

Klein Animal Shelter

Complaint Notes

4-25-2013

At 8:40am on Thursday, April 25, 2013 I received a call from Joseph DeGuzman at the Cherokee County Health Department. He was calling in reference to a phone call he received about the Klein Animal Shelter in Jacksonville. The caller, who wanted to remain anonymous, claimed that the animal shelter was euthanizing animals illegally and that they were dead animals in bags in cages next to live animals. Joseph gave the caller our number. He was calling to give us a "heads up". All he had was a number to the caller ((903)279-4184).

At 8:56am on Thursday, April 25th, I received a call from the same number ((903)279-4184). He still refused to give his name, but further into the conversation, he explained that his wife works at the shelter. He stated that there were dead dogs in black plastic bags that had been euthanized because of disease in kennels beside live dogs. He stated that the animal shelter has 3 freezers in the back that don't function and all of them are full of dead animals. The dead dogs had been there since Monday in the open kennels outside. He said the Jacksonville dump told the animal shelter it would not take their dead animals. He claimed that the dump was upset that they had been taking animals in the first place. The caller stated that there was a bad smell present as you drive by. He claimed that there were 3 workers up there (one being his wife) who have been experiencing some sort of skin rash. The other two employees were Ashley and an African American gentleman he did not recall the name of. Some of these rashes have turned into sores. I asked him if his wife had sought medical attention for this rash. He stated they were doctoring it at home. This gentleman stated he worked for the animal shelter in Lufkin previously. He stated he has never worked for Klein.

The caller stated that the 2 main board members and the shelter management (Angela Wallace and Braun Cyrs) were friends outside of work.

The man stated his wife was a vet tech and he didn't want her involved because they had 5 kids and she really needed to keep her job.

He then stated that Ashley, one of the employees up there was fired 2 years ago for killing a dog by kicking it. She was hired back and recently choked a cat until it was unconscious the other day in front of witnesses.

The caller claimed that Dr. Stevens knows about some of the stuff and that is why he doesn't like them.

I explained to the caller that anything he tells me is hearsay and that I really need to speak to his wife. I explained that we do not give the names of our sources. He stated his wife would be off work at 1, get home around 1:30 and that he would have her call me.

At 1:08pm on Thursday, April 25, 2013, I received a call from (903)258-6182. It was the wife of the previous caller. She was calling to report some of the occurrences at the Klein animal shelter. She had a gentleman who also works at Klein animal shelter on the phone with her. She stated that the animal shelter cannot use the dump for carcass removal and that there are bags of dead animals. I asked her who told her that the dump would no longer allow them to dispose of their carcasses there. She said

she was told by management, who was told by the highest management at the shelter. She claimed there are bags in kennels and the freezers are full. She stated the bags in the kennels were beside kennels with live animals. There is a freezer, one of three at the shelter, does not work and has been full of dead animals since Monday, April 22, 2013. I asked her if she had been told anything concerning disposal of the euthanatized animals. She said that on Monday when she was told about the dump refusing to take the animals, she asked management what they were going to do about carcass disposal and she was told "your guess is as good as mine". I asked if the caller had any pictures of this and was told that the male caller had taken some. I asked if they would send them to us. The male caller asked for a cell number to send them too. I gave him the state cell phone.

The caller stated she has a rash. I asked her if she had been to a doctor to have it diagnosed. She said no, she was doctoring it at home and the only thing she's found that has alleviated it was a spray to treat athlete's food.

The caller then described an instance of animal cruelty she witnessed on Saturday, April 20 2013. She was cleaning the cat isolation area when Ashley came in. The caller mentioned that one of the cats caged in the isolation room was acting "strange". She warned that it was mean. She stated that Ashley took the cat out of the cage to "love on it", and it attacked her. The caller ran to get a catch pole. She stated Ashley got the cat on a catch pole, cinched it to the point of strangulation and proceeded to kick the cat. She proceeded to kick and drag the cat from the isolation room to the quarantine room. At some point, the cat lost consciousness. It was placed in a quarantine cage. It regained consciousness later on. The caller and her friend stated they both witnessed this act. Management was not on the premises at the time. Both stated they witnessed Ashley speaking to management about the incident. She used explicatives and said "but that's okay...it has boot prints now." According to the caller, management laughed at this point. I asked if she knew where the cat came from. Was it a drop off by animal control? Was it someone's surrender? She stated she thinks, but is unsure, that the cat was a drop off by animal control, possibly Tyler. I asked where the cat was now. She said it is in quarantine and after the 10 days, it will be euthanized. She stated that Ashley primarily works with the cats. Ashley made it a point to come in on her days off to take care of this cat. The caller stated that Ashley's husband also works at the shelter.

I asked both callers if they had spoken to management about the incident. The female caller said that she had not talked to management because it would do no good. There hadn't been any reprimand when Ashley told management herself what happened. I stated that if it was me, I would go ahead and express my concerns.

Both callers say they witnessed Ashley taunting a couple of cats and taking video of it. When the caller asked what she was doing, she said she was trying to make the cat crazy. The caller stated she was hitting the cage in an attempt to make the cats hiss and attack.

The caller stated that on Wednesday, April 24, 2013, Jeffrey Hammerbacher, the transport officer for Tyler Animal Control had to go into the shelter and inform staff that there was a dead puppy in with 2 other puppies in one of the outside kennels. The male caller, said that the puppies were in the "sick

bay" area because management suspected they had parvo. I asked where the 2 living puppies were. I was told they were still in the same cage outside. The female caller stated that the cage had been moved approximately 1 cage length away and the area the cage was sitting was sprayed with bleach water. When I asked if the cage itself was cleaned, she could not be certain.

