

January 2017

# The ACO Voice

A Monthly Magazine from Animal Control Training Services  
The Only National Monthly Magazine Dedicated to Animal Control

## *Management and the Law*



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# But Nobody Told Me That!

**By Lauren Malmberg**

How many times has a citizen complained that “but the dogcatcher said I didn’t have to pay the fine” or “the officer didn’t tell me that” or, the worst, “your dogcatcher was rude?” Words are powerful, and the use and misuse of words can cause havoc in our work. Sometimes we do say the wrong thing; but sometimes the citizen hears what he wants to hear. In any case, we must be clear in communicating with the public, officials, and even our colleagues to do our job correctly.

An animal control officer is not a judge. Whether dealing with a complainant or a pet owner, our job does not entail taking sides or giving legal advice. It’s imperative that we express ourselves clearly so that the correct, appropriate information reaches the citizen; otherwise, an animal control officer cannot resolve complaints or situations effectively. Remember, communication includes not only what we say, but those nonverbal habits including eye contact (remove your sunglasses), body position, voice tone, facial expressions, gestures, physical distance, and more. Your attitude will also influence what the public hears. Be positive, professional, and polite.

If you’re working with the public in an enforcement or regulatory role, you might want to keep these tips in mind:

- Be respectful. Giving the citizen – be the complainant or pet owner – the respect every human deserves will foster good communication. Don’t belittle or demean them or the situation. As ridiculous as something may seem to you, it’s important to them and should be taken seriously. Don’t let a disdainful person draw you into that behavior. Treat the citizen as you would want your parent, spouse or child treated.

- Be conversational. Overly officious speaking can alienate the listener. Don’t try to use big words or impress someone with your vocabulary. Speak clearly, simply, and in a conversational tone. Don’t be too casual – slang, swear words, and objectionable language are never appropriate. Just speak plainly. Compassion and empathy are great, but be careful about letting them mistake your compassion and understanding as agreement with their position. There may come a time when your tone should be more authoritative – if someone is demeaning your instructions or challenging your authority. A strong voice tone can be helpful then; just continue to be respectful.

- Be objective. It’s easy to get sucked into the first story you hear between two citizens. When they tell their side, they can be so convincing. Here’s where we can really get in trouble though – taking one version as the most likely to be true before speaking with the other party. If we have accepted the first version, it will affect how you question the next person and can lead you into a confrontation rather than a fact-finding conversation. Keep an open mind and allow each party to get their story out. Ask follow-up questions in a non-judgmental way. While you are not judging someone’s guilt or innocence, you will need information to determine if or what violations may have occurred and to complete your report. Practice active listening – really listen to what the citizen is saying, and give them a chance to tell you all you need to know.

- Be very clear. Because we often communicate with people who are sad, combative, oversensitive, frustrated, or just plain mad, we must be quite particular about the words we use. You must ensure that the citizen understands exactly what they must do or what will happen. If you’re issuing an ordinance violation ticket, be clear that a fine and/or court appearance is required.

- Ensure everyone understands. Rephrase what you think they said so they can confirm you got it right. Ask the party if they have questions. Make your directions and recommendations unmistakable. Have your instructions for the citation or animal care requirements in writing as well – some people simply cannot hear what you’re saying when they’re upset and it helps if they can read things over later once they’ve settled down. Leave a number and encourage them to call if they think of additional questions – whether it’s your number or the office number.

Effective communication takes time and a commitment to two-way understanding. It should be a top priority for an animal control officer – making the public understand means it is more likely they will comply with the law and your requirements and promotes a positive public image. You don’t have to be an eloquent public speaker, but you do need to be able to get your point across to the general public with clarity, compassion, and success.

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# Management and the Law

**By Mark Kumpf**

As news stories abound concerning the recent FBI investigations in the nation's Capital, there is one message that permeates: No one is above the law. This month's article looks to bring this point to Animal Care & Control professionals.

