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MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager 

FROM: Barry Golner, Interim Superintendent 

DATE: January 4, 2023

SUBJECT: **MOTION RESPONSE: 12/13/2022 – Councilor Mercier** – Req. City Manager Provide A Full Report On The Status Of Animal Control: ie., City Veterinarian And Procedures For Injured Animals, The Number Of Staff Employees In The Animal Control Office And Who Is In Charge, Any Partnerships With Lowell Humane Society, Emergency Hospital Invoices That Are Outstanding, Status Of Protective Gear And Training, Vaccines Etc.

In furtherance of this motion, the police department met with Councilor Mercier in order to provide her with any additional information and documentation she needed regarding Animal Control and the services they provide.

The Lowell Animal Control Division currently has two Animal Control positions, one being a supervisor and the other an Animal Control Officer. The supervisor is a working position. Currently we are looking to fill the vacant Animal Control Officer position. We also have a Compliance Officer who handles animal cruelty cases, all our court actions, fines and licensing.

Animal Control comes under the operations side of the organization: Deputy LeBlanc is in charge of operations. Captain Gendreau is the Captain assigned to operations and was previously the Lieutenant in charge of Operational Support and Animal Control for approximately three years. Lieutenant Panagiotakos is currently the Commander of Operational Support and oversees Sergeant David Frechette who is responsible for being the Law Enforcement officer in charge of Animal Control. Sergeant Frechette has been in this role for over ten years.

Animal Control Procedures are governed by Lowell Police General Order 380.01. Relating to the procedures for injured animals, we refer to section V.

Animal Calls For Service

Definition of Emergency Animal Control Response to Incidents

An emergency will be defined as a detriment and imminent health or safety hazard or when the public is at risk and/or the safety of the animal is in question. If the Lowell Police Department is unable to determine if a situation is a health risk, safety hazard or have any questions or concerns, they should call the Animal Control Officer or their direct supervisor for consultation.

The following are frequent situations; however, there may be other situations that may be deemed an emergency.

A. Loose Animals Response (wild or domestic)

Since loose animals constantly move from one location to another, and return to their own home, this may not be considered an emergency unless they pose a risk to public safety. Keep in mind, Animal Control may not be able to respond within a period that would allow the loose animal's capture.

Please forward calls of kept domestic animals to the police non-emergency number 978-937-3200. The radio room will notify Animal Control of all kept animals for follow-up. An email should be sent to the Sergeant in-charge as well as the Animal Control Officers. (This is a policy change, from leaving a message on a separate Animal Control phone. We have realized that the stand alone ACO phone line was a disconnect in the line of communication. The website will be changed and all calls for Animal Control should go through Lowell Police Dispatch). When Animal Control is not available, it is the responsibility of the Lieutenant and Sergeant in charge of Operational Support to make arrangements to get assistance from other police department Animal Control services and/or the Lowell Police Animal Compliance Officer. This information will then be forwarded to Lowell Police Communications and LPD Shift Commanders should assistance be needed.

If the situation arises where an animal is suspected to be vicious and/or is roaming, a Police Officer should stay with the animal until Animal Control is called on the scene.

B. Sick Wildlife (such as, but not limited to raccoons, skunks or wood chucks)

Please bear in mind that nocturnal animals do come out during the day for food and during mating seasons. This does not mean they are sickly or rabid.

However, if these animals appear to be drunk or take aggressive or strange actions against a person, then there is a possibility that animal might be sick or rabid. The Police

Officer should contact Animal Control and stay with the animal until the Animal Control Officer arrives. He/she should attempt visual surveillance when possible.

C. Injured Animals

1. Vehicle Accident

Should an animal require medical treatment and the owner is undetermined or unable to provide care, Animal Control should be called to the scene for assistance while the Police Officer remains on scene (the animal's owner may be responsible for the cost incurred).

2. Domestic Animals:

- a. If owner is not available, Animal Control should be contacted.
- b. If the animal is uncontrollable and showing signs of aggression, as a result of injury, call Animal Control. The owner may be responsible for all associated costs.

With regard to questions about animal control billing and invoices, please see below information. The Animal Control Division works with several emergency care facilities in furtherance of the care and custody of animals both domestic and wildlife.

Unfortunately, we were made aware of a billing issue with one of our providers and some monies owed. As a result of looking into the reasons for monies owed, we found two issues. First, there was a communication issue internally and secondly, the LPD received an invoice late in the 2021 fiscal year resulting in the invoice not being able to be processed after the June 2021 deadline. As a result of the discovery of the unpaid bill, the Animal Control Supervisors put in place some additional mechanisms that they thought would remedy our billing/invoice/payment issue. These measures were ineffective and have since been replaced. There are two providers that are owed monies from fiscal year 2021 and the requests for transfer of funds to pay these bills will go before the council on January 10, 2023. The City's CFO is fully aware of the issues and is ready to remedy the issue.

In terms of services for City of Lowell residents and animal issues, the Police Department has not been without emergency care. Deputy Mark LeBlanc spoke with one provider in early December and although they are owed funds from 2021, they did not shut off services with the city. The second provider was compensated for all current fiscal year invoices. Sergeant David Frechette, who oversees the Animal Control Division, hand delivered a check from the city and services were restored. Both providers were informed by Deputy Leblanc that the back-billing issue would be going before the council and all back monies owed paid as soon as the matter can be approved. I am confident that the personnel matter that precipitated some of our issues has been rectified moving forward.

The Lowell Police Department has always had a great working relationship with the Lowell Humane Society. The Humane Society always assisted Animal Control with the placement of felines. The Police Department has a contracted kenneling service for animals that are picked up as a result of a call in the city. The Lowell Humane Society did not put in a bid and could not provide the services needed to fulfill the city's needs at this time. The Humane Society was approached about this matter months ago and hoped that in the future they would have the room available to put themselves in a position to bid for city services. The Animal Control Division has a good working relationship with Humane Society Staff and utilizes the Humane Society as an animal rescue provider just as we could utilize any number of other rescue services in the area.

The Lowell Animal Control Officers are provided with all the protective gear needed, are up to date with State Certifications and firearms training. The City of Lowell has always financially covered any employee injured/bitten as a result of an on-duty incident. At no time was an untrained Animal Control Officer put in a position to euthanize any animals as an employee for the Lowell Police Department.

The Animal Control Division has always and will continue to provide quality services for the citizens of Lowell.