. Further, in Fairfax, candidates for animal control positions are specifically selected with consideration of their interest in animal welfare.

Compelling arguments can be made for both sworn and non-sworn officers and this is a decision for county leadership. The study team as a group believes the county should not waste the resources already expended to create the current sworn animal control force of 25 current officers. At a minimum, the 25 academy-trained officers should be appointed as APP.

If county leadership determines that it is in the best interest of the county to transition to a non-sworn or partially non-sworn animal control unit, the study team recommends that be done through attrition, as vacancies become available. Several members of the internal team feel strongly that all animal control officers should be sworn law enforcement officers and attend the Criminal Justice Academy.

FCPD will always need a core group of academy-trained law enforcement officers dedicated to enforcing animal law, investigating criminal cases and prosecuting offenders. Without them, a greater burden will be placed on patrol officers who are already overextended and animal control issues may be overlooked in the interest of more pressing human needs.

3.0 National Trends in Animal Welfare and Animal Control Agencies

The study team contacted representatives from several well-known national animal welfare organizations as well as individuals working in the animal care field to gather information about current state and national trends in animal sheltering and animal control. Among those contacted for interviews were:

- The Humane Society of the United States (HSUS) – Cory Smith
- The American Society for the Prevention of Cruelty to Animals (ASPCA) – Kate Pullen and David Betournay
- The Humane Network – Bonney Brown
- Virginia Office of the Attorney General – Michelle Welch

The team attended a live webinar presented by Holly Sizemore and Arlyn Bradshaw from Best Friends, Utah, sponsored by ICMA, International City Managers Association: "Animal Control: Successful No-Kill Policies".

Team members also independently viewed a webinar presented by Todd Stosuy, Director of Santa Cruz Animal Control and President of the National Animal Control Association (NACA): "Proactive Community Animal Control.

Other information has been gathered from the Nathan Winograd "No-Kill" website and from the website of the Virginia Animal Control Association.

Several things became clear as we reviewed information from other national groups.

- Any organizational structure can be successful: there are positive examples of many successful organizations, both within uniformed agencies and outside of them, with sworn animal control units and with non-sworn.
- A high positive release rate is not dependent on the type of organizational structure.
- A 90% positive release is not an end-all be-all. This has been stated by representatives from HSUS, ASPCA and the Humane Network. It is a good target – something to strive for. It is dependent on several key factors:
    - commitment of leadership and staff
    - development and funding of life-saving programs
    - ability to acquire resources (both human and financial) to maintain those programs.
- The trend in animal welfare today is to establish programs to push services out into the community rather than wait for problems to come to your door.
- In organizations around the country, proactive animal control officers are focusing on "helping" citizens first and resorting to enforcement only where it is absolutely needed.

- Organizations that are understaffed or under-resourced are not able to achieve successful outcomes for the majority of their animal population.

Below are some highlights from interviews and webinars with individuals from industry leading organizations.

Humane Society of the United States (HSUS) – Cory Smith

Cory Smith explained that it is time to add another tool to our "tool box" for dealing with pet over-population and homeless pets. She noted that for years, our society dealt with pet over-population with euthanasia. Millions of healthy, adoptable pets were euthanized because we had no other way to help them.

Ms. Smith stated that two to three decades ago, we put euthanasia aside as a primary method of managing homeless pets and began to develop programs to reduce the pet population and increase positive outcomes. "We've been through decades of rescue, picking up strays, spay/neuter, addressing medical needs… these all got us where we are today," stated Smith.

Smith noted that animal welfare organizations now need to go beyond just helping people who come to them. They need to be active in the community and bring resources out to areas that are underserved or don't have access to services. Keeping pets out of shelters and in their homes, keeping them healthy by ensuring that their owners have access to services and resources is the new trend, and the next tool.

The current national trend is less on enforcement of animal laws, although this is essential in instances of neglect or abuse. Ms. Smith stated that the emerging trend is a shift "away from a penalty system, and a push for prevention". More and more, animal control organizations are reaching out into their communities, looking for people who need services or education and providing assistance to people before they get to the point where they need to relinquish a pet.

"We are all part of the community," commented Smith. "All of what happens in the community affects what is happening in the shelter." We need to have a stronger "prevention impact".

The HSUS "Pets for Life" program and the Santa Cruz, California "Proactive Community Animal Control" program are examples of how this can be done.

Smith also stated that there is a lot to be said for breaking down silos in an organization. "Animal Control and the animal shelter are connected," she stated. "Everyone needs to be part of the same mission and goals."

She also reiterated something we have heard from many others: "the majority of well-established animal control programs don't have law enforcement powers beyond enforcing animal protection laws."

"It's a challenge to think that this could change," commented Cory. "Change is hard in this field…the question becomes, what else can work?"

"Taking Animal Control to No-kill" – Holly Sizemore, ICMA Webinar

In the ICMA webinar, "Taking Animal Control to No-kill", Holly Sizemore clarified some of the confusion around the term "no-kill". "The problem with the term no-kill," explained Sizemore, is that people often don't understand what this means. "They believe that no-kill means no animal is ever euthanized. But this is not what no-kill means."

As Sizemore explained: "What we want are no-kill communities." In no-kill communities, healthy, adoptable or treatable animals are not killed for lack of resources, to make space for other animals. "Resource scarcity is not an excuse for sub-standard service," commented Sizemore. "Communities are evolving: return to the old ways should NOT happen" (e.g. euthanasia for population control).

"What no-kill isn't," stated Sizemore, "is hoarding". She added, "A 90 percent positive release rate is a benchmark, not a be-all, end-all."

So how does animal control help in the progress toward a no-kill community? Ms. Sizemore commented, "We want the community to view animal control as a resource." She went on to say that "People have animals that they hide from animal control. It is not helpful if people with pets don't engage with animal services." She gave the example of zoning ordinances that limit the number of pets without regard to size as one reason people may not want to engage with animal control.

One clear message of this webinar was that animal services in a community need to be proactive, not just reactive. The organization needs to target services and programs to areas of the community where people are not engaged in supporting a no-kill community. The questions become knowing where most of your animals come from and why. Then, the organization needs to figure out what programs are needed to change this and make a plan to systematically deliver them.

American Society for the Prevention of Cruelty to Animals (ASPCA) – Kate Pullen and Dave Betournay

From the ASPCA perspective, Kate Pullen noted that current trend in animal welfare is a confluence of pieces. It is not black and white. She sees the most effective methodology as lay animal control officers out in the community identifying needs and helping citizens either with education or acquisition of services. But, this also includes a relationship with officers who have the authority to enforce animal laws if that is what is needed. This is a very important point for the conclusions of this study. Both pieces are needed: enforcement in circumstances of neglect and abuse but also services for those who just need some assistance to do well.

The question becomes where is the balance for effectiveness? "Community intervention," noted Pullen, "usually works better not showing up with a badge and uniform". Pullen added, "Using animal control officers to help keep animals in their homes is not a perfect set up."

She indicated that there are organizations around the country who are already doing this well, including, Santa Cruz, Charlotte Mecklenburg, where Animal Care and Control is a hybrid of the traditional and the concept of community policing is being utilized; the ASPCA in NYC which has a newly developed Cruelty and Intervention Advocacy team; and Fort Wayne Indiana Animal Control where they are making progress pushing services out into the community.

Humane Network – Bonney Brown

Bonney Brown is a consultant in the animal services industry. She is a frequent presenter at national conferences and she helps animal organizations looking to improve their effectiveness. Prior to starting Humane Network, Brown was the director of the Washoe County Animal Shelter in Nevada where she dramatically increased positive release for both dogs and cats.

Brown told us that she has seen animal welfare organizations work very well in every different way: "No one structure makes the difference," noted Browne. "It is primarily people determined to make things work."

With regard to making improvements for animals in the community, Brown listed the following recommendations:

- The earlier intervention occurs the more likely it is to be successful.
- Having a hotline for complaints and counseling is most successful.
- Counseling for solutions is very important. Ex: issue with outdoor cats – offer deterrents. Cost of deterrents is less than the cost to impound and euthanize.
- Keep interactions friendly and problem focused – if no compliance, then enforcement is needed.
- Facilitate people doing the right thing.

Santa Cruz County Animal Shelter - Officer Todd Stosuy, President, National Animal Control Association (NACA) and Field Services Manager for Santa Cruz Animal Shelter

Although we did not speak with Officer Stosuy in person, his 90 minute webinar on Proactive Community Animal Control and the Animal Sheltering magazine article, "Putting a Friendly Face on Animal Control" provide lots of helpful information on how the Community Policing Model can work in the animal services field.

Santa Cruz Animal Shelter and Animal Control is similar to Fairfax County in several ways. It is a government entity. Their intake is around 5000-6000 companion animals each year and their animal control officers handle around 11,000 calls a year. One of

the major differences between their community and ours is that they have a large transient population, which translates to lots of non-vaccinated pets.

Officer Stosuy noted that it was important for them to first identify their problems and the locations and then to figure out how best to resolve them. For Santa Cruz, community animal control focused on preventative patrols. They identified one particular community and began a systematic, door-to-door canvasing where they introduced themselves, talked with people and helped them with their pet issues.

The community policing model promotes the systematic use of partnerships and problem solving techniques. A key component is getting engaged in the community, going into the field and proactively addressing problems. Santa Cruz took this philosophy to heart. In preventative patrols the officers acted less like law enforcement and more educational. They worked to bring spay/neuter and veterinary services to underserved areas and to assist pet owners who clearly loved their pets but did not have the resources to provide for them. When budget cuts forced a temporary halt of the systematic patrols, officer Stosuy found that the philosophy of helping had been so instilled in his officers that they continued to perform their duties in the mode of the community policing/helping model.

Animal Law Unit of the Virginia Attorney General's Office - Assistant Attorney General Michelle Welch

Feedback from Michelle Welch, the assistant attorney general who reviews all animal law issues in Virginia, is that Fairfax County is the gold standard for animal control. She believes that this is the standard to which other animal control units should aspire.

