



OFFICE OF INSPECTOR GENERAL
City of Albuquerque

Nicole Kelley
Inspector General, Acting

P.O. Box 1293, Suite 5025
Albuquerque, New Mexico 87103
Telephone: (505) 768-3150
Fax: (505) 768-3158

REVIEW

FILE NO: 21-0002-R

DATE: April 28, 2021

SUBJECT: The OIG was asked to review the placement and continued work of a volunteer with the Animal Welfare Department who has been harassing staff

STATUS: Final

INVESTIGATOR: J. S.

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**NICOLE KELLEY, ACTING
INSPECTOR GENERAL**

DocuSigned by:

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

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Executive Summary

A confidential complaint was forwarded to the Office of the Inspector General (OIG) from the 311 reporting system in reference to three (3) volunteers with the Animal Welfare Department (AWD) for the City of Albuquerque (COA) on March 3, 2021. These volunteers are alleged to have been reported multiple times to the various managers and the Director within the AWD, yet have been able to continue volunteering and negatively representing both the Department and COA.

The initial complaint stated:

VOL-1, VOL-2, and VOL-3 are all volunteers at the Animal Welfare Department. They are constantly harassing the staff, recording the staff on their phones when they are handling the cats, ridiculing the staff when a decision is made for a cat, emailed them directly after being instructed not to, they have spoken poorly about members of the staff, went against behavior plans put in place for the animal. VOL-2 has also admitted in email and in person to "pushing a cats limits with fast movements, loud noises, etc" to see if it'll react negatively which per the HEART ordinance is seen as "Cruelty- teasing or taunting", These are all documented in emails and such. One member of staff has also broken down every email into a word document explaining what was occurring and the effect it had on staff and the animal. The volunteers are all located at the East side location. It has been ongoing since November 2020 and has increasingly gotten to the point where kennel staff has had to step away from speaking with the volunteers. This has been reported to supervisors, HR, and the director. All volunteers have signed the code of conduct and ethics form also. This harassment is targeted at kennel staff: AWD-4, AWD-3, and AWD-2.

The mission of the COA OIG is to: serve as an independent and objective inspection and investigative body to promote effectiveness, transparency, to prevent and detect fraud, abuse, mismanagement and waste in the City of Albuquerque's programs and operations. The OIG conducted a review of this matter and it should be noted that there was a previous substantiated investigation conducted in regards to harassment and mismanagement in the AWD department related to the services of a volunteer.

During the course of the review, numerous staff and volunteers verbally detailed negative and threatening experiences with the subjects and expressed their frustration with management for not addressing the staffs concerns. In addition, the staff provided emails and documents to demonstrate these examples. Based on these reviews, it was clearly demonstrated that the subject volunteers have violated the volunteer training and program rules and regulations.

The OIG recommends that management needs to clearly define and document the difference between volunteers and staff members and, in addition, what access the volunteers have as it is evident that the term 'volunteer led' has been taken to be understood as 'volunteer managed'.

Abbreviations

AWD – Animal Welfare Department
COA – City of Albuquerque
IG – Inspector General
OIG – Office of the Inspector General
PMT - Population Management Team
VOL-1 – Volunteer, Subject of Investigation
VOL-2 – Volunteer, Subject of Investigation
VOL-3 – Volunteer, Subject of Investigation
AWD Staff – 1
AWD Staff – 2
AWD Staff – 3
AWD Staff – 4
AWD Staff – 5

Research and Document Review

Volunteer Training and Rules:

The investigator assigned began by reviewing the policy and procedures in place for volunteers with the COA and the AWD. On the COA website, any citizen can register to volunteer at https://cabq.galaxydigital.com/need/detail/?need_id=527153.

The COA website states:

Volunteers needed in our Animal Shelters! Opportunities available at the Eastside Shelter, Westside Shelter, and Lucky Paws.

