



OFFICE OF INSPECTOR GENERAL
City of Albuquerque

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Investigative Informative Case Synopsis

FILE NO: 22-0178-C

SUBJECT MATTER: Allegation of a violation of Operations Policy and Procedure on adoptions of animals by employees

STATUS: Final

INVESTIGATOR: M. Santistevan

DocuSigned by:

Melissa R. Santistevan

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October 3, 2022
Date of Completion

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Edmund Perea

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EDMUND E. PEREA, ESQ
ACCOUNTABILITY IN GOVERNMENT
OVERSIGHT COMMITTEE CHAIRPERSON

October 19, 2022
Date of Approval

DISTRIBUTION:

- Honorable Mayor**
- President City Council**
- Chief Administrative Officer**
- City Councilors**
- Director Council Services**
- City Attorney**
- Department Director**
- Members, Accountability and Government Oversight Committee**
- File**

EXECUTIVE SUMMARY

According to City Ordinance 2-17-2, the Inspector General's goals are to (1) Conduct investigations in an efficient, impartial, equitable, and objective manner; (2) Prevent and detect fraud, waste, and abuse in city activities including all city contracts and partnerships; (3) Deter criminal activity through independence in fact and appearance, investigation and interdiction; and (4) Propose ways to increase the city's legal, fiscal and ethical accountability to insure that tax payers' dollars are spent in a manner consistent with the highest standards of local governments.

On September 26, 2022, the Office of Inspector General (OIG) received a tip hotline complaint alleging that an Animal Welfare Department (AWD) employee (E1) processed an adoption for an AWD employee (S1) on September 24, 2022, on an owner-surrendered animal before the animal was fully processed, impounded, or put in the general population in violation of the SOP on the adoption of animals by employees, dated August 21, 2020. The OIG determined that the allegations contained elements of potential fraud, waste, or abuse and that it was appropriate for the OIG to conduct a fact-finding investigation. The purpose of the investigation was to determine if there was a violation of the Operations policy and procedures resulting in an employee being able to adopt an animal without the animal being fully processed, impounded, or put into the general population.

As a result of the investigation, the OIG was able to substantiate Allegation 1 regarding a violation of the Operations policy and procedures resulting in an employee being able to adopt an animal without the animal being fully processed, impounded, or put into the general population.

ABBREVIATIONS

AWD: Animal Welfare Department
City: City of Albuquerque
D1: AWD Employee
E1: AWD Employee
E2: AWD Employee
S1: AWD Employee
OIG: Office of Inspector General

INTRODUCTION

The mission of the Office of Inspector General (OIG) is to provide independent and objective insight, oversight, and foresight in promoting integrity, efficiency, overall effectiveness, accountability, and transparency in government to safeguard and preserve public trust.

Complaint

E1 processed an adoption for S1 on September 24, 2022, for an owner-surrendered animal before the animal was fully processed, impounded, or put in the general population in violation of the SOP on the adoption of animals by employees, dated August 21, 2020.

Background

The City of Albuquerque Animal Welfare Department (AWD) issued an Operations Policy and Procedure for the adoption of animals by employees on August 21, 2020. This policy and procedure are to establish internal controls for a system by which employees adopt shelter animals to prevent abuse of the process and fairness within the department and to protect employees from charges of favoritism and preferential treatment.

On September 24, 2022, animal A1859879 was owner-surrendered and the adoption of animal A1859879 was processed on September 24, 2022, by an AWD employee.

INVESTIGATION

Allegation 1: E1 processed an adoption for S1 on September 24, 2022, for an owner-surrendered animal before the animal was fully processed, impounded, or put in the general population in violation of the SOP on the adoption of animals by employees, dated August 21, 2020.

Authority: AWD operating policy and procedures for adoptions of animals by employees

Article 17 provides authority to the Office of Inspector General to investigate potential violations of law or apparent instances of misfeasance or nonfeasance by an official or investigated party.

This report is confidential and shall not be released until publication by the Office of the Inspector General. Violations are subject to the provisions of Article 17: Inspector General Ordinance.

§2-17-12 (a) states that all city officials, employees, and contractors shall promptly notify the Inspector General of every instance of theft or other disappearance of cash, check, or property, misfeasance or nonfeasance, defalcation, improper governmental actions as defined in the Whistleblower Ordinance and non-compliance with federal and state law, city ordinances and city regulations of which they are aware.

Evidence: The SOP on Adoptions of animals by employees, dated August 21, 2020, and the Chameleon adoption records for A1859879.

Analysis: The OIG reviewed the Operations Policy and Procedures dated, August 21, 2020, noting that there were explicit procedures regarding the animal being completely impounded and placed in the general population within the shelter before a staff member is allowed to process a hold or an adoption. The policy and procedure also state if more than one staff member is interested in an animal, and all have come forward at virtually the same time, a lottery system will be used to determine who is allowed to adopt. Finally, all staff adoptions or holds must be approved by the employee's supervisor before being processed. The supervisor is required to immediately place a note on the animal's file as the note will be utilized to determine who is first in line if more than one employee is pursuing adoption.

The OIG reviewed the Animal Record Request for Animal A1859879 provided by the AWD Director. The animal was an owner-surrender on September 24, 2022, and was entered into the Chameleon system on September 24, 2022, at 10:55 am by E1. At 10:57:48 on September 24, 2022, receipt R22-016923 was processed by E1. At 11:08 am on September 24, 2022, E2 entered note M22-072468 stating the animal was accepted as an owner-surrender. At 12:15 pm on September 24, 2022, a note was entered by E1 stating that the animal was "OKAY TO ADOPT" and that the "VERIFIED QUALIFIED ADOPTER" was S1 and that the animal was staying for surgery through September 26, 2022. At 13:47 on September 26, 2022, the status in the Chameleon system was noted as "unavail" due to "adoption" to S1. The intake and due out dates are both stated as September 24, 2022.

The OIG found no evidence of a note in the Chameleon file indicating approval by S1's supervisor, D1.

The evidence provided to the OIG substantiates that the Operation Policy and Procedure on the adoption of animals by employees was violated as the animal was not completely impounded or placed in the general population within the shelter.

Finding regarding Allegation 1: The OIG was able to substantiate that there was a violation of the Operations policy and procedures resulting in an employee being able to adopt an animal without the animal being fully processed, impounded, or put into the general population.

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Recommendation: The Animal Welfare Director should consider the appropriate action for violation of the policy by E1 and S1, taking into consideration the fact that S1's position should have known the policies and procedures. The policy states that any employee found to be adopting animals and then reselling or rehoming them for a profit will have their adoption privileges revoked for a period to be determined by the Director. The Policy should be amended to expand on consequences for violations of the policy and not just for reselling or rehoming the animals for profit.

Management's response: AWD management will review the Standard Operating Procedure for Employee Adoptions and amend it to include more clarification. In addition, we will redistribute and educate all staff on said policy.