In her interview with us, Ms. Welch stated that she could not get the convictions for violations of animal law (e.g. the Reston Zoo) with other jurisdictions, like she did in Fairfax, because most of them are not fully trained in the investigative process or the elements that build a solid case. She said that what sets Fairfax County Animal Control apart from other animal control units in Virginia is their academy training and their abilities and skills in conducting successful investigations and getting prosecutions.

Given that Fairfax County Animal Control already has the positive reputation and credibility high up in State government, as well as the community– moving back to a non-sworn unit would most likely undermine the positive reputation that they have earned. It will also deal a blow to morale and would likely result in a significant number of resignations or requests for transfer.

Ms. Welch also pointed to long-run savings. She noted that one civil rights judgment against the County could potentially wipe out any savings that the County accrues from not sending ACOs to the academy. She believes that the money spent up front for training saves money on the back end when officers are out on the street interacting with citizens.

Virginia Federation of Humane Societies – Debra Griggs

In February 2016, Debra Griggs, President of VFHS wrote to Chairman Sharon Bulova clarifying a position the VFHS Peer Review Team had taken in the spring of 2015. She stated that the intent of the VFHS peer review was to have the County consider whether or not it made economic sense to replace sworn officers with non-sworn animal control officers as current officers retired, or moved on from Animal Services. She expressed concern that this review may have had a negative impact on current officers as the county considers the question of their sworn status.

Ms. Griggs stated that VFHS has long taken the position that animal control officers should have the status of law enforcement officers and should receive the training required by Virginia Code Section 3.2-6556. She indicated that the review team did not intend to imply that Fairfax County Animal Services Division should move to remove law enforcement officer status from the animal control officers. She further stated the Peer Review Team and the VFHS fully support Delegate Albo's bill (HB118) which addresses this issue legislatively, by providing the option for animal protection police status (APP) for Fairfax County animal control officers.

4.0 Review of Regional and National Organizations (See Appendix Table 2)

In the original scope of this study, the organizational review of other local and National organizations was the sole responsibility of the consultant hired for the overall public safety study. The consultant selected 10 organizations for review: The report on their findings is included in their overall report for the Public Safety Review project, so it is not a part of this report.

Based on preliminary information we received from PFM, two key findings from their review of Fairfax County Animal Services and other animal service organizations are that a bifurcated reporting structure for animal control and animal shelter staff is not typical; and the lack of a 2nd lieutenant level in the FC organization precludes ACOs from a career path to commander of animal control, necessitating the rotating Captain from outside the unit.

As the internal team began to look at options for animal services, there were several other organizations that they felt were of interest for a variety of comparison reasons. Seven additional organizations were selected for review by the internal team. With the assistance of the FCPD Change Management Team, these additional organizations were interviewed using the basic template provided by the consultant.

A comparison chart showing information from the seven additional organizations, including the reason they were selected by the team for review is included as Appendix Table 2. The conclusion of the internal team review is similar to that of the consultant and the statements of several national subject matter experts. There are examples of all types of organizational structure, placement within government and contracted out as well as sworn and non-sworn for animal control. It appears that the structure that works best is the structure that is working for that particular organization. Although it seems as though organizational structure would have a significant impact on the organization's success, it is clearly not the only factor. We can only conclude that there is no one model that is "better" than the others.

The one conclusion that can be drawn from the survey of other organizations is that when it comes to results, if the criteria of success is the positive release rate for the organization's animal shelter, Fairfax County is already a leader. Few other organizations surveyed, including those who are leading the effort to push services out into the community, have a higher positive release rate than the Fairfax County Animal Shelter.

5.0 Feedback from Animal Control and Animal Shelter Staff

Employee feedback is key to any considerations of organizational change. It not only provides management with information to either confirm what they believe, or learn what they may not know, but equally important, it gives employees an opportunity to be heard and to have input in the process. Getting honest, candid feedback from Animal Services Division (ASD) employees was an important objective for the ASD study team.

Employee interviews were conducted in December 2015. Interview times were set up in "Sign-up Genius" which allows people to select and confirm an appointment time without others being able to see that they have done so. Employees were guaranteed anonymity and confidentiality.

There were three interviewers, selected from the study team because they were the least connected to ASD employees. One interviewer is a member of the Animal Services Advisory Commission however, and after day one, any ACO interviews scheduled with him were shifted to another interviewer as requested. This was not an issue for shelter staff, so the interviewer was scheduled for shelter staff interviews only on days two and three.

Each staff member was allotted approximately 30 minutes to respond to 11 questions regarding their views on what is working well, what challenges they see, what changes they believe are needed and how they think Animal Services should be structured within County Government. (See Appendix Table 3 for staff interview questions.)

Staff participation rate was 94.4% for all of ASD (N=51 out of 54). Information from all interviews has been compiled and sorted for "themes". Although the information was initially analyzed by separating out Animal Control, Animal Shelter and Wildlife Biologist, the majority of themes cut across all areas of the organization. Consequently, the information presented here has been combined across all participants.

<u>What is working well?</u>

Many employees in all parts of Animal Services value their inclusion in the Police Department. Animal Control Officers are especially proud to be a part of FCPD, but other civilian staff also noted that the authority and respect attributed to being a part of the department were important considerations for them. Many of the staff on the shelter side feel there is safety in having animal control officers share the building.

Animal shelter programs like the on-site veterinarian, adoptions, the foster program and the volunteer program were cited over and over among things that are working well, as well as the new facility, and social media. In some cases, items, like social media, or

relationships between ACOs and caretakers, were listed under working well by some and under challenges by others.

Below are some aspects of the organization that employees perceive as <u>working well.</u>

1. Social media has greatly increased visibility and accountability of the shelter for citizens.
2. Being in FCPD – joined because wanted to be in the Police Department. Being an ACO gives the officer the ability to investigate things on the spot.
3. Volunteer and foster programs are excellent. Can show an animal's true behavior outside the kennel.
4. Excellent medical care. On-site veterinarian.
5. Relationship between ACOs and caretakers: work together well and support each other.
6. Adoptions of animals doing well.
7. New facility works well.
8. People are doing their jobs.

<u>Identification of organizational challenges and issues:</u>

Challenges and issues were derived from the following questions:

- what are the organizational challenges,
- what do you think needs to be changed and
- what does management need to know that they may not already know?

Identification of the cultural gap between Animal Control and the Animal Shelter and lack of communication at all levels of the organization were among the most frequently noted. Issues of leadership, conflicting missions, safety and deteriorating morale resulting from the uncertainty of ACO authority were also identified as either a challenge, needing to be changed, or something management needs to know.

Below are the primary themes for challenges and key issues.

1. Communication
    a. Lack of sharing of information between management and staff, between shelter and animal control.
    b. Language used by dispatch – disconnect between event types for dispatch and those for animal control.
    c. Need more communication with the public: example, educating them on what "no-kill" actually means.
2. Management Issues
    a. Management doesn't seem to value staff input of ideas.
    b. Decisions of ACOs being second guessed by animal shelter management.
    c. Poor relationship with management on both sides – AS and ACO.

   d. Current structure creates a disconnect and tension between animal control and animal shelter.
3. Leadership Issues: lack of cohesive leadership for animal services. Rotating captain for animal control. Assignment seen as a negative.
4. Staffing issues
   a. Hiring of civilians takes too long within PD.
   b. More administrative support is needed.
   c. Appreciate volunteers but some are too bossy.
   d. Not enough positions; too many vacancies.
   e. Hours and scheduling: lunch times need to be clarified for shelter side. AC wants caretakers available after 9 pm.
   f. Background checks good, but take too long.

5. Relationship between animal control and animal shelter. Throughout the interviews, this was a theme that resonated with terms like harsh, strained, deteriorated, and poor.
   Typical comments included:
   a. "History of discord with this group: hard to balance safety with animal welfare objectives."
   b. "Goals not unified between animal shelter and animal control which should be fixed."
   c. "Need a more uniform way to deal with animals in the community".
   d. "The view of ACOs as dog catchers and not being respected for the role we play".
   e. "Lack of trust and communication between animal control and animal shelter. "
   f. "Hostile work environment for animal shelter by ACOs interactions."
   g. "Over involvement by animal shelter in ACO cases."
   h. "Relationship has deteriorated greatly in last three to four years. Was fine before. No respect. Need vision, mission and values work".
6. Conflict of differing missions between animal control and animal shelter
   a. Public safety versus animal services.
   b. Deer management program in an animal service organization moving toward no-kill.
   c. Safety of the community vs. adoption numbers (real or perceived issue).
   d. Perception that there is a large return rate of dogs with bite histories.
7. Deteriorating morale for animal control staff; not having benefits such as the line of duty death benefit for officers.
8. ACOs currently not able to enforce the laws.
9. Safety concerns: need better training for new staff on policies and handling animals. Volunteers need more training.
10. IA process for civilians is an issue for shelter staff.
11. Classification of animals needs to be clarified for all
    a. Dangerous dogs
    b. Euthanasia decisions

c. Animal evaluations: some feel a better evaluation system is needed.

12. Transparency: some feel that information isn't shared timely or at all.
13. "Petpoint" wars where individuals have differing opinions about animal behavior.
14. Security of the facility including locker rooms and private documents is still a concern for some.
15. ACOs spend a considerable amount of time beyond enforcement – feel there is a lack of understanding of what they actually do.

It appears that much of the current conflict between animal control and the animal shelter comes down to an issue of power: who makes the decisions, who has the authority, what is the motivation for decisions, who disagrees with the decisions, who undermines the decisions.

The lines of authority are not always clear and each side (animal control and animal shelter) seems to be working at times from a different set of standards. Some animal control staff see shelter management as focused on the "numbers", disregarding public safety.

Some staff on the shelter side see animal control as focused on enforcement and misuse of the term "dangerous" when it comes to describing dog behavior. Although the term "dangerous" has a legal definition, it is often used by ACOs and some caretakers, to describe a dog with reactive tendencies. Shelter management resists the use of the term dangerous unless the dog has been deemed dangerous in court. Shelter management stresses the importance of objective "observations" of behavior. Using descriptions of observed behavior, they believe they operate under a policy of full disclosure with the public or rescue groups to help place special needs animals that they think are good candidates for adoption to the right adopter.

