



**Pasado's Safe Haven Report and Recommendations for Consideration Under
King County Council Motion 2006-0241;
Improve Enforcement of Animal Cruelty Laws in King County**

Pasado's Safe Haven (PSH) is submitting the following proposal for consideration pursuant to King County Council Motion 2006-0241. Our suggestions and recommendations will focus on the rationale for assigning one or two specific King County Animal Control (KCAC) field officers, hereafter referred to as Humane Investigator(s) (HI), to investigate and manage egregiously violent or severe cruelty and neglect cases that occur within KCAC's jurisdiction. One goal of this report is to illustrate the need for this KCAC staff reconfiguration and demonstrate how measurable results can be achieved. However, the main goal is to contribute ideas and concepts that, when implemented, will achieve optimal results when KCAC encounters animal cruelty and neglect cases. As KCAC and the Metro King County Council are undoubtedly aware, there is very strong community support for identifying and prosecuting animal abusers in our midst. This is a golden opportunity for King County to take the lead in creating a world-class humane investigation team that will serve as a model for other jurisdictions, so we can significantly reduce the instances of cruelty and foster responsibility for our animal friends throughout the state of Washington.

PSH is confident that if these recommendations are adopted, those guilty of animal abuse and neglect will have a much higher likelihood of prosecution and conviction for their crimes and the county will be sending a strong message to potential abusers that cruelty directed toward animals will not be tolerated in King County.

The KCAC Humane Investigation Team:

As per KCAC's own public statements, calls regarding legitimate cruelty and neglect cases are infrequent compared to other complaint categories. Creating a Humane Investigation team charged with the responsibility of investigating these cases would not overwhelm one or two dedicated officers. The infrequent nature of these calls requires a more structured response framework from dedicated field officers, so they can build on the skill sets needed to perform a superior investigation, build a rapport with chronic offenders, and establish well-defined and consistently-applied protocols both within KCAC and between/among outside agencies such as law enforcement and criminal justice departments.

If these cases are assigned to general purpose field officers, the ability to closely monitor any one case and perform a thorough follow-up investigation is compromised; these general purpose officers have too many calls each day and too large of an area

geographically to cover. Serious cruelty and neglect cases end up being overlooked because they require more time and effort to monitor and investigate than these general purpose officers have available.

An added advantage of a dedicated HI is that the same officer revisits chronic offenders. When the same officer returns to the scene of a neglect or cruelty case, they can detect any change in conditions, either positive or negative, that would otherwise not be discernable if the calls are spread among many officers. No report can take the place of a first-hand experience.

PSH envisions the KCAC restructuring following the police department model, whereby the patrol officers or “field officers” may respond to a report/call that on the surface does not appear to be a serious cruelty or neglect case. However, once ascertained that an investigation is needed, the field officer would summon the Human Investigator (HI) or the “detective” and they would follow through on the case from beginning to end. This could include testifying at a trial or hearing. Whatever non-cruelty or neglect-related duties were assigned to this HI for that day are then reassigned so the HI can focus on securing evidence, communicating/coordinating with law enforcement agencies, and generally building a strong case for prosecution. For those reports that are clearly identified as a cruelty or neglect case, an HI could be immediately mobilized.

We realize that many reports of animal cruelty and neglect will require immediate action and a standard notice or citation - for example, a dog or cat locked in an unventilated vehicle and in danger of suffocating. This situation may not require an investigation and, because of the emergency nature of the case, could be managed by the field officer without the need to involve the HI.

If animal cruelty and neglect cases are investigated with the same rigor and attention to detail as the Mount Lake Terrace Police Department case report attached as Exhibit A, KCAC could easily justify the allocation of resources as outlined here. According to KCAC statements, only 2 cruelty cases were sent to prosecutors in 2005 and only 4 in 2004. Those numbers don't seem to realistically reflect the number of King County prosecutable cases that we encounter, nor do they seem to reflect the 23% increase in cruelty calls to KCAC in 2005.

Please see Exhibit B to review statistics from Houston, Detroit, Miami and New York jurisdictions with regard to cruelty calls answered, number of staff assigned and territory covered.

Also, we strongly urge a revision/clarification of the KCAC policy deeming prosecution as a “last resort” in cruelty and neglect cases as recommended in the Investigations section of the KCAC handbook presented to the Council during the April, 2006 briefing. The author advises that education should be the first line of defense and prosecution the last. We agree that education is the most useful tool to prevent cruelty crimes, but once a crime has been committed, with or without a prior warnings or an attempt to educate the offender, legal recourse should be seriously considered.

Community Recognition and Cooperation

Humane Investigators are the “go to” people. Putting a recognizable and consistent “face” on KCAC with respect to animal cruelty enforcement (similar to “Animal Cops”) will help reverse present public perception that KCAC is unresponsive and does not follow through on warning signs.

Once HIs experience more visibility, the community will respond and be more willing to make a call to KCAC when an animal is in trouble. Conversely, citizens will be less likely to intervene directly in a cruelty situation. While sometimes the situation requires this immediate intervention, it also often puts the Good Samaritan in an unnecessarily awkward or dangerous situation¹.

Another opportunity to achieve a more positive public perception for the department and at the same time strengthen cruelty cases that are brought to prosecution is to have HIs (or field officers if appropriate) testify at these public proceedings. This presence is extremely helpful to a case, as many times the animal victim has no one, such as an owner, to speak for them and most courts won’t allow an outside party to speak on behalf of the animal victim. This was the case with Junior, the dog saved from being hung by a juvenile offender in Federal Way this year. A number of people could have been there to testify. When someone from PSH asked the court if they could make a statement, they were denied. PSH later learned that Junior’s new owner, Tom Welsh, would have done so, but according to Mr. Welsh, he was advised by Federal Way police to not speak or contact PSH regarding Junior’s case. This was a lost opportunity. We’re glad that he did eventually contact us, as we were able to provide Junior with a check-up and perform a sterilization procedure.

Conclusion

It is our desire to work in whatever capacity is necessary to implement the recommendations presented in this report and to continue to partner with the public sector in rescue efforts and animal cruelty cases. We have a dedicated base of supporters in the King County area and beyond who truly wish to see cruelty cases elevated in way that will serve as a strong deterrent. The innocent creatures who are victims of abuse and cruelty deserve justice and the chance to live in a peaceful and loving environment. PSH is dedicated to working toward this goal in every instance.

We wish to thank you for your support and for your compassion for those who can’t speak for themselves. Your efforts will most certainly leave an important legacy and make King County a community we can all be proud of.

¹ A jury convicted William Murphy, 43 of Thurston County, of first-degree animal cruelty and felony harassment on June 15, 2006. The latter charge stemmed from his threats to neighbors who witnessed him dragging “Bear”, his dog, down the 3900 block of Baker Ames Road last summer.

Addendum

King County Regulations

PSH recommends that KCAC perform a gap analysis to identify areas of the county and local codes that could improve their ability to investigate and respond to or intervene in a cruelty or neglect case. A place to start may be to review past cruelty cases that ultimately could not be addressed or could not be referred to prosecutors because of limitations in the code. Improvements or reasonable changes in the codes may provide KCAC with more effective enforcement powers. PSH is willing to work on and advocate for improved ordinances that will allow KCAC to expedite cruelty cases and intervene when an animal is in danger.