

ANIMAL SHELTERS IN TENNESSEE



May 2008



STATE OF TENNESSEE

COMPTROLLER OF THE TREASURY

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The Honorable Ron Ramsey
Speaker of the Senate
The Honorable Jimmy Naifeh
Speaker of the House of Representatives
and
Members of the General Assembly
State Capitol
Nashville, Tennessee 37243

Ladies and Gentlemen:

Transmitted herewith is a study prepared by the Office of Research concerning animal care and control issues in Tennessee. The report provides an overview of such services by Tennessee's local governments and makes recommendations for improvement.

Sincerely,

John G. Morgan
Comptroller of the Treasury

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EXECUTIVE SUMMARY

Historically, animal control was synonymous with rabies control. More recent animal care and control programs encompass much more, providing a number of services for communities that focus on protecting the safety and health of people and companion animals. Enforcing ordinances and responding to complaints, rabies prevention, sheltering stray and homeless animals, and dog bite prevention programs are a few of the services animal control may provide to a community.

Depending on local government priorities and budgets, animal care and control programs may or may not have adequate resources to provide the services communities desire. Tennessee shelters vary in human and financial resources, staff qualifications, facility conditions, budgets, and governance.

Conclusions

Tennessee traditionally has treated animal control and sheltering as local issues, primarily supported by local government funds. As a result, availability and quality varies considerably across the state. (See page 3.)

Tennessee does not provide state-level guidance for animal control and sheltering or related issues. (See page 4.)

- Tennessee does not require all shelters to follow specific standards of animal care, shelter design or facility procedures.
- Tennessee does not require or provide training standards for animal control officers.
- Tennessee does not require data reporting from animal shelters.

Tennessee law requires the spaying or neutering of animals adopted from shelters, but does not define adoption or enforcement mechanisms. Penalties for violation are limited. Consequently, some animals likely leave shelters without being spayed or neutered. (See page 7.)

- Tennessee's spay/neuter law does not define adoption. It is unclear whether transfers of animals to rescue groups constitute adoption under the law, calling into question the responsibility of these groups to spay/neuter.
- Although Tennessee law requires new owners to sign spay/neuter agreements, shelters are not required to enforce them. Consequences for an individual adopter's failure to meet that requirement are limited.

Recommendations

The General Assembly may wish to consider granting the State Departments of Agriculture and Health a more substantive role in animal shelter oversight.

The General Assembly may wish to require that animal shelters follow minimum standards.

The General Assembly may wish to create oversight and enforcement mechanisms to ensure that animal shelters follow minimum standards.

The General Assembly may wish to consider requiring training for animal control officers and shelter personnel.

The General Assembly and/or local legislative bodies may wish to expand funding sources for animal control and sheltering programs.

The General Assembly may wish to include definitions of terms such as "adoption" and "rescue group" in *The Tennessee Spay/Neuter Law*, as well as consider including enforcement mechanisms and/or stronger incentives for following the law.

See pages 8-9 for a full discussion of the report's recommendations.

TABLE OF CONTENTS

INTRODUCTION	1
DIRECTIVE AND SCOPE	1
BACKGROUND	1
CONCLUSION 1: Tennessee traditionally has treated animal control and sheltering as local issues, primarily supported by local government funds. As a result, availability and quality varies considerably across the state.	3
CONCLUSION 2: Tennessee does not provide state-level guidance for animal control and sheltering or related issues.	4
CONCLUSION 3: Tennessee law requires the spaying or neutering of animals adopted from shelters, but does not define adoption or enforcement mechanisms. Penalties for violation are limited. Consequently, some animals likely leave shelters without being spayed or neutered.	7
RECOMMENDATIONS	8
APPENDICES	
Appendix 1: Persons Contacted	10
Appendix 2: Certified Animal Control Agencies as of December 17, 2007	11
Appendix 3: CTAS Recordkeeping Guidelines	12
ENDNOTES	14
EXHIBITS	
Exhibit 1: Selected states' statutorily defined responsibilities concerning companion animal issues	5
Exhibit 2: Mandated standards for animal shelters, by selected state	6
Exhibit 3: Benefits of statewide data collection and record keeping	7

INTRODUCTION

Historically, animal control was synonymous with rabies control.¹ More recent animal care and control programs encompass much more, providing a number of services for communities that focus on protecting the safety and health of people and companion animals. The Humane Society of the United States (HSUS) identifies pet overpopulation as an expensive contributing factor for animal care and control programs. HSUS estimates the national cost of pet overpopulation to be \$2 billion per year for animal control services and care for homeless animals.² U. S. shelters euthanize half of the 6,000,000 to 8,000,000 cats and dogs they take in every year.³ In Tennessee, 24 animal shelters euthanized 77,022 companion animals in 2006, or 65 percent of the animals taken into those shelters.⁴ (See Appendix 2.) This number represents only a portion of the total, because shelters do not keep or report uniform statistics, and the number of shelters operating in Tennessee is unknown.

Because of the large number of animals entering U.S. shelters, facility and animal care standards are important. Depending on local government priorities and budgets, animal care and control programs may or may not have adequate resources to provide the services communities desire. Tennessee shelters vary in human and financial resources, staff qualifications, facility conditions, budgets, and governance.

DIRECTIVE AND SCOPE

By legislative request in April 2007, the Comptroller's Office of Research began researching animal shelter standards in Tennessee. Research staff determined that information on the operation of animal shelters in the state was scant. This report provides a general overview of animal shelters and animal control issues. Conclusions and recommendations are based on:

- Review of applicable statutes, policies and standards from Tennessee and surrounding states;
- Interviews with Departments of Health and Agriculture personnel;
- Interviews with personnel from Certified Animal Control Agencies, other shelters, and independent organizations that work with shelters and animal control; and
- Literature reviews.

This report considers the following questions:

1. What is animal control and how does it operate in Tennessee? What entities provide animal control and sheltering?
2. What state agencies are involved in animal shelter/animal control programs and policies statewide?
3. What requirements, regulations, and state laws apply to animal control and sheltering?

BACKGROUND

Animal Care and Control Services

Enforcing Ordinances and Responding to Complaints. Local ordinances serve a community's particular animal care and control needs. Ordinances may address numerous issues, for example: pet licensing/registration; citation and impoundment fees; animal abuse; dangerous-dog laws; rabies control; leash laws; nuisance laws; poop scooper laws; and animal hoarding.⁵

Rabies prevention. Identifying rabies as a fatal disease and a serious public health problem, the National Association of State Public Health Veterinarians, Inc. (NASPHV) recommends that local governments initiate and maintain effective dog and cat vaccination programs and the removal of stray and unwanted animals.⁶ They suggest registration or licensure of all dogs, cats, and ferrets to aid in rabies control.⁷

Sheltering stray and homeless animals. Animal shelters fulfill two community functions: providing care for animals in need and implementing animal control and care programs.⁸ Animals stay at an animal shelter until one of several options occurs: reclamation by owner, placement with another organization, adoption, or euthanasia.