During the call, I was informed that the majority of the euthanizing at the shelter is not done in the euthanasia room. I was told that cats are done in the isolation or quarantine room, in their cages by use of a pole syringe. The female caller said that they stick them where they can and it's horrifying to see some of the cats thrash around before finally dying. This is done in sight of other cats. I was told that puppies and dogs are usually euthanized in the runs. The male caller said that he has participated in the euthanasia where there were three puppies in the cage and he was directed to hold the other puppies down, or hold the puppy being euthanized down. The female caller stated that puppies are euthanized by injection into their stomachs. The larger dogs are euthanized via a vein. I asked if any euthanasia happens in the euthanasia room and was told that sometimes they will take 2-3 dogs into the room at the same time and euthanize them. I asked if any of this euthanasia happened before the public. They both stated no. I asked who was euthanizing the animals and was given 4 names. Angela Wallace, Braun Cyr, Jason and Nathan. The female caller said she was unsure if Nathan was trained to euthanize animals, but she knows Jason is not. The male caller said he has witnessed Nathan euthanize a cat and that Jason euthanizes on a regular basis. I asked how long Nathan and Jason have been employed at the shelter. The female caller said Jason has been there about 2 years and Nathan was there 5 months ago, then he was fired, and 2 weeks ago, he was hired back.

The female caller said that management at the shelter is friends with 2 board members. She stated that the 2 employees that are not management are in the fight club that Angela Wallace oversees.

Both callers stated they have witnessed alcoholic beverages being consumed on the premises during work hours. I asked if management was aware of the alcohol on the premises and was told that management is one of the ones drinking.

They callers stated that management will bring their coolers and dishes up to the shelter for the community service volunteers to clean. The male caller said that management will bring up a huge bar-b-q trailer and practice recipes during work hours if there is some sort of cook off coming up.

The female caller stated she has seen someone taking prescription medication that was not prescribed for them on the premises.

At 2:39pm on Thursday, April 25, 2013, the male caller called the state cell phone. Angela answered the phone. He wanted to know what time we closed. Angela asked him to explain what was in the pictures. After a brief conversation, she handed the phone to me and I spoke with him, asking if he knew the dates of some of the incidents we had spoken about. He said he believed the incident with the cat being strangled was on Saturday. He was describing to me that there was a picture of a German shepherd puppy that was being held back in "sick bay", the area where any puppy or dog showing signs of illness

are kept, for the past 2 weeks because a family member of an employee wanted to adopt it. The caller finally gave his name as Kevin Allen. Kevin was concerned that the healthy German shepherd puppy was being exposed to all sorts of illnesses. He stated that people have expressed an interest in adopting the dog and they are told that the dog was being treated for some illness, or that the dog was already adopted. He stated they do not "treat" dogs; they don't have the money for that.

Kevin also asked about a cage of chickens being held back near the dog runs outside. He was concerned that they were being kept outside during cold temperatures. I told him I was not aware of regulations for chickens, but that I would find out.

Kevin said that he started taking pictures because the commissioner of precinct 3 asked him to.

Kevin said that management is basically using the shelter as a storage facility for their trailers for their fight club and their bar-b-q.

While we were on the phone, he stated that there was a new bag just added, and that it was a huge bag. I asked if it was near any live dogs. He said no, there were no dogs on this side.

Kevin has also asked what could be done about a co-worker being 'on the clock' who was not there. I said that was not under our jurisdiction and that I would find the contact information for the agency that regulates that sort of issue.

At 3:37pm on Thursday, April 25, 2013, Kevin Allen called the state cell phone. I spoke to him. He was calling to ask what regulations there are concerning an employee bringing their kids to work. He said that every afternoon and every Sunday, there are 3 young kids running free around the shelter. He has seen them in the adoption area, cat isolation room, in the kitchen, and on the shelter computer playing games. I asked if he has ever seen them in the quarantine room. He said no, but it is possible that they are crossing the quarantine area to get to the back where "their dog" is being kept. I asked if they are supervised at all times. He said no, and in fact, stated that yesterday; the woman was looking for one of her kids who was out back. He wanted to know if it was safe to have them up there. I stated that this was not an issue where we would have any jurisdiction, but that I did not believe it was safe to have unsupervised children running around the shelter.

Kevin asked if it was safe to have animals running free in the shelter. I asked him to explain what he meant. He said that there is a dog, a black and white great Dane that is taken for walks on a leash outside the shelter property. It is a dog that was found within the city limits. I explained that we have run into shelters that have "shelter pets" that are restricted to the front area. He said that this dog was kept up front, but has learned how to open or get through the doors and runs free while Angela is out back cleaning or grilling. The dog gets into the clean, empty runs and drinks out of the water bowls that Kevin has to go around and re-clean.

He stated that Angela and Braun don't do much of anything around the shelter anymore. Usually they are on the phone making plans for the fight club or the cook-offs they participate in. He said they have their spices and other items delivered by UPS to the shelter. I said it is not uncommon for employees to

have UPS or Fed-Ex delivered to their work address. In fact, we do it. He said he wonders if they are using shelter funds to buy this stuff. I encouraged him to speak to his Commissioner friend concerning that. I said that the shelter has to keep records of where the money they are given to operate goes. He asked if I would be available after 5 to answer questions. I said no, but Angela has the cell phone and will be available for a short period of time.

During the call, Kevin stated that he was aware, from his friend who had talked to someone here that we would be coming out on Monday. I said I cannot confirm or deny that, as I know nothing about it.

At 4:04pm on Thursday, April 25, 2013, Kevin text messaged the state cell phone. He said "Hey ya'll might want to go ahead and come up here tomorrow. Cuz I overheard them saying that they are going to bring a trailer over here to haul all the dead animals off." Angela asked if the shelter euthanizes every day. He said "Sometimes".

At 5:37pm on Thursday, April 25, 2013 Kevin called my work phone. He did not leave a message.

At 7:55am on Friday, April 26, 2013 Kevin called the state cell phone. I spoke with him. He was calling to tell us that he looked on the "pad" and counted that they will be euthanizing 33 animals today, but he doesn't know which animals are listed. He doesn't understand the system they use. I confirmed what he told us yesterday about a discussion by management to bring a trailer up there. He said they are bringing a trailer, but he's not sure it's for the animals. I asked him if he had heard anything about what will be done with the dead animals once they are loaded onto this trailer. He said he has not heard anything.