In every profession, there is an undercurrent that can run counter to what is right and what is legal. Sometimes it is a matter of expedience, laziness, or ignorance. We don't have time to follow the rules, we are too lazy to follow the rules, or we don't know what the rules are in reality. From any vantage point, all of these are excuses and very bad ones. Failure to follow the rules can have negative consequences on your employment. Eventually, individuals are held accountable for their action or inaction and face disciplinary action. Some common examples include not completing paperwork, not using proper safety equipment or simply showing up late. In almost every case, the worst thing that can happen to you is that you lose your job. There is no criminal penalty, no fine, no long-term effects other than your personal humiliation and a poor work reference. From a management perspective, these are at best a nuisance and at worst an indication that management itself is lacking. Most can be ascribed to failure to train or failure to adequately supervise, which again, are management's duties to perform. For staff, the best way to avoid these perils is to be a conscientious employee who takes the time to review each situation, complete each task and assure that you have finished your current assignment before moving on to the next.

These failures can progress to the next level where actual laws may be violated. There are serious consequences for these actions and losing your job may be the least of your worries. Falsifying reports, illegally seizing animals, failing to provide adequate veterinary care are just a few of the list of things that are not just "paperwork mistakes." Again, in some cases it is an institutional problem. Agencies are not adequately funded (if at all) and animal medical care is not in the budget, resulting in no veterinary treatment for seized animals. The hapless officer faced with no way to provide care is found paying for some out of pocket! Falsifying logs related to drugs or seized property can amount to felony violations. In this case, being lazy CAN result in criminal prosecution. In the rush to get animals out of shelters

alive, foregoing proper checks and balances, giving animals to friends, or "sneaking them out the backdoor" are sometimes the defacto practice of the day. No matter how compassionate the justification, this amounts to stealing and in a public position, usually equates to a felony related to malfeasance.

Management is not immune to these maladies. Sometimes the person in charge has neither the training nor the experience to make the complex decisions needed in the animal care and control world. This ignorance can result in directives to staff that constitute illegal or amoral orders. Bypassing established rules and procedures amounts to deliberate indifference and can be actionable in a number of ways. In truth, management should set the standard and then live up to it. The law book and the Standard Operating Procedures should be enjoyed hallowed positions side by side on the shelf within easy reach. When issues come into question, these resources should be consulted and, if the manager is unsure, outside counsel should be sought to resolve any unclear areas. Care must be taken to insure that the interests of the jurisdiction, the public, management, and the employees along with the animals are all taken into account. No one is above the law and it makes sense that those charged with enforcing it should be the first ones to follow it.



# A Positive Influence Professional

By John Mays, ACTS

As an ACO, your influence in our profession says a lot about you. You are interested in learning, networking, growing and improving your skills. You are vitally interested in your career and the careers of others in our field, continually preparing for the challenges and achievements that will come with increased success.

It is our goal at ACTS to equip you with the techniques, insights and skills that will help you to be even more effective and successful in our profession. Jeff and I believe that you have the potential to lead our profession into an ever-changing future. Per an article from the *Strengthening the Citizen and Law Enforcement Partnership*, here are some basic tips (modified a bit for Animal Control work) that may provide some insight on how to become a “Positive Influence Professional.”

- At the beginning of your citizen contact, immediately greet the individual and state your name and agency. It is only common courtesy to introduce yourself when meeting someone. Citizens will appreciate that officers take the time to introduce themselves. Even if this information is on your uniform, it is still a good way to initiate the conversation. Your first spoken words may very well determine the tone of the encounter and even the eventual outcome.

- Address the citizen by name. Generally address the individual by a “Mr./Ms.” with their last name. If you cannot pronounce the last name, ask the citizen to say it. When special circumstances arise, it might be appropriate to call some people by their first name, such as younger people, when you want to increase rapport or reduce anxiety. However, always ask for permission.

- After your introduction, it is very important to inform the citizen as to why you are there. This is utmost in the citizen’s mind. I cannot tell you how many times I’ve observed officers simply blurting out a list of violations before even introducing themselves or telling the citizen the reason(s) for being there in the first place. Communicate slowly and clearly. This will alleviate those concerns where individuals felt that they were “singled out.” Avoid asking citizens for their license before telling them the reason why you are there in the first place. This creates unnecessary tension and it gives the citizen an opening to question you, instead of you asking the questions.