Dog Bite Programs. Annual estimates of dog bites requiring medical attention in the U.S. range from 500,000 to 800,000. In 2005, "dog bites cost insurers roughly \$317.2 million."⁹ Almost half of dog bite victims are children younger than 12 years old.¹⁰ Between 2001 and 2006, dog bites were the ninth leading cause of nonfatal injury among children ages five to nine.¹¹ Unneutered male dogs are involved in 70 to 76 percent of reported dog bite incidents. The American Veterinary Medical Association (AVMA) posits that a "well-resourced animal control agency is vital for public health and

safety within the community,” and should be involved in community efforts, including bite prevention education, post-bite programs, investigation, and reporting.

Animal Control Officers’ Duties:

Animal Control Officers’ (ACO) duties vary among states and localities and often depend on the departments in which their operations are housed, as well as on state laws and local ordinances.

Generally, ACO responsibilities include:^{12, 13}

- Carrying out provisions of local ordinances, regulations and statutes;
- Operating shelter facilities efficiently and humanely;
- Licensing of dogs/cats, if required;
- Performing field service duties, such as control of unrestrained and free-roaming animal populations and collection of animal carcasses on roads;
- Investigation of animal bite-related incidents and cruelty cases;
- Administration of rabies quarantine programs after an animal bites; and
- Community education and outreach regarding responsible ownership, spay/neuter programs, control of dangerous animals, and rabies vaccinations.

Animal Sheltering Entities in Tennessee

Various types of entities operate as temporary holding facilities for non-livestock companion animals:¹⁴

- *Animal shelters* house stray or unwanted animals, and are either public or private.
- *Humane societies* encompass “many independent nonprofit organizations with a mission to promote the humane care and welfare of companion animals.”¹⁵
- *Animal control agencies* include governmental facilities that house animals, including a county or municipal animal shelter, dog pound, or humane society that is working with local government.¹⁶
- *Rescue groups’* missions are to rescue animals from the results of pet overpopulation; because many of these groups are breed-specific, a common term now used in place of “rescue group” is *breed-placement group*.¹⁷

Although Tennessee law defines “certified animal control agencies,”¹⁸ state statutory language is vague with regard to other sheltering entities.

Tennessee Code Annotated (T.C.A.) 68-8-102 (rabies chapter) defines a “shelter” as an “animal or humane shelter, dog pound or animal pound” but does not address rescue groups.¹⁹ Because Tennessee does not collect information on animal shelters in a central location, researchers could not determine how many operate in the state. Basic internet searches using information from Companion Animal Initiative of Tennessee and Petfinder.com revealed nearly 300 shelters or rescues operating; however, the quality and condition of those facilities are not known.²⁰

Statewide Non-governmental Organizations

In addition to entities that function as temporary holding facilities for non-livestock animals, other groups in Tennessee provide support for animal care and control activities. Most support groups function at the local level, but several organizations operate statewide in Tennessee.

- *Animal Control Association of Tennessee* (ACAT) is a nonprofit association that works to improve the methods and standards of the animal control profession on a statewide basis and to educate the public about work performed by animal control organizations.²¹ Any person or organization working in or affiliated with animal control work or welfare may join. ACAT also provides training for animal control and animal shelter personnel.²²
- *Companion Animal Initiative of Tennessee* (CAIT) is a program housed within the University of Tennessee College of Veterinary Medicine. CAIT works to improve companion animals’ lives and reduce pet overpopulation through humane education promotion and spay/neuter initiatives.²³
- *Tennessee Humane Association* (THA) works “to decrease the number of homeless, neglected, displaced, and abused animals...by working together as a coalition of organizations and individuals.”²⁴
- *The Humane Society of the United States* (HSUS) is a national organization that serves local animal shelters in Tennessee by offering national shelter standards, guidelines and recommendations for care and operations, training programs, disaster assistance, operational guidance, spay and neuter program support, and financial assistance.²⁵

CONCLUSION 1: Tennessee traditionally has treated animal control and sheltering as local issues, primarily supported by local government funds. As a result, availability and quality varies considerably across the state.

Not every city and county in Tennessee has an animal control or sheltering program, nor does the state require it. It is unknown how many animal sheltering facilities exist in the state, where they are located, the type of care they provide to animals in their custody, or the services they offer to their communities. Tennessee law addresses several companion animal²⁶ issues including, but not limited to: dog and cat dealers who sell more than 25 animals per year; euthanasia; spaying and neutering of animals adopted from shelters; cruelty to animals; and rabies control.²⁷ However, state law gives local governments the *option* to provide animal control services and animal shelters to its residents. Counties may choose whether to “license and regulate dogs and cats, establish and operate shelters and other animal control facilities, and regulate, capture, impound and dispose of stray dogs, stray cats and other stray animals.”²⁸ Municipalities have the authority to regulate dogs and cats, as well as stray animals.²⁹ Duties of animal control personnel vary depending upon local ordinances. In some circumstances, animal control officers may enforce animal cruelty statutes.³⁰

Animal Control Ordinances

The state gives county legislative bodies the power to license and regulate dogs and cats, deal with stray animals, and establish and operate animal shelters and control facilities.³¹ However, Companion Animal Initiative of Tennessee (CAIT) estimated that at least 23 counties did not have either animal control or an animal shelter as of January 2007.³² When a local government does not provide animal control, neighboring counties and municipalities may bear the costs, because animals wander into their jurisdictions, or citizens in counties and municipalities without these services take animals to those areas where the services are available.³³

Ordinances Requiring Adequate Animal Care

Most local city ordinances do not clearly require animal shelters or animal control to follow articulated animal care standards. Of 226 available local city ordinances, 180 have rules regarding the necessity of *citizens* to provide adequate food, water, and shelter for animals they keep within the city limits; however, only nine cities provided definitions of “adequacy.” Some larger cities’ ordinances — those in Knoxville, Oak Ridge, and Nashville, for example — outline specific expectations. Knoxville³⁴ and Oak Ridge³⁵ describe minimum care guidelines that apply to animal owners, but the guidelines do not clearly apply to shelters. Nashville’s ordinance defines adequate care, food, water, and shelter. Only seven cities made specific reference to adequacy of care provided for animals *held in the custody of the city* (animal control).³⁶ Of those, most had a similar version of this standard ordinance:

The city health officer [poundkeeper/animal control officer/animal shelter] shall provide clean, comfortable and sanitary quarters for all dogs [or animals], keeping males and females separate and vicious dogs separate and shall provide liberal allowance of wholesome food and fresh, clean water.³⁷

Varied Structure/Staffing

The size, staffing, and capacity of animal shelters varies among local governments. Counties and municipalities provide animal control and shelter services in the following ways: (1) local government provides animal control; (2) the county and municipalities contract with each other to provide countywide animal shelter service; (3) county and/or municipalities contract with private organizations for animal control/shelter service; or (4) the county or any municipality therein does not provide animal control and/or sheltering services. Often a county or municipality provides animal control services without operating an animal shelter; for example, a police officer could serve as the animal control officer for the locality. Localities that provide animal shelter services may house the operation under the mayor’s office, but often it is within the police, health, public works, or sanitation departments.

Funding

Local governments that provide animal control fund it with appropriations, donations, and/or registration fees. Counties may levy a tax, the proceeds of which will “secur[e] humane treatment of animals.”³⁸ Local governments may also adopt local laws and ordinances to require dog and cat registration, the proceeds of which go towards maintenance of an animal control/rabies control program.³⁹ A review of several municipal/county audits indicates animal control is usually identified under a division and not as a separate budget line item. Although a local government may choose to fund animal control, lack of sufficient funding may result in inadequate staffing and an inability to perform necessary shelter functions.⁴⁰

State funding is limited. Although the state offers “animal-friendly” license plates to support grants for existing low-cost spay/neuter programs,⁴¹ the grants are small and only a few are available per year. For FY 2008, the Department of Agriculture had approximately \$190,000 from specialty license plate sales available for grants no larger than \$8,000 each.⁴²

Best Practice

According to the International City/County Management Association (ICMA), each community should have a program to handle animal-related complaints and problems. The ICMA characterizes successful programs as having:⁴³

- Political and financial local government support;
- A comprehensive, regularly updated animal control ordinance and the authority and ability to enforce it;
- Policies to ensure that all animals adopted from shelters are sterilized;
- Laws and programs that create incentives for citizens to have their pets sterilized, and adjunct programs for affordability;
- Adequate, well-maintained facilities and equipment;
- Animal control officers and animal care staff who are professionally trained to quickly and humanely handle animals at minimum risk to personnel;
- Good working relationships and support of local veterinarians, law enforcement, social services, and animal-advocacy organizations; and
- Proactive public education programs.

CONCLUSION 2: Tennessee does not provide state-level guidance for animal control and sheltering or related issues.

Tennessee state agencies are not statutorily responsible for monitoring animal shelter operations. Other states require animal sheltering facilities to be registered or licensed with the state.⁴⁴ Some states additionally authorize inspections of those facilities.⁴⁵ Several neighboring states also assign their Departments of Agriculture or Health to oversee some companion animal issues, including sheltering and facility licensing. (See Exhibit 1.)

Tennessee does not require facility registration, licensing, or inspection. However, the Department of Health’s Board of Veterinary Medical Examiners (Board) certifies those animal shelters that directly purchase federally controlled substances such as sodium pentobarbital to euthanize animals. Through an application and inspection process,⁴⁶ the Board certifies these Certified Animal Control Agencies (CACAs) for the purpose of adhering to U.S. Drug Enforcement Agency regulations.⁴⁷ The Board listed 49 CACAs as of December 2007.⁴⁸ In addition, the Department’s Communicable and Environmental Disease division consults with regional and county health departments on rabies control.⁴⁹

Although not statutorily required, the Tennessee Department of Agriculture fields inquiries regarding animal cruelty and other companion animal issues.⁵⁰ Although those issues do not fall within the Department of Agriculture’s jurisdiction, staff try to answer questions and refer people to the appropriate authorities.⁵¹

Tennessee does not require all shelters to follow specific standards of animal care, shelter design, or facility procedures. Lack of written guidelines and standards paired with insufficient resources and an untrained small staff could lead to potential overcrowding, poor animal care, and the possible spread of disease. Tennessee requires CACAs to have a separate enclosed euthanasia room, and clean, well-lighted temperature-controlled pens and cages.⁵² However, as of July 2007 the inspection form used by CACA inspectors did not address these requirements.⁵³ The state does not have additional

facility requirements for CACAs, nor does it require non-certified facilities to adhere to any regulations. National-level organizations, including the American Veterinary Medical Association (AVMA), provide minimal companion animal care guidelines for humane societies and animal control agencies.⁵⁴ Several states surrounding Tennessee require animal sheltering facilities to follow some minimum standards of facility construction and animal care. Exhibit 2 identifies surrounding states that have state-level mandated standards for all animal shelters. These standards vary in specificity, from rigorous (e.g., Virginia and North Carolina) to basic (e.g., Kentucky).

Animal shelters and animal control facilities may have their own standards and written guidelines, although these are not required. A survey conducted at the annual Animal Control

Association of Tennessee (ACAT) meeting in October 2007 showed that the majority⁵⁵ of ACAT member facilities had written shelter guidelines. However, while ACAT's members include 24 facilities around the state, researchers encountered over 300 Tennessee entities that claimed to be shelters or rescues through internet searches. Therefore, researchers cannot ascertain an exact number of organizations that lack either standards or written guidelines, or both.

Tennessee does not require or provide training standards for animal control officers. According to the International City/County Management Association, in order to have a successful animal control program, staff should be professionally "trained in humane animal handling and restraint, animal care and behavior, zoonotic disease prevention, public education and conflict resolution,

Exhibit 1: Selected states' statutorily defined responsibilities concerning companion animal issues

