
**Follow-up Audit of the
Orange County Animal
Services Division Dangerous
Dog Compliance Program**



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Orange County, Florida**

www.occompt.com



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Mission

The mission of the Orange County Comptroller's Office is to serve the citizens of Orange County and our customers by providing responsive, ethical, effective, and efficient protection and management of public funds, assets, and documents, as specified in the Florida Constitution and Florida Statutes.

Vision

The vision of the Orange County Comptroller's Office is to be recognized as a highly competent, cohesive team leading the quest for continuing excellence in the effective safeguarding and ethical management of public funds, assets, and documents.



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September 14, 2023

Jerry L. Demings, County Mayor
and
Board of County Commissioners

We have performed a follow-up audit of the Orange County Animal Services Division Dangerous Dog Compliance Program (Report No. 469). The original audit, issued in June 2018, reviewed the period from January 2010 through December 2015. In order to test the status of the previous recommendations, we reviewed the period from November 2020 through October 2022.

We conducted this audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

This report summarizes the current status of the previous recommendations including implementation status and remaining recommended work. Additionally, a new recommendation was identified as part of this review. The Director of Health Services' response follows the new recommendation.

We appreciate the cooperation of Animal Services Division personnel during the course of the audit.

Phil Diamond, CPA
County Comptroller

- c: Byron Brooks, County Administrator
Danny Banks, Deputy County Administrator
Raul Pino, MD, MPH, Director, Health Services
Diane Summers, Division Manager, Animal Services Division

DANGEROUS DOG COMPLIANCE PROGRAM FOLLOW-UP

Audit Period
November 2020 – October 2022

We conducted a follow-up audit of our June 2018 Audit of the Orange County Animal Services Dangerous Dog Compliance Program (Report No. 469). The prior audit report can be viewed at <https://www.occompt.com/county-audit/audit-reports/>.

There were five recommendations in the previous report. Recommendation statuses are summarized in the graph below. We also identified an additional concern that was not identified in the original audit regarding removing bite numbers.

RECOMMENDATION STATUS



BACKGROUND



The Orange County Animal Services Division (Animal Services) is an organization focused on animal welfare. Animal Services strives to protect the health and safety of animals and Orange County citizens. To accomplish these goals, Animal Services enforces Florida Statute and Orange County Code (Code), provides a low-cost spay/neuter program, promotes pet adoptions, and offers extensive community education and outreach initiatives. Additionally, Animal Services investigates dog bite incidents to determine if a dog may be dangerous or potentially dangerous. If a dog is declared dangerous, Animal Services subsequently monitors owner compliance with the dangerous dog requirements.

Dangerous Dog Definition

The Code defines a dangerous dog as any dog that, according to Animal Services Division records; other animal control or law enforcement authorities; or as attested to by sworn affidavit:

- (1) Has aggressively bitten, attacked or endangered or has inflicted severe injury on a human being on public or private property, including the owner's property other than in defense of the owner, or the owner's home, in response to an action of the person injured or attacked;
- (2) Has severely injured or killed a domestic animal while off the owner's property;
- (3) Has been used primarily for the purpose of dog fighting or is a dog trained for dog fighting; or
- (4) Has, when unprovoked, chased or approached a person upon the streets, sidewalks or any public grounds in a menacing fashion or apparent attitude of attack; provided that such actions are attested to in a sworn statement by one (1) or more persons and dutifully investigated by the animal services division.
- (5) Dogs used by law enforcement officials for law enforcement work are exempt from dangerous dog classification

AUDIT SCOPE, PERIOD, AND OBJECTIVE

The scope was limited to Animal Services' compliance with the Orange County Code relating to dangerous dogs. The audit period was November 2020 through October 2022.

The objective of the audit was to determine the implementation status of the previous recommendations from the Audit of the Orange County Animal Services Dangerous Dog Compliance Program (Report No. 469).

METHODOLOGY

To determine whether the prior recommendations were implemented, we performed the following:


- Confirmed Animal Services consulted with the County's Attorney Office on the use of the Declination of Intent (DOI) form and documented procedures for DOI form use in internal policies.



- Reviewed bite numbers recorded during the audit period to identify bites that should have been investigated.
- For a sample of 20 bites, we verified that investigations included:
 - A completed investigation report;
 - A copy of the dog's current rabies vaccination record;
 - A quarantine notice; and,
 - If the dog was not declared dangerous, a signed DOI or other evidence indicating the bite victim did not want to proceed with an investigation.
- Verified that Animal Services timely completed annual inspections and collected registration fees for a sample of 10 currently registered dangerous dogs. Additionally, verified Animal Services monitored non-compliance issues identified to ensure they were corrected.
- Confirmed that a sample of five dangerous dog owners timely completed the Responsible Pet Ownership (RPO) class.
- Verified Animal Services completed appropriate actions for address changes.
- Verified that the Division's fee schedule aligns with the Code.



