

Memorandum



CITY OF DALLAS

DATE June 10, 2016

Honorable Members of the Quality of Life & Environment Committee: Sandy Greyson (Chair), Tiffinni A. Young
TO (Vice-Chair), Mark Clayton, Rickey D. Callahan, Phillip T. Kingston, B. Adam McGough

SUBJECT **Animal Services Enforcement**

On Monday, June 13, 2016 the Quality of Life and Environment Committee will be briefed on Animal Services Enforcement. A copy of the briefing is attached for your review.

Please contact me if you have any questions.

A handwritten signature in blue ink, appearing to read 'Joey Zapata'.

Joey Zapata
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Christopher D. Bowers, Interim City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Eric D. Campbell, Assistant City Manager
Mark McDaniel, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

Animal Services Enforcement

Briefing to Quality of Life & Environment Committee
June 13, 2016



Purpose

- Review council member requested policy changes
 - Required microchipping of pets
 - Required insurance policy for dogs identified as dangerous breeds
 - Enhanced and more stringent penalties for non-compliant owners
 - Required partnership between 311, Dallas Police Department and Dallas Animal Services
 - Improved training and quality control for 311 operators
 - Appointment of a dog czar focused on stray dogs and animal cruelty
 - Creation of a loose animal force focused solely on rescuing animals
 - Creation of a separate animal services department
- Additional policy discussion regarding:
 - Spay/neuter requirements
 - Impounded animal holding periods

Mandatory Microchipping

- Current Situation
 - Chapter 7 – Animals of the Dallas City Code requires a microchip implant when:
 - Redeeming an impounded animal from a city animal shelter
 - Owning a dog deemed dangerous
 - Additionally, as a policy, animals adopted from Dallas Animal Services are implanted with a microchip
- Possible enhancement to current microchip requirements
 - Make microchips mandatory
 - All dog owners must microchip pets and update ownership records
 - Issue citations for failure to microchip
- Additional Information
 - Currently, microchip fee at DAS is \$15; City's cost is \$21

Breed-Specific Insurance

- Current Situation
 - Texas State Health & Safety Code (Sec. 822.047) prohibits breed-specific legislation
 - Chapter 7 – Animals of the Dallas City Code requires the owner of a dog deemed dangerous to obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the director
- Possible enhancements to existing dangerous dog ordinance
 - Increase insurance requirement
 - State and City laws stipulate “in the amount not less than \$100,000”
 - Strengthen impoundment requirements pending hearing
 - Currently, director may impound a dog at owner’s expense pending investigation and determination of whether it is a dangerous dog when it has caused bodily injury to any person

Enhanced Penalties

- Current Situation
 - Chapter 7 – Animals of the Dallas City Code states an offense is punishable by a fine not to exceed:
 - (1) \$2,000 if the provision violated governs public health or sanitation;
 - (2) the amount fixed by state law if the violation is one for which the state has fixed a fine; or
 - (3) \$500 for all other offenses.
 - Chapter 7 – Animals also sets minimum fine amounts, unless specifically provided otherwise in the chapter or by state law, of \$50, \$100, and \$150 for first convictions of various violations
 - Minimum fines will be doubled for the 2nd conviction of the same offense within any 24-month period and tripled for the 3rd and subsequent convictions of the same offense within any 24-month period

Enhanced Penalties

- The following “window fines” are in place for relevant animal-related criminal citations

Offense Code	Offense Description	Base Fine	Fees/ Cost	Total
5001	FAILURE TO SURRENDER FOR QUARANTINE	\$200	\$71	\$271
5004	DOG AT LARGE	\$85	\$71	\$156
5007	FAILURE TO HAVE DOG VACCINATED FOR RABIES	\$130	\$71	\$201
5011	DOG OR CAT NOT REGISTERED	\$85	\$71	\$156
5018	DOG OR CAT NOT SPAYED OR NEUTERED	\$135	\$71	\$206
5021	DOG OR CAT NOT WEARING COLLAR W/RABIES TAG	\$150	\$71	\$221
5024	DOG OR CAT NOT WEARING COLLAR W/REGISTRATION TAG	\$85	\$71	\$156
5025	FAILURE TO SHOW ANIMAL VACCINATION	\$150	\$71	\$221
5026	FAILURE TO SHOW ANIMAL REGISTRATION	\$85	\$71	\$156
5037	OWNS MORE THAN MAX NUMBER OF ANIMALS	\$85	\$71	\$156