Barring any court ordered dispositions, shelter management reserves the right to make final disposition determinations based on observations of behavior and options for remediation and outcome. It should be noted that not all shelter employees are on board with the current decision making protocol.

Some caretakers expressed concern that their opinions on animals are not considered. Accusations of not disclosing information and lack of transparency have been raised by some along with the associated finger pointing and lack of regard for opposing perspectives from all segments of the organization.

It appears that many of the issues identified by staff and outside observers may be attributed to the lack of clear lines of authority between animal control staff and animal shelter management. Each group appears to be operating under assumptions not agreed to or recognized as valid by the other side. Each group sincerely believes that they are right in their actions and the other side is wrong. Until recently, leadership had not stepped in to successfully arbitrate. Conflicts that have evolved over several years of transition and changes in leadership have escalated into behaviors that undermine

effectiveness and productivity and have resulted in what some describe as a hostile work environment.

While there are other areas of conflict, including the issues of communication of intake information, the primary issue to be resolved between animal control and the animal shelter is the issue of responsibility and authority. Where does the authority of one group end and the other begin? In conjunction with this, stable leadership for animal control and independence for the animal shelter are two important considerations.

Comments on organizational structure

Staff was asked five questions to help identify the organizational structure that they feel would be most effective for animal control, the animal shelter and the wildlife biologist/deer management program. The first two questions were directed at the perceived advantages and disadvantages of having animal services in the police department.

Structure, integrity, accountability, safety and security were all listed as advantages to being a part of FCPD. Having officers on site at the shelter, having background checks for employees and having sworn status for more effective enforcement of animal laws were also included.

Employees also recognized the importance of access to resources that they enjoy as a part of FCPD. Budget, appropriate equipment, access to police academy training, support from patrol when needed and promotional opportunities were some of the items included.

Despite the fact that communication was one of the most frequently discussed issues, information sharing was noted as an advantage for being a part of FCPD. Access to data on quarantined animals, caretaker access to ACOs for additional information when needed, and access to PD information and databases for case management were all listed as advantages of being part of FCPD.

For the wildlife biologist, it was noted that the support of animal control officers and patrol officers is critical to the deer management program.

Disadvantages of having animal services in FCPD ranged from “none – need the structure”, to FCPD has the mindset of paramilitary. It deters animal shelter management from managing civilian staff appropriately and intimidates citizens. Other disadvantages included the conflict of differing missions (public safety vs. animal services), the lengthy FCPD hiring process for civilian employees, the command structure in animal control that utilizes a rotating captain, and citizen distrust of accessing animal shelter services for fear of police actions.

Employees were also asked what they thought would be lost or gained if animal services moved out of FCPD and became a separate civilian agency. There is a

significant level of concern about loss of financial resources and benefits associated with being part of FCPD. Probably the greatest expressed loss other than financial stability was the loss of sworn status for animal control officers and all the losses associated with returning to non-sworn status. These include loss of authority in supporting staff and caretakers on-site, loss of academy training, loss of access to PD records critical for case management, loss of credibility for ACOs and risk for officers in the field. Loss of benefits was also a concern for ACOs. Additional concern was expressed about possible staff retention issues, greater number of vacancies and the subsequent need for patrol officers not trained in animal welfare to execute ACO duties.

On the positive side, many recognized that moving out of FCPD would be an opportunity to change the culture of the organization and realign –some added the caveats that animal control would have to be sworn and leadership issues would have to be worked out.

Staff was also asked what they thought the impact would be if the animal shelter and animal control were no longer together in the same agency. Responses ranged from no significant impact to “they need to reside as one – work overlaps too much to not be one agency.” Many perceived a split as a negative, citing their concern that communication between the two would likely not improve, that it would create more of an us versus them environment; conflict would continue, and splitting would make things more difficult. Some even feel that animal shelter policies will become lax and there will be increased safety risks to staff and citizens from “dangerous dogs”.

On the positive side, some staff noted it might actually improve the relationship and separation could help in clarification of duties of each side. Several noted the Police /Sheriff model for interaction as an example of how the two groups might work well together if they separated organizationally.

Not surprising, in answer to the question of what would be the best organizational structure for animal shelter, animal control and the wildlife biologist/deer management program, the answers ranged to every possibility: no one structure seemed to be the clear favorite.

Many of those who favored leaving everything as is within FCPD recognized that changes would need to be made. Some items targeted for change include:

- Speed up the hiring process
- Make ACOs fully sworn law enforcement officers
- Work on improving relationship between animal control and animal shelter
- Improve sharing of information/communication
- Eliminate the policy of a rotating Captain for ACO leadership. Animal control should be run by people who want to be there.

Some favored a Bureau in the PD with caveats similar to the items noted for leaving everything as is. Others commented that each section should be separate because of their diverse missions but animal control needs to remain in the PD, the animal shelter

could become a stand-alone agency and the wildlife biologist should report to the County Executive. Others are unsure about the organizational structure but feel a critical piece is to be fully staffed. A few suggested making all of animal services one organization with equivalent policies and goals but were not clear as to what specifically the organization would be.

With regard to the wildlife biologist/deer management program, there was also wide variety of opinion as to where it should be located. Some feel it needs to remain in FCPD and be a part of animal control. Others believe it does not need to be in animal services at all and should be its own free-standing function. Some staff do not know enough about the function to render an opinion. The clearest finding throughout the study for the wildlife biologist/deer management program is that it is under-funded and understaffed and that needs to change, wherever it is located.

<u>What do employees feel they need to be successful at their jobs?</u>

When asked what resources, training or additional support they need to be successful in their jobs, staff listed the following:

- <u>Staffing</u>
  - Both the animal shelter and animal control need to be fully staffed
  - Wildlife program needs a full-time, merit assistant position
  - Animal control needs a promotional ladder (add two second lieutenant positions)
  - Volunteers are good but some need to be reminded they are not staff
- <u>Training</u>
  - Cross train desk staff and caretakers (written instructions would help)
  - Need wildlife rehabilitation training
  - Dog behavioral training
  - Broaden caretaker training to include animal safety and welfare
  - Training for everyone, not just a few
  - Care of large animals
  - How to handle abused animals brought to shelter
  - More frequent VACA training for ACOs
  - Training on wildlife/fishing/gaming laws
  - Cross train animal control and animal shelter supervisors on some aspects of their responsibilities
  - Trust building
  - Conflict competency and dealing with difficult situations
  - Leadership skill training
- <u>Work schedule changes</u>
  - Rotation with some Saturdays off (shelter side)
  - Review shelter hours
  - Reduce late hours
  - ACOs would like caretaker staff after 9 pm
- <u>Resources</u>
  - Adequate for the most part

  - Vans are too old
  - New Ford Explorers are not the best size or configuration for what animal control does or needs
- Management support
  - Animal services staff needs to feel that management supports them
  - Leadership needs to better understand what day-to-day tasks involve
  - Compassion fatigue – support needed to address this issue
  - Low morale due to lack of trust from supervisors/management
  - Supervisors need to take calls, work the floor or interact with clients occasionally
- Public Outreach and Education
  - Community programs
  - Education programs for children – teach respect early
  - Social media – can give mixed messages

(See Appendix Table 4 for more complete listing of staff feedback)

6.0 Stakeholder Focus Group and Interview Feedback

In January and February 2016, the internal study team held ten focus groups to obtain feedback from various stakeholders with regard to current operations of animal services, successes, challenges and possible future direction for the organization. Included in focus group sessions were shelter volunteers, police officers who work over-time shifts with animal control or caretaker staff at the shelter, members of the Animal Services Advisory Commission (ASAC), members of Friends of the Fairfax County Animal Shelter (FFCAS), and citizens involved in wildlife issues who requested an opportunity to participate. In addition, several citizens who attend the monthly ASAC meetings and requested the opportunity to provide input were given the focus group questions and allowed to respond in writing. Their responses are summarized in the focus group feedback chart as a group, even though they did not actually participate in a focus group session.

Each focus group had a moderator and a recorder who wrote responses on a flip chart that was visible to the group. After a brief introduction by the moderator, participants were asked to tell about their experience/interaction with animal services. The purpose of this first question was to help focus group participants on the various ways they have interacted with animal services, in preparation for answering the questions that followed.

The primary questions were:

1. From your perspective, what do you think is working well?
2. From your perspective, what are the current challenges in the organization?
3. What if anything would you change, and why?
4. In an ideal world, what would success look like for animal services?
5. In your opinion, should Animal Services remain under the Police Department, become its own agency or adopt another organizational structure? Why?

The moderator asked each question in turn, and participants had a printed list of the questions in front of them. The moderator also ensured that all participants had an opportunity to respond to each question, so that a group was not dominated by just a few people. Over 850 comments were recorded across the 11 groups. For a more complete summary of focus group comments (including comments from wildlife groups discussed in a separate section) see Appendix Table 5.

6.1 Affiliated groups and volunteers

<u>What is working well</u>?

Most frequently listed as working well were the impact of social media, the success of adoptions, excellent vet care, having the vet suite on-site, the volunteer and foster programs, outstanding photography, pre-adoption spay/neuter and the TNR program, the high positive release rate, and the helpfulness of both shelter staff and ACOs. Participants also mentioned the new building and the cleanliness of the facility. Various types of training were listed in most groups including mentoring, volunteer and foster training, and dog behavior modification training. The success of shelter events, the

rescue partner and outreach programs and FFCAS fundraising were also noted multiple times.

Challenges

Staffing issues, problems with communication, budget, the friction or cultural divide between ACOs and shelter staff, and having a civilian organization in a uniformed department were most often cited as challenges for animal services. Within each of these topical areas, participants provided insight into their perceptions of the source of some of the challenges.

Challenges for staffing included turnover, length of time to hire and length of time for background checks, staffing shortages, not enough staff, positions left vacant too long, lack of executive leadership, lack of career path for some, and uncertainty of ACO status and future. Despite criticism of the relationship between animal control and the animal shelter most groups were empathetic to the uncertain status (sworn or non-sworn) of the county's animal control officers.