- Describe the violation in terms of what their dog was seen doing. Say, for example, “Ms. Smith, I observed your dog running at large per a called-in complaint.” By not directly accusing the owner of letting their dog run at large, this will be another way to help alleviate tension. This further reinforces the fact that your presence was initiated for an observed leash-law violation and not for any personal reason.

- If required by your agency, request the citizen’s license with the word “please.” This is a professional courtesy, even when the law allows you to demand. This also helps to calm irate citizens.

- Ask the citizen for a reason for the violation. “Say, Mr. Smith, is there any reason for the leash law violation?” Most citizens will be eager to offer an excuse or explanation, or even deny the offense. However, the real purpose of this question is to give citizens an opportunity to vent emotions and reduce their stress. At the very least, the violator can never say, “The officer never let me say why my dog was running loose.” Of course, it doesn’t mean the officer has to agree or accept the reason. Simply say, “Yes, I appreciate your explanation, but, as you know, it is still a violation of the law.”

- Avoid asking a series of random challenging questions just to inflict officer control or to intimidate. Questions should have a purpose and lead to a meaningful conclusion related to the violation. Also, don’t automatically get into a higher level of questioning without reasonable suspicion.

- If you carry a sidearm, avoid automatically talking with violators with your hand on your weapon. Of course, special circumstances and training may dictate otherwise. Safety is always first.

- Appear casual in observing and questioning. Even when initially looking around and possibly inside the residence for safety purposes, this should be done in an unobtrusive manner.

Use the SOFT approach:

Smile: A routine grimace or a hard-line approach may frighten some citizens. A sincere smile doesn’t make you less authoritative.

Open gestures: Talk with your hands and facial expressions. Nod to show you are hearing what the citizen is saying. A quiet, nondemonstrative approach can be threatening.

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**Focus on the citizen:** Make them the center of your attention. Look at their eyes without staring, as it may be particularly offensive to certain cultures. Avoid using a hand computer while talking with an offender.

**Tone:** The quality of your voice and the pace are important parts of communications. A well-modulated voice, during the initial contact, can have a calming effect. Avoid using false vocal inflections that may sound sarcastic in tone. Certainly avoid the command tone of voice. Instead, talk with the citizen. Above all, be sincere.

- If you need to return to your vehicle to complete paperwork, provide the citizen with an explanation before you return to your vehicle. After obtaining the necessary documents, state, “I’m going back to my vehicle to review these documents and I will return as soon as possible.” Don’t walk away in a cloud of mystery.

- Take action in a timely fashion. Stay professional, but complete all actions in a timely fashion. The longer someone stays away from their business at hand, the more agitated they may become. Also, when appropriate, explain actions you take during the contact to further build an open trust.

- Do not issue a citation or take other action, based solely on the citizen’s attitude. Generally, make a decision before coming into face-to-face contact with the citizen.

- Explain to citizens why the violation is a hazard to their animal and to others in their community (ie: potential traffic accident). At the appropriate time during the contact, explain why leash law violations, for example, result in a high fatality rate of dogs on heavily-traveled roadways. It is known that when citizens feel vulnerable, positive words from an officer can be a welcome relief and may improve the violator’s oversight of their pet. These words also let the citizen know that the officer puts a premium on not only their animal’s safety, but the safety of other animals in the community. This can be especially effective if the officer can do it without it sounding like a lecture. This type of statement may be especially appropriate when officers issue a verbal warning.

- Compliment citizens on compliance and pet care behaviors. During your interaction, say, “Thank you for having a current dog license,” for example, or “I’m glad to see your dog has a dog house.”

- End the interaction on a positive note. The last words by an officer are also very important and may be the basis of a lasting impression of the officer and the agency. Say, “Thank you for your cooperation.” Also, even

with irate citizens, say something positive about their pet’s safety, such as “for your pet’s safety, please maintain control of your dog.” After all, the main reason we are in this profession is protect public health and safety. Generally, avoid saying, “Have a nice day.” The citizen’s reaction will be, “How can I? You just ruined it.”

