

Controversy over dog's euthanasia sparks policy review

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A decision by Santa Barbara County Animal Services to euthanize a cocker spaniel named Einstein has caused an outcry from a local animal rescue and a review of the policy on when to release animals to the public.

The issue began Jan. 31, when Animal Services denied a request from Second Chance Cocker Rescue to adopt Einstein, and killed the dog instead.

A committee of Animal Services staff and volunteers made the decision, which was in accord with county policy, said Susan Klein-Rothschild, spokeswoman for the county Public Health Department.

If an animal is in irremediable suffering or poses a public-safety risk, the county may not release it to the public, Ms. Klein-Rothschild said.

"The dog bit three times and we had a public-safety concern about adopting the dog out again," said Jan Glick, director of Animal Services, who assisted with the decision. "Sometimes we have to make a decision that's a very difficult decision, but in this case that seemed in the best interest of the community."

But Elizabeth Mazzetti, president of Second Chance, insists that while the decision might align with county policy, the policy violates California state law.

She points to the Hayden Act of 1998, which states, "Any stray dog that is impounded pursuant to this division shall, prior to the killing of that animal for any reason other than irremediable suffering, be released to a nonprofit ... animal rescue or adoption organization if requested by the organization prior to the scheduled killing of that animal."

In the week leading up to Einstein's death, Ms. Mazzetti said, she repeatedly called Animal Services, left several messages and sent an email on Jan. 30 asking to adopt Einstein, but received no response until Jan. 31.



Santa Barbara Animal Services is reviewing its policy after an outcry over the death of a cocker spaniel named Einstein.

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Einstein was euthanized Jan. 31 because county Animal Services deemed him a public-safety risk.

She insists her request was unlawfully denied because Einstein was not in irremediable suffering and she asked to adopt him before he was killed.

"The Hayden Act is California law and Santa Barbara County is not above the law," Ms. Mazzetti said.

Ms. Klein-Rothschild said Ms. Glick had no information about Ms. Mazzetti's calls. Ms. Glick said she saw the email, but did not open it until after the dog was dead.

If she had read Ms. Mazzetti's email beforehand, Animal Services "would have taken it into consideration," Ms. Glick said.

The county counsel's office is reviewing how the Hayden Act applies to Animal Services and the public as a result of the conflict ignited by Einstein's death, Ms. Klein-Rothschild said.

"Lots of times there's different interpretations of that law and we need advice from our legal team," said Ms. Klein-Rothschild. "It's not clear to me, and I recognize some people think it's a violation of the Hayden Act and others don't."

There is no time line for when the counsel might come to a conclusion, she said.

Animal Services acquired Einstein on Nov. 28 and he was adopted by a family with children on Jan. 5, Ms. Glick said.

The family returned Einstein to Animal Services on Jan. 22 because of a biting incident.

Einstein bit three times, including twice in the face, Ms. Glick said.

After the euthanasia, the Public Health Department posted a letter on its website explaining the decision.

Ms. Mazzetti said she read the county's response but it did not satisfy her.

"The county assessed the dog (in November) and deemed him as adoptable to a family with children," she said. "Then, those same people reassessed him as a dangerous dog (in January). If their first evaluation was so off, why should I treat their second evaluation with any credibility?"

For Ms. Mazzetti, Einstein's death is a symptom of a larger problem: the lack of cooperation between Animal Services and local animal rescues.

"This is not a unique occurrence," Ms. Mazzetti said. "This happens all the time at the shelter. We are not utilized at all by our county's shelters."

Second Chance had resources to hire a trainer for Einstein and were committed to rehabilitating him, Ms. Mazzetti said.

"We need a director of Animal Services that respects the law and believes in working with rescues so we can become a true no-kill county," Ms. Mazzetti said.

Second Chance's Central California division, which covers the area between San Luis Obispo and Camarillo, adopts most of its dogs from outside Santa Barbara County, she said.

In 2013, Second Chance adopted 140 cocker spaniels, and only one came from Santa Barbara County.

Of the approximately 4,000 dogs Animal Services acquired in the 2012-13 fiscal year, 77 were cocker spaniels or cocker-spaniel mixes, Ms. Klein-Rothschild said.

The county has a no-kill policy for adoptable animals, but not unadoptable animals, Ms. Glick said.

Einstein's death prompted response from around the county.

"I'm sad and angry over the news of Einstein's murder," said Suzette Wilkins of Lompoc. "He deserved a second chance. With a little compassion, understanding and dedication, Einstein's issues could have been resolved."

"This needs to be looked into and stopped," said Kelly Griffin of Santa Barbara. "Please protect our innocent animals."

Ms. Klein-Rothschild said the decision to euthanize any animal is difficult.

"It's never an easy decision," she told the News-Press.

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