	DESIGNATED STATE-LEVEL DEPARTMENT OR OFFICE (RESPONSIBILITY)
Alabama	Department of Health (Rabies Control)
Arkansas	Department of Health (Voluntary certification of animal control officers, animal shelters)
Georgia	Animal Health Division of Department of Agriculture (Interstate movement health requirements; Dead animal disposal; Animal protection; Dog/cat sterilization program)
Kentucky	Animal Control Advisory Board of the Department of Agriculture (Establishing shelter standards; Creating/sponsoring training programs; Distributes grant funds for establishing new shelters)
Louisiana	Animal Welfare Commission (Ensure and promote proper treatment and well-being of animals; Optional minimum standards for animal shelters)
Missouri	Department of Agriculture (Facility licensing and inspection; Revocation of licenses; Monitoring facility standards)
North Carolina	<ul style="list-style-type: none"> ▪ Animal Health Division of Department of Agriculture and Consumer Services (Establishes standards of care, transportation guidelines, recordkeeping requirements and euthanasia rules) ▪ Department of Health and Human Services (Spay/Neuter program)
Virginia	<ul style="list-style-type: none"> ▪ Department of Agriculture and Consumer Services (Inspect shelters, pounds, pet shops, etc. to determine violations in care, control or protection of animals; Maintenance of Dangerous Dog Registry; Data collection, including information on employment and training status of ACOs employed in each locality; Provides assistance and advice concerning adequacy of minimum housing and cage construction; Approves training for humane investigators) ▪ State Veterinarian in consultation with Department of Criminal Justice Services, Department of Social Services, Virginia Animal Control Association, Virginia Veterinary Medical Association, etc. (Training of ACOs and maintaining records of training compliance)
Tennessee	Department of Health (Rabies Control; Euthanasia Technician Certification)

Source: Review of other state laws, rules, and regulations.

investigation techniques, and law enforcement.”⁵⁶ These suggested skills are in line with the general duties of an animal control officer (ACO).

Virginia requires training for animal control officers in state laws and local ordinances, as well as animal identification, behavior, care, animal disease principles, pound regulations, euthanasia, and public safety.⁵⁷ Florida, Kentucky, Missouri, and North Carolina require training in animal care in order to meet minimum standards.⁵⁸ Mandatory certification and training curricula in other states are structured and comprehensive. For example, Virginia ACOs are required to have a minimum of 56 training hours.⁵⁹ Arkansas’s Department of Health has a voluntary certification program for ACOs, animal shelters, and humane societies based on courses recommended by the National Animal Control Association (NACA). The Arkansas Animal Control Association administers the training in cooperation with the Department of Health.⁶⁰

While Tennessee does not require training or a specific skill set for ACOs, training opportunities are available. If an ACO wishes to obtain training, he/she may receive comprehensive training from

several national organizations (i.e., NACA, HSUS, American Humane Association), and more limited training from state organizations (i.e., ACAT, Companion Animal Initiative of Tennessee). ACAT provides information regarding training, and encourages its members to receive basic training including information on state laws, city/county ordinances, animal handling, bite stick, pepper spray, and cruelty investigations. ACAT also recommends that ACOs take the National Animal Control Association I and II courses, which allow them to be nationally certified.⁶¹ However, researchers heard many instances of ACOs paying for their training out of pocket, without assistance from local government. Again, training is not required to work as an ACO in Tennessee or to be a member of ACAT, yet researchers heard on several occasions that training was essential to ensure that officers can perform all necessary functions, as well as limit liability.⁶² Untrained officers could pose a risk to public safety, as well as to animals and themselves.

Tennessee does not require data reporting from animal shelters. Because there is no requirement for data reporting nor a body designated to collect

Exhibit 2: Mandated standards for animal shelters, by selected state

	Housing	Surfaces	Diet/Exercise	Disease Prevention	Environment
Arkansas			▪		
Georgia	▪	▪	▪	▪	▪
Kentucky	▪	▪	▪		▪
Missouri	▪	▪	▪	▪	▪
North Carolina	▪	▪	▪	▪	▪
South Carolina	▪		▪		
Virginia	▪	▪	▪	▪	▪

Housing—structural and space standards for the general facility, indoor/outdoor housing facilities and/or primary enclosures; water and power requirements; ventilation, lighting, heating/cooling system requirements.

Surfaces—includes structural strength, material, sanitization methods.

Diet and Exercise—includes exercise requirements for animals in custody, feeding/watering guidelines, container accessibility.

Disease Prevention—includes drainage, cleaning, food storage standards, medical observation, isolation, and evaluation.

Environment—includes heating/cooling, security, lighting, and separation of animals.

Source: Review of other state laws, rules, and regulations.

such information, it is unknown how many animal shelters exist in Tennessee, where they are located, the quality of their operations, the demographics of their animal populations, the sources of funding, and euthanasia and adoption rates. National groups promote data collection and highlight uses of the collected information. (See Exhibit 3.) The County Technical Assistance Service (CTAS) has produced a suggested record retention schedule for animal control. (See Appendix 3.)

Georgia, Kentucky, Louisiana, Missouri, North Carolina, South Carolina, and Virginia require animal shelters to keep records and data on a variety of animal demographics, such as description, sex, age, spay or neuter status, method of disposition, and health records. States that register or license sheltering facilities may require facility-specific recordkeeping to be available upon request to inspectors.⁶³

Exhibit 3: Benefits of statewide data collection and recordkeeping

- Budgeting and planning for an effective animal control program is easier when local governments know the number of pets kept and/or registered within their boundaries.
- Accurate records account for dollars spent and received.
- Data is a source of objective information for decision makers, media, and the public.
- Impacts of programs can be monitored if baseline data is established.
- Information obtained in registration helps officials plan programs and better educate pet owners.
- Good record maintenance helps properly identify/track animals.
- Dog bite data is vital for case management and judicial review as well as for planning, implementing and evaluating status of the problem.

Sources: Geoffrey L. Handy, *Animal Control Management: A Guide for Local Governments*, (Washington, D.C.: International City/County Management Association, c2001), pp. 22, 49. American Veterinary Medical Association, Task Force on Canine Aggression and Human-Canine Interactions, "A Community Approach to Dog Bite Prevention," *JAVMA*, Vol. 218, No. 11, June 1, 2001, p. 1738.

CONCLUSION 3: Tennessee law requires the spaying or neutering of animals adopted from shelters, but does not define adoption or enforcement mechanisms. Penalties for violation are limited. Consequently, some animals likely leave shelters without being spayed or neutered.

In 2000, the Tennessee General Assembly attempted to address pet overpopulation issues in Public Chapter 789, which enacted *The Tennessee Spay/Neuter Law*.⁶⁴ The law employs a deposit system as a financial incentive for adoptive owners to spay or neuter their pet. A new owner pays a minimum refundable \$25 deposit for a non-sterilized dog or cat, which the owner recovers after presenting proof that a veterinarian altered the animal. A new owner who fails to have the adopted dog or cat altered forfeits the deposit and may forfeit the animal if the shelter petitions the court for its return.⁶⁵

In 2007, Tennessee legislators recognized that pet overpopulation constitutes a public nuisance, and is both a health hazard and expensive for communities and local governments.⁶⁶ The General Assembly urged pet owners to be responsible by spaying and neutering dogs and cats, noting that "most stray animals are impounded and then destroyed at great expense to local governments," and often can be a nuisance or health hazard to people. The increasing problem of dog bites and attacks are also linked to pet overpopulation.

