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Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

STILL RAINING CATS AND DOGS!!

SUMMARY:

The Tulare County Civil Grand Jury (TCCGJ) investigated the issues that un-homed and neglected dogs and cats bring to our neighborhoods and to all of our shelters throughout the County of Tulare. Part of this is due to the recent pandemic years when so many people were at home and needed company. Many people have returned to work and the animals have been left to roam the streets or returned to the shelters for yet another round

of rehoming. As a result, shelters face daily struggles related to housing, caring for and rehoming these animals. The daily struggles that the shelters face in order to house, care and rehome these animals is staggering.

BACKGROUND:

The American Society for the Prevention of Cruelty of Animals (SPCA) made its way to the US from Britain in 1866 when Henry Bergh formed a society. The US recognized the first official “pound” for dogs in Pennsylvania in April of 1869. It was opened by a group of women activists led by a woman named Carolyn Earle White. In 1877, The American Humane Association was formed followed by the formation of The Humane Society in 1954. In September of 1937, the first “pound” in California was opened due to the rabies epidemic and for not just the sick dogs but cats as well. Over time, the pound has come to be referred to as a shelter, as it houses dogs and cats that are not only sick, but hurt, lost, dropped off or otherwise unloved and unhoused. In the

1960’s and 1970’s, the perception that animals had the “pet” potential rather than the being viewed as a public health hazard. This led to the formation of more non-profit animal shelters in conjunction with the municipal shelters already formed to aid in bringing in strays and finding them homes. The Humane Society cites that 2.4 million healthy, adoptable animals are euthanized in U.S shelters each year, amounting to roughly one every 13 seconds. These animals are often the offspring of family pets that are not spayed or neutered.

Here in Tulare County communities, there are only six shelters that take in dogs, cats and other domestic animals on a daily basis at a high rate of intake. Four of them are city or county run (municipal) and two are operated by nonprofits. In Tulare County in 2018, there were 7,022 animals taken in and of those 4,248 were rehomed.



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The four municipalities are:

1. Tulare County Animal Services
2. Porterville Animal Services
3. Visalia City Animal Shelter
4. Tulare City Animal Shelter

The two nonprofits are:

1. SPCA
2. The Central Valley Railroad Rescue

METHOD OF INVESTIGATION:

1. Websites
2. Questionnaires
3. News Articles
4. Site Visits

DISCUSSION:

The biggest source of operating dollars for the municipal shelters is the cities or County General Fund, while there can be monetary donations from individuals or organizations and fees collected for services rendered to neighboring towns or the public (such as licensing fees, citations and clinical services). The municipal shelters also apply for grants, which are used for special projects like the Spay and Neuter programs, fee-waived adoptions and fee assistance to reclaim your own animal.

Porterville Animal Services currently has 114 dog kennels, with 89 kennels that are functional and they are the only shelter that is a dog-only shelter. The rest of the shelters house mainly dogs and cats but will try to house small animals such as rabbits, goats and sheep for a very short time and work diligently to find their owners as needed. The larger animals rescued such as cows, horses, pigs, chickens or roosters are housed at the Tulare County Animal Services where they are equipped to handle those animals. The remaining shelters have between 50-80 dog kennels and 24-99 cat cages, with multiple small animals housed together in a kennel/cage only if needed. All grounds are equipped with exercise yards as well.

Only dogs are taken in at the Porterville Animals Services, the remaining shelters currently house dogs, cats, chickens, roosters, horses, pigs and fowl.

As of October 2022, the total number of dogs/puppies housed per shelter ranged in numbers from 33-117 of all sizes and breeds. Cats/kittens in these shelters ranged in numbers from 7-29. Also housed were 10 roosters, 3 horses, 2 pigs and 1 fowl. There are 85 animals in “foster” care homes. The animals that are fostered out can be returned to the shelter if signs of behavioral issues arise or not rehomed etc. Every shelter’s numbers fluctuate

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daily depending on intakes and outgoing animals (mainly dogs/puppies) due to rescues, drop-offs, reuniting with owners or adoptions.