For you newbies, there is a lot more to this job than you may have realized. For the many unexpected duties you find, you will find at least that many opportunities to grow and become a leader in this profession. One of the greatest rewards is to gain the respect of not only your peers, but also the respect of your community.

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## 10 Characteristics of an ACO Professional

Being a professional in your chosen field as an ACO means much more than wearing a uniform or possessing a college degree and a noted title. Professionalism also has to do with how you represent your agency, interact with your coworkers and serve the public. True professionals possess a number of important characteristics that are vital to their success.

### Appearance

A professional is neat in appearance. Be sure to meet or even exceed the requirements of your uniform appearance and department grooming standards. From head to toe, pressed uniform, name tag centered, straight gig line, shoes shined. Dressing for success will help establish you as a professional and promote officer safety.

### Demeanor

Because you are dealing with both humans and animals, your demeanor should exude confidence but not arrogance. If you are too aggressive, you may foster hostility, too passive and you may attract violence. Try the assertive approach, be polite and well-spoken when you're interacting with reporting parties, victims, witnesses, owners and their animals. Not to mention coworkers and superiors. You need to stay in control during normal citizen contacts and tense situations.

### Reliability

As an ACO, Your first priority is to provide public safety. You will be counted on to respond to calls promptly and follow through on resolving nuisance animal related calls in a timely manner. Failure to properly address calls can result in future incidents and liability concerns for the individual officer and the agency.

### Competence

Professionals strive to become experts in their field, which sets them apart from the rest of the pack. This

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requires continuing your education by taking courses, attending seminars and attaining any related professional training to enhance your skills. Your career should be built on professional development through training, certification and consultation.

### **Ethics**

All professionals such as law enforcement officers, firefighters, doctors and lawyers must adhere to a strict code of ethics. Even if your agency doesn't have policies and procedures or a written code, you should display ethical behavior at all times. Remember, what ONE ACO does, is a reflection of us ALL.

### **Maintaining Your Integrity**

A professional must maintain his/her poise even when facing a difficult situation. For example, if an animal owner or member of the public treats you in a belligerent manner, you should not resort to the same type of behavior. ACO's by nature deal with emotionally charged situations that can become volatile and dangerous. It is imperative that we lead by example to reflect professionalism.

### **Phone Call Communication**

Your phone etiquette is an important component of professional behavior. This means identifying yourself by your full name (you can use your given name or official title) and your agency when you contact animal owners, reporting parties etc. Be sure not to dominate the conversation and listen intently to the other party.

### **Written Correspondence**

During written correspondence, keep your letters and forms brief and to the point. Spelling, grammar and punctuation are a must. This also applies to e-mail and texting communications. First impressions are lasting impressions. Your verbal and written communication speaks volumes as to your level of being a professional.

### **Organizational Skills**

An ACO professional can quickly and easily find what is needed. Your office cubicle and field filing system should be neat and organized and should contain all that is needed for your field appointments and contacts. Your animal control vehicle should be properly equipped with all safety items, capture and restraint equipment. Most important, your vehicle needs to be clean, inside and out.

### **Accountability**

Professionals are accountable for their actions at all times. If you make a mistake, own up to it and try to fix it if possible. Don't try to place the blame on others or make excuses. If your agency made the mistake, take responsibility and work to resolve the issue. After all, your professional motto should be a commitment to serve!



