



**OFFICE OF INSPECTOR GENERAL**  
*City of Albuquerque*

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**Report of Investigation**

**FILE NO:** 20-0009 I

**DATE:** July 29, 2020

**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 and citizens

**STATUS:** Final

**INVESTIGATOR:** J. S.

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*Ken Bramlett*

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ACCOUNTABILITY IN GOVERNMENT OVERSIGHT COMMITTEE CHAIR

**DISTRIBUTION:**

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## **Executive Summary**

A complaint was forwarded to the Office of the Inspector General (OIG) in reference to a volunteer with the Animal Welfare Department (AWD) for the City of Albuquerque (COA). This volunteer is alleged to have been reported multiple times to the various managers and Directors within the AWD yet has been able to continue volunteering and negatively representing both the Department and COA.

During the course of the investigation, numerous staff and other volunteers detailed negative and threatening experiences with the subject and expressed their frustration with management for not addressing. Based on these reviews, it was clearly demonstrated that the subject volunteer has violated the volunteer training and manual.

In addition, it was clear that the AWD needs to ensure that all volunteers are documented as understanding these rules and regulations of the program and that written documentation is maintained. This includes a liability waiver that serves as a protection for the COA.

## Abbreviations

AWD – Animal Welfare Department  
COA – City of Albuquerque  
IG – Inspector General  
IT – Information Technology  
OIG – Office of the Inspector General  
PMT - Population Management Team  
VOL-1 – Volunteer, Subject of Investigation

## Initial Complaint and Background

A complaint was forwarded to the Office of the Inspector General (OIG) in reference to a volunteer with the Animal Welfare Department (AWD) for the City of Albuquerque (COA). This volunteer is alleged to have been reported multiple times to the various managers and Directors within the AWD yet has been able to continue volunteering and negatively representing both the Department and COA.

The original submitted complaint stated:

*“Employees at the Animal Welfare Department have been subjected to on-going harassment at the hands of a volunteer named VOL-1 for years. VOL-1 has been suspended for his actions previously but continues to harass, target and otherwise violate his role as a volunteer. Under previous administration VOL-1 was supplying information from ex-staff to the previous Director and City Legal representation while this ex-staff member was locked in a legal matter against the City of Albuquerque. Furthermore, the acting Director was made aware of complaints of on-going harassment and misconduct as a volunteer. The Acting Director did not act at the time of misconduct of breaching data and harassing an adopter as he did not wish for "controversy". At the beginning of the COVID-19 epidemic, management discussed terminating VOL-1 due to the media being too busy to pick up any complaints he may have however did not carry out any termination. VOL-1 has continually harassed and targeted in his behavior towards numerous AWD staff in addition is utilizing AWD staff to obtain records outside of the City Clerk record request process. Management had been made aware of this personnel violation as well. At this time new harassment complaints have been presented to the latest AWD Director. In the phone conference with a personnel/HR representative advised that VOL-1 is hugely problematic and that previous leadership have been aware and not addressed staff concerns. HR staff also advised that VOL-1 could be terminated without cause as a volunteer. This on-going and unaddressed issue has been listed as one of many reasons that a member of the AWD leadership team has submitted their letter of resignation. This same team member suffered a significant*

*medical issue earlier this year in connection to increased stress, in part, associated to this harassment issue.”*

## **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=519455](https://cabq.galaxydigital.com/need/detail/?need_id=519455). The COA website states:

*What do AWD volunteers do?*

#### ***Shelter Volunteers***

*Shelter volunteers help with quality of life for animals in shelter custody. Our shelter volunteer opportunities are some of the most enjoyable volunteer deployments in Albuquerque.*

*Have you ever wanted to be a trained professional in dog walking? How about cat cuddling? Are you interested in helping animals recovering from surgery or who are learning behavior that helps them find their forever home? Volunteering in the shelter might be right for you!*

*We require our shelter volunteers to be trained before they are engaged in volunteering. Sign up here, and we will let you know when the next training session becomes available.*

#### ***Foster Volunteers***

*Foster volunteers open their homes to animals. This helps our shelter be able to serve more animals, and you get a wonderful companion out of the deal.*

*Foster volunteering requires a brief check into the adoption records of volunteers, and this program is currently in very high demand. Once you are screened to join the program, you'll receive information about new animals in need of foster placements as soon as they are available. We are also experiencing delays in accessing records from various databases. Please be patient with us as we process our lists of volunteers and rest assured that we will get you into the program as soon as we are able.*

*In addition, should you wish to volunteer, you would complete and Injury/liability Waiver as well as sign a Volunteer Agreement.*