PRIOR RECOMMENDATION

<p style="text-align: center;">Recommendation 1</p>	<p>Animal Services should discontinue the practice of stopping a dangerous dog investigation based solely on a victim’s request.</p>
<div style="text-align: center;">  <p>FULLY IMPLEMENTED</p> </div>	<p>When a victim is unwilling to proceed with an investigation, Animal Services asks the victim to sign a Declination of Intent (DOI) form to formally document their unwillingness to proceed with an investigation. In response to our previous recommendation, Animal Services responded that they would review the DOI form with the County Attorney’s Office and create a formal policy for its use.</p> <p>The County Attorney’s Office advised that without a willing victim the dog cannot be declared dangerous. To document a victim’s unwillingness to proceed, the DOI form should be completed.</p> <p>Audit reviewed the investigation files for a sample of 20 bite complaints. After reviewing the 20 investigation files, we identified three dogs that were not declared dangerous because the owner was unwilling to proceed. Each of these three files included either a signed DOI form or case notes documenting the victim’s unwillingness to proceed.</p> <p>According to Animal Services, some victims refuse to sign the DOI form. In these situations, other evidence such as case notes, are included in the investigation file. During the audit, Animal Services modified the investigation checklist requiring either a signed DOI or case notes documenting when a victim is unwilling to proceed.</p>
<p style="text-align: center;">WHAT REMAINS TO BE DONE</p>	<p>No further action required.</p>



Recommendation 2



Animal Services should ensure that owners comply with the dangerous dog registration and annual renewal requirements. A citation should be issued to owners not in compliance with the Code.

Dangerous Dog Registration

If an investigation concludes that a dog should be classified as a dangerous dog, the dog will be held at Animal Services' facilities until the owner completes all necessary requirements.


Code Section 5-32(e) states "within fourteen (14) calendar days after a dog has been classified as dangerous or potentially dangerous, the owner of the dog must obtain a certificate of registration and dangerous or potentially dangerous dog identification tag for the dog from the Division." To obtain a certificate of registration, the owner must complete the responsible pet ownership (RPO) class.



We selected a sample of five newly registered owners and verified that the owners completed the RPO class within 14 days after the dog was classified as dangerous as required by the Code. We determined that 60% (3 of 5) of owners did not complete the RPO class within 14 days. These classes were completed 29 to 81 days after their dogs were classified as dangerous.

Animal Services' internal policy requires the RPO class to be completed within 60 days. This policy is inconsistent with the Code's 14 day requirement. This conflict resulted in non-compliance with the Code. We acknowledge the Division's efforts made to require owners to complete the RPO class. However, the Division's internal policies should align with the Code.


Annual Renewal Requirements

Animal Services annually inspects homes to ensure all dangerous dog requirements are met.

<p>WHAT REMAINS TO BE DONE</p>	<p>For a sample of ten dangerous dog owners, we confirmed:</p> <ul style="list-style-type: none"> • Annual inspections were completed; • Current rabies vaccinations were obtained; • All required inspection steps were completed and evidenced with supporting photos; and, • Registration payments were received. <p>Animal Services should revise its internal policies to reflect current Code requirements. Alternatively, it could work with County Administration to revise the Code so that it is consistent with Animal Services' policies.</p>
<p>Recommendation 3</p>	<p>Animal Services should issue citations for owners that fail to notify the Division of a move within 24 hours unless reasonable cause exists.</p>
<p> FULLY IMPLEMENTED</p>	<p>During the annual inspection, Animal Services verifies owner addresses. If an owner has moved, Animal Services attempts to locate the owner. Citations are issued to owners who do not notify Animal Services of a move within 24 hours.</p> <p>When comparing addresses to identify any owners that moved, we identified two owners. One owner notified Animal Services. The other owner did not notify Animal Services of the move and a citation was issued within 24 hours of discovering the change of address.</p>
<p>WHAT REMAINS TO BE DONE</p>	<p>No further action required.</p>