Communication issues included items such as lack of consistency in communication, lack of access for some for information posted on Facebook, lack of communication between different areas of the shelter and volunteers, people not knowing about Petango, mixed messages between information from one staff member or another, internal communication issues (e.g. caretakers think they are the last to know) and the absence of a central repository for all information on pets. On the animal control side, one group noted that the new animal control SUVs were designed and purchased without input from animal control and they are not suitable for the job.

Comments on budget issues included the fact that a lot of the programs contributing to the shelter organization's success are not supported by the budget. Many basic programs are financed by the Trust Fund, state grants and fundraising by Friends of the Fairfax County Animal Shelter (FFCAS). On the animal control side budget is tight. For the wildlife biologist, budget is insufficient to do anything proactive or evaluative beyond the basic current programs.

While the groups provided many positive comments about animal control officers and shelter staff separately, the friction and conflict between the two groups was mentioned across most focus groups. Some noted that there is an "apparent friction"; others went so far as to say that some ACOs were overtly hostile to the shelter. They used terms like "cultural division" and "philosophical differences", "black and white". Others described the challenge as a balance between care (animal shelter) and enforcement (animal control). One group expressed the perception that ACOs take action behind the scenes if they don't like the action taken by shelter management or staff. Another group stated that animal control officers and animal shelter staff talk differently to the public.

The issue of a civilian organization in a uniformed department seems to be centered on two key areas: use of internal affairs for civilian employees and the shared hiring process. One group noted that civilian personnel are not prepared for an internal affairs process and find it extremely unsettling. Another group noted that some staff use internal affairs to file complaints if they disagree with management.

Changes needed?

Despite the very extensive list of things working well, the list of changes needed was also extensive and ranged from global changes (more staff, more training, more consistency in training, better communication, bigger budget), to conflicting changes (separate animal shelter and animal control; make them all part of one organization with a single director), to detailed changes in the facility, the programs, marketing, operations and wildlife management. It is clear from the feedback, that among the most pressing issues to address, are the uncertain status for ACOs, the leadership structure for the two organizations and the lack of sufficient resources for the wildlife program.

What would success look like?

It is no surprise that for many, success means that every adoptable, treatable or rehabilitatable animal gets an appropriate home and that the community is happy with the organization and is supportive and involved. They would like to see fewer surrenders, more empty cages, and more programs to help people keep their pets. Participants also stated that success would include a collaborative working environment, a fully staffed organization and better communication and relations between animal control and the animal shelter.

What organizational structure?

The detail of responses on this section is not included in the appendix chart because there was every mixed configuration imaginable and no one option chosen by a majority.

Among those who favored moving the shelter out of the police department, many were concerned about the potential financial impact of that action. Some thought making animal services its own agency would be the best solution, but most felt that animal control needs to remain in FCPD because of enforcement ability. There were a few who stated that the shelter should be contracted out and some who felt ACOs should not be armed.

If anything, one might conclude that the participants were primarily interested in having each section in an optimal situation for its function. However, many participants simply responded that they were unsure.

6.2 Wildlife Groups, staff and other associated agencies for wildlife issues

Information in this section is compiled from two focus groups that were particularly interested in the wildlife management/deer management program (see Appendix Table 5, Groups 7 and 8) and from responses to an individual interviews, by the following interviewees:

Dr. Katherine Edwards, Wildlife Biologist/Deer Management Program
Kevin Rose, Department of Game and Inland Fisheries
Kristin Sinclair, Fairfax County Park Authority
John Stokely, Fairfax County Park Authority

Although a review of the success and challenges of the wildlife biologist/deer management program was outside the scope of this study, the Board Matter did direct staff to look at the location of this function within animal services. Currently, the wildlife biologist/deer management program falls under the animal shelter. While the wildlife biologist does respond as much as possible to a myriad of wildlife questions and issues, in reality, the primary focus of the job is deer management. The methodology currently permitted by the state for deer herd management in Fairfax County is reduction of the herd through lethal means. This program, situated organizationally within the animal shelter, seems at odds with the shelter's mission of supporting a "no-kill" community, where the focus is on saving the lives of all healthy, treatable and rehabilitatable companion animals.

The passion we observed for wildlife issues was clearly on par with the passion for issues regarding companion animals. The difference we found was in the interaction among those tasked with the various aspects of wildlife management and deer management. There is clearly a collaborative working relationship between the county's wildlife biologist and animal control, the animal shelter, staff in the parks, Urban Forestry staff, the Department of Game and Inland Fisheries and members of the Deer Advisory Council. The current wildlife biologist received accolades from all associated agencies involved with the deer management program. She is recognized for her credentials, her expertise, her ability to navigate political issues, her community outreach and her collaborative skills.

The program however is not without controversy and criticism. Opponents of the deer management program state that it is not effective and not humane, primarily due to archery wounding rates. From their perspective the deer management program as it exists today is not working and they are frustrated that the Board of Supervisors is not responsive to their concerns. While they recognize the need for deer population control and the risks for deer vehicle collisions, these individuals feel that the county needs to do more. They want the county to push for other programs such as sterilization and traffic control techniques that minimize deer incursion onto roads. Representatives of the Park Authority state that complaints against the program come from a very small subset of the county's population of 1.2 million people.

From the perspective of the Virginia Department of Game and Inland Fisheries (VDGIF), Fairfax County's deer management program is a well-run, model program for this purpose. The emphasis on safety for both the archery groups and the sharp shooters is a very important part of the program. The working relationship with animal control, and the training and expertise of sharpshooters are credited for the outstanding safety record.

One of the most significant findings from the feedback on the wildlife biologist/deer management program was the lack of resources, both human and budgetary for this important county function. For the most part, this is a one-person program: there is no permanent assistant wildlife biologist. Part-time interns come and go, many leaving for more permanent positions elsewhere.

Deer management and geese management take the majority of the individual's time, and there is little left for all the other wildlife management programs needed in the community. There is a great need in the county for increased public engagement with regard to coexisting with wildlife. There is a need for better data collection on the current programs, and a need for outreach and education, workshops and seminars. The current budget for the deer management program, aside from staff salaries, is $15,000 per year. Most of this is absorbed by mailings and equipment. Wherever the program is located, additional resources, both human and monetary are needed to make it more effective.

A second clear finding was the importance of the relationship between the wildlife biologist/deer management program and public safety. Many of those involved with the deer management program feel it should be relocated to another department such as Urban Forestry or the Park Authority where it can be supported by other staff working toward similar goals. While this might seem to be a sound approach initially, without the help and support of animal control and the police department, there is the risk that the safety aspect could be compromised. A purposeful effort will need to ensure that collaboration among the various County entities is incorporated into any relocation of this program.

Wherever the function is located, public safety for deer management must be a primary consideration. If the function remains within the police department, it is recommended that it be given autonomy from the rest of animal services. It is not a fit for the animal shelter and it should not be subsumed under animal control, since the individual has responsibility for program direction. One option is to make the deer management program a separate service under the Operations Support Bureau (OSB). A second option would be to look at the possibility of relocating the deer management program to Urban Forestry (DPWES) and providing a naturalist at the animal shelter to lead community wildlife outreach and education. This would still require support from FCPD for the public safety aspect of deer management. Some even suggested it should report directly to the County Executive.

6.3 Stakeholder interviews

Interviews were held with several individuals that have had significant interaction with animal services. Interviewees included:

Dr. Suzanne Broadhurst, Pender Veterinary Clinic, Shelter Veterinarian
Bryant Bullock, Health Department
Michael Frey, former Sully District Supervisor, Fairfax County Board of Supervisors
Michael J. Lucas, former Director of Animal Control
Sergeant Desiree Pitts, Fairfax County Animal Control
Kevin Rose, Department of Game and Inland Fisheries (DGIF)
Rob Stalzer, Deputy County Executive

Each of the stakeholders listed above was interviewed for the study, either to gain a perspective on the current situation or a perspective on future direction. As the shelter veterinarian, Dr. Broadhurst works closely with both animal control officers and shelter staff. As such, she is involved with both groups on a professional level, but is also privy to some of the organizational issues from both perspectives. Bryant Bullock from the Health Department works primarily with animal control, more specifically on rabies vector species' issues, so his interactions also interface with wildlife concerns. Supervisor Frey was interviewed to understand more clearly why he initiated the study and Mike Lucas, because of his former position as ACO and ultimately, commander of animal control. Sgt. Desiree Pitts, a squad supervisor with animal control, was one of the first to be interviewed; she provided information that helped the study team to understand the current climate for animal control officers resulting from the 2015 legislative and policy changes. Kevin Rose from the Department of Game and Inland fisheries works in collaboration with both animal control and the County's wildlife biologist. Rob Stalzer, who is now the Deputy County Executive was responsible for moving animal services under the police department over 15 years ago, a move which set the organization back on course and started the transition to the model shelter and professional ACO unit that exists today.

Although each of these individuals has had varying levels of involvement with animal services, across all the interviews, several themes were identified. It is not surprising that these themes are consistent with information obtained from other interviews, focus groups and survey data collected for the study. All the information from the interviews was helpful to our understanding of the issues, but for the purpose of this study, we will focus on the common themes.

<u>Successful programs</u>
Successful programs are at the core of the positive reputation for the County's animal service organization. Mr. Stalzer noted that there is renewed confidence in the county's credibility in providing animal services under the current structure. He stated that "how we treat our homeless population, those economically challenged and the animals, says a lot about the type of community we are." He also noted that Fairfax County is viewed as "a model for a public shelter". Adoptions are up; euthanasia is down; and the facility is new, with new to come."

Bryant Bullock from the Health Department stated that Fairfax County Animal Control is "by far the best ACO organization" he has worked with. He indicated that our animal control officers do a good job on following up on calls and that their "success rate for finding animals is better than any other jurisdiction." Mr. Bullock also commented that case management and report writing is "great" for many ACOs but there are others who need improvement in this function.

From Dr. Broadhurst's perspective, the medical program with pre-adoption spay neuter, the huge volunteer base and foster program, and adoptions are all strong positives. She also commented that there is good intra-organizational interaction between caretakers

and animal control on hoarding and other cases and that the caretakers are great about communicating with her about animals in the shelter.

