



COMPTROLLER'S INVESTIGATIVE REPORT

Anderson County Animal Care and Control

December 6, 2022

Jason E. Mumpower
Comptroller of the Treasury



DIVISION OF INVESTIGATIONS



JASON E. MUMPOWER
Comptroller

December 6, 2022

Mayor Terry Frank
and Members of the County Commission
100 N Main Street
Clinton, TN 37716

Anderson County Officials:

The Office of the Comptroller of the Treasury conducted an investigation of selected records of the Anderson County Animal Care and Control Department, and the results are presented herein.

Copies of this report are being forwarded to Governor Bill Lee, the State Attorney General, the District Attorney General of the 7th Judicial District, certain state legislators, and various other interested parties. A copy of the report is available for public inspection in our Office and may be viewed at <http://www.comptroller.tn.gov/ia/>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason E. Mumpower", with a long horizontal line extending to the right.

Jason E. Mumpower
Comptroller of the Treasury

JEM/MLC

INVESTIGATIVE REPORT

Anderson County Animal Care and Control Department

The Office of the Comptroller of the Treasury, in conjunction with the Anderson County Sheriff's Department, investigated allegations of malfeasance related to the Anderson County Animal Care and Control Department (department). The investigation was initiated after Anderson County officials reported several concerns. The investigation was limited to selected records for the period February 28, 2021, through March 31, 2022. The results of the investigation were communicated with the Office of the District Attorney General of the 7th Judicial District.

BACKGROUND



Located at 1480 Blockhouse Valley Road in Clinton, Tennessee, the department exists to serve the residents of Anderson County. The department is charged with investigating animal bites, animal cruelty and abuse, and complaints of animal noise annoyance, unsanitary conditions, or abandoned animals. In addition, the department rescues injured or sick animals, controls stray and potentially dangerous animals roaming at large, and transports lost pets to the animal shelter where their owners can reclaim them.

The department employs a director that oversees department finances and activities. The director was also a Certified Animal Euthanasia Technician (CAET) licensed through the Tennessee Board of Veterinary Medical Examiners (board). The board first issued a CAET license to the department director on August 20, 2003. The board is charged with safeguarding the health, safety, and welfare of Tennesseans by assuring all who practice as an animal euthanasia technician within this state are qualified through board approved courses. Each CAET license is valid for a biennial period. The board's administrative office mails renewal notices 45 days prior to the CAET license expiration date to the licensee's address on record. The director renewed his license on a biennial basis until he received the 2021 renewal application. The director did not submit the 2021 renewal application to the board, resulting in his CAET license expiring on February 28, 2021.

RESULTS OF INVESTIGATION

- **THE DIRECTOR FAILED TO MAINTAIN AN ACTIVE CERTIFIED ANIMAL EUTHANASIA TECHNICIAN LICENSE WHILE EUTHANIZING ANIMALS**

Investigators determined the director's CAET license expired on February 28, 2021, however he continued to euthanize animals until December 7, 2021 without having an active CAET license. Investigators determined the director euthanized 140 animals after his license expired.

Chapter 1730-05-.14 of the rules of the board require all animal euthanasia personnel to follow federal regulations for the use of controlled substances including storage and recordkeeping. In addition, all personnel must maintain a record of all euthanasia and pre-euthanasia solutions administered. Pursuant to this rule, the director maintained a Controlled Substance Usage Log that included euthanasia drug information as well as information such as date administered, method dispensed, animal identifying information, and death verification method. For each usage of the euthanasia drug, the Controlled Substance Usage Log required a signature of the individual administering the drug. The logs indicated that the director did not change the methods he used to administer or record the usage of euthanasia drugs after his license expired. Anderson County officials obtained statements from current employees, former employees, and volunteers that worked within the department regarding these euthanized animals. Through review of selected statements, investigators determined several individuals witnessed the director euthanizing animals within the department facilities after his license expired.

Section 63.12.141 (b), *Tennessee Code Annotated*, states the board, upon submission of a complete application and payment of a fee established by the board, shall issue to any person who it determines to be qualified, a certificate for such person to function as a certified animal euthanasia technician. It is a Class B misdemeanor for any person or entity to use or imply that such person or entity has been granted a certificate as a certified animal euthanasia technician unless a certificate has been granted under this title. Ensuring only certified individuals euthanize animals reduces the risk an animal is euthanized improperly.

The director admitted to investigators that he inadvertently failed to renew his CAET license and took full responsibility for this oversight. In addition, the director stated he had started the process to get recertified. Investigators determined the director paid a civil penalty of \$225 to the Department of Health, in accordance with the *Rules of Tennessee Board of Veterinary Medical Examiners*, applied for reinstatement of his license, and took a CAET certification class. However, the director notified the board on July 7, 2022, that he would like to withdraw his application due to his pending retirement. The director retired from Anderson County on July 20, 2022.

COMPLIANCE DEFICIENCY

The Comptroller's investigation revealed a deficiency in compliance.

Deficiency: A department employee improperly solicited donations

A department employee used Facebook to solicit donations for animal medical bills for the department. In the Facebook post dated November 23, 2021, the employee presented herself on behalf of the department, and she received \$510 in donations. On November 30, 2021, Anderson County officials met with the employee and informed her that Anderson County employees are not permitted to solicit private funds in the name of the department. Furthermore, Anderson County officials requested the employee submit all solicited funds to the county and remove the solicitation immediately. On December 14, 2021, the county received funds from the employee totaling the amount solicited (minus fees Facebook charges for collection). The county receipted these funds as a donation. Anderson County officials did promptly identify and rectify the issue. The employee resigned from Anderson County on August 9, 2022.