At 8:09am on Friday, April 26, 2013, Kevin texted a picture to the state cell phone. I asked for an explanation. He said it was "three baby kittens too dead one live barely and they are just leaving them sitting in the cage." I asked if anyone had notified them of the live kitten and the location of the cage. He replied "yes me and my friend has notified the manager. And Jason said that he is going to hit it later. And no the cage is inside quarantine." I asked if "hit it" means to euthanize. He replied "yes". I asked him to let me know how much time passes before that kitten is euthanized. He replied "and they are not using that trailer for the dead animals. They had to go pick up a motorcycle while they are on the clock."

At 8:26am on Friday, April 26, 2013, Kevin called the state cell phone. I spoke with him. He said that he was notified by his friend (the female caller from the previous day) who was told by Ashley, who was told by Angela Wallace that they are just going to let the dead animals pile up because no one wants to dirty their vehicles with the dead animals to take them to the landfill. I asked if he had heard that the landfill was willing to accept their dead animals now. He stated he had not heard anything. His female friend then got on the phone and told me that Ashley told her all they had to do was load them up and take them to the landfill but no one will because they don't want to dirty their car or mess up their tires. I asked her about if she had heard from anyone that the landfill was willing to take their dead animals. She said she hasn't heard personally.

Before the call ended, Kevin stated that he was standing there petting a dog that was loose and unsupervised in the back area. It was roaming past the "sick bay" area and the kennels that had just been cleaned. This dog was one that had been adopted out to a friend of management, but when the gentleman moved to Shreveport, he could not take the dog and it was returned to the shelter and has become a "shelter dog" of sorts.

At 8:44am on Friday, April 26, 2013, Angela Hopkins finally received a call back from Jeffery Hammerbacher, the transport officer for Tyler animal control. Angela wanted to confirm the validity of what the shelter employees said he witnessed concerning the dead puppy in with 2 live puppies. He confirmed that was what he saw and that he notified someone about the dead puppy. Angela asked him to write up in detail what he saw and sign it, providing us an affidavit of what he witnessed. He said he would do so. He also stated he came back and told Bob Garner, his supervisor, what he saw.

At 10:20am on Friday, April 26, 2013, Kevin called the state cell phone. I spoke with him. He was calling to give me information on the pictures he had just sent. In one of the pictures, Jason is sitting on the ground of the cat isolation room in front of various kennels, one of which is holding a cat, with 6 kittens. One of the kittens is in his hands and he is euthanizing it. He sent two other pictures of three puppies, 2 in one run and one in its own run, which had been euthanized there in the runs. I asked where the runs were located. He said they are in the dog isolation area. None of this is visible by the public. He sent 2 pictures showing the 6 euthanized kittens that were left in a pile on the ground of the isolation room in full view of at least one cat. Kevin said he and his friend were told to go bag them and put them in the run with the other bags of dead animals. I asked Kevin if he knew why they were euthanizing puppies and kittens. I asked if they did not have enough room at the shelter. He stated he did not know why they were euthanizing puppies and kittens.

At 11:52am on Friday, April 26, 2013, Jeffery Hammerbacher from Tyler Animal Control knocked on the office door. He brought his affidavit concerning the incident with the dead puppy in with the live puppies he witnessed. As Angela was reading it, he stated that Braun and Angela were not there at the time of this incident. As soon as Braun opened the gate to let him in, he and Angela Wallace left.

At 1:13pm on Friday, April 26, 2013, Kevin and the previous female caller called the state cell phone. I spoke with them. I had asked Kevin previously that morning to notify me when the kitten seen in the kennel with the 2 dead kittens was euthanized. He stated that Jason went in there about 10:15 this morning to euthanize the kitten and the mother. The kitten had expired before this time. The mother cat was euthanized in the kennel. I asked how long the two dead kittens were left in the kennel with the live kitten and the mother. The female caller said they stayed there until she cleaned the kennel at 11am. I asked who was doing the euthanasia. I was told Jason was doing all the euthanasia and Nathan was helping hold dogs. I was told that Angela and Braun left during the morning with the trailer to go pick up Braun's motorcycle. I asked for specifics of the location of the runs holding the bags of dead animals. The female caller said they are in the runs across the driveway from the sick bay area. The distance, she estimated to be 12-15 feet. At this time, there are 2 dogs in the sick bay area; the german shepherd puppy and a new puppy put out there today. This is an area the public is not allowed to go into. The entire time the euthanasia was happening, there was no management on the premises. Both

callers stated that Jason and Ashley have keys to every lock in the establishment. I asked if they saw evidence of a log for Jason to make notes on the euthanasia solution he was using. The female caller stated the only thing she saw him carrying was a chart showing which animals were to be euthanized. I asked specifically about the cat involved in the incident with Ashley. The female caller said it was still alive, still in quarantine. I asked if it appeared injured from the incident. The female caller said it did not...it was just mean and aggressive. I asked if this was different from the behavior it exhibited in the isolation room and was told no. The female caller said she was unsure why the cat was back in isolation to begin with and that she told Ashley it was a strange cat. It would rub up against the bars of its cage to try to get you to love on it, and then it would turn around and bite you when you did. I asked how long it was in quarantine for. The female caller said until Wednesday. I asked if they put more animals down than was listed on the pad this morning because of the amount of new bags added in the pictures sent to the state cell. I was told a husky puppy was pulled from the adoption area and euthanized because it coughed and 2 cats from the cat adoption area were pulled and euthanized because they sneezed. I asked if any of the animals euthanized today were done in the euthanasia room. I was told a few, but most were done in their cages. I asked what happened to the puppies in the crate shown on top of the freezer in one of the pictures. I was told that crate was moved inside somewhere.

I asked about the boxer running free in one of the pictures. I was told that this was the dog Braun had rescued and his friend had adopted from the shelter, and then had to return because he could not take the dog with him to Shreveport.

I was told that all of the freezers do not seal properly, but only one is not functioning at all. They reiterated that all of the freezers are full.