The Albuquerque Animal Welfare Department is always looking for help to make our shelters a better place for our animal residents. Shelter volunteers perform a variety of functions that contribute to the quality of life of our animals. Shelter volunteers can be trained to perform a variety of functions, including:

- *Walking dogs.*
- *Cuddling cats.*
- *Providing constructive, enriching interactions with all animals to promote health, happiness, and well-being.*
- *Maintaining the environment at the animal shelter.*
- *General animal support, socialization, and enrichment for animals receiving medical care*
- *Caring for and monitoring animals as they recover from surgery or other medical procedures.*

Further, the Required Qualifications include:

Background Check

Injury/Liability Waiver

COVID-19 Injury/Liability Waiver

COVID-19 Volunteer Agreement

Animal Welfare Volunteer Training Video

In the previous training and guidebooks (which were in effect when the three mentioned volunteers began), the relevant details and requirements, as they pertain to the allegation herein which all volunteers must sign and acknowledge are:

1. Volunteers are advised I understand that the Animal Welfare Department, City of Albuquerque may at its discretion and at any time, with or without cause, terminate my position as a volunteer;
2. Volunteers are provided with a copy of the Animal Welfare Department's policies and procedures;
3. Volunteers are advised to strive to promote a positive environment and a positive image for AWD. Gossip, ridicule and harassment in any form will not be tolerated;
4. Volunteers are advised that behavior or statements that threaten the life, safety, health or public respect of any member of AWD staff or volunteer will not be tolerated; and
5. Volunteers are advised that they understand that I may at any time, with or without cause, be removed from my position as a volunteer at the sole discretion of Animal Welfare Department, City of Albuquerque.

This acknowledgment was signed by VOL-1, VOL-2 and VOL-3.

Document Review

Manual, Fraidy Cat Program

After initial discussions with the staff and volunteers mentioned in the complaint, it was evident that the program and individuals involved are all part of the AWD's Fraidy Cat Program.

A manual titled the *Albuquerque Animal Welfare Department Fraidy Cat Program Handbook* was provided to the OIG by numerous staff members. This manual has in the footer "M. Bean 3/9/18". It is unclear if this is the person who wrote this and if this is the date this manual was effective. If it is from the COA, it should include an effective date, COA logo or insignia, and a preparer/author.

This manual does state that this it is a 'volunteer led' program but this alone does not eliminate the oversight from AWD staff. The Manual on page three states that 'The Volunteer Program Lead works under the direction and support of the AWD Volunteer Coordinator'. During all

telephone conversations, both COA staff and volunteers indicated that this is not a currently filled position.

Document Review

The new Cat Team Guidelines state:

Cat Team Guidelines

Membership and participation in AWD's Cat Team is an important aspect of our work at AWD to find homeless pets their forever homes. The following guidelines will be followed by all who participate in this effort.

- I. Cat Team Structure
 - a. Lead
 - b. Staff (3)
 - c. Volunteers (3)
- II. Cat Team Responsibilities
 - a. Communicate movement of cats through shelter
 - b. Support behavior plans
 - c. Enrich the lives of cats in care at AWD
 - d. Share in the goal of placing cats in their forever homes
- III. Rules of Participation
 - a. Adherence to the behavior plan identified for an animal
 - b. Three incidents of violation of these guidelines will constitute removal from the team
 - c. The Team Lead will review and determine violations, appeals can be made to members of the PPT by appointment
 - d. All communications, verbal and written, will go through Team Lead; read receipts will be attached to email communications and everyone is expected to be diligent about reading these communications
 - e. Cat team meetings will ideally be conducted once per week
 - f. The Cat team will write a mission statement
 - g. Team members recognize the value each member brings to the table
 - h. Leadership, volunteer coordinators, kennel supervisors, etc. all agree to redirect cat team concerns to Cat Team Lead
 - i. If your preferred decision/plan for a cat is not selected, there is no recourse
 - j. Decision making pyramid: Team-Selia-PPT
 - k. Fear Free Shelter Cat certification required and will be a guiding principle; two weeks will be allowed to obtain certification
 - l. Adherence to AWD Volunteer and Staff Code of Conduct is a part of these guidelines