Tennessee's spay/neuter law does not define adoption. It is unclear whether transfers of animals to rescue groups constitute adoption under the law, calling into question the responsibility of these groups to spay/neuter.

The spay/neuter law states "no person shall adopt a dog or cat from an agency...or a private organization operating a shelter from which animals are adopted or reclaimed,"⁶⁷ unless the animal has been spayed or neutered. The spay/neuter law does not define adoption. Some animal shelters transfer non-altered dogs and cats to

rescue groups and do not consider the transfer an adoption.⁶⁸ Some of those shelters, however, do consider the transfer an adoption for statistical purposes. It is unclear whether the General Assembly intended this type of transfer to constitute an adoption. Regardless of intent, rescue groups are under no obligation to spay or neuter animals and shelters have no incentive to follow-up with rescue groups.

Although Tennessee law requires new owners to sign spay/neuter agreements, shelters are not required to enforce them. Consequences for an individual adopter's failure to meet that requirement are limited. Shelters often are unable to provide spay or neuter procedures prior to an animal's adoption.⁶⁹ The spay/neuter law allows shelters to choose whether to spay/neuter animals in-house, or place the responsibility on the new owner to have the procedure done. In some cases, a shelter may arrange for the procedure with a veterinarian, and require the new owner to pick up the pet only after it is spayed/neutered, placing the responsibility of spay/neuter fees with the new owner.⁷⁰

While spay/neuter is a requirement for adoption, the consequences for an individual adopter's failure to meet that requirement are limited – a small monetary loss and the remote possibility that a shelter will attempt to reclaim the animal.

Shelter staff decide whether to engage in follow-up with new owners. Few shelters follow-up on sterilization agreements in adoption contracts, generally because enforcing compliance is difficult.⁷¹ If a shelter leaves the responsibility to the new owner, the loss of the mandatory deposit, often only the \$25 minimum, functions merely as an incentive for compliance, because the spay/neuter law has no other mandatory consequences for failure to do so. Newport Animal Shelter is an exception, scheduling the surgeries with an associated veterinarian and ensuring that adopters follow through on their agreement. However, staff acknowledge that some slip through the cracks.⁷² Many shelters lack financial or staff resources to follow up on contracts. Shelters may also find it difficult to follow-up with animals transferred to rescue groups. Rescue groups may or may not be registered organizations with the Tennessee Secretary of State.⁷³

RECOMMENDATIONS

The General Assembly may wish to consider granting the State Departments of Agriculture and Health a more substantive role in animal shelter oversight. Tennessee's Department of Agriculture currently does not regulate animal shelters, and the Department of Health has minimal involvement with shelters and animal control. However, other states in the Southeast have state agency involvement and oversight of animal shelters. Typically, other states place authority over animal shelter and animal control issues in either a Department of Health or Department of Agriculture. In some states, such as Georgia, Kentucky, Louisiana, and North Carolina, separate divisions within their state agencies deal with animal shelter issues. State oversight ensures that animal shelters and animal control meet state standards. State involvement also provides animal shelter personnel with a central place from which they receive support.

The General Assembly may wish to require that animal shelters follow minimum standards.

Although many shelters across the state may follow guidelines of animal care and facility maintenance, others may not. Several neighboring states require that animal shelters follow minimum standards of animal care, shelter design, and facility procedures. National level organizations also offer general care guidelines, and thus many examples of minimum adequacy standards exist that Tennessee could utilize.

The General Assembly may wish to create oversight and enforcement mechanisms to ensure that animal shelters follow minimum standards. Requiring that shelters follow minimum standards would necessitate a consideration of suitable oversight and enforcement roles undertaken by a chosen department and appropriate funding of those responsibilities. Other states' oversight and enforcement mechanisms include:

- Facility registration and licensing ensuring that state agencies with oversight have records of all shelters required to follow state law.
- Inspections that serve as a mechanism for a state to enforce its laws, rules, and regulations.

- Recordkeeping requirements that generally focus on records for every animal that enters a shelter.⁷⁴ Several neighboring states require that all shelters collect data and make it available upon request⁷⁵ and may also require annual reporting to a state agency.⁷⁶

The General Assembly may wish to consider requiring training for animal control officers and shelter personnel.

Florida, Kentucky, Missouri, North Carolina, and Virginia require training for animal control officers in a variety of topics, including minimum standards, animal husbandry, animal cruelty, animal behavior and care, state laws, and local ordinances. Tennessee stipulates that those tasked with euthanizing animals such as euthanasia technicians receive training for certification.⁷⁷ However, the state neither requires nor provides general training for animal control officers. Local governments develop duties and qualifications for animal control officers, and may pay for training. However, aside from euthanasia training, comprehensive training for animal control officers is not widely available in Tennessee. Most officers attend national training seminars provided by the National Animal Control Association or other organizations. Instituting state-level minimum standards may highlight training needs for locally employed animal control officers.

The General Assembly and/or local legislative bodies may wish to expand funding sources for animal control and sheltering programs.

In some cases in Tennessee, one animal control officer is responsible for animal control activities as well as maintenance of a shelter and pet adoption services, if offered. Local costs may increase with the institution of minimum standards. Local governments may want to increase staff size and some facilities may need structural upgrades to bring buildings into compliance. Seeking other sources of revenue or partnerships between local governments could allow for appropriate levels of animal care and control service provision. For example, North Carolina uses fees from animal facility licenses, state appropriations, and private donations.⁷⁸ Virginia's fines and fees for animal cruelty, dangerous dogs, dogs running at large, failure to sterilize adopted pets, and other violations, go toward funding animal control activities.⁷⁹

The General Assembly may wish to include definitions of terms such as “adoption” and “rescue group” in *The Tennessee Spay/Neuter Law*, as well as consider including enforcement mechanisms and/or stronger incentives for following the law.

As the General Assembly iterated in 2000 (Public Chapter 789) and 2007 (HJR0099), pet overpopulation is a concern in Tennessee. Stronger incentives to encourage shelters to routinely schedule spay/neuter appointments, for example, could have a positive impact. However, given varied funding and staffing situations, some shelters may not have the resources to provide oversight and follow-up with adopters. In these situations, stronger incentives for new adoptive owners to have their pets altered could also have a positive impact. In addition, definitions of terms could more clearly illustrate the intent of the law in terms of responsibilities of groups to which shelters transfer animals.