*The Volunteer Agreement states in the League of Volunteers Guidebook states:*

### **AWD STAFF AND VOLUNTEER CODE OF CONDUCT & ETHICS**

*As a staff member or volunteer representing the Albuquerque Animal Welfare Department, your conduct and interactions are expected to be professional and courteous at all times. When working*

*or volunteering at the shelter you are making a commitment to carry out the tasks you have pledged to perform in a professional and respectful manner.*

*This Code of Conduct and Ethics clarifies the expectations and principles for AWD staff members and volunteers. Unprofessional, dishonest or disrespectful behavior will not be tolerated. Such behavior could be grounds for disciplinary action, up to and including termination, or separation of service.*

- *Never strike an animal, or handle or treat an animal in such a way that it would be construed as rough or abusive. Always exercise compassion and care with the animals.*
- *Respect the opinions of others even if you do not agree with them.*
- *Display courtesy, sensitivity, consideration and compassion for all people and animals.*
- *Keep your safety, and the safety of others at the forefront of all activities.*
- *Respect and use equipment and supplies as they are intended.*
- *Report all injuries immediately. This includes all bites and scratches caused by interaction with an animal.*
- *Carry out assignments, and follow the rules in accordance with training.*
- *Seek assistance from a senior volunteer or staff member when necessary.*
- *All concerns, problems, conflicts, differences of opinion and/or suggestions will be communicated to a Supervisor from the respective section in writing, signed by the person submitting the grievance. Supervisors will have 3 days to respond and notify the respective manager.*
- *All relevant information regarding animal behavior will be provided to a Supervisor via email for entry into the computer. Any person who observes animal behavior that is aggressive or may present a safety risk to people or animals must immediately report that behavior in person to an AWD supervisor, and followed up with an email detailing the behavior. Supervisors will enter the information into the database within 24 hours.*
- *Staff and volunteers should honor commitments to the shelter and communicate to Supervisors if unable to meet a scheduled commitment.*
- *Value everyone's role in the maintenance and growth of the organization.*
- *Strive to promote a positive environment and a positive image for AWD. Gossip, ridicule and harassment in any form will not be tolerated.*
- *Behavior or statements that threaten the life, safety, health or public respect of any member of AWD staff or volunteer will not be tolerated.*
- *Staff and volunteers will respect the decisions of the population management team and understand that the decision to euthanize is taken seriously and follows criteria set forth by the Population Management team, which considers the health and welfare of the community as a whole.*

## ***VOLUNTEER AGREEMENT AND RELEASE OF LIABILITY***

*As an Animal Welfare Department Volunteer, you will be required to abide by the terms of a volunteer agreement. The agreement below details what Animal Welfare will expect of you and what you can expect from the City of Albuquerque Animal Welfare Department. If accepted as an Animal Welfare volunteer, my signature below indicates that I have read, understand, and agree to the following:*

- *The Animal Welfare Department has provided me with a copy of its policies and procedures*
- *I have read and understand the policies and procedures and I agree to abide with the Animal Welfare Department's policies and procedures*
- *I agree to be supervised by the Volunteer Program Coordinator or designee and will directly report to said individual with any problems that may arise*
- *I authorize the Animal Welfare Department to seek emergency medical treatment in case of accident, injury, or illness*
- *If I fail to abide by the terms of this agreement or am otherwise unable to meet program requirements, I will be justly terminated.*
- *I understand working with animals involves some risk of injury*
- *I agree to indemnify and hold harmless the City of Albuquerque, Animal Welfare Department, Officers, agents and employees from and against any and all liability, damages, and injuries whatsoever arising out of or related to my duties under this agreement for any negligent act or omission by the Animal Welfare Department, the City of Albuquerque, government representative, agents and employees*
- *I 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*
- *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.*

In the training and guidebooks, the relevant details and requirements, as they pertain to the allegation herein 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

### **Communications with and Regarding VOL-1:**

The OIG requested any and all documents in possession by the complainant and, in addition requested documentation from the AWD employee regarding this particular volunteer. Below is a summary of the concerning documents obtained:

- After an incident that previously occurred (no documentation is available on this incident however it is referenced in the emails) the AWD Behavior Manager indicated, on October 4, 2019 that she “wanted to let everyone know that I had a conversation with VOL-1 this morning. VOL-1 was invited to stay on at AWD working directly with behavior staff to train his project dogs, but no longer doing adoption counseling or taking dogs to Lucky Paws or offsite. VOL-1 declined this offer and chose to end his relationship with AWD. This was followed by an email 5 days later. In this email thread, VOL-1 ‘reconsidered and will continue by coming to classes led by’ only certain individuals. The former Director stated that they will hold a conversation about this when they return”.
- On December 1, 2019, AWD Behavior Specialist sent an email to her supervisor indicating that she was being bullied by VOL-1 and that when she does not respond to him, VOL-1 becomes hostile. The Behavior Specialist states in this email thread that she does not feel comfortable working with this volunteer.
- On January 22, 2020, the Chief of Field Operations, then Director and two other supervisors were sent an email thread from AWD Senior Animal Handler in which they stated “This email is inappropriate and uncalled for. I will NOT accept bullying from ANYONE towards myself and my coworkers in any form. I trust that this will be addressed”. In the email thread, VOL-1 was inquiring about the adoption of a particular dog which had a bite history. This dog was listed and reviewed by the PMT committee as ‘unadoptable’. In the email, VOL-1 was unhappy about this decision as it was apparent he wanted to ‘take him out of the kennel’. VOL-1 emailed COA Senior Animal Handler and stated “the tails that wagged yesterday in hopes of a future, soon will lie still in the land field. I wanted to adopt that 3 year old pup and he would have had a great future, just stepped on the wrong toes, so Gary dies”.
- On February 14, 2020 an Albuquerque resident sent an email to the COA Citizen Contact email address. In this email, she detailed an incident with an interaction with VOL-1 while fostering and potentially adopting a puppy. VOL-1 talked to her (with her daughters) about fostering a puppy as a trial run prior to adopting. VOL-1 texted her during this period and she forgot to reply, as she was at work. The puppy was not a fit for her and her daughters so she returned the puppy. After that return, afterhours, VOL-1 texted her which stated “I will do my best to find him a home that is a better fit for him, he’s a good pup. I hope he don’t get put down on my account of sending him to what I thought was his forever home. I should have known better. Please tell your daughter, I’m sorry, I erred in judgment.”

She is concerned as to why he would do this or why he, a volunteer, would have her personal information and wanted assurance from the COA that he did not have her home address.

- On February 16, 2020 the aforementioned email from the citizen was forwarded by the AWD Operations Manager to the Acting Director to discuss at the leadership meeting and asking to remove this individual from the volunteer list.

- On February 18, 2020 an Albuquerque citizen who was meeting a dog at Lucky Paws, interacted with VOL-1. This citizen was told by VOL-1 that if this animal was not adopted today that it would be euthanized. The citizen reported this to COA staff as they now felt guilty and uneasy about not adopting now knowing it would be killed. AWD Management assured this citizen that this was not the case. The Adoption Center Manager reported this to AWD Management immediately as they felt it was highly inappropriate,
- On February 19, 2020, an Adoption Center Manager emailed the AWD Management that they have addressed leash and harnesses with VOL-1 numerous times and that VOL-1 was instructed not to give these away with an adoption. They are reused, as there is always a need. It was reported several times that he was untruthful and gave away these items.
- On February 22, 2020, VOL-1 sent an email to AWD staff which in part stated that he was going to have an attorney send a letter to the Mayor to rethink the AWD decision to suspend his volunteer privileges. VOL-1 also stated that “We will be sending documents showing worse conduct has occurred without any sanction being imposed, We will send a recording of a management meeting in which I (VOL-1) was referred to as crazy and having something wrong with me. We are going to do a press release, as soon as we get a response from the mayor’s office. Enjoy the rest of your weekend. I almost forgot, my attorney was wondering, since when does the city concern themselves with any liability that a private entity may or may not be undertaking”.
- On March 21, 2020, the former Chief of Field Operations brought the concerns regarding VOL-1 to the acting Director. During an interview, AWD staff indicated that they were told by management that terminating this volunteer now based on these complaints would have bad optics. They were also advised that the media was preoccupied with COVID-19 and they would not have time for this story and it would be buried. The Chief of Field Operations also forwarded this information to COA Human Resource Staff.
- On a text thread on or about April 14, 2020, AWD management discussed VOL-1’s knowledge of COA information that should not be made public or to volunteers. COA staff feel that this information is being provided to VOL-1 by an AWD staff member who is the only person who may have this information.
- VOL-1 sent texts to AWD Management stating that “I got paperwork on or pup and its doesn’t appear to me that he should have been killed” and that the “PMT is killing in secret”. In addition, VOL-1 stated “we have decided that our questions about pmt through the media will be addressed....right now all I got is screen shots of the notes”. VOL-1 also indicated that he has an invitation from the ‘today show’ but only did not go yet due to his mother and his brother and stated “I can really spin a positive story into a negative one”. Lastly, VOL-1 stated that he feels he is being singled out due to his veteran status.
- VOL-1 sent text to management that AWD staff “Diana barked at the wrong tree. Lt me know where I stand, if not your putting in our hands, you will not like the outcome. My

comments are not threats, they are a promise. Any request is not going to be able to be defended”

- On May 14, 2020, the Chief of Field Operations forwarded information and aggressive texts concerning VOL-1 to HR staff.