In addition, the following was developed by the AWD Director recently in response to some of the internal complaints:

Cat Team Structure

We have identified the following conflicts:

- Conflicting opinions about best plans for cat behavioral support
- Lacking chain of command
- Loose communication structure
- Program ownership issues
- No lead decision maker
- Experience vs. education
- Mutual respect for each person's strengths at the table

Proposed solution:

- Review and edit current code of conduct for volunteers and staff
 - Director will distribute to all
- Dismantle the current Cat Team and invite members to join a new cat team; new structure and guidelines for the Cat Team
 - Guiding membership structure: Selia/3 staff/3 volunteers
 - Create a Cat Team email group
 - Initial meetings will be facilitated by Don Hill (webex only, video/audio required); establish meeting etiquette
 - The goal of this meeting will be to invite new Cat Team members under the new Guidelines
- Create *Cat Team Guidelines*
 - I will adhere to the behavior plan even if I do not agree with it
 - Include termination clause "if x and y, you're out"
 - Defined terms for communication
 - Recognize opportunity cost
 - We will focus on future not past
 - Room to make mistakes
 - This is not a space to discuss personality differences
 - Everyone brings equal to the table
 - Leadership, volunteer coordinators, etc. all agree to redirect cat team concerns to Selia
 - If your decision is not identified for a cat, there is no recourse to make another attempt to get your plan in first;
 - Decision making pyramid: Team-Selia-PPT-(Cat behaviorist)

- Fear Free Shelter Cat certification required and will be a guiding principle
- Include current code of conduct

Action List:

- Review and edit current Code of Conduct for Volunteers and Staff
- Ask Don to facilitate first new Cat Team meetings
- Create Cat Team email group
- Establish meeting etiquette
- Write Cat Team Guidelines
- Work with Dr. Vigil and Sarah to finish review of Feline Pathways Program
- Violation appeal process

Document Review

Code of Conduct and Ethics

Each volunteer, including the three subjects of this review, signs an AWD Staff and Volunteer Code of Conduct and Ethics which states, in part the following expectations:

- Display courtesy, sensitivity, consideration, and compassion for all people and animals; and
- Volunteers and Staff will act and speak in a manner that promotes a positive environment and a positive image for AWD. Harassment in any form will not be tolerated.

Interviews and Statements from Witnesses and COA Employees:

The following staff and volunteers were each contacted via telephone and followed up with via email in regards to their statements and instances they wished to report. Below are highlights, summaries, and documentation reviews as they pertain to each discussion.

From Staff:

AWD Staff 1:

- *Administration has not supported staff in this situation at all. They have allowed this to go on to the point where many of us are paralyzed and cannot do our jobs. The Director said to me in a conversation, "you and AWD Staff -4 are not always right." Though this is true, I do not feel that this means all opinions should carry as much weight as ours do in regard to animal behavior since the City hired us for our ability to give educated and experienced opinions. This narrative is something AWD Staff - 4and I encounter in every interaction we have with staff and volunteers. Whether it be introducing a stress reducing husbandry practice or a training method. Administrators have actually diminished AWD-2 and her efforts to gain credentialing and said that VOL-1's 20 years of experience surpass any level of education that AWD-2 has pursued and earned. This is why I reached out to you. Pushy volunteers are an occupational hazard, they are only an*

issue when they are allowed to take a position of authority over staff members. To me the egregious and glaring issue here is leadership, not the volunteers they ultimately have control over.