APPENDIX 1: PERSONS CONTACTED

Lanie Anton, National Outreach Internet Manager, American Society for the Prevention of Cruelty to Animals

Martha Armstrong, Legislative Committee Chairman, Companion Animal Initiative of Tennessee, University of Tennessee College of Veterinary Medicine

Kristy Godsey Brown, Legal Consultant, County Technical Assistance Service, University of Tennessee

Susanne Brunkhorst, D.V.M., United States Department of Agriculture-Animal and Plant Health Inspection Service-Animal Care

Don Darden, Municipal Management Consultant, Municipal Technical Advisory Service, University of Tennessee

John R. Dunn, D.V.M., PhD, Medical Epidemiologist, Communicable and Environmental Disease Services, Department of Health

Sarah Felmlee, Past President, Humane Association of Wilson County

Josh Greer, Animal Control Officer, City of Lebanon

Bob Grunow, Director of Business Services & Special Counsel to the Secretary of State

Dave Head, Director, Knox County Animal Control; President, Animal Control Association of Tennessee

Tracy Hill, Director, Rutherford County Pet Adoption and Welfare Services; Vice President, Animal Control Association of Tennessee

Carol R. Hood, D.V.M., Director, Newport Animal Shelter

Teresa Jennings, Director, Companion Animal Initiative of Tennessee, University of Tennessee College of Veterinary Medicine; Secretary/Treasurer, Animal Control Association of Tennessee

Judy Ladebauche, Director, Metro Nashville Animal Care and Control

Lisa Lampley, Director, Board of Veterinary Medical Examiners, Tennessee Department of Health

Cindy Lynch, Assistant Director, Wilson County Landfill

Margaret Norris, Municipal Management Consultant, Municipal Technical Advisory Service, University of Tennessee

Jim Tedford Board Member, Companion Animal Initiative of Tennessee, University of Tennessee College of Veterinary Medicine

Ronald B. Wilson, D.V.M., State Veterinarian, Tennessee Department of Agriculture

***See Appendix 2 for a list of agencies contacted for statistical information**

APPENDIX 2: CERTIFIED ANIMAL CONTROL AGENCIES AS OF DECEMBER 17, 2007

(Data from facilities in **bold** used to determine number of euthanized companion animals in 2006)

Bedford Co. Animal Control	Hardeman County Dept. of Solid Waste and Animal Control	Roane County Animal Shelter
Campbell Co. Animal Control	Humane Society and Margaret Brock Pet Adoption Center (Humane Education Society of Chattanooga) (Hamilton Co.)	Sevier County Humane Society
Cheatham County Animal Control	Humane Society of Cumberland County	Shelbyville Animal Control Department (Bedford Co.)
City of Athens Animal Shelter (McMinn Co.)	Humane Society of Jefferson County	Springfield Animal Shelter (Robertson Co.)
City of Bartlett Animal Shelter (Shelby Co.)	Jackson-Madison County Rabies Control	Sullivan Co. Animal Shelter
City of Cleveland Animal Shelter (Bradley Co.)	Loudon County Animal Shelter/Control	Sumner Co. Rabies Control
City of Dayton (Rhea Co.)	Maryville Animal Shelter (Blount Co.)	Humane Assoc. of Wilson Co.
City of East Ridge Animal Services (Hamilton Co.)	Maury County Animal Shelter (PAWS of Maury County)	Humane Society of Dickson Co.
City of Lebanon Animal Control (Wilson Co.)	Memphis Animal Services (Shelby Co.)	Tipton Co. Animal Control
Cookeville/Putnam County Animal Shelter	Metro Animal Services (Davidson Co.)	Town of Centerville Animal Control (Hickman Co.)
Crockett County Rabies Control Office	Monroe County Animal Shelter	Town of Mountain City Animal Control Division (Johnson Co.)
Fayette County Animal Control	Montgomery County Animal Control	Warren County Animal Control
Franklin County Rabies/Animal Control	Morristown-Hamblen Co. Humane Society	Washington Co.-Johnson City Animal Control
Gibson County Animal Control Shelter	Nashville Humane Association (Davidson Co.)	Williamson Co. Animal Control
Greenbrier Animal Control (Robertson Co.)	Newport Animal Shelter (Cocke Co.)	Wilson Co. Animal Control
Greene County Animal Control Facility	Oak Ridge Animal Shelter (Anderson Co.)	Young-Williams Animal Center (Knox Co.)
Greeneville-Greene County Humane Society		

APPENDIX 3: CTAS RECORDKEEPING GUIDELINES



Animal Control Records. The records included in this schedule are only those specific to a county operation related to animal control. Not all counties provide such services. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules elsewhere in this manual. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record, contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record's existence to include it in future revisions of this manual.

Retention Schedule for the Animal Control Records		
Description of Record	Retention Period	Legal Authority/Rationale
17-001. Activity Reports —Monthly reports showing the activity of the animal control operations.	Retain two years, unless there is no annual report. If no annual report, retain as permanent record.	Keep to aid in planning.
17-002. Adoption Contracts —May include agreement to have animal spayed/neutered when it is 6 months old.	Retain four years.	Keep to show proof of ownership/patterns of behavior on part of animal or owners.
17-003. Annual Reports —Annual reports showing the activity of the animal control operations.	Retain seven years.	Keep in case of need as evidence in litigation and for planning purposes.
17-004. Bite Reports —Documents investigations of dog bites.	Retain four years.	Retention period based on likely time of complaint or legal action.
17-005. Complaints, Record of —May contain date; time of complaint; complainant's name, address and telephone number; owner's name and address; animal's license number and details of problem.	Retain four years or until resolution of any litigation whichever is later.	Record may be used in litigation. Retention period based on statute of limitations for actions for injuries to personal property plus one year (T.C.A. § 28-3-105).
17-006. Controlled Substances, Log of	Retain three years.	TN Admin. Rule 1730-4-.09.
17-007. Dispatching Logs	Retain four years, unless legal action is pending.	Retention period based on likely time of complaint or legal action.