### **IT Information Request:**

The OIG sent an email to the IT representative for AWD to inquire about access to Chameleon and Animal files. The email asked and questions were answered (in red):

1. Do volunteers have access or log-ins for Chameleon?

All logins for Volunteers were removed with all the updates we have been doing, but Chameleon is on almost every computer at the Shelter so it's hard to say they could never access it but it would be on someone else's login.

2. If I give you an animal's name/number can you tell me everyone who has logged into that animal's file? Or is it only if they make changes in the file?

I can tell you if any changes were made, Chameleon does not track if a record is just looked at or accessed. The City does not have that level of auditing enabled on our servers to see that. I am told it's possible to do but with some cost in performance.

The OIG asked for copies of all signed documents and training for VOL-1. The question asked by OIG and response received is:

OIG: *I would like to request a complete copy of the file and duties for a volunteer (VOL-1);*

Response Received: *After going through any and all paperwork – it appears we do not have a copy of the liability waiver or the code of conduct for VOL-1 - he has been asked to sign these on numerous occasions by numerous staff (while I am new to the volunteer program I have worked at AWD for the past couple of years first as contract and then as an official staff person for almost a year so I have been aware of the numerous meetings he had with the behavior team, the operations manager and the Director) Through our new volunteer system where volunteers log their hours – they are required to sign a liability waiver in order to proceed through the Galaxy system. VOL-1 appears to have completely bypassed this by not logging volunteer hours when he is at any location volunteering – he has volunteered through our Westside Shelter, Eastside Shelter, & Lucky Paws location.*

*As far as duties that a volunteer would be required to do as a dog walker would be – Walking dogs, working on basic training such as “sit, stay, down”, taking animals for supervised on leash Doggy Day Outs such as walking them around a park, taking them on a hike, things of that nature. He has also participated in volunteer meetings and had, in the past, assisted with adoption counselling but never took the training required for it – which I have been teaching for*

*years. These duties are outlined in our dog walking manual that is attached as well as what volunteers are required to do in order to be promoted to the more difficult to handle animals.*

### **Interviews and Statements from Witnesses and COA Employees:**

COA-AWD Manager, herein after referred to as AWD-1

A telephonic interview was conducted with AWD-1 and a documentary memorandum with attachments was then sent to the investigator by AWD-1.

AWD-1 states when VOL-1 began volunteering he was respectful and dedicated. However, as time went on, he became “generally abusive, manipulative and disrespectful”. AWD-1 went on to state that “at this point, I fear for my own safety in his presence...I am concerned for my own well-being and that of my fellow staff.” Due to these concerns, AWD-1 requested that their statements and comments remain confidential.

AWD-1 stated that many of their interactions with VOL-1 that were negative involved the euthanasia of animals. If there was an animal that VOL-1 was involved with that required euthanasia for the safety of the community or health reasons of the animal, VOL-1 would then target the staff involved. VOL-1 would become disrespectful, send abusive texts and become enraged. AWD-1 also stated that they made previous management and Directors aware of this and that it was never addressed.

AWD-1 attached screenshots of texts and emails received from VOL-1. After a review by the OIG, the following is a summary of the documentary evidence from AWD-1:

- VOL-1 was reported to management as not being truthful to citizens who were adopting. VOL-1 told potential adopters that a dog would be euthanized if they did not adopt and also gave adopters false information in regards to holds and fees that they paid.
- VOL-1 wrote an email to management and stated ‘in his training elsewhere, they didn’t use certain words’ and that the AWD uses wrong terminology that has been ‘scientifically unproven’. These terms were commonly used in veterinary practices and the AWD using standard vocabulary that is accepted in shelter based organizations.
- VOL-1 wrote an email to AWD management indicating that AWD staff should do more for an animal and used phraseology such as ‘instead of being thrown to a landfill’ and ‘I do not understand how a behaviorist is so bad that they have no remedy other than the landfill’.
- VOL-1 sent emails about an animal that “will be killed” and demanded to see the PMT notes in regards to the euthanization decision by the AWD professionals since he believed it was a ‘bad case’ and ‘questionable’.