Communication

The issue of communication was mentioned in most stakeholder interviews as something that needs to be worked on. Whether it is communication between animal control and animal shelter, communication between management and staff, communication from dispatch or communication between departments – it was consistently noted that leadership must find a way to foster better communication between the animal shelter and animal control, communication within the organizations and communication with other interacting agencies.

Conflict between animal shelter and animal control staff
Whether they called it a disconnect, or a power struggle, a pool of disrespect or simply a need for aligning philosophical changes in dealing with animals and people, stakeholders clearly identified conflict between animal control and the animal shelter as a core concern that needs to change. Some see it as a leadership issue; others as a need to align cultures. Regardless of how the organizations are structured, the two groups are tied together and will need to collaborate. This vital aspect cannot be overlooked.

Need for organizational changes

Former AC commander Mike Lucas commented that there have been great accomplishments on both sides but consistency is needed for people in leadership roles. He noted that the missions of the two sides are parallel and the top people need the same belief system. They need to agree on the mission.

Others also noted that the right leadership is key and that animal control needs consistency in leadership and the opportunity for a career path. If the two groups separate, however, there will be an even greater need for structure for collaboration, particularly on community cases such as hoarding. Team building will be an important tool to facilitate better interaction between the two sides of animal services.

Sworn ACOs

Kevin Rose from DGIF pointed out that having sworn ACOs in Fairfax County is the difference between their ability to enforce wildlife laws and the alternative, their reliance on sworn patrol officers to provide that function. He noted that the collaboration between FC ACOs and DGIF is working very well and results in a very smooth operation whenever collaboration between the two entities is needed. This perspective was also expressed by Bryant Bullock from the County Health Department.

7.0 Public Satisfaction Survey

A public satisfaction survey was conducted to assess public satisfaction with the level of professionalism, knowledge and service provided by Fairfax County Animal Service employees. The overall satisfaction ratings for all questions was over 92%.

Methodology

Random sampling methodology was used to obtain feedback from a representative sample of Fairfax County residents who had accessed Animal Services in the last 3-6 months.

- A random sample was drawn from the total population of citizens who visited the shelter in the previous 6 months (N=2600) and the population of citizens who called the dispatch center for assistance from animal control in the previous 3 months (N=3200). The random sampling function in Excel was used on each list and the first 300 of the randomized lists for each group were selected to be included. (N=600). This method yielded a sample of approximately 10% of the total population of those who had recently interacted with Animal Services staff.
    - Mailed copies of the survey were sent to all Animal Control contacts using the mailing addresses provided by the dispatch center. 50 addresses were determined to be intersections and could not be used. The next 50 in the list were substituted to obtain a total sample of 300.
    - The Animal Shelter list of citizens was also drawn using the random sampling technique. One hundred forty three people were sent emails. The remaining one hundred fifty seven were mailed hard copy surveys since email addresses were not available.
    - Each survey that was mailed contained a self-addressed, stamped return envelope to encourage a response.
    - Nine email surveys bounced as undeliverable and twenty one mailed surveys were returned as undeliverable.
    - Total delivered and received: N=570.
    - The survey instrument was set up in “Survey Monkey”. All survey recipients were encouraged to respond online. Surveys received in hard copy were input by staff.
    - The online survey tool, “Survey Monkey”, precluded anyone from submitting more than one response from the same computer. The survey link was closed 24 hours after the original deadline, following a notice of a 24 hour extension.
    - Mailed surveys received after the deadline, but prior to data export (approximately 3 weeks after the deadline) were included. (Note: an addition 9 mailed surveys were received approximately 5 weeks after the survey closed. Since the report had already been compiled, those additional 9 responses were not included.)

- Total response was 142 for a response rate of 24.9%.

Results

1. Respondents could select multiple options for type of service used.
   Most frequently used services were:
   a. Adoption of a pet: 39.4%
   b. Calls for wildlife issues in the field: 27.5%
   c. Purchase of a dog license: 19%
   d. Called with questions: 15%

2. Results are a composite for Animal Control and Animal Shelter combined. It was not possible to clearly separate the two groups based on type of service accessed since "Called with questions" for example, could have been a call to either Animal Control or the Animal Shelter.

3. A five point scale was used for the four service satisfaction questions: 1 = completely dissatisfied and 5 = completely satisfied.

   Total satisfaction results were:
   a. Satisfaction with quality of customer service: 93.5% (Weighted average = 4.69)
   b. Satisfaction with staff knowledge: 96.4% (Weighted average = 4.77)
   c. Satisfaction with staff professionalism: 93.6% (Weighted average = 4.79)
   d. Overall satisfaction with service: 92.9% (Weighted average = 4.69)

4. Respondents were asked how likely they are to recommend Fairfax County Animal Services to a friend. 99% responded affirmatively. (Weighted average 4.75)

5. Sixty three respondents left additional comments. A complete survey summary is included in the appendix.
   a. Sample positive comments:
      i. All the wardens were extremely professional.
      ii. Love the renovation.
      iii. They were kind, sympathetic and caring.
      iv. Very well run and always helpful.
      v. The shelter, staff and treatment of animals has vastly improved since…2001.I was thrilled to see the change.
      vi. Very professional and highly responsive service to help injured wildlife.
   b. Sample negative comments:

i. My only complaint is with the responsiveness and willingness of the officers to respond to complaints. It took 10 days to have an officer call me back…
ii. My wallet was stolen while I was there. It was devastating☹
iii. Couldn't buy a license on a Monday.
iv. I filed a complaint about an abused dog but did not hear back.

c. Requests or suggestions:
   i. You must cull the deer population because they are over running Fairfax Hunt and Colchester Hunt.
   ii. Need help with feral cats. Need medical attention, food, etc. Relocate with other feral cats.
   iii. I live adjacent to Lake Mercer and encounter unleashed dogs almost daily. It would be great if the lake could be patrolled more regularly and citations issued.
   iv. I am very concerned that protection from aggressive dogs is not available. We feel unsafe in our neighborhood.

6. Importance of wildlife services. On a scale of 0-5, with 0 being not sure,1 being very unimportant and 5 being very important, the importance of wildlife services listed were rated as follows.
   a. Assistance with intruding/nuisance wildlife: 4.61
   b. Information on how to handle wildlife/human interaction: 4.5
   c. Information on whether or not a specific wildlife situation needs intervention: 4.54
   d. Education on various nature species and expected/normal behavior: 4.35
   e. Collection of data on types of wildlife present in County: 4.20
   f. Information on wildlife health and diseases: 4.63

   Clearly there is considerable interest in more information, education and assistance with wildlife in the community.

7. Demographics of respondents: 136 of the 142 respondents provided demographic information.
   a. More than 56% of respondents were age 50 or older
   b. 88.7% of respondents indicated they are white. The next highest category was Asian at 4.5%.
   c. 94.8% of respondents were English speaking

8.0 Comparison of Options for Animal Services Organizational Structure

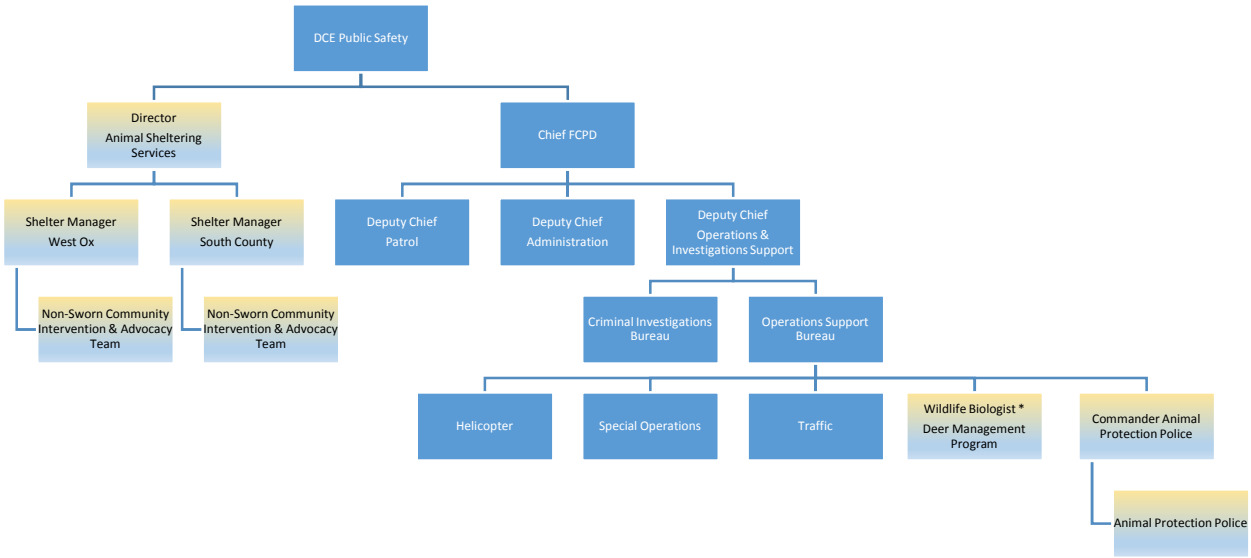
After consideration of a variety of organizational combinations for the current three functions of animal services (animal control, animal shelter and wildlife biologist) the study team has focused on three potential models, each very different from the other and different from the current structure.

We recognize that there is also opportunity for variations within each model, specifically with regard to the wildlife biologist and the question of sworn versus non-sworn animal control officers. The topic of sworn versus non-sworn will be covered at the end of this section. The topic of options for the location of the wildlife biologist was addressed in Section 6. Choices for the wildlife biologist can be applied in either option one or three described below.

Option Reference Chart

	Option 1	Option 2	Option 3
Option Reference	Each function is placed in an optimal situation for its specific needs and focus so it can maximize efficient and effective operations.	The three animal service functions are combined under a single separate civilian County Agency with a civilian agency director.	The three animal service functions are combined as a separate Bureau within FCPD. Animal Control is uniformed; animal shelter and wildlife function are civilian.
Organizational Structure	The three animal service functions separate organizationally. Reporting chains are separate.	The County creates a new Animal Services Agency and hires an agency director to oversee animal control and the animal shelter. The agency director reports to the Deputy County Executive for Public Safety.	The three animal service functions remain in FCPD as a separate Bureau. All report to a civilian director of animal services, who reports to a Lt. Colonel.