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# ACTS Training Schedule

For a registration form, visit [www.aco-acts.com](http://www.aco-acts.com) or call 913-515-0080

**Basic Animal Control Officer Certification - Hosted by the Grass Valley Police Department  
January 23-27, 2017 - Grass Valley, California**

Schedule of Training: State Laws, County Ordinances and City Codes; Tactical/Interpersonal Communication; Officer Safety and Self Defense; Basic Animal Control Officer Investigations; Evidence Law and Collection; Courtroom Testimony and Report Writing; Safe Handling of Aggressive and Dangerous Dogs; Safe Animal Handling/Capture and Restraint Equipment

**Basic Animal Control Officer Certification - Hosted by the Palm Springs Police Department  
February 13-17, 2017 - Palm Springs, California**

Schedule of Training: State Laws, County Ordinances and City Codes; Tactical/Interpersonal Communication; Officer Safety and Self Defense; Basic Animal Control Officer Investigations; Evidence Law and Collection; Courtroom Testimony and Report Writing; Safe Handling of Aggressive and Dangerous Dogs; Safe Animal Handling/Capture and Restraint Equipment

**Basic Animal Control Officer Certification - Hosted by Hall County Animal Services  
March 20-24, 2017 - Gainesville, Georgia**

Schedule of Training: State Laws, County Ordinances and City Codes; Tactical/Interpersonal Communication; Officer Safety and Self-Defense; Basic Animal Control Officer Investigations; Evidence Law and Collection; Courtroom Testimony and Report Writing; Safe Handling of Aggressive and Dangerous Dogs; Safe Animal Handling/Capture and Restraint Equipment

**Animal Control Protective Equipment Training - Hosted by Oxford Division of Police/Animal Control  
March 22-23, 2017 - Oxford, Ohio**

Schedule of Training: Baton/Bitestick Certification; Chemical Immobilization Certification

**Training Program for Animal Control Professionals - Hosted by Rio Rancho Animal Control  
March 27-31, 2017 - Rio Rancho, New Mexico**

Schedule of Training: Officer Safety and Self-Defense; Tactical/Interpersonal Communication; Baton/Bitestick Certification; Safe Handling of Aggressive and Dangerous Dogs; Interview and Investigation Techniques; Investigative Techniques for Cruelty and Neglect Complaints

**Chemical Immobilization Certification - Hosted by Alameda County Sheriff's Office Animal Services  
March 29 and March 30, 2017 - Dublin, California**

Schedule of Training: Chemical Immobilization Certification (repeated on Day 2)

**Basic Animal Control Officer Certification - Hosted by the Colorado Association of ACO's  
April 17-21, 2017 - Golden, Colorado**

Schedule of Training: State Laws, County Ordinances and City Codes; Tactical/Interpersonal Communication; Officer Safety and Self Defense; Basic Animal Control Officer Investigations; Evidence Law and Collection; Courtroom Testimony and Report Writing; Safe Handling of Aggressive and Dangerous Dogs; Safe Animal Handling/Capture and Restraint Equipment

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## **Training Program for Animal Control Professionals - Hosted by Livingston County Animal Control May 10-11, 2017 - Pontiac, Illinois**

Schedule of Training: Chemical Immobilization Certification; Safe Handling of Aggressive and Dangerous Dogs; Safe Animal Handling/Capture and Restraint Equipment

## **Basic Animal Control Officer Certification - Hosted by Oxford Division of Police/Animal Control June 5-9, 2017 - Oxford, Ohio**

Schedule of Training: State Laws, County Ordinances and City Codes; Tactical/Interpersonal Communication; Officer Safety and Self Defense; Basic Animal Control Officer Investigations; Evidence Law and Collection; Courtroom Testimony and Report Writing; Safe Handling of Aggressive and Dangerous Dogs; Safe Animal Handling/Capture and Restraint Equipment

## **Training Program for Animal Control Professionals - Hosted by White County Public Safety July 17-20, 2017 - Helen, Georgia**

Schedule of Training: Understanding the "Link" in Animal Abuse; Investigative Techniques for Cruelty and Neglect Complaints; Interview and Investigation Techniques; Pepper Spray Certification; Baton/Bitestick Certification

### **Hosting ACTS Training**

Want to host an ACTS training program? ACTS would be honored to offer training for your agency and area agencies. We can tailor the training to your local needs. If you haven't already done so, review our training catalog for a list of training topics. Visit [www.aco-acts.com](http://www.aco-acts.com) and click on the "training" tab.

You can "build" a program based upon what you feel your