<p>Recommendation 4</p>	<p>Animal Services should:</p> <p>A) Implement written procedures addressing the timely follow-up of unpaid fees and court cases relating to citations issued.</p> <p>B) Work with the County’s legal department and the Clerk’s Office to identify additional procedures that should be applied for non-compliance.</p>
<p> FULLY IMPLEMENTED</p>	<p>Animal Services focuses its resources on performing procedures to ensure owners are in compliance with the Code instead of following up on unpaid citations issued. By focusing on ensuring compliance, repeat citations for the same issue would be reduced or eliminated.</p> <p>After reviewing dangerous dog initial registration and annual inspections, we identified additional procedures performed by Animal Services for non-compliance, including:</p> <ul style="list-style-type: none"> • Performing follow-up inspections; • Confiscating the owner’s dog and vaccinating for rabies; or, • Requiring the owner to retake the RPO class. <p>We determined that all owners were in compliance after one or more of the additional procedures were performed.</p>
<p>WHAT REMAINS TO BE DONE</p>	<p>No further action required.</p>
<p>Recommendation 5</p>	<p>Animal Services should implement the inflation adjustments enacted by the Board of County Commissioners.</p>
<p> FULLY IMPLEMENTED</p>	<p>In response to our previous recommendation, the Board of County Commissioners approved resolution No. 2020-M-03. The resolution revised Animal Services’ fees and removed the mandatory inflation adjustment requirement as requested by Animal Services.</p>
<p>WHAT REMAINS TO BE DONE</p>	<p>No further action required.</p>

NEW RECOMMENDATION

<p>New Recommendation</p>	<p>Bite numbers removed from internal reporting should be reviewed.</p>
 <p>NEW RECOMMENDATION</p>	<p>Animal Services receives dog bite reports from medical facilities, Orange County’s 311 Customer Service Call Center, and calls made directly to Animal Services. A record of each bite is entered in a database with relevant information that has been obtained. When a bite is entered in the database, a unique bite number is assigned to each incident.</p> <p>During our review, we noted gaps in the unique bite numbers in the database¹. Animal Services management stated that bite numbers are removed from the database for bites that do not break the skin. Duplicate bite entries are also removed. According to management, these bite numbers are removed to ensure monthly bite reporting is not inflated.</p> <p>The County’s Information Systems and Services Department was able to recover the removed bites for our review. After reviewing the removed bites, it appeared that none would have required further investigation.</p> <p>Internal monthly reports used by management include total number of dog, cat, and other animal bite cases. To ensure accurate reporting, removed bite numbers should be reviewed and monitored to ensure they are not removed inappropriately.</p>
<p>WHAT SHOULD BE DONE</p>	<p>Animal Services should develop procedures to review removed bite numbers from monthly reporting to ensure bites were not removed inappropriately.</p>

¹ The unique bite numbers in the database include all reported bites, not just dangerous dog bites.

APPENDIX – MANAGEMENT RESPONSE




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August 29, 2023

TO: Wendy Kittleson, CPA, CISA, CIA, Assistant Comptroller
Comptroller's Office

THRU: Raul Pino, MD, MPH, Director
Health Services Department 

THRU: John Goodrich, Deputy Director
Health Services Department

FROM: Diane Summers, Manager
Animal Services Division

SUBJECT: Response to "Follow-up Audit of the Orange County Animal Service
Dangerous Dog Compliance Program"

Animal Services worked closely with the Comptroller's Office to make available information and records related to the dangerous dog program and is pleased to review the final audit follow-up report.

The follow-up report found Animal Services fully implemented the majority of recommendations from the initial audit. The report noted one prior recommendation as partially implemented: *"Animal Services should ensure that owners comply with the dangerous dog registration and annual renewal requirements. A citation should be issued to owners not in compliance with the Code."*

The audit report found deficiency in the timeframe in which dangerous dog owners are complying with the requirement for the responsible pet ownership class, stating: *"Animal Services' internal policy requires the RPO class to be completed within 60 days. This policy is inconsistent with the Code's 14 day requirement."* Animal Services intends to propose a revision to the Code which will rectify this issue. The upcoming Board of County Commissioners work session to address this is scheduled for Tuesday, September 26, 2023. Animal Services hopes to have the Code, as it relates to the dangerous dog program, updated by the end of the calendar year.

Additionally, the audit report resulted in a new recommendation for Animal Services: *"Animal Services should develop procedures to review removed bite numbers from monthly reporting to ensure bites were not removed inappropriately."* Currently the Program Coordinator and Business Systems Analyst can remove erroneous/duplicate bite reports from the local database, with the original records still accessible through the County ISS Division. Moving forward, the Program Coordinator will review any erroneous/duplicate bite reports with Manager or designee on a weekly basis for concurrence in removal from the local database.

In conclusion, Animal Services looks forward to making these final modifications to the program to ensure it is operating at peak efficiency.