Option 1: Three separate entities, each located for optimum function.



*May be relocated to other agency like DPWES, Urban Forestry

Discussion of Option 1

Option 1 was unanimously chosen by members of the internal study team as the recommended model. Team members agreed that the model is not without challenges, but they felt that the separation of animal control and the animal shelter will allow each entity to thrive in the environment most consistent with its primary mission. This is an important consideration. Rather than focusing solely on resolving current issues, Option 1 seeks to establish organizational support for animal control and for the shelter that will set a framework for collaboration and interaction. Unfortunately, any other option compromises one section of the organization or the other. Option 1 also provides the opportunity for the wildlife biologist/deer management function to be relocated to another environment for maximum support and effectiveness of that function.

Focusing on the animal shelter and animal control: with option 1 there will be less opportunity for “informal” leaders and back door interactions. Animal control remains a part of FCPD. The animal shelter becomes and independent civilian agency. Clarity of roles and boundaries will help to keep them on a parallel track and establish a healthy working relationship and process for arbitration if needed. In addition, leaving animal control in the Police Department, and having either a fully sworn Animal Protection

Police unit or a core APP unit, preserves the professionalism and credibility of animal control. The Animal Sheltering Services agency will have autonomy as a separate agency and will also be able to focus the energy of its staff on its primary mission – saving the lives of companion animals who are homeless, abandoned or neglected and working to establish a no-kill community. In addition, the wildlife biologist, focused on the deer management program, can be relocated to an agency or division with a more compatible mission.

Option 1 is perhaps the most unconventional of the three options because it does not force all of animal services together under one executive leader. Some may argue that this structure creates silos rather than teams. One could also argue that in fact it creates unified teams for each function that are fully capable of collaboration with the other functions but not encumbered by a structure that hinders or fails to support them.

Although only a few animal welfare organizations were found with separate reporting chains for animal control and animal shelter functions (Albemarle County and San Antonio, for example), at this point in the evolution of animal services in Fairfax County, splitting them apart is likely the best opportunity for each to function optimally. If this option is chosen it will be essential to establish a formal agreement for collaboration and coordination, maintaining seamless service for people and animals.

Option 1 also provides the platform for a more formalized delineation of authority. The shelter facility becomes solely the domain of the animal sheltering agency. Animal control and the animal shelter establish a relationship similar to that of FCPD Patrol and the Sheriff.

Once animals are released to the shelter, decisions for their treatment and outcomes become the responsibility of shelter leadership, except in the case of criminal acts or investigations where animal law provides requirements or the courts are involved. In cases where an officer brings an animal to the shelter for confinement, the Animal Control officer will be responsible for providing essential information on the animal including specifics of location found, reason for intake and any other pertinent details of the case. Animal Shelter leadership will need to be fully versed on all laws and regulations that impact or constrain decisions about an animal's confinement or outcome. Clarification of this relationship between the two groups should help resolve some of the current intra-organizational conflicts.

This issue of intra-organizational conflict between these two groups was noted fourteen years ago in the 2002 HSUS Report on Fairfax County Animal Services: the observers commented that the Fairfax County Animal Services Division did not do a good job of "working together as one agency pulling in the same direction." A 2015/2016 review of feedback from staff and stakeholders had similar findings. Despite the passage of more than a decade, this particular negative and dysfunctional dynamic between animal control and the animal shelter continues, despite the individual success of each side of the house.

It should be noted that the dynamic of conflict is not unusual in animal service organizations around the country. Regardless of that fact, the Fairfax County Animal Services Division needs to resolve this issue if they expect to maintain respect and credibility in the county government and the community. Feedback from focus groups and stakeholder interviews revealed that people outside shelter staff and outside of animal control are aware of the atmosphere of conflict between the two groups, and they are concerned about the impact this will ultimately have on the organization, the animals and the community, if the issues are not resolved.

Animal Control

In the Option 1 model, Animal Control will become more integrated into FCPD. Rather than working as a separate division, they will be a specialty unit within the department, under the Operations Support Bureau (OSB).

Survey and interview data shows that our Animal Control officers are proud to be a part of FCPD and our community is proud of the work they do. Most staff and stakeholders providing feedback on the future state of the organization stated unequivocally that animal control should remain with the Police Department.

With the passage of the Animal Protection Police (APP) legislation, effective July 1, 2016, Fairfax County has the opportunity to convert its animal control officers to full law enforcement officers. This confirmation of their status as law enforcement officers will provide several important benefits. It most definitely should help with some of the ongoing morale issues that have accompanied the uncertainty of their status.

APP will ensure Animal Control officers have the same benefits under Virginia law as other law enforcement officers, such as eligibility for the line-of-duty act. APP officers will also be subject to the same DCJS certification requirements as patrol officers. The APP designation offers the highest potential level of enforcement authority for companion animal laws and is closest to the way they have operated since joining the FCPD in the late 1990s. FCPD has the option to limit their powers and authority by policy to matters of animal protection and animal law, so this is really not an expansion of power and authority, prior to what existed before the legislative and policy changes that occurred July 1, 2015.

As a part of this integration, the animal control division would move out of the animal shelter facility and become a part of FCPD Operations Support Bureau (OSB). The 33 animal control positions would be converted to sworn APP officer positions and be divided among the three Patrol Areas. All future APP hires would be required as APP to attend a full six-month police academy as well as the state required animal control officer training.

Animal Shelter

Feedback from stakeholders and from some shelter employees supports the transition of the animal shelter to an independent civilian agency within the County – but with

caveats. There is a smaller group with reservations about any move away from FCPD. Among some of those who support the transition of the shelter to a civilian stand-alone agency, many had concerns about budget constraints and financial security. People are reluctant to move the shelter out from under the protective umbrella and deeper pockets of a large agency like FCPD.

In the option 1 model, the Animal Sheltering Services agency would have an agency director who would oversee the operations of the entire animal sheltering organization, both facilities and all programs. The West Ox shelter would have a shelter manager, management team, outreach team, kennel staff and admin staff much as it exists today. A similar structure would be created for the newly approved South County facility. Additional positions will be needed for support functions currently provided by FCPD.

The current animal shelter will benefit greatly from the additional space at the West Ox facility. Shelter programs have expanded considerably in the last three years and several important shelter programs and community programs are limited due to lack of space.

This will also establish clearer lines of authority for animal control and animal shelter staff. Co-locating animal control and the animal shelter at West Ox was a compromise during the recent renovation. Although other options were considered during planning for the renovation, acknowledging a lack of sufficient space for the two entities, moving animal control away from West Ox was not supported by the animal control unit and director at that time, due to perceived operational and logistical challenges. Since the completion of the renovation, the need for this separation, and increased physical space for shelter staff and programs has become more apparent.

The Animal Sheltering Services agency director would report to the Deputy County Executive for Public Safety and would be responsible for development and implementation of policies and procedures for collaborating as needed with animal control. This individual would oversee shelter managers, staff and programs for both the current West Ox facility and the one planned for South County.

<u>Wildlife Biologist/Deer Management Program</u>

The simple question of where this function should be located within the County government structure belies the underlying complexity of the role of this Board mandated position and program. For that reason, recommendations for the Wildlife Biologist will be more fully discussed at the end of the options section.

In option 1, this function moves out of the shelter organization where its primary mission, reducing the risk of deer vehicle collisions by reducing the size of the community deer population through lethal methods, is mismatched with a shelter focused on the philosophy of a “no-kill” community.

Wherever the function is re-located, one thing is absolutely clear from all sources of feedback. The program is understaffed in terms of positions and under-resourced in

terms of budget for programs and supplies. Frustration abounds in all the peripheral organizations that coordinate with this current FCPD program.

Recommendations for Option 1 Implementation

- County leadership needs to create a change management transition team to help facilitate the organizational changes for whichever option is chosen.
- Implementation of changes should begin immediately and be completed within 3-5 years, in phases, to coordinate with the completion of the renovation of the Operations Support Bureau of FCPD and the completion of the South County facility.
- The County should take the necessary action to acquire Animal Protection Police status (APP) for its uniformed positions effective July 1, 2016.
- The Board of Supervisors should move to create a new Animal Sheltering Services agency with an agency director to be filled prior to completion of South County.
- The shelter manager position for the West Ox facility needs to be advertised and filled.
- Current shelter positions being held vacant need to be filled as soon as a permanent shelter manager has been hired.
- The County Board of Supervisors should adopt a policy that supports the essential vision of a “no-kill” community: that is, no adoptable, treatable or rehabilitatable companion animal will be euthanized at a Fairfax County animal shelter for lack of space or lack of other attainable resources. That is the essence of “no-kill” – it does not mean no euthanasia of suffering animals or of animals that pose a risk in the community beyond what can be practically managed by a conscientious caregiver. It does mean that we are mindful of public safety but we are not risk averse and our life and death decisions take all options into account.
- SOPs should be drafted for both Animal Control and the Animal Shelter(s) that provide guidance for their interactions on animals that pass through both entities. These guidelines can be modeled after the relationship between FCPD and Sheriff Department.
- Animal control officers need two second lieutenant positions to provide a bridge between sergeant and first lieutenant, creating a career path. The study team recommends that the process to create these positions begins immediately.
- One of the first steps in the restructure should be the relocation of animal control officers to the three Patrol areas of the Operations Support Bureau. This will accomplish three things immediately.
    - Animal Control will begin the process of integration into OSB and ultimately have the opportunity to be viewed as more in the mainstream of FCPD, similar to other specialty units.

    - The Animal Sheltering Services agency will become the sole keeper of the animal shelter facility.
    - Procedures will be established for collaboration between the two animal services entities that mirror the relationship between police and sheriff.
    - The shelter will acquire the additional office and storage space it needs for staff, volunteers and its ever expanding community outreach, programs and services.
- FCPD should take steps to retain the same Captain as head of animal control for a minimum of two years or until a qualified individual can be promoted from within to Commander of Animal Control – 1st Lieutenant.

<u>Advantages for Option 1:</u> Separating the three entities and placing each organizationally in an optimal situation for its function.