In the picture with the boxer, is a washer or dryer. I asked about it and was told that all the washers and dryers there are not working. They said this was the case for approximately 2 months. The bags of used bedding are being stored on the side of the building. When I repeated what they told me to clarify what was happening with the soiled bedding, I was told by the female caller that Angela Wallace took 5-6 large (55 gallon) bags stuffed full of bedding to be washed on Tuesday of last week (4/16/2013). As of today, the callers have not seen these bags or bedding returned to the shelter. I asked what was being used in the cages in lieu of bedding. The female caller said that for the cats in the quarantine, isolation and adoption areas, she was putting newspaper in the cages. For the dogs, they are getting no bedding at all.

In the picture with the boxer, I noticed that the grass was severely overgrown. I asked when the last time they saw someone servicing the yard. I was told they have never seen anyone service the yard. I was told there was a push lawn mower beside the fence, but they have never seen it used.

Because of the overgrown yard and the presence of lots of dead animals, I asked if they had seen any evidence of rats or mice. I was told that they have seen both. The female caller said that last week, they caught 14-15 on the sticky traps that management purchased. I was told that one time, when they opened the freezer, a mouse was on the top and ran away.

At 2:41pm on Friday, April 26, 2013, I returned a missed phone call to Kevin from the state cell phone. She was calling to tell us that there is a truck coming in 10-15 minutes to collect all the dead animals. I asked if he had heard any information about where the truck will take the carcasses. He said he had not heard anything.

He asked if they are supposed to treat dogs with wounds. I asked for clarification. He said they had 2 dogs brought in, housed in the same cage. One had open wounds on it, looked like wounds from a fight. They put the 2 dogs in the same cage and they started fighting, one of them taking injury. They separated the dogs, but according to Kevin, there is no intention of giving this injured dog medical attention. He made reference to a dog that had a broken leg a while back that lay in the cage for 10-15 days before it was euthanized. He also described an instance he remembered of a dog that had been shot in the hindquarters that lay in a cage for 2 weeks before it was finally euthanized. He said he would attempt to get a picture of the newly injured dog.

At 3:41pm on Friday, April 26, 2013, I received a call from Kevin Allen. He called to inform me that a dump truck from "Republic Services" had come to collect all the dead animals.

At 7:40am on Monday, April 29, 2013, Angela Hopkins received a call from Kevin to give her the county commissioner's contact information. Her name is Dr. Pinotti at (903) 445-7945. She had asked him to give us her number because she has a couple of things to add to the case.

At 8:09am on Monday, April 29, 2013, Angela called Dr. Pinotti and left a message on the answering machine to call her back.

At 9:25am on Monday, April 29, 2013, Dr. Pinotti returned Angela's call. She said that she really didn't have anything to add to the case, that she found out about this during a conversation with Kevin. She recommended he call the local health department. She did say that she, as a commissioner, she knew that their council gave money to the shelter and was concerned that if they are not doing things right, that they should not give them money. She asked for a copy of the inspection. Angela informed her it was available through an open records request. She told Angela that she could contact her if there was anything she could do to assist in this matter. 4/29/13 [Signature]

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4/29/13 7:40 a.m.
Call from Kevin giving us the County Commissioner's phone numbers -- Dr. Dinotti 903-445-7945. She had asked him to give us her number because she has a couple of things to add to the case. AA

4/29/13 @ 8:09 - Called Dr. Dinotti at 903-445-7945, left message on answering machine to call me back. -AA

Hergert Notes

April 25, 2013 ~10 am message received from Angela Hopkins from a missed call on my personal cell about her wanting me to call her back b/c of reports of animal cruelty at Klein Animal Shelter. Driving through East Texas hills so did not immediately call her back due to poor reception.

April 25, 2013 12:20 pm Called Angela back, but she was out to lunch. Told Samantha to tell Angela not to go out and inspect the shelter, as she had enough on her desk, but to rather gather whatever notes on these complaints she was getting from the complainant and put them together in a timeline and detailed but concise format for when we would be able to deal with the complaint and assign a resource.

April 25, 2013 1:44 pm Call from Samantha Puttick's office phone regarding animal cruelty reports happening at Klein Animal Shelter Jacksonville, Texas. Told her I needed to get a pen and pad to take notes and would call her back.

April 25, 2013 1:53 pm Returned call to Samantha Puttick to collect complaints. Sam said that a man called this morning wanting to place a complaint against the Klein Animal Shelter in Jacksonville, Texas but that he wished to remain anonymous. He said he was the husband of someone who worked there and they did not want her to lose her job. However, he reported that people there had a rash that they could not seem to get rid of, that they were placing dead animals in a dumpster that were to be picked up by the waste disposal company, but that just recently the waste disposal company said they would no longer take the dead animals and so that now the employees were instructed to stack the animals up in their trash bags in the runs. They also had animals in bags stacked up in a freezer that would not work, thus creating an unsanitary condition. He also said that they were putting animals to sleep using people who were not trained and doing it in an incorrect method. He said this was upsetting his wife and the other employees. He said they were killing animals in the same room as live animals, and then bagging the animals and leaving them in cages next to the live animals. Although he said they would euthanize large dogs in the vein, they were euthanizing smaller dogs intraperitoneally (IP) and cats with a pole syringe anywhere that they could stick them. They might do 2-3 dogs in the same room at the same time.

I asked Sam who all was being said to be doing this euthanasia and she gave me these names: Angela Wallace (Klein shelter director), Braun (staff supervisor), Jason, and Nathan. No one was sure of the euthanasia training status of these folks at this time.

I asked Sam for the caller ID numbers that she had received on her phone since everyone wanted to be anonymous and I wanted to call them. She then had received further phone calls from another male employee since they called me prior to 10 am and she had his caller ID number as well.

Sam also told me that Joseph de Guzman of the Cherokee Co Health Department had called b/c he wanted to report to us that he had received an anonymous call from a man that morning providing much of the same information that Mr. Herring (later identified) had told Sam once he called our office on the advice of Mr. de Guzman (903-586-6191).