The only shelter with a full-time veterinarian on site is the Tulare County Animal Services. They have performed 2,600 spay and neuter surgeries for the shelter and the public sector. The remaining shelters have no veterinarian(s) on site but contract out for these services with many vets throughout the different communities. The veterinarians will also provide oversight with staff training, maintenance of required permits, medication prescriptions etc.

The first and foremost policy is finding a quality home if at all possible. However, all of these shelters follow a guideline/policy in that in the event an animal has aggressive behavioral issues towards other animals and/or humans that are untreatable, has life-threatening issues or overpopulation where herd health is affected, the animal will be euthanized. Some shelters have detailed policies regarding the number of staff to be present, the needle size, the euthanasia agent to be used and checking for microchips etc.

Feral or community cats are unique in that they are considered ownerless, and legally free-roaming with no leash laws or any legal obligation to enter a shelter. Historically, cats have been caught and taken to a shelter and euthanized. The shelters responded from having no written policy to utilizing a city ordinance. However, all shelters follow a program called Trap, Neuter and Release (TNR) in which a person can bring in a trapped feral cat to be spayed/neutered for free but must be released back to the feral cats' original neighborhood. There is also the Visalia Feral Cat Coalition which is a non-profit corporation who offers the TNR service with a \$30 copay for a veterinary partner to provide spay/neutering.

Porterville Animal Services provides for the care, control & custody of dogs for the Porterville, Woodlake and Lindsay areas. Visalia Animal Care Center provides sheltering and license billing to Visalia, Dinuba, Exeter and Farmersville. They also provide animal control services to Visalia, Exeter and Farmersville. Tulare Animal Services provides its services to Tulare. Tulare County Animal Services provides services to all unincorporated areas of the county which includes small communities as far away as Allensworth, California Hotsprings, Traver, the mountain areas such as Three Rivers, Camp Nelson, Springville and the outskirts of Visalia and more. This service encompasses nearly 4,800 square miles that are broken down into three large service areas and only employ three Animal Control Officers. They have recently started an "Adventure Paws" program where residents can go to the shelter and sign out a dog for the day.

Problems encountered at the shelters range from volunteer shortages, overwhelming calls from the public for assistance or complaints, shelter location and the availability to the public and availability of low cost veterinarian services. They also cited irresponsibility of pet owners at large and their reluctance to spay or neuter their animals and keep them secure. Three of the shelters mentioned that during Covid 19, an enormous amount of damage was caused with so many animals being adopted and then later returned or let loose and the disruption of staffing that still goes on today. All of the shelters interface with each other and they have a network of outside partners (some as far away as Oregon) that come in all forms such as vets, volunteers and stores etc. that assist them in many ways.

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FINDINGS:

- F1 The funding provided through the cities or County General Fund or funds collected through donations and services revenue, is used in a positive manner to the best benefit of animal and consumer.
- F2. The shelters, kennels, office spaces and ground are clean and organized.
- F3. The staff is dedicated to their mission of taking in, caring for and ultimately rehoming the animals.
- F4. There seems to be every effort on behalf of the shelters to advertise for more staff and/or volunteers. There is low response that may be attributed to the pandemic that caused such a disruption in the flow of all services and the slow recovery back to normal.
- F5. The shelters try to come up with innovative ways to advertise for volunteers.
- F6. There are few outreach programs for volunteer opportunities.
- F7. Pet owners have been lacking in spaying/neutering their pets or keeping them secure.

RECOMMENDATIONS:

- R1. Conduct outreach to high schools and colleges for community service credit.
- R2. Continue to apply for grants to cover the cost of spay/neuter programs.
- R3. Conduct more aggressive public education to promote services to reduce and control the pet population.