Retention Schedule for the Animal Control Records		
Description of Record	Retention Period	Legal Authority/Rationale
17-008. Euthanasia Report —Must be kept for each animal euthanized; includes date, estimated age, breed, weight, sex, amount of euthanasia solution administered, and description of verification of death.	*Retain three years. May want to retain four years if four year retention period adopted for other animal control records.	TN Admin. Rule 1730-4-.09.
17-009. Field Reports (Daily) —Report of officer's daily activities.	Retain one year.	Used to compile activity reports.
17-010. Impound Log —Log of all animals brought into the animal shelter and whether animal was adopted or euthanized.	Retain four years.	Keep as part of history of animals and owners and to track activity at shelter. Can be useful in returning lost animals to owners.
17-011. Rabies Certificate —Rabies vaccination is required by T.C.A. § 68-8-104. Certificates are forwarded to animal control by veterinarians.	Retain four years.	Keep to provide proof of vaccination and to facilitate return of lost animals to owners. Rabies vaccine lasts three years.
17-012. Return to Owner, Record of	Retain four years.	Keep to prove ownership of animal and assign liability to owner if the animal is ever in violation of ordinances or statutes.
17-013. Spay/Neuter Deposit, Record of —Deposit is required by T.C.A. 44-17-503 for every animal not already spayed or neutered that is adopted from an animal shelter.	Retain four years.	Keep as part of history of animals and owners.
17-014. Surrender of Animal, Record of	Retain four years.	Keep to defend against liability for taking animal. Based on statute of limitations for offenses against property plus one year.

Endnotes

- ¹ See *T.C.A. 68-8-104(b)*, which states, “a rabies control program, also commonly known as an animal control program.”
- ² The Humane Society of the United States, “Spay Day '08: A Multi-Front Attack on Pet Overpopulation,” February 26, 2008, accessed April 21, 2008, <http://www.hsus.org>.
- ³ The Humane Society of the United States, “The Crisis of Pet Overpopulation,” Updated May 4, 2007, accessed April 22, 2008, <http://www.hsus.org>.
- ⁴ Total number euthanized is a result of data collection efforts by Comptroller’s staff from Certified Animal Control Agencies (CACAs) in November and December of 2007. Data is either CY 2006 or FY 2006 according to the shelter’s individual data-keeping method.
- ⁵ Geoffrey L. Handy, *Animal Control Management: A Guide for Local Governments*, (Washington, D.C.: International City/County Management Association, c2001), pp. 19-32.
- ⁶ Centers for Disease Control and Prevention, *Compendium of Animal Rabies Prevention and Control*, MMWR 2007; 56 (No. RR-3), p. 1.
- ⁷ *Ibid.*, p. 3.
- ⁸ “HSUS Guidelines for Animal Shelter Policies,” The Humane Society of the United States, 1999.
- ⁹ American Veterinary Medical Association “Dog Bite Prevention Message Points,” May 2006, accessed April 22, 2008, <http://www.avma.org>.
- ¹⁰ American Veterinary Medical Association, Task Force on Canine Aggression and Human-Canine Interactions, “A Community Approach to Dog Bite Prevention,” *JAVMA*, Vol. 218, No. 11, June 1, 2001, p. 1733.
- ¹¹ National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, “10 Leading Causes of Nonfatal Unintentional Injury, United States – 2001-2006, All Races, Both Sexes, Disposition: All Cases,” accessed April 21, 2008, <http://www.cdc.gov>.
- ¹² American Veterinary Medical Association, Task Force on Canine Aggression and Human-Canine Interactions, “A Community Approach to Dog Bite Prevention.” *JAVMA*, Vol. 218, No. 11, June 1, 2001, p. 1736.
- ¹³ Geoffrey L. Handy, *Animal Control Management: A Guide for Local Governments*, (Washington, D.C.: International City/County Management Association, c2001), pp. 55, 57.
- ¹⁴ A non-livestock animal is, generally speaking, a pet or domesticated animal. See *T.C.A. 39-14-201(3)* for Tennessee’s definition of “non-livestock animal.”
- ¹⁵ The Humane Society of the United States, “Common Questions about Animal Shelters and Animal Control,” accessed June 1, 2007, <http://www.hsus.org>.
- ¹⁶ Rules of Tennessee Board of Veterinary Medical Examiners, General Rules Governing Certified Animal Control Agencies, Chapter 1730-4-.01.
- ¹⁷ Nancy Lawson, “A New Breed of Adoption Partner,” The Humane Society of the United States, January-February 2001, accessed April 22, 2008, <http://www.animalsheltering.org>.
- ¹⁸ *T.C.A. 63-12-103(3)*. See page 10 for further discussion of CACAs.
- ¹⁹ Note that *T.C.A. 44-17-302* (Nonlivestock Animal Humane Death Act) is applicable to “public and private agencies, animal shelters and other facilities operated for the collection, care and/or euthanasia of stray, neglected, abandoned or unwanted nonlivestock animals.” See Conclusion 3 for discussion of The Spay/Neuter Law language.
- ²⁰ Petfinder.com is a database that compiles information regarding animals available for adoption. A user may conduct searches for an entire state.
- ²¹ Animal Control Association of Tennessee, “Who or what is ACAT?,” accessed April 22, 2008, <http://www.tnanimalcontrol.org>.
- ²² Telephone interview with Dave Head, President, Animal Control Association of Tennessee, March 14, 2008.
- ²³ Companion Animal Initiative of Tennessee, University of Tennessee College of Veterinary Medicine, “What is CAIT?,” accessed April 22, 2008, <http://www.vet.utk.edu/cait/>.
- ²⁴ Tennessee Humane Association, “Tennessee Humane Association Amended and Restated Bylaws,” accessed April 22, 2008, <http://www.tnhumane.org>.
- ²⁵ The Humane Society of the United States, “How Is the HSUS Affiliated With My Local Humane Society?,” accessed April 22, 2008, <http://www.hsus.org>.
- ²⁶ *T.C.A. 39-14-212(b)(2)* defines “companion animal” as any non-livestock animal defined in *T.C.A. 39-14-201(3)*; *T.C.A. 39-14-201(3)* defines “non-livestock animal” as “a pet normally maintained in or near the household or households of its owner or owners, other domesticated animal, previously captured wildlife, an exotic animal, or any other pet.”
- ²⁷ *T.C.A. 44-17-102(4)*; *T.C.A. 44-17-303(d)*; *T.C.A. 44-17-5*; *T.C.A. 39-14-202*; *T.C.A. 39-14-212*; and *T.C.A. 68-8-103*.
- ²⁸ *T.C.A. 5-1-120*.
- ²⁹ *T.C.A. 6-2-201(21) & (30)*, *6-19-101(21) & (31)*, and *6-33-101(a)*.
- ³⁰ Office of the Attorney General of the State of Tennessee, Opinion No. 07-11, January 31, 2007.
- ³¹ *T.C.A. 5-1-120*.
- ³² E-mail from Dave Head, President, Animal Control Association of Tennessee, to Judy Ladebauche, Director, Metro Animal Services, “FW: Meeting with Jessica Gibson,” August 13, 2007.
- ³³ Interview with Tracy Hill, Director, Rutherford County Pet Adoption and Welfare Services, August 21, 2007.
- ³⁴ Knoxville City Code of Ordinances 5-34.
- ³⁵ Oak Ridge Municipal Code of Ordinances 10-118.
- ³⁶ City ordinances from Soddy Daisy, Chattanooga, Union City, Waynesboro, Collegedale, Athens, and Dyersburg.
- ³⁷ Dyersburg Code of Ordinances 10-209.
- ³⁸ *T.C.A. 5-9-110*.
- ³⁹ *T.C.A. 68-8-104(a) & (b)*.
- ⁴⁰ Interview with Tracy Hill, Director, Rutherford County Pet Adoption and Welfare Services, August 21, 2007.
- ⁴¹ *T.C.A. 55-4-290*.
- ⁴² Tennessee Department of Agriculture, Regulatory Services—Animal Health, “Call for Proposals: “Animal Friendly” Spay/Neuter Grants,” accessed April 22, 2008, <http://tennessee.gov>.
- ⁴³ Geoffrey L. Handy, *Animal Control Management: A Guide for Local Governments*, (Washington, D.C.: International City/County Management Association, c2001), p. 15.
- ⁴⁴ Of 12 states neighboring Tennessee, Georgia, Missouri, North Carolina, and Virginia require facility registration and/or licensing. Arkansas offers a voluntary program.
- ⁴⁵ Georgia, North Carolina, and Virginia authorize facility inspections; Missouri requires inspections.
- ⁴⁶ Rules of Tennessee Board of Veterinary Medical Examiners, General Rules Governing Certified Animal Control Agencies, Chapter 1730-4-.04.
- ⁴⁷ *Ibid.*, 1730-4-.03.