April 25, 2013 2:18 pm I called 903-258-6182 and identified the woman on the other end of the phone as Tamra Herring. She said that they had placed a complaint with our office and that yes, she was the one who saw Ashley Craft choke a cat on a catch pole and drag it down the hall kicking it. Tamra said that she had noticed the cat, which was in the three day hold period after being left as a stray, was acting strangely, and she mentioned this to Ashley. Ashley then took the cat out of the cage to 'love on it', at which point it bit her and then she dropped it. In order to try to catch the cat they went to get a catch pole. Ashley then placed the cat on a catch pole, which is not a recommended way to handle cats, and cinched up the loop so that it was choking the cat. She then dragged the cat down the hall from the cat holding area, kicking it along the way, through the isolation room to the back room where cat quarantine is located and placed the now non-breathing and unconscious cat in a crate. Tamara told me that Ashley had reported the incident to management b/c the cat was now in quarantine and of course there would have to be an explanation for that. Tamara said that when she overheard Ashley telling the story to management and that she mentioned the 'explicative' cat had a boot print on it now that management laughed. She said that is why she did not say anything to management and was afraid to come forth b/c management obviously did not do anything to correct such actions and appeared to be in agreement with them.

I asked Tamra if the cat was still in quarantine, she said yes. I asked the date of the incident and she said April 20th. I asked if the cat would still be in quarantine on Monday and she said yes, it should be there until Tuesday. Tamara says she thinks the cat originally came from Tyler Animal Control. I said thank you I will see you Monday. I also told her that it would be best if she could write up her statement in as much detail as possible with dates, names, times and events with her signature in order to be used in court with a police investigation. (I thought to myself that I would visit the cat quarantine area on Monday, not only b/c they are actually close to their inspection date, but that also I know the character of people like this and I fully expected that cat to be in a condition that reflected this kind of treatment. Handlers will frequently mistreat, neglect, tease or torment animals which show aggression or have bitten them as a form of retaliation). Apparently Tamra reported to Sam that Ashley does tease and torment the cats and video tapes herself doing it.

The other complainant was identified as Kevin Allen (903-393-2864) and he works at Klein as well. He took a lot of pictures of dead animals in cages together, illegal euthanasia of animals being committed by Jason and noted that they had seen Nathan euthanize a cat as well.

April 25, 2013 2:27 pm called Samantha to discuss call further and get number of second complainant. I also got Mr. de Guzman's work number.

April 25, 2013 2:30 pm called 903-586-6191: My call to Mr. de Guzman. I called him to ask his account of the story. He told me the same version of what I have written above and copied here:

A man called this morning wanting to place a complaint against the Klein Animal Shelter in Jacksonville, Texas but that he wished to remain anonymous. He said he was the husband of someone who worked there and they did not want her to lose her job. However, he reported that people there had a rash that they could not seem to get rid of, that they were placing dead animals in a dumpster that were to be

picked up by the waste disposal company, but that just recently the waste disposal company said they would no longer take the dead animals and so that now the employees were instructed to stack the animals up in their trash bags in the runs. They also had animals in bags stacked up in a freezer that would not work, thus creating an unsanitary condition. He also said that they were putting animals to sleep using people who were not trained and doing it in an incorrect method. He said this was upsetting his wife and the other employees. He said they were killing animals in the same room as live animals, and then bagging the animals and leaving them in cages next to the live animals. Although they said they would euthanize large dogs in the vein, they were euthanizing smaller dogs intraperitoneally (IP) and cats with a pole syringe anywhere that they could stick them. They might do 2-3 dogs in the same room at the same time. Mr. de Guzman has part of the message on tape and then he wrote notes about his actual conversation with this man.

April 25, 2013 2:44 pm called Samantha to tell her to just keep their notes and whatever else they get coming through as complaints and that we will deal with this on Monday. Sam also told me that the transport guy, Justin Hammerbocker, for Tyler Animal Control had been to Klein and saw a dead puppy in a cage with two other puppies. He said when he told the people at the shelter they did not seem interested. He wrote an account of the event and signed it for our records.

April 29, 2013 ~8:00 am Called Susan Clements b/c she is our ACO in Jacksonville to tell her about the allegations of animal cruelty at the shelter and that I would like to come and visit with her about this, as usually the ACO is the first line of defense in animal cruelty cases. She asked me if I had spoken to Angela Wallace and I said no but that I was heading that way to speak to her and do their inspection so that I would. When we arrived at the shelter we were told by employees that the ACO Susan Clements had been there warning Angela Wallace that we were coming and that they better clean the place up and get rid of the bags of bodies. We did not see any bags of bodies in cages at the inspection, but rather some freezers with bags of bodies in them that were not in working order and were beeping like they do when they have not reached the appropriate temperature. We were told by employees that they had more pictures of inhumane and illegal euthanasia for us which they sent to my I-Phone later that day.

I asked to meet Ashley Craft so I could ask her about the animal cruelty act with the cat in quarantine. She said the cat bit her and she put it on a catch pole but that she did not choke it or kick it or drag it. She was vague and did not give a story in detail like one might list events in order. She did not show me wounds from the cat biting her, or explain that part of the event. I had to ask her questions about the abuse which she denied doing. After that is when I asked Angela Wallace about Ashley being fired in the past for animal cruelty. We stepped outside the side door from the left side of the building so no one would hear. I asked Angela Wallace about the incident with Ashley having injured or killed a dog on a catch pole in her earlier employment at Klein. Angela said yes Ashley had been fired b/c of the excessive force. She said Ashley was fighting with a community service worker at the time and then used excessive force on the dog. It sounds to me then like she has a problem with anger management and that if a person or animal or whatever makes her mad she takes it out on the closest living thing next to her. This is unacceptable for shelter workers. I told Angela I do not understand why you hired her back. She just shrugged her shoulders. I asked her if Ashley had killed the dog in this instance and she said no she had

not but that she felt that the treatment was excessive and did not want someone like that working there. So once again I must ponder why she is back in the shelter. I told Angela Wallace that I did not believe Ashley Craft at all. At the end of this conversation is when she also explained their laundry situation as to why there were so many bags of dirty laundry stacked against the wall outside of the building as seen in inspection photos.