REQUESTS FOR RESPONSES:

- 1. Tulare County Health and Human Services Agency
Findings F1-F7 Recommendations R1-R3
- 2. City of Porterville Police Department Animal Control
Findings F1-F7 Recommendations R1-R3
- 3. City of Visalia General Services
Findings F1-F7 Recommendations R1-R3
- 4. City of Tulare Police Department Animal Control
Findings F1-F7 Recommendations R1-R3



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WHO LET THE DOGS OUT? K9s IN TULARE COUNTY

SUMMARY:

Law enforcement agencies have been using dogs for assistance for over 100 years. The Tulare County Civil Grand Jury decided to look into the usage of K9s in Tulare County. A survey was sent to local police agencies to ascertain the number of dogs each department has and their usage in each agency.

BACKGROUND:

Dogs, which were descended from wolves, were first domesticated thousands of years ago. They have been used since Roman times for security, hunting, sentry, scout, patrol and messengers.

Starting in the late 1800's, they were used by police forces in England, Belgium, and Germany. It wasn't until the 1970's that dogs started being used by police forces in the United States.

During the Vietnam War, dogs were used to clear caves and tunnels, detect booby traps and land mines. More recently, they have been used to detect hidden and buried weapons in several Middle Eastern countries.

The most widely trained dogs for regular patrol work are German Shepherds. Other frequently used breeds

include Belgian Malinois (Mal-in-wah), Dutch Shepherds, Labrador Retrievers and Giant Schnauzers. Some breeds are specially trained to detect illegal drugs and explosives and to track fugitives and missing persons.

Police dogs are referred to as K9s. It is a shortened version of "canine" and likely came from what the Army War Dog Program called their "K9 Corps". K9s are now considered to be an important part of police forces. In some departments they even have their own badges and, in all departments we have researched, they have specialized equipment. There are breeders that specialize in raising dogs for law enforcement



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purposes and there are training organizations that specialize in training selected dogs for specific police purposes. Most K9s start work/training at about 1 year and retire at about 10 years of age.

METHOD OF INVESTIGATION:

1. Surveyed local police agencies on use of K9s
2. Attended K9 demonstration by the Sheriff's Department
3. Interviewed K9 training officers and a K9 trainer
4. Search of internet for relevant information

DISCUSSION:

Police dogs (K9s) are trained to assist police and other law enforcement officers. Their duties may include tracking for missing persons and suspects, finding crime scene evidence, school safety patrols, rescue missions and cadaver searches. They are also used for basic patrol duty, narcotic, firearms and explosives detection, illegal contraband searches in jails, tactical incidents, public enforcement and crowd control, handler protection and for public demonstrations and education in schools.

Selected K9s enter an extensive, certified training program with the handler with whom they have been partnered. They continue regular training sessions throughout their lives and must be recertified annually. Handler training is as important as training the K9s. Candidates for K9 handler positions must be a high level proficiency proactive officer who possess personality traits such as appropriate demeanor, predilection for working with animals, professional bearing, intelligence and excellent communication skills. The bond that grows between K9 teams is strong and powerful. They train and serve at their handler's command, often living with them and their families. The pair work, train and live together for the duration of the dog's life in most cases. The handler is responsible for their care and well-being. They must maintain control over the dog's behavior at all times. In addition to his or her duties, the officer must lead and command a highly trained, potentially aggressive animal. Any mistake on their part can result in injury, potential harm and possible litigation as the public points fingers at the "dog's owner". The handler must also maintain precise records of the dog's work activities, incident reports, training records, medical records and costs associated with his or her canine partner.

The purchase price of a dog selected for police duty ranges from \$5500 to \$7000. The cost of training will run \$2500 to \$3500 depending on the level of training. The equipment needed to outfit a K9 is \$3000 and the cost of modifying a car to accommodate the K9 is \$6000 to \$7000. In addition to the initial expenses, there is the cost of food, medical care and additional specialty training.

Results of the survey sent to local law enforcement agencies:

Dinuba K9s are used for apprehension, searches and narcotics detection. They have not received nor solicited donations from private organizations for K9s or training.

Exeter K9s will perform basic patrol or narcotics detection. They have received/solicited donations.