- ⁴⁸ Tennessee Department of Health, "Licensed Facilities: Current Listings, Certified Animal Control Agencies," accessed December 17, 2007, <http://health.state.tn.us>. Fifty-one facilities listed as certified as of April 9, 2008.
- ⁴⁹ Interview with John Dunn, D.V.M., Ph.D., Medical Epidemiologist of Communicable and Environmental Disease Services, Tennessee Department of Health, March 28, 2008.
- ⁵⁰ Interview with Ron Wilson, D.V.M., State Veterinarian, Tennessee Department of Agriculture, February 27, 2008.
- ⁵¹ *Ibid.*
- ⁵² Rules of Tennessee Board of Veterinary Medical Examiners, General Rules Governing Certified Animal Control Agencies, Chapter 1730-4-.07.
- ⁵³ Interview with Lisa Lampley, Executive Director, Tennessee Board of Veterinary Medical Examiners, Tennessee Department of Health, August 16, 2007.
- ⁵⁴ American Veterinary Medical Association, "Companion Animal Care Guidelines," Approved by the Executive Board November 2003, accessed April 22, 2008, <http://www.avma.org>.
- ⁵⁵ ACAT has members from 24 different facilities in the state. Eighteen completed the survey, and of those, only two stated that they do not have written policies and procedures.
- ⁵⁶ Geoffrey L. Handy, *Animal Control Management: A Guide for Local Governments*, (Washington, D.C.: International City/County Management Association, c2001), p. 57.
- ⁵⁷ Code of Virginia 3.1-796.104:1; Virginia Administrative Code, Title 2, Agency 5, Chapter 100.
- ⁵⁸ 2007 Florida Statutes 828.27; Kentucky Revised Statutes Annotated 258.119(3)(a); Missouri Department of Agriculture, Code of State Regulations, Division 30, Chapter 9. North Carolina requires 6 hours of training for animal cruelty investigators (North Carolina General Statutes 19A-49).
- ⁵⁹ See Virginia Animal Control Officer Training Standards, State Veterinarian's Office, Virginia Department of Agriculture & Consumer Affairs, accessed April 22, 2008, <http://www.vdacs.virginia.gov/animals/pdf/vaaco.pdf>.
- ⁶⁰ Arkansas Code Annotated 20-19-104.
- ⁶¹ Telephone interview with Dave Head, President, Animal Control Association of Tennessee, March 14, 2008.
- ⁶² Interview with Tracy Hill, Director, Rutherford County Pet Adoption and Welfare Services, August 21, 2007. Telephone interview with Jim Tedford, Board member, Companion Animal Initiative of Tennessee, August 28, 2007. Interview with Judy Ladebauche, Director, Metro Animal Services, August 13, 2007.
- ⁶³ Georgia Department of Agriculture Rules and Regulations 40-13-13-.04(1)(h); Missouri Department of Agriculture, Code of State Regulations 30-9.020(11)(D); North Carolina Administrative Code, Title 2, Chapter 52, Subchapter J.0101-0103; and Code of Virginia 3.1-796.96:2 & 3.1-796.105.
- ⁶⁴ T.C.A. 44-17-501-505.
- ⁶⁵ T.C.A. 44-17-504.
- ⁶⁶ See HJR0099, 105th General Assembly.
- ⁶⁷ T.C.A. 44-17-502(a).
- ⁶⁸ Interview with Tracy Hill, Director, Rutherford County Pet Adoption and Welfare Services, August 21, 2007.
- ⁶⁹ *Ibid.*
- ⁷⁰ Humane Association of Wilson County follows this procedure; accessed on April 22, 2008, <http://www.hawconline.com/shelter.shtml>.
- ⁷¹ Interview with Tracy Hill, Director, Rutherford County PAWS, August 21, 2007.
- ⁷² Telephone interview with Carol Hood, D.V.M., Director, Newport Animal Shelter, December 19, 2007.
- ⁷³ Interview with Judy Ladebauche, Director, Metro Animal Services, August 13, 2007.
- ⁷⁴ See Kentucky Revised Statutes Annotated 258.195(3)(b)(9), and Louisiana Revised Statutes 2465(D)(1).
- ⁷⁵ Georgia Department of Agriculture Rules and Regulations 40-13-13-.04(h); Kentucky Revised Statutes Annotated 258.195(3)(b)(9); Missouri Department of Agriculture, Code of State Regulations 30-9.020(3) & (11)(D); North Carolina Administrative Code, Title 2, Chapter 52, Subchapter J.0103; and Code of Virginia 3.1-796.96.
- ⁷⁶ See North Carolina General Statutes 19A-65, and Missouri Department of Agriculture, Code of State Regulations 30-9.020(3).
- ⁷⁷ T.C.A. 44-17-303(d).
- ⁷⁸ North Carolina General Statutes 19A-38 & 62.
- ⁷⁹ Code of Virginia 3.1-796.94.

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