- Current ACO academy training, etc. of 25 officers is not wasted.
- APP can be created with little additional cost.
- APP officers will be recognized as animal law enforcement officers and will have full law enforcement powers. They will be able to investigate criminal offenses and obtain and execute search warrants.
- Making current S-COPS APP should be a positive for morale.
- Moving APP out of the shelter facility will achieve multiple positive benefits including the appearance of more integration into the department as a specialty unit in OSB, easier disbursement to areas of patrol, and a more clear separation from the animal shelter side of the organization.
- Option 1 creates a better opportunity for APP and Shelter staff to operate similar to PD and Sheriff with clear lines of authority.
- Shelter organization is completely civilianized and independent from FCPD.
- WLB/DMP function can be a separate function under OSB or can be relocated to another agency concerned with DM (Urban Forestry).
- A new Wildlife Resource function in the shelter organization will be more consistent with the new agency's mission.

<u>Disadvantages for Option 1</u>

- APP and AS would have a separate reporting structure: this will require a more formal process for collaboration and communication.
- Without a single leader over both entities, the two groups may need to establish a formal point of contact as liaison for situations where more in depth coordination is need.
- Many people expressed concern about the Animal Shelter being a small agency and not having any budget protection in tough times. The County needs to ensure that the new agency is sufficiently funded from the start to operate effectively.
- There will be a need for additional administrative staff for the new Animal Sheltering Services agency.

Financial Impact of Option 1

- Two new positions for animal control for second lieutenants.
- Agency director position salary and benefits for the Animal Sheltering Services agency.
- New support positions for the West Ox animal shelter
    - Information Technology
    - Management Analyst II for personnel and payroll
    - Budget Analyst for budget and procurement
    - Naturalist for the wildlife resources volunteer team
- A full time assistant wildlife biologist for deer management program
- Cost of state mandated animal control training for new hires for APP in addition to regular cost of six month academy

Cost Savings for Option 1

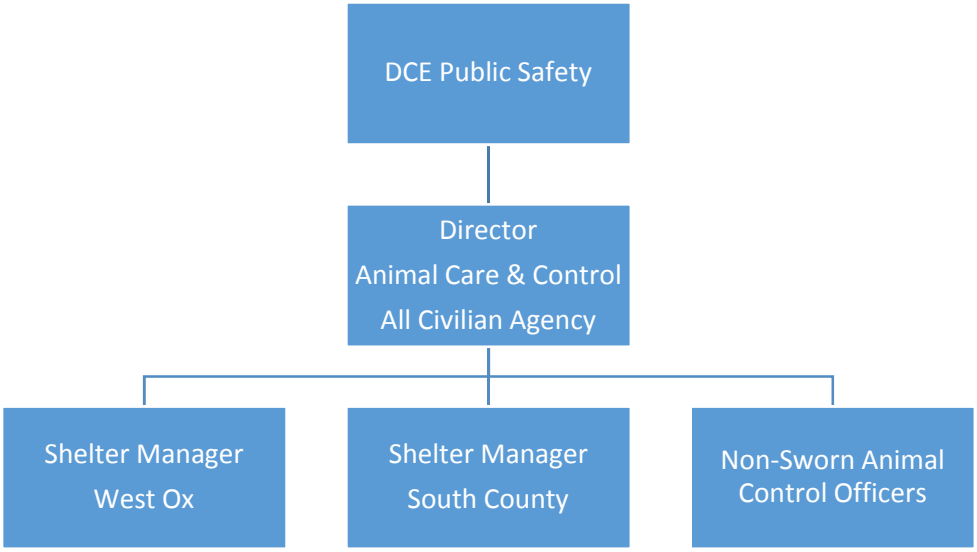
- No expense for uniform changes for current 33 positions
- No expense for vehicle changes since APP will allow current vehicle configuration and labels

Tasks needed to complete above structure: Option 1

1. Create a change management/transition team to help facilitate the changes.
2. Create a new agency for Animal Sheltering Services.
3. Create and fill the Animal Sheltering Services Executive Director Position.
4. Fill current shelter director position as "Shelter Manager".
5. Move current ACOs out of shelter, into OSB and Patrol Divisions. Move all equipment, weapons, vehicles, etc.
6. Change title of wildlife program from Wildlife Biologist (denoting a single individual) to Wildlife Management/Deer Management program to denote a team. Determine new location for this function.
7. Appoint current ACOs as APP as soon as that can become effective.
8. Create two 2nd lt. positions for APP career ladder.
9. Advertise and fill the new APP vacancies.
10. Apply to VDACS to determine the feasibility of having the Fairfax County Criminal Justice Academy certified as a state approved animal control training facility.
11. Create an administrative support agreement for the Animal Sheltering Services agency with FCPD for HR, Payroll, Budget, IT and other administrative functions until the new staffing and budget plan can be implemented.
    a. Budget Plan
    b. Staffing Plan
12. Request additional resources for the Wildlife Management/Deer Management program. At a minimum, the WLB needs a full time assistant and in the busy season an additional limited term assistant. The program is also not adequately funded to do the research and studies that would make the DMP more robust.
13. Create a position in the new animal services agency for a Naturalist to act as a community resource on wildlife issues.

a. Initially this would be a one person function, with volunteers trained to assist citizen questions.
b. Create a website for information on dealing with wildlife intruders: see MSPCA Angell (Intruder Excluder) or The Internet Center for Wildlife Damage Management (http://icwdm.org/) for samples.

Option 2: Stand Alone Agency



<u>Discussion of Option 2: Create a separate, independent Animal Care and Control Agency</u>

Option 2 is basically a return to the Animal Care and Control Agency structure that existed prior to 1999 when the failing agency was subsumed under FCPD and began its transition to the organization it is today. We can find examples in other communities where this is the organizational structure for animal services – but not many and they are dependent upon uniformed officers in either sheriff or police units to work cases where law enforcement officers are needed.

Combining animal control and the animal shelter into a separate county agency resolves the issue of bifurcation of reporting structure for Animal Control and the Animal Shelter. It removes animal services from the police department, giving the shelter side of animal services the opportunity to more closely align with its mission in animal welfare. It also provides the opportunity to completely restructure animal control with more of a focus animal welfare and less on enforcement. However, the disadvantages and drawbacks for this structure far outweigh any possible advantages. For this reason, Option 2, a separate animal care and control agency, is not recommended. Advantages and disadvantages of this model are outlined briefly below.

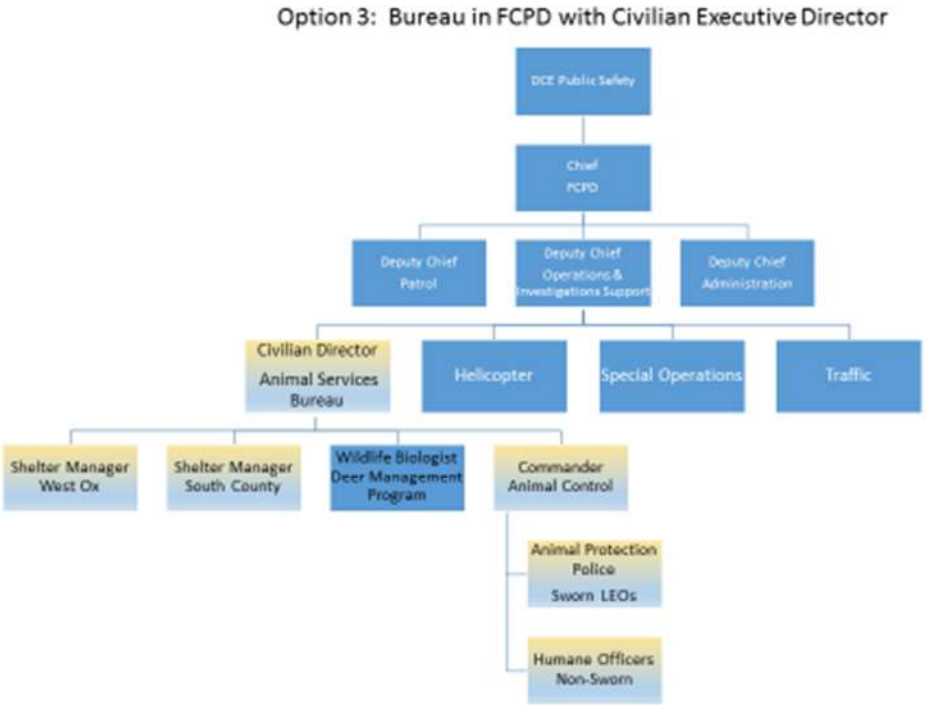
Advantages of Option 2: Separate Animal Care and Control Agency

- Single reporting structure for animal control and animal shelter organizations.
- Opportunity to begin the cultural shift from a focus on enforcement to a focus on proactive humane animal services.
- Faster hiring time without 6 month law enforcement academy.
- Cost savings to County from lower salaries for non-sworn animal control officers which can begin with new hires.
- More opportunity to align with trend in animal welfare toward proactive pushing of services out to the community.
- Places the animal sheltering part of the organization in a civilian department that follows County civilian procedures.

Disadvantages

- Current ACOs will be negatively impacted by this change in virtually all aspects of their careers – financial, benefits, powers, self-esteem, morale, etc.
- Quality of Fairfax Animal Control Services is likely to deteriorate in terms of animal law enforcement, ability to perform investigations and credibility in the community.
- Academy training and experience of current 25 officers will be wasted.
- Uniforms, vehicles and all operational manuals and SOPs for animal control will need to be changed.
- Likely to have an exodus of current ACOs that will undermine any organizational progress.
- This option is heavily dependent on an executive director who can provide leadership for the two diverse functions. It has failed in the past.
- Inability to have any sworn ACOs under this model. Without a uniformed Chief, all ACOs would need to be non-sworn.
- FCPD Patrol will be burdened significantly with the responsibility of enforcing animal laws.
- There is really no place for the Wildlife Biologist/Deer management function in this model. Currently, the WLB/DMP collaborates extensively with animal control for both management of sharp-shooters and bow-hunters and for ensuring public safety. In this model it would neither be located with uniformed staff nor with urban foresters or others with similar objectives.