We went back in the building to talk about the quarantine area and have her show me what areas and cages are supposed to be quarantine etc. She showed me the surgery room, which was dirty. She said they have a mobile vet from Bullard that comes there.

She showed me the four runs which I approved last year for quarantine, and the bank of steel cat cages in the cat room for quarantine, but then included other runs across the aisle from the four runs, and three in another room across from the previously approved cat room. I told her that those cages were not in last year's group and that these were unacceptable by the rules for quarantine under 169.26. Also that the cat that was in quarantine that Ashley allegedly abused was being cruelly treated and housed and that not only was she violating many of the other requirements under 169.26 but also under the animal cruelty laws Section 42.092. The full report and violations are in the inspection report with pictures for review on disc. For these reasons she was to fail her inspection; however, I wanted to ask my central office about proceeding with such, which I did the next day. See emails.

Later at the end of the inspection when we were in her office so she could show us animal disposition records and her euthanasia log books, which were outdated, not kept up and in a mess, yet on the premises this year. I warned her that I had spoken to her about this last year and I cannot believe that she is in the same position with her log books. She said they are just too busy. I explained that I understand that they take a lot of animals from a lot of entities and that it must be stressful, but they know they can reach out to us if they are being overwhelmed and need some counseling or advice. I asked Angela Wallace if Jason was in the shelter in order to question him about the euthanasia and she said no it was his day off. I asked her who all was authorized by training to euthanize animals and she said that she was but that Braun and Jason's training had expired. I said, as I showed her the picture of Jason euthanizing kittens:

Who is this person? She replied Jason. What is he doing? She replied putting to sleep kittens. Do you know he is doing this? No, I did not but I take responsibility for that. She then told me that he had training a long time ago but that it expired. I asked her if she saw that he had fresh needles in the room to be doing each of those kittens and she said it does not appear so. I showed her the violations of not only him euthanizing as an untrained individual, but also in front of the mother cat reaching out to the kittens, the other live kittens and the dead kittens as well. Those are all Class B misdemeanors, which I explained to her for each case, and each violation under 169.84. She had no certificates to show us training for anyone including herself. Since she takes responsibility (either way really) she is responsible under 821.004. Not only for Ashley Craft but also for Jason Craft and any that Braun or Nathan did as well.

I asked Angela Wallace to see her euthanasia training certificate and she could not produce it. No one there had a certificate they could produce. I told her no one there is to euthanize until they go through the refresher course.

April 30, 2013 See emails between myself, other ZC vets, my regional director and supervisor, and the local Jacksonville officials.

May 1, 2013 Went to Klein Animal Shelter where I told Angela Wallace that I was pulling their rabies quarantine license for a probationary period due to non-compliance outlined in their inspection report. See inspection report and associated letter.

Angela Hopkins identified the cat in quarantine (still) that was involved in the Ashley Craft abuse case and it was now being held in an appropriate stainless steel cage. However there was another cat in a cat portable carrier which was too large for the carrier. It had to lie in the litter box in order to stretch out fully in the cage and stay out of its food and water dishes. When I quoted 169.26 (a) (12) about primary enclosures to Angela Wallace she gave me a look that said 'get real' (my interpretation), as if I was making things up to make it harder on her. She has a copy of the ACO manual with all of these laws.

The only animal in quarantine at that time was a cat. Animal ID A19748524, Female Adult Feline, 4y/o, DOB 4/27/09. Intake date 4/26/2013 1:21 pm. Declawed: no. Cherokee County Resident, Spayed: no, Owner/guardian surrender. This cat was allowed to stay in quarantine at this location due to safety of the public health.

I found Jason and spoke to him in front of both Angela Wallace and Angela Hopkins. I showed him pictures of dead puppies and dead dogs in cages and asked him if he euthanized those animals. He said he could not positively identify them so he could not be sure. I showed him the picture of him euthanizing the kittens in front of the mother cat while he is sitting on the floor. I asked him if he knew how many counts of class B misdemeanor are in each of that picture. He said no, so I explained to him, each count of using a dirty needle, each count of him doing it b/c he is not trained, each count of him doing it in front of the live mother cat reaching out of the cage towards her kittens, each count of him doing it in front of a live kitten and each count of him doing it in front of a dead kitten. That added up to $6 \times 5 = 30$ Class B misdemeanors just in that room alone. I cannot be sure from the photos if there are other cats in the other cages in which case the count goes up. I showed him pictures of pups in agonal poses of death from receiving IP injections where they did not die peacefully most likely due to incorrect dosing and administration in my professional opinion (all Class B misdemeanors). I showed him that these dogs were large enough to have received intravenous (IV) injections. I asked him authorized him to do this and he said Angela Wallace. She was standing right there and did not deny it like she did on April 29th in her office when we had gone over these same photos. I showed and explained all of this to Angela Wallace in this same conversation. I asked them if they had each been trained in euthanasia practices in the past and they both said yes. I said then you know that this is wrong, and they both said yes. I said to Angela Wallace that I cannot believe she comes to our classes and teaches the animal disposition section to our future ACO's that we are training for the State and that this is how she runs her own pace. I told her I cannot believe it and just how disappointed and in disbelief Angela Hopkins

and I are about it. She told me she had just done the recertification on line course and that she was waiting for them to email her the certificate. I said well until I see proof of this and check that it is a DSHS approved course she still could not euthanize, and that she better make another plan until then.

Later in her office, I asked her how I could get ahold of her Board so I could discuss this with them. She had no phone numbers for me and told me the mail goes to the PO Box. She said she had a grievance form and I asked her for one. She had Jason and Nathan in her office when I had come back in for the form and the office door was closed so I am sure they were organizing a story. It took her 30 minutes of messing around before I gave up because I had another appointment, which is what she always does when she cannot find a record or form. She was stalling me out I think hoping I would go away. I told her she can make a plan to email me the form and that if they do not think this is serious then maybe they should have a look at 823. 005. Then I left for the Livingston trip.