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In Farmersville the most common use is for the detection of illegal narcotics as one is assigned to the regional High Intensity Drug Trafficking Areas team full time. The other works in operations but is still most used for narcotics detection. On occasion they are called upon to assist with scene containment and suspect control. They have received donations for the K9 program, but the last donations were more than 5 years ago.

Porterville has three K9s assigned to the Patrol Division. They are used to search for lost/missing persons, searching for wanted persons concealed in open areas or buildings, vehicle searches, high risk tactical incidents, bomb detection, illegal firearm detection and illegal narcotic searches. One K9 is assigned to a school resource officer to serve Porterville Unified School District, Burton School District and Porterville College. This K9 is used for searching for illegal firearms, ammunition or gunpowder and illegal narcotics. They have received anonymous donations for the purchase of K9s, training and equipment.

Tulare K9s are assigned to patrol. They are used for tracking, searching, article search, suspect locations/apprehension/placating. One dog is currently being trained for narcotics detection. They are also used for public demonstrations/education as well as juvenile education at school and public events. Tulare has received /solicited donations.

Visalia K9s are currently in the Patrol Division. They are used for building searches, narcotic detection, suspect apprehension, handler protection and community presentations. They have a non-profit foundation, Friends of Visalia K9 (nonaffiliated with the department) which collects money for the purchase of new K9s.

Woodlake's K9 is used for detection only. It is trained to detect narcotics, marijuana, vape and firearms. They have not received any private donations for K9s.

The Tulare County Sheriff's Department has two K9s working in detention and one assigned to operations. They act as goodwill ambassadors for the Sheriff's Office and assist in the apprehension of criminals, detection of illegal substances in the jails and searches for lost or missing persons. They are available to all local law enforcement agencies, free of charge, when requested for assistance. The K9s also do numerous public demonstrations showing their training and experience. The Sheriff's Office does not solicit donations, however they have received donations from various organizations, private companies and citizens.

<u>Department</u>	<u>Authorized</u>	<u>Active</u>	<u>Breed</u>
Exeter PD	4	0	
Dinuba PD	2	2	2 Belgian Malinois
Porterville	4	4	3 Belgian Malinois, 1 Springer Spaniel
Woodlake	1	1	1 Springer Spaniel
Visalia	7	3	2 Belgian Malinois, 1 Dutch Shepherd
Farmersville	2	2	2 Belgian Malinois
Tulare	4	2	1 Belgian Malinois, 1 Dutch Shepherd
Tulare County Sheriff	10	3	1 Belgian Malinois, 1 Lab Mix, 1 Springer Spaniel

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FINDINGS:

- F1. K9s provide a valuable service to police agencies and the public.
- F2. Local law enforcement agencies are maximizing their use of K9s even with the financial restraints.
- F3. Use of K9s has saved lives and has improved law enforcement efforts.
- F4. The high costs involved hampers a department's ability to purchase and train dogs.
- F5. The cost of obtaining, training, outfitting and maintaining a K9 is significant.
- F6. Handlers must make a dedicated commitment for a minimum of 5 years' service.
- F7. Handling a K9 carries a special responsibility for an officer.
- F8. The public, through financial contributions, help make K9 programs possible.
- F9. Multiple breeds of dogs can be used as K9s.

RECOMMENDATION:

- R1. Educate the public to the importance of supporting the purchase and training of additional K9s.
- R2. Continue to seek funding sources.
- R3. Continue to provide public demonstrations and outreach programs to increase awareness of the value of K9s.