- *She (VOL-1) was very uncomfortable using technology and kept putting off using it. Therefore, she felt we should not bring in new volunteers until such time as she could do it her way. The result was slander, hostility and a delay/cancellation of the Feline Pathway Plan that was created by the staff that care for the cats.*
- *The situation with the cat program volunteers here has made my job tense and unenjoyable, I have had my professional credibility defamed and have not been allowed to perform my job duties as outlined in my job description. I need my job, but the conditions here have been difficult and as I stated, being at will changes how you feel about pursuing a complaint.*

AWD Staff 2:

- Produced an email where a volunteer stated ‘I know that cleaning staff and others will have different perspectives’ when VOL-1 was arguing with AWD-2 about the placement of a cat.
- Produced thirteen emails where VOL-1 and VOL-2 admit to ‘provoking’, ‘pushing buttons’, purposely tries to trigger’ cats which is against behaviorology practices.
- Produced email where VOL-1 stated to an AWD manager “I would be interested in hearing AWD-4’s ideas about reducing stress and if appropriate, I/we will incorporate them into the plan for {cat}”.
- Produced an email where VOL-1 was disagreeing on the movement of a cat. VOL-1 states in this email, “I bear some responsibility for this, as I should have made/recoded much more in the way of notes about where he stood socially”.

AWD Staff 3:

- Sent the OIG the “Cat team guidelines” that were not approved. They were our original plan to mitigate bullying, drafted by staff.
- Forwarded an email from VOL-1 which stated about staff: “*He [cat] is a very situational thinker. He hasn’t glommed onto the concept that *humans* are ok. AWD-5 is ok, AWD-3 is ok, AWD-3 is ok. But all those other hairless bipeds, uh... not so much. Who do they think they are???*”

- Sent an email to OIG where VOL-1 speaks of a staff members and states: *“Sadly, I don’t think she ever bothered to look at a single link, any more than she discussed it with the “cat team”. She’s no smarter today than she was last week—and all because she had the burning need to assert her authority.”*
- Sent an email to the OIG where VOL-1 speaks of staff members to other staff and states: *“My mind just keeps rolling back around to a couple of things you mentioned:
—AWD-2 being “certified”, so AWD-4 follows her advice
—AWD-2 and AWD-4 saying that all my “stuff is anecdotal”, but they prefer to “go by the book”.*

I just would like the chance to say something here to address an inaccuracy, and because I feel I’m being misrepresented. I’m not trying to pull at you to get you to “choose sides”, and I think it’s sad that “sides” seem to be a Thing these days. I only want to share my perspective and set the record straight.

First, certification in a profession requires meeting certain standards of knowledge and experience, for which the applicant is tested. AWD-2’s “certificates” are “Certificates of Completion”. That’s a lot like “participation medal”. It’s no proof of competency, or level of accomplishment”

- Was told by Director “Be Nice, We need them” when referring to volunteers.

AWD Staff 4:

Detailed three major problems with email samples/excerpts:

1. **Example:** Cat (Physical and Mental health)
Synopsis: The staff had communicated that Purracy {a cat} had a history of lunging, biting, swatting, and otherwise aggressive behavior with the previous family in addition to cat-cat aggression, which were all reasons for why he was not eligible for a group room. VOL-2 chose to perform a variety of behaviors that she believed could potentially trigger him. Even in a well socialized cat, these behaviors can cause undue stress and are highly inappropriate to purposefully expose a cat to with known aggressive tendencies. Because Purracy was a previous bite case, if this behavior had caused him to bite again there could very well have been physical repercussions to him due to a lack of adoptability. The actions of this volunteer actively put this cat and herself in danger. She was heard on 2/23/21 explaining these tactics to others despite this being addressed as inappropriate. VOL-1 stated in email: I have worked with him some, and have tried to push his limits by fast or jerky movements, making noise at the kennel door, and other little things that might be “triggers” in an allegedly aggressive or over-stimulated cat.
2. **Example:** Cat (Behavioral health) and Staff (Mental health)
Synopsis: Sasha was a fearful cat that was showing promising behavior on her FSA, however, she was displaying aggressive behaviors in the back lobby of the east side

shelter. VOL-3 sent an email expressing her dismay with Sasha's transfer, of which none of the reasoning was centered around Sasha and her well-being. When volunteers communicate with staff in this way, staff has anxiety about sending/receiving emails as they are constantly bombarded with unwarranted anger. In addition, these reactions make it more difficult for staff to make the correct decision for cats like Sasha because of backlash they might receive. Sasha was ultimately adopted into an indoor home from the westside shelter.