COA-AWD Manager, herein after referred to as AWD-2

A telephonic interview was conducted with AWD-2 and a documentary memorandum with attachments was then sent to the investigator by AWD-2.

AWD-2 stated that VOL-1 has been with AWD since the fall of 2018. AWD-2 stated that staff have reported VOL-1's hostile and negative behavior to her. As far as AWD-2 was aware, this behavior was addressed by management although it continued.

AWD-2 stated that on multiple occasions, VOL-1 'took' dogs and never went through the proper channels. On one occasion, VOL-1 took a pup to foster that was not approved and left the dog unattended at his home. The dog fell and drown in VOL-1's pool.

AWD-2 stated that on another occasion, VOL-1 skipped the channels of adoption and took a dog to sit in another kennel instead of to a rescue mission as he stated.

AWD-2 attached screenshots of texts and emails received from VOL-1. After a review by the OIG, the following is a summary of the documentary evidence from AWD-2:

- VOL-1 was 'suspended' from volunteer work for two weeks
- VOL-1 wanted to terminate his work with AWD and then reconsidered with special conditions.

COA, Human Resources Staff

As referenced several times by various documents and staff interviewed, HR was contacted in reference to the counseling and suspension of VOL-1 and asked about documentation of this meeting.

HR stated:

*I don't know of any documentation of this.*

*As I recall, this was a while back. He (the previous AWD Director) needed to talk with a volunteer who he had received complaints about and asked me (HR) to go with him to sit in on the meeting and tour the facility. I had not had any experience with volunteers at that point and I still rarely have any interaction with non-employees. The Director met with VOL-1 while I was present and I believe a kennel supervisor was there too. AWD Director discussed some concerns with VOL-1--one had to do with his interfering with staff doing an adoption and just generally overstepping his authority. It seemed cordial. AWD Director asked VOL-1 if he wanted to continue to volunteer and I recall VOL-1 wanting to. AWD Director thought it was best if VOL-1 "took some time off" and didn't volunteer for a while—I believe it was two weeks—and VOL-1 didn't argue with that. I don't recall anyone using the word "suspension" as the conversation was very casual and probably only 5-10 minutes. I don't believe anything was documented.*

COA-AWD Manager, herein after referred to as AWD-3

A telephonic interview was conducted with AWD-3 and a documentary memorandum with attachments was then sent to the investigator by AWD-3.

AWD-3 detailed one negative experience with VOL-1 in which a COA citizen wrote to her that VOL-1 scared her and her children and VOL-1 wrote them inappropriate text messages after they

were unable to adopt a foster dog. The citizen emailed and felt threatened by him and was highly offended by the message and scared that VOL-1 may have her address. AWD-3 assured the citizen that VOL-1 should not have access to that information.

AWD-3 also stated that on multiple occasions, VOL-1 was counseled on removing leashes and harnesses yet he continued to give them away, against procedure.

AWD-3 detailed another incident with a citizen in which VOL-1 told citizens that dogs would be 'killed' or put down if they did not adopt. AWD-3 stated that citizens were often offended and felt horrible after being told this, as they felt it was their fault animals were euthanized.

AWD-3 attached text exchanges and emails from citizens regarding these matters.

AWD-3 provided text messages to the OIG and explained that VOL-1 would sneak and bring non-AWD dogs to the partners at the Mall to adopt when this process was not allowed. VOL-1 was counseled on this and how it was not permitted but he continued to do.

### **Conclusion and Recommendations**

Based on the interviews and the documents provided, the OIG recommends the following with the response from the AWD Director detailed in red:

1. VOL-1 be removed from volunteer program immediately;

**Volunteer-1 services were terminated effective June 15, 2020.**

2. An audit be conducted and files created to ensure that all volunteers have signed the Liability Waiver for the COA and received the required training;

**AWD is currently auditing the Galaxy Volunteer system and working with the Civic Engagement Coordinator to ensure all volunteer documents are uploaded into the volunteer digital file in the system. All AWD will be retrained on the Galaxy system and the importance of retaining volunteer documents.**

3. Any volunteer identified to not have access be required to re-sign all documentation prior to volunteering with the COA AWD; and

**All volunteers with incomplete files will be required to re-sign and upload signed forms into the system.**

4. All AWD be reminded of COA computer access and COA employee only documentation.

**All AWD staff was reminded that COA employee only documentation can only be access through the IPRA process through the City Clerk's office and may not be provided to the public directly from staff.**