REQUIRED RESPONSES:

- | | | |
|--------------------------|----------------|-----------------------|
| 1. Dinuba Police | Findings F1-F9 | Recommendations R1-R3 |
| 2. Exeter Police | Findings F1-F9 | Recommendations R1-R3 |
| 3. Farmerville Police | Findings F1-F9 | Recommendations R1-R3 |
| 4. Porterville Police | Findings F1-F9 | Recommendations R1-R3 |
| 5. Tulare Police | Findings F1-F9 | Recommendations R1-R3 |
| 6. Visalia Police | Findings F1-F9 | Recommendations R1-R3 |
| 7. Woodlake Police | Findings F1-F9 | Recommendations R1-R3 |
| 8. Tulare County Sheriff | Findings F1-F9 | Recommendations R1-R3 |



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VISALIA ALA CART



SUMMARY:

Code Enforcement is a vital function in every community. In Visalia the responsibility falls under the Neighborhood Preservation Division (NPD). It adds to the well being and beautification of the city. Among the duties of Code Enforcement is to pick up abandoned shopping and grocery carts within the city boundaries. Research has shown this to

be a pervasive issue in communities and cities in California and throughout the country. The Tulare County Civil Grand Jury initiated an investigation to determine how the City of Visalia is addressing this issue. Although the NPD is not a police agency, they do have the ability to assess and levy fines and penalties.

BACKGROUND:

The NPD in Visalia was established in 2006 and is tasked with enforcing the Visalia Municipal Code to improve the conditions and beauty of Visalia neighborhoods. The NPD exists to address safety issues for both residents and visitors to Visalia. The office is located at 315 E. Acequia in Visalia. Code Enforcement has a website address with complaint forms used to report code violations. The NPD also has a Code Violation Hotline telephone number (559-713-4534). In 2013 the City of Visalia enacted an ordinance (Municipal Code 870) specific to abandoned shopping carts. The ordinance was reaffirmed in 2018. The NPD has staff consisting of 1 manager, 1 support staff and 8 inspectors. The inspectors include 5 full time enforcement technicians, 1 full time vehicle abandonment officer for private property, 1 part-time signage violations technician and 1 part-time shopping cart enforcement technician.

METHOD OF INVESTIGATION:

1. Site visits
2. Interviewed witnesses and officials
3. Reviewed specific documents
4. Performed internet research

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DISCUSSION:

Visalia based their abandoned cart ordinance on the Business and Professions Code of California. NPD has the authority to assess administrative fees for cart retrieval and fines of \$50 per cart for non-compliance. (Carts not picked up in timely manner after notice). During the period from May 2022 through September 2022, 661 abandoned shopping carts were picked up. COVID reduced the numbers of abandoned carts as there was a reduction in shoppers and more temporary business closures. NPD was also redirected to other activities. Individuals abandoning carts can be the homeless or residents of the neighborhood. The carts retrieved belonged to numerous retail establishments in Visalia. When the carts are retrieved, they are taken to a storage facility. Carts are required to be clearly marked with the name and phone number of the business. When NPD picks up the carts, the business is notified in writing and is given three days to pick up their carts. If the cart is not picked up within a 30 day period, the City has the option to destroy or dispose of them. The NPD has at times given these carts to the Visalia Rescue Mission. If fines/penalties are to be assessed, NPD reaches agreement with the retail establishment to install cart containment or suppression systems in lieu of fines.

Several businesses were contacted and discussions were held with the managers. The businesses sampled varied in size as some were part of larger chains and others were more localized. The chain stores also stated that they have contracted services which retrieve their carts. The smaller stores indicated that they wait for NPD contact to retrieve their carts.

In addition to enforcing the cart ordinance, NPD enforces and handles the following complaints:

- Unsafe to occupy structures – This includes substandard rental properties and other housing which has been determined to be uninhabitable. These types of violations may include lack of running water, sewage build up, no electricity and unsanitary living conditions
- Unsecured swimming pools - Includes pools with inadequate or no fencing which could endanger children and other members of the community. If a swimming pool is deemed to be unsecured, a staff member from NPD will remain onsite until adequate protection is in place. NPD has contractors on call to perform such services. These costs are normally borne by the homeowner or resident
- Construction without required permits
- Public nuisance properties – Inspections include massage parlors, unmaintained pools and illegal camping/substandard living
- Abandoned Private Vehicles – There is a specific telephone number (559-713-4624) dedicated to the reporting of abandoned vehicles. Code Enforcement will have vehicles removed from private property at the request of an owner or resident.