3. **Example:** Staff (Mental health)

Synopsis: The volunteers requested that they be allowed to do follow-up calls on adopted cats. This was discussed by kennel supervisors and managers then was communicated to the volunteers that staff would be continuing to make the calls. Despite it being clearly communicated in email, this topic was brought up multiple times in person and in cat meetings. The sheer amount of communication that staff receives is troubling and leads to staff feeling overwhelmed. Further, this bullying behavior makes staff feel obligated to change their positions because otherwise they continue to be targets.

It should be noted that there is ten more examples such as these with documentary evidence/support.

AWD Staff 5

AWD-5 stated that tension have increased in recent months between staff and volunteers. She has had numerous staff approach her with complaints that they want moved or do not want to work the cat programs anymore due to the increased stress and manner in which the three volunteers speak to them.

AWD-5 stated that the Director has been made aware but feels that they approach is not working as they are often told to get along because the COA needs volunteers.

AWD-5 stated that during one instance, a cat who was coming off anesthesia became irate and began jumping around and hitting glass. AWD-5 grabbed a nearby towel and wrapped the cat to assist in calming him, which is common. However, the cat did struggle as it was scared to be in a new place and off medication. VOL-2 took out his cell phone and began recording, instead of assisting. As an AWD employee, AWD-5 feels this created more stress, and questioned why and for what purpose would someone do that. AWD-5 is worried as to where this video can be or if it will be made public since without context, it will not look good even though it was for the cat's safety.

AWD-5 is worried that staff will leave the department and does not feel that volunteers should overstep; they are there to assist staff, not direct operations.

Two other staff, AWD-6 and AWD-7 were interviewed as well, and provided duplicate emails as the other AWD employees.

VOL-1

VOL-1 has been a cat behavioral consultant for a number of years. VOL-1 stated that for years cats were not paid as much attention to as dogs so a group of volunteers took the lead on this program and started the Fraidy Cat program. VOL-1 was asked to volunteer as a cat behaviorist and teach a portion of the volunteer classes.

VOL-1 stated that new staff came in recently, younger staff without much experience. "They want to change everything and they do not understand cats like we do".

VOL-1 stated that there is tension because new staff want to change things that have been done for years and move cats that should not be moved between east and west locations.

VOL-1 stated that she has never spoke down about staff.

VOL-2

VOL-2 stated that he was shocked to hear this went to the OIG's office and he does not know why management did not handle.

VOL-2 stated that there is tension recently because of new staff. VOL-2 is hopeful it will change as he just wants to help the cats.

VOL-2 admitted that he video recorded an incident with a staff and cat on his phone. He admitted this was wrong and did not know why he did this. He initially thought the cat was being handled wrong but once he thought about it, VOL-2 knew it was in poor taste and he deleted the video. VOL-2 does not know why staff would bring this up, as he admitted he was wrong and it was over.

VOL-2 did state that some new staff get on-line certificates, but he has not seen them, but that they lack experience that he and other volunteers have.

VOL-2 denies saying anything too negative to staff but admits that sometimes emails and conversations get heated when there are disagreements about cat placement. But this is in good spirit and in the best interest of cat.

VOL-3

VOL-3 was called two times to discuss these matters but did not return calls.

Additional Document Review

Three staff sent OIG this email from a Supervisor:

- **This email was sent out by one of our supervisors:**

Good morning,

Upon returning to work several issues have been brought to my attention surrounding the working environment staff is in with our cat volunteers. Staff is now being told that any decision they make with behavior plans will need to go to a committee so that there are no issues between volunteers and staff- this actually creates more issues. At this time AWD-4 is stepping away from being the middle point with staff and volunteers and I fully support her stepping back-she will do her cleaning, moving around, FSAs, etc. like normal but the extra communication is done. At this time the cat volunteers- VOL-1, VOL-3, and VOL-2 are all speaking poorly about AWD-4 and AWD-2. VOL-2 stated that the meeting we had with AWD-2, AWD-4, and myself went horribly and that she is so upset by it. I was in that meeting and in the end I felt it went really well and the introduction with (VOL-1 and VOL-2) was finally completed. Another issue came up when AWD-4 was creating our working cat signs and when she asked if she wanted to be listed as an approved counselor she stated she did not want to be on it since it makes her very uncomfortable due to how the volunteers react when decisions are made that staff feel is right for the cat. She does not want to be bullied like how staff are. As it is, VOL-3 is constantly stepping into the interactions with customers and staff and essentially pushing the staff out. Per the Code of Conducts and Ethics that everyone was given it is not being followed at all by the volunteers. This environment is extremely toxic at this point and I feel like nothing is fully being done to correct this behavior, yes meetings have been done but in the end we just continue to allow the volunteers to treat staff in a poor manner. Eventually the communication between staff and volunteers will go right back to how it was before.

Email threads from VOL-1 to Staff (staff reported these as demeaning and overstepping):

- *From our perspective, suddenly changing an effective training program that has run well for the past six years, without honest, inclusive discussion, runs counter to the efforts we have all been making to foster improved, open, and straightforward communication and mutual respect.*
- *I don't doubt you have trained "hundreds" of volunteers. But you have not trained volunteers here, for this program. Experience has shown us that patterning the cat training on the dog training does not work. That's why we have two separate programs; our portion was developed over about seven years. (There was no cat training whatsoever before VOL-2 came on board. He recruited me, as a cat behaviorist, to work with him and [previous oversight] to develop a cat-specific training program.) The last attempt to model the cat program on the dog program nearly crashed the whole thing. What we do, works. If something needs change or improvement—though in your July 20 email you said "it was great"—we are happy to do that. But we need to know what it is.*
- *Somewhat puzzling, too, was your framing the program as "more [off] an orientation" in your Thursday email to VOL-3. It is actually a 2-2.5 hour training. It includes about 45 minutes of "classroom"/PowerPoint time discussing cat behavior and the various*

programs volunteers might choose to work with, and an hour or so of showing the facility, demonstrating cat handling techniques, and some hands-on instruction. It's this hands-on stuff that I thought we were working out technical solutions vis a vis Covid safety. That's what's outlined in the emails throughout the month of July.

Email from VOL-1 to OIG:

- *Humphrey behind the curtain. Note the chewed-up box; this is a sign of stress in a cat. (Sound on, please.):*

<https://share.icloud.com/photos/0c9wEy4fkhhlUZDJvymmaMcA#Albuquerque>

I am sending this simply because I told you his story.

Conclusion and Recommendations

After reviewing the numerous documents and based on the interviews with staff and volunteers, it is evident that there is a lack of understanding with AWD volunteers regarding their roles and the expectations of a volunteer. In addition, the manner in which staff are often spoken to by volunteers needs addressed.

Volunteers are integral to this department and the AWD needs volunteers to operate. Volunteers, however, are to assist staff and follow staff directives and while they can always respectfully vocalize concerns or bring forward suggestions, operations and policies are developed, issued and overseen by AWD staff. As evidenced by discussion with volunteers, videos and pictures, volunteers are given much access to employee specific information and often challenge/argue with employees about program decisions. In addition, numerous emails were reviewed were volunteers spoke down to and demeaned staff, which should not be tolerated.

The OIG has the following recommendations:

1. VOL-1, VOL-2, VOL-3 should be educated in their roles as volunteers and their need to respect staff decisions in regards to operations as per the acknowledgment statement indicating that volunteers are advised to strive to promote a positive environment and a positive image for AWD. Gossip, ridicule and harassment in any form should not be tolerated.
2. Volunteers are taking pictures of animal files, COA documents and COA processes and sharing them. Volunteers should be prohibited from accessing employee only areas or filming and recording staff.
3. Volunteers and AWD Staff should have separate Code of Conduct/Ethics as AWD/COA cannot hold volunteers and staff accountable in the same manner. In addition, their roles are different; combining this training and document into one can create the blurry line between the two roles that has been crossed in the examples contained herein.