Option3: Bureau in FCPD with a Civilian Bureau Director.



Discussion of Option 3: All of Animal Services become a separate Bureau in FCPD

Creating a Bureau for animal services within the Police Department offers a good compromise for some of the issues of each of the other two models. There would be one reporting structure for both animal control and the animal shelter. In addition, since the Police Chief would be at the top of the reporting chain, all or some animal control officers could retain sworn status and have the powers and authorities of law enforcement personnel.

The biggest drawback to the option of an Animal Services Bureau within the Police Department is for the Animal Shelter. This model does not resolve the issue of a police organization trying to provide animal services. Even though the Animal Services Division would be a Bureau within the Police Department with a civilian director, at its core it is still an enforcement agency – and that will inherently be the focus. If this option is chosen, the department will need to carefully consider how best to support the civilian side of Animal Services, especially with regard to issues of hiring, discipline and grievances, clarification of lines of authority, communication and differences of mission.

Advantages of Option 3

- Single reporting structure for all of ASD
- Animal shelter remains under umbrella of PD. Removes concern for budgetary impact of being its own agency.
- No need for additional administrative staff for animal shelter.
- Current ACO academy training, etc. of 25 officers is not wasted.
- APP can be created with little additional cost.
- APP officers will be recognized as animal law enforcement officers and will have full law enforcement powers. They will be able to investigate criminal offenses and obtain and execute search warrants.
- Making current S-COPS APP should be a positive for morale.
- WLB/DMP function will remain in PD with a Public Safety focus.
- Wildlife Resource function in the shelter organization will be more consistent with Animal Services mission
- Option for new non-sworn outreach team can be considered in future.

Disadvantages

- APP Commander will report to a Civilian Director – some may perceive this as a negative.
- The success of this model is heavily dependent on finding a person for this position who is knowledgeable on legal and law enforcement issues as well as animal welfare and who can arbitrate between the needs and responsibilities of each section of the bureau.
- Animal Shelter will still be a civilian organization in a uniformed agency.
- Animal Shelter civilian process not guaranteed beyond term of the current Chief.
- Animal Shelter will still be a Police Department trying to perform animal services.
- Unified structure and continued co-location of animal control will not help to address issues of cultural divide and blurred lines of power and authority.
- Less ability for shelter and APP to function similar to PD and Sheriff since ultimately both report to same authority.
- If ASD civilian employees are removed from FCPD internal affairs procedures and placed under County grievance and discipline procedures, it may create an environment of disparity for other FCPD civilian employees.
- Having both sworn and non-sworn officers within the unit will create a disparity among staff performing similar jobs. This will likely result in internal conflict among staff and may foster an atmosphere of distrust between the two sections.

Tasks needed to complete above structure: (Option 3)

1. Create a change management/transition team to help facilitate the changes.
2. Appoint current ACOs as APP as soon as possible.
3. Create a new Bureau in PD for Animal Services: Animal Control and Animal Shelter.

4. Move the WLB/DMP to OSB. It should not be subsumed under Animal Control.
5. Create two 2nd Lt. positions for APP career ladder.
6. Review current staffing requirements and daily schedules for APP and ACO teams.
7. Create and fill the Animal Services Executive Director Position.
8. Fill current shelter director position as "Shelter Manager".
9. Create a 5 year staffing plan for new non-sworn ACO positions. This will be the new Animal Services Community Outreach Team.
    a. Create list of objectives and functions.
    b. Use Santa Cruz and NYC ASPCA models.
10. Advertise and fill APP vacancies.
11. Include in next budget cycle additional resources for the WLB/DMP. At a minimum, the WLB needs a full time assistant and in the busy season an additional limited term assistant. The program is also not adequately funded to do the research and studies that would make the DMP more robust.
12. Include in next budget cycle a position in the new animal services bureau for a Naturalist to act as a community resource on wildlife issues.
    a. Initially this would be a one person function, with volunteers trained to assist citizen questions.
    b. Create a website for information on dealing with wildlife intruders: see MSPCA Angell (Intruder Excluder) or The Internet Center for Wildlife Damage Management (http://icwdm.org/) for samples.

<u>Question of Sworn versus Non-sworn Animal Control Officers?</u>

The answer to this question is not as simple as looking to others for best practices. As noted by several individuals, considered to be subject matter experts in animal services, there are successful organizational models in almost every configuration.

Looking at trends gives us a little more guidance. The 2012 Virginia Animal Control Association Survey found that 34% of reporting jurisdictions in Virginia had fully sworn law enforcement animal control officers. Fifty-three percent of the jurisdictions reported that their Animal Control Division falls under the command structure of a local law enforcement agency, either sheriff or police.

Four years later, a similar survey conducted by the Virginia Department of Agriculture and Consumer Services (2014) found that 58.5% of Virginia animal agencies reported that their division falls under police or sheriff – an increase of 5%. It is unclear from the breakdown in the survey what percent were fully sworn law enforcement officers. Only two jurisdictions reverted to downgrading animal control officers to civilian personnel.

Fairfax County is the second jurisdiction in Virginia after Henrico County to be granted the authority to appoint APP officers and deputies. The General Assembly may well grant this authority to more jurisdictions in future sessions.

Other points to consider:

1. Fairfax is a large county in area and also has the largest population of any locality in the state. Though smaller rural jurisdictions may not need APP officers, it is not at all unreasonable for a county of our size to have 30-35 sworn APP officers who have full law enforcement capability.

2. It is not in the best interest of our community to go backwards: the APP designation with full law enforcement power puts Fairfax County ACOs in the position we believed they were prior to July 2015.

3. Reverting to a non-sworn ACO workforce would waste the money, time and effort already expended on the 25 current ACOs who have attended the academy and have been considered sworn prior to the legislative change July 2015.

4. Having all non-sworn ACOs would be a burden on Patrol officers. Realistically, competing priorities for patrol officers' time would relegate animal issues to a lesser status. This burden on Patrol will lead to longer response time and a dilution of public trust and confidence in our ability to respond to animal welfare issues. With all due respect, for the most part, Patrol officers will not have the same skill set with animals, or interest in their welfare.

5. The Chief is committed to facilitating a shift in focus to a more humane, community policing model for animal control without diluting their ability to enforce animal laws. While there are many animal control officers who already operate with this "helping" philosophy, efforts to instill this philosophy into the organizational culture are still needed.

   By using the requirement for APP officers to first attend Animal Control State training, focusing first on their main purpose; by assimilating Animal Control into the Operations Support Bureau where support for the Community Policing Model (problem solving and partnership building) already exits; and by creating a small parallel community intervention and advocacy team within the animal shelter(s) to work in the community proactively; Fairfax County can have the best of both.

The study team is divided on whether or not a non-sworn outreach team would be appropriate as part of the animal shelter organization. Some members of the study team think it would be easier to train APP officers to do more intervention and education than to have two separate teams with potentially overlapping duties. They believe we should make our APP unit a one-stop-shop for all animal related issues (or at least for animals not in the shelter). They do not feel a non-sworn outreach team connected to the shelter will be effective.

Other members of the study team look to organizations like NYC ASPCA and believe that a shelter outreach unit to assist under-served areas of the community with needs

like spay/neuter, veterinary care, education on humane animal care, and interaction with wildlife will be very beneficial to the community and will help keep animals out of the shelter. They believe it is a way to begin pushing services out into the community similar to NYC and Santa Cruz.

Although not everyone on the study team favors the non-sworn team as a part of the Animal Shelter structure there are some who believe a non-sworn team will be better received in the community than officers in uniform and they are hopeful that the County will consider a pilot program to test this option.

9.0 Summary of Key Findings

1. The Wildlife biologist needs more staff and more resources. The position should be relocated either in another County agency with similar objectives (e.g. DPWES, Urban Forestry) or with FCPD as a separate entity under Operations Support Bureau, or it should report directly to the County Executive. The function should not be a part of Animal Control, although it benefits from collaboration with and support from Animal Control and Patrol officers.
2. The position of animal control commander needs stable, long-term leadership from within the organization.
3. Two second lieutenant positions are needed between sergeant and captain to create a career path for ACOs. This would enable animal control officers to be competitive for command positions and facilitate stability in the organization.
4. The animal shelter needs to operate under county civilian rules and regulations. FCPD should consider adopting county grievance and discipline procedures (Chapters 16 and 17 of county personnel regulations) if the animal shelter remains under FCPD
5. A Board policy is needed for the animal shelter indicating that the Board of Supervisors supports the concept of a “no-kill community” which will be defined as the positive release of all adoptable, treatable or rehabilitatable companion animals, and does not condone euthanasia for lack of space or lack of other resources.
6. Staff, stakeholders and citizens support a uniformed animal control unit. The Animal Protection Police (APP) option should be implemented for all current animal control officers as soon as it is available for Fairfax County on July 1, 2016.
7. Creating a structure of operations for animal shelter staff and animal control similar to the relationship between FCPD and Sheriff should help resolve some of the current conflict.
8. Integrating Animal Control into FCPD under Operations Support Bureau (OSB), similar to other FCPD specialty units, would be beneficial for AC Officers and for the department. Animal Control should move out of the West Ox facility and into the three Patrol Areas, closer to their daily assignments.
9. The current trend in animal welfare organizations throughout the country is less of a focus on enforcement and more on engagement and delivery of services out into the community, particularly for under-served areas. One goal is to keep animals out of the shelter and help them remain in their homes.
10. A change management team is needed to facilitate changes and help in the development of a communication and collaboration strategy for animal service functions.

11. The wildlife biologist/deer management program should be retitled to Wildlife Management Program, denoting a team and not an individual. It should be sufficiently resourced with staff and budget to work on development of an updated deer management plan, including the needed surveys of animal populations and studies of current results and future options.

12. A Naturalist position should be created within the animal shelter organization to act as a community resource on wildlife issues. Initially this position can be supported by a team a specially trained volunteers.

10. Appendix of Tables

Table 1: SCOP, APP and ACO comparison chart
Table 2: Review of additional regional and national organizations
Table 3: Staff interview questions
Table 4: Staff interview feedback
Table 5: Focus Group Feedback