At 11:18 Jennifer Lee from the Klein Animal Shelter Board called to speak to me. I tried my best to explain to her the grievances that were going on in the shelter. She said she thought Angela was trying to white wash everything so they would not think it was so serious. Also she asked why I pulled their inspection and I explained the sanitation issues, the fact that Angela could not properly explain to me which were quarantine cages and which were not, the lack of signage for the cages, the inhumane way the cat was being quarantined. As a separate matter I tried to explain to her about the illegal euthanasia and allegations of animal cruelty that were to be investigated. It was a difficult phone connection and I am not quite sure she understood the entirety of the situation. I told her she could go down to the shelter and read the detailed inspection form to see where the non-compliance were, and that the cruelty case was another situation that we did not deal with, but that we did keep records of everything that came through our office so that if someone did ask about it the documents were public. I warned her that there were pictures of dead animals that might be hard to look at.

May 2, 2013 Called Legal counsel for DSHS Monty Waters and explained the case to him and what all I had been doing as well as planning to do. He did not understand that euthanizing an animal in front of a dead or live animal was a Class B misdemeanor, and so I read him the law 169.84 . I asked him if I was doing anything wrong, did he have any advice or anything he did not want me to do. He said no, it sounds like you are doing everything correctly.

Just before 3 pm I was summonsed for a conference call with Toni Wright, Dr. Paul McGaha, Angela Hopkins, Dr. Melinda Hergert (self) and Chris Taylor at the Cherokee County Health Department to be held just after 3 pm on Thursday May 2, 2013. 1-877-820-7831 code # 506642. I provided the full story and update about what had been happening at the Klein Animal Shelter. I was told that the police chief and the city manager and maybe others were angry thinking that I was trying to shut down their shelter and why was I not keeping them in the loop. This is erroneous in that I emailed Mayor Kenneth Melvin, Police Chief Reece Daniels and City Manager Mo Raissi on apprising them of the situation asking them if they would like to meet about their shelter, including their city attorney if they had one and I was told that since they do not have anything to do with the shelter in running it they saw no reason to meet. (See email in my records April 30). Then I get told they are mad b/c I 'keep calling them' which I have not called them at all so not sure who was saying this or what they are talking about. If the person is the

police chief, then yes, I went by there on April 29, 2013 to report to Officer Hollis the cruelty case and explain the violations, as the ACO Susan Clements told me that she did not handle cruelty cases that it was the job of the police. It also appeared that Susan Clements was interfering with the case. I did call the Detective Tonya Harris (903-586-2546) who was placed in charge of the case on May 2, 2013 b/c I wanted to make an appointment to speak with her about the cruelty charges and make sure she knew how to access all of the information that she needed, as in our experience in this ZC office the sheriffs and police officers do not know how to handle case investigations regarding animal fighting, hoarding and cruelty b/c it is not a usual part of the crimes that they see. I also wanted to report to her that ACO Susan Clements was committing a Class B misdemeanor under Code 38.15 because she was interfering with the duties of a police officer investigation and a public health official under 38.15.

May 6, 2013 10:35 am Called Ben of HSUS to ask about giving these complainants, Tamra and Kevin, his number if they keep calling us b/c we cannot keep just taking their calls, as animal cruelty is not what we do and we need to provide them with a resource. He gave me Katie Jarls number 713-516-7892, and so I called her and asked her if we could give her number to Kevin, Tamra or anyone else that called about Klein, b/c we keep getting these complaints and cannot do anything about it. She said yes, they can call us. She asked me for the name of the shelter and I told her that I did not think that in my position I was allowed to tell her but that I would ask my superiors once I returned to my office. (Never managed to ask).

May 6, 2013 4:25 pm returned a missed call from Katie Jarl. She had received a call from Kevin and wanted to ask me how to do an open records request. I gave her then name, number and email for Sherry Mansell.

May 7, 2013 11:00 am to 12:30 pm visit at Klein Animal Shelter for re-inspection. They passed, see inspection form notes. Asked Angela Wallace to see proof of all of her euthanasia training. She said she was first trained prior to 2006 when she was with the SPCA but had no records. I said I knew from Woody Wilson that she was trained on 12-6-2006, but could she prove that she had recertified in the years of 2009 and 2012? She said she could not find those certificates and I told her she had better or she could be facing counts of illegal euthanasia herself. She showed me that Jason Craft had been certified originally in 2/27/2008 with Woody Wilson, but had no proof of recertification for 2011 onward. When Braun Cyr was exiting the office I asked him when his certification had taken place and he said he had never been certified. He has been euthanizing according to Angela's original statement to me on April 29th when I asked her who was euthanizing on the property, she said herself and Braun. When I said to her on this date that Braun is illegally euthanizing, she said no, he only holds the animals, and I said that is not what you originally said to me when I asked you who was euthanizing on the property on April 29th. She said oh, I thought you meant who was helping, which I do not believe, b/c she has backtracked on many statements to me when I have pinned her down for details. And because when I asked her on April 29th who was euthanizing she told me herself and Braun, and I asked what about Jason, and she said no, and then I asked what about Nathan and she said no also on that date. Then later on that date when I showed her Jason euthanizing animals she said she was unaware he was doing this. How can that be if she is the director of the shelter and all of the sudden one day =/-33 animals are in trash bags in the freezer, if now on May 7 she is trying to tell me she has only ever been

the one to do the euthanizing. Justin Paine is a new employee, Nathan Davis has been employed for 7 months, so if he is euthanizing, as was implicated, that was illegal, Braun Cyr has been employed for 1.5 years so he would be illegal, and Steven Bush is a new employee. No reports of Steven or Justin doing euthanasia. She showed me that Jason had even attended an animal cruelty course put on by DSHS in the past.

May 7, 2013 1:00 pm met with Detective Tonya Harris. She interviewed Angela Hopkins and myself in an interview room and recorded the whole conversation. I gave her copies of the laws that were violated by Angela Wallace, Ashley Craft, Braun Cyr, Jason Craft, Nathan Davis and ACO Susan Clements and showed her the pictures and statements by the complainants, which she already had some copies of from Officer Hollis. She said she would address the case but could not give us a timeline. I told her we had more evidence and records in our files that she could have if she did an open records request.

