



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 12/20/2016

Agenda Placement: 11A

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Alice Hughey for Leanne Link - County Executive Officer  
County Executive Office  
**REPORT BY:** Molly Rattigan, Deputy County Executive Officer - 253-4112  
**SUBJECT:** Animal Abuse Registry

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### **RECOMMENDATION**

County Executive Officer seeks discussion and possible direction on animal cruelty conviction tracking proposed by Supervisor Mark Luce.

### **EXECUTIVE SUMMARY**

The Napa County Board of Supervisors Agenda includes "Future Agenda Items," whereby members of the Board of Supervisors present items they would like discussed by the full board at a future meeting date. Staff makes note of each of these items and returns to the Board of Supervisors for general discussion and direction on whether the majority of the Board has an interest in considering this item at a future agenda meeting. The purpose of today's item is to consider the topic of an animal abuse registry in Napa County presented by Supervisor Mark Luce and provide information on the staff time and resources required for this item.

### **PROCEDURAL REQUIREMENTS**

1. Staff reports.
2. Public comments.
3. Motion, second, discussion and vote on the item.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**BACKGROUND AND DISCUSSION**

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A comprehensive animal cruelty tracking system or animal abuse registry would require a statewide effort to collect and track convictions of animal abuse crimes for the Napa County Animal Shelter staff to access before adopting animals out. In 2016, SB 1200 was enacted to require the Department of Justice to collect data from local law enforcement agencies and to present an annual report to the Governor containing the criminal statistics and arrests for animal cruelty. The law does not require the Governor to do anything with the information, nor does it create a mechanism for counties to share names and information on those arrested or convicted of animal cruelty.

Currently, the Napa County Animal Shelter and Adoption Center has a comprehensive adoption process. Interested parties are invited to come to the Center to learn more about potential adoptable animals. Working with an Adoption Counselor, they provide information about their pet ownership history, what they are hoping for in a pet, and any constraints their household may have. These questions are intended to pair the potential owner with a suitable animal for the home. Following this initial process, potential owners do "meet and greets" with the animal, which can involve multiple members of their household, other pets, etc. The application document includes open-ended questions allowing for in-depth discussion between the potential owner and Adoption Counselors on the right type of animal to avoid potential future issues with the adoption.

Napa County could create a county-specific animal abuse registry or list for the Animal Shelter to review prior to adopting out animals. However, the information in the database would be limited to Napa County convictions only and the staff at the shelter would have no way of knowing if the adopting party had animal cruelty arrests or convictions in another county or state. A recent review of animal cruelty convictions in Napa County in the last two years indicate there were approximately five cases. What is unknown is how many of those cases were a result of animals adopted from an animal shelter or through other means (private sale, another County, etc.)

Alternatively, the County could consider an approach similar to Hillsborough County, Florida, where potential adopters are required to sign an affidavit under penalty and perjury of law stating that they have never been convicted of animal cruelty. Retailers are then required to verify this information and notify Animal Control to seize a pet if it had been adopted to someone convicted of animal cruelty. Napa County could do something similar at the Animal Shelter, though staff would need to research how such a verification would take place without a county or statewide database to access. There would likely be significant staff time and resources to verify an average of 1,000 adoptions annually as well as any costs to seize the animal.

Currently, the Animal Shelter has 8.0 FTE with costs shared between contracting cities and the County. The cost increase and/or staff needs related to this process would need to be discussed with those cities. Finally, an ordinance like this would be relevant only to the Animal Shelter. The majority of the retail pet businesses are in the

incorporated areas and the cities and town would need to enact a similar ordinance for enforcement.

Another alternative, and staff's recommendation, is to place the issue of animal abuse registry in the County's legislative platform. This would allow for the Board of Supervisors and staff to communicate to the State Legislature and other pertinent parties its support for a statewide animal abuse registry. Establishment of a statewide registry would create a mechanism for data to be entered, maintained and accessed that would be consistent and done at the time of arrest or conviction to minimize the administrative burden on staff to research information.

### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Carlos Solorio