Enhanced Penalties

- The following “window fines” are in place for relevant animal-related civil citations

Offense Code	Offense Description	Base Fine	Fees/ Cost	Total
C5001	CIVIL-FAILURE TO SURRENDER FOR QUARANTINE	\$200	\$36	\$236
C5004	CIVIL-DOG AT LARGE	\$85	\$36	\$121
C5006	CIVIL-DOG OR CAT NOT VACCINATED FOR RABIES	\$150	\$36	\$186
C5011	CIVIL-DOG OR CAT NOT REGISTERED	\$85	\$36	\$121
C5018	CIVIL-DOG OR CAT NOT SPAYED OR NEUTERED	\$135	\$36	\$171
C5021	CIVIL-DOG OR CAT NOT WEARING COLLAR W/RABIES TAG	\$150	\$36	\$186
C5024	CIVIL-DOG OR CAT NOT WEARING COLLAR W/REGISTRATION TAG	\$85	\$36	\$121
C5025	CIVIL-FAILURE TO SHOW ANIMAL VACCINATION	\$150	\$36	\$186
C5026	CIVIL-FAILURE TO SHOW ANIMAL REGISTRATION	\$85	\$36	\$121
C5037	CIVIL-OWNS MORE THAN MAX NUMBER OF ANIMALS	\$85	\$36	\$121

Enhanced Penalties

- Current Situation
 - Prosecution does not prevent the use of civil enforcement remedies or procedures applicable to the person charged with or the conduct involved in the offense
 - In addition to imposing a criminal penalty, the city may, in accordance with Section 54.012(5) and (10) of the Texas Local Government Code, bring a civil action against a person violating a provision of this chapter
 - The civil action may include, but is not limited to, a suit to recover a civil penalty pursuant to Section 54.017 of the Texas Local Government Code not to exceed \$1,000 for each day or portion of a day during which each violation is committed, continued, or permitted
 - As an alternative to imposing a criminal penalty, the city may, as authorized by Section 54.044 of the Texas Local Government Code, impose administrative penalties, fees, and court costs in accordance with Article IV-b of Chapter 27 of this code for an offense under this chapter
- Possible Enhancement
 - Use City's Legislative Agenda to support a Class A or B misdemeanor for bodily injury
 - State Law currently has statute only for serious bodily injury or death
- Additional Information
 - Dallas Marshal's Office was asked to prioritize serving warrants for individuals with multiple animal-related citations

Required Partnership for 311, DPD, and DAS

- Current Situation
 - 311 receives all service requests for DAS and together they use the Customer Service Request (CSR) system and Chameleon system
 - 311 also dispatches high priority call types to Animal Service Officers
 - Dallas Police Department (DPD) uses the Computer Aided Dispatch (CAD) system to receive calls to 911 and dispatch police officers
 - 311 dispatch and DPD 911 dispatch routinely communicate with each other to dispatch resources based on needs of the caller
 - Review of Antoinette Brown death indicated a number of gaps where tighter partnership between DAS and DPD is needed
- On-going Actions
 - Deputy Chief and other DPD staff assigned to DAS to improve communications, policies, and operations between departments
 - QOL will receive periodic updates on these improvements
 - Public service announcements to call 911 for animal attacks in progress

Improved Training & Quality Control for 311 Customer Service Agents

- Current Situation

- “Hiring our own” temp-to-permanent agents (initiated in January 2016) resulting in improved candidate quality

Training Topic	Training method	Length of training
Customer Service	Classroom	8 hours; reinforced throughout entire training period
City of Dallas organization	Classroom	4 hours; reinforced throughout entire training period
Motorola CRMS navigation; Familiarity with request types	Classroom, hands-on, field visits, knowledgebase	6 Weeks
Basic Water Customer Service	Classroom & hands-on	2 weeks
Call-taking and service request creation	On-the-Job	2 - 4 weeks

- On-going Actions

- Web-based refresher training for agents with pre- and post-training testing to be implemented by September 2016

Improved Training & Quality Control for 311 Customer Service Agents

- Current Situation
 - All calls recorded and saved for 30 days
 - Quality monitoring: Agent has 8 calls reviewed and scored each month by Quality Assurance staff and agent's supervisor
 - Call “calibration”—311 supervisors, operations manager, and QA staff conduct monthly group scoring sessions to ensure consistent scoring and coaching across monitors
 - Any call resulting in a complaint is immediately reviewed and scored; as appropriate, agent is coached or disciplined
- On-going Action
 - Quality monitoring software

Dog Czar for Strays & Cruelty

- Current Situation
 - Chapter 2 of the Dallas City Code establishes the Animal Advisory Commission as an advisory body to the City Manager and the City Council to assist in complying with state law and city ordinances pertaining to the operation of an animal shelter
 - Each Council Member appoints one member to the commission, Mayor appoints the chair, and full City Council appoints the vice-chair
 - A working group was formed in April to improve the reporting, investigation, and prosecution of animal cruelty cases and report to the Commission and Committee by October 2016
- On-going Actions
 - Embedded DPD staff into DAS to improve focus on loose dogs and dog attacks
 - Committee will receive periodic updates on these improvements
 - Animal cruelty improvements have been combined into DPD-DAS partnership and will be reported in periodic updates

Loose Animal Force

- Current Situation
 - Dallas Animal Service currently has 145 permanent and temporary positions, of which 36 are Animal Services Officers (ASOs) and 5 are Sr. Animal Services Officers
 - ASOs respond to animal service requests based on priority (loose, neglect, bite, attack in progress, confined, limits, registration, etc.)
 - Also provide rabies quarantine services, euthanasia, animal interactions training to city departments, emergency/disaster response
 - In FY15-16 budget, City Council added 15 positions as part of the Southern Dallas Initiative
- Possible Enhancements
 - Increased impounds by ASOs through options to increase capacity at shelter
 - Improved staffing levels must be maintained
 - Add ASOs to restore deep night coverage
 - Cost of each ASO and equipment is approximately \$85,000 per year
 - Additional ASOs would require additional supervisors/managers and support staff

Separate Animal Services Department

- Current Situation
 - The City has engaged Boston Consulting Group (BCG) in an 11-week project to create a city-wide Strategic Plan
 - Comprehensive analysis of issues and come up with recommendations based on best practices
 - Other policy changes to strengthen enforcement and reduce loose dogs and animal attacks
 - Will include looking at whether Dallas Animal Services should remain under Code Compliance in the City's organizational structure
- Recommendation
 - Await completion of Strategic Plan to guide improved governance of animal services

Additional Discussion: Spay/Neuter Requirements

- Current Situation
 - Chapter 7 of Dallas City Code requires dogs and cats to be spayed/neutered with the following exclusions:
 - Under six months of age
 - Health reasons, as certified by a licensed veterinarian
 - Held for sale by a retail pet store or adoption
 - Competition cat or competition dog
 - Service animal
 - Owner holds a valid intact animal permit
 - An intact animal permit (\$100) may only be issued for a dog or cat:
 - Currently in compliance with vaccination and registration requirements
 - With a microchip implant
 - Whose owner is a member of a purebred dog or cat club, approved by the director, that maintains and enforces a code of ethics for the breed; or whose owner has, at the owner's expense, satisfactorily completed a course on responsible pet ownership offered by the city or otherwise approved by the director

Additional Discussion: Spay/Neuter Requirements

- Current Situation
 - Annual registration fee:
 - \$7 for a spayed or neutered dog or cat
 - \$30 for an unsterilized dog or cat
 - Each dog or cat adopted from DAS is spayed or neutered prior to release of the animal to the adopter, unless:
 - The dog or cat is under six months of age
 - A licensed veterinarian certifies that the dog or cat should not be spayed or neutered for health reasons or is permanently non-fertile
 - Adopter signs a sterilization agreement for an unsterilized pet under six months of age to be released from DAS for adoption
- Possible Enhancement
 - Impound animals for failure to sterilize, instead of issuing citations
 - Over 80% of animal attacks involve unsterilized male dogs
 - Budget to provide free surgeries to improve compliance

Additional Discussion: Impound Hold Periods

- Current Situation
 - The redemption period for an animal impounded, other than for quarantine or pursuant to a court order, is:
 - 3 days after the date of impoundment
 - 10 days after the date of impoundment if:
 - Animal has a legible tag or a microchip implant identifying owner; or
 - Director has reason to believe the animal has an owner
 - 10 days after the date of impoundment for animals held in protective custody
- Possible Enhancements
 - Shorter hold periods would allow for more impounds
 - San Antonio, Austin, and Fort Worth have minimum 3-day hold for all animals
 - Increase outreach to rescues to help save dogs
 - Eliminate hold times on community cats, underage animals, and/or strays impounded from designated areas with high incidence of injuries by animals

Next Steps

- Seek Committee guidance on policy changes for Council action
- Provide periodic updates to Committee on improvements from DPD-DAS partnership