May 7, 2013 1:45 Went to Dr. Ira Stevens to have lunch. Coincidentally he had just called our office to speak to Sam, but we did not know it, we were just going to use his lunch room and get out of the car. It appears that he and a Dr. John Alexander, who I met later that hour, were discussing Klein b/c they thought Angela Wallace was illegally giving rabies shots out of the clinic. I told the doctors that it appeared that the Bullard vet had just been there and I had no evidence to the contrary. Dr. Alexander then said he had something to give me. He gave me a copy of an employment application from Tamra Herring which had a statement on there that she wanted to leave her present position at Klein b/c of employees drinking on the job. This was dated April 17, 2013.

May 7, 2013 3-6 pm Met with Jennifer Lee, President of the Board for Klein Animal Shelter. Showed her the pictures and tried to explain the laws that were being broken. She said she was trying to get through the first inspection report and I told her they passed today's inspection and that Angela had cleaned up her office as well, but that she still could not produce all of the necessary records. I showed Jennifer the photos and explained the non-compliance and abuse seen in the pictures. I cannot type up every bit of the conversation but we discussed the allegations, she told us the history of the shelter, and I told her the humane society and the police were on the case and that it would be best if she could respond proactively. I told her she could do an open records request to get all of the materials to investigate and discuss with her Board and then I did open the folder Tamra gave me to read her account to Jennifer since Jennifer was still thinking that the story she had heard from Angela Wallace was the correct account of the cat being choked. I told her that this account from Tamra matches the other reports that we have. She was upset when she saw we had photos from 2010/2011 and that she had not been informed back then that there was an issue of illegal euthanasia and animal cruelty (housing and sanitation). I told her that obviously Angela Wallace had hidden that from her too b/c there are no records of discussion between Dr. Wright and Angela Wallace resolving this issue, so I cannot even explain how it was addressed from this office at that time. However, when I had asked Angela Wallace about the 2010/2011 incident she told me that she and Dr. Wright had resolved it, that they were framed and I should talk to Dr. Wright about the issue. I asked her if she had a letter from him and she said no, b/c I offered to put a copy in our records if she wanted, but she had nothing to offer up, including the video tape she says she has of Amber from Tyler Animal Control trying to frame them by placing dogs in dirty cages. The pictures are too gross and are convincing in showing that these non-

compliance at Klein have existed at least on and off for a few years. The photos are too similar to the present. Meeting ended with offer for Jennifer to call upon us if she needed help or open records.

May 9, 2013 Spoke to Sherry Mansell and she said we can handle records requests through our office in coordination with Patti Hinds. Told Samantha and Angela.

May 9, 2013 Called Katie Jarl to let her know her open records request could come through our office instead of going through Austin. She said she would like to reach out to Jennifer Lee if I had her number, after I told Katie about speaking to Jennifer the other day and that I thought she was receptive to assistance from them.

May 9, 2013 Called Detective Tonya Harris and told her she could perform her open records request through our office. She said she was working on it at that moment.

May 9, 2013 Emailed Jennifer Lee and told her she could get open records through us and that Katie might call her.

End of notes as of May 9, 2013 to the best of my recollection.

A handwritten signature in black ink, appearing to be 'JML', written in a cursive style.

Klein Animal Shelter Notes - Samantha Puttick

At 8:40am on Thursday, April 25, 2013 I received a call from Joseph DeGuzman at the Cherokee County Health Department. He was calling in reference to a phone call he received about the Klein Animal Shelter in Jacksonville. The caller, who wanted to remain anonymous, claimed that the animal shelter was euthanizing animals illegally and that there were dead animals in bags in cages next to live animals. Joseph gave the caller our number. He was calling to give us a "heads up". All he had was a number to the caller ((903)279-4184).

At 8:56am on Thursday, April 25th, I received a call from the same number ((903)279-4184). He still refused to give his name, but further into the conversation, he explained that his wife works at the shelter. He stated that there were dead dogs in black plastic bags that had been euthanized because of disease, in kennels beside live dogs. He stated that the animal shelter has 3 freezers in the back that don't function and all of them are full of dead animals. The dead dogs had been there since Monday in the open kennels outside. He said the Jacksonville dump told the animal shelter it would not take their dead animals. He claimed that the dump was upset that they had been taking animals in the first place. The caller stated that there was a bad smell present as you drive by. He claimed that there were 3 workers up there (one being his wife) who have been experiencing some sort of skin rash. The other two employees were Ashley and an African American gentleman he did not recall the name of. Some of these rashes have turned into sores. I asked him if his wife had sought medical attention for this rash. He stated they were doctoring it at home. This gentleman stated he worked for the animal shelter in Lufkin previously. He stated he has never worked for Klein.

The caller stated that the 2 main board members and the shelter management (Angela Wallace and Braun Cyrs (sp.)) were friends outside of work.

The man stated his wife was a vet tech and he didn't want her involved because they had 5 kids and she really needed to keep her job.

He then stated that Ashley, one of the employees up there was fired 2 years ago for killing a dog by kicking it. She was hired back and recently choked a cat until it was unconscious the other day in front of witnesses.

The caller claimed that Dr. Stevens knows about some of the stuff and that is why he doesn't like them.

I explained to the caller that anything he tells me is hearsay and that I really need to speak to his wife. I explained that we do not give the names of our sources. He stated his wife would be off work at 1, get home around 1:30 and that he would have her call me.

At 1:08pm on Thursday, April 25, 2013, I received a call from (903)258-6182. It was the wife of the previous caller. She was calling to report some of the occurrences at the Klein animal shelter. She had a gentleman who also works at Klein animal shelter on the phone with her. She stated that the animal shelter cannot use the dump for carcass removal and that there are bags of dead animals. I asked her who told her that the dump would no longer allow them to dispose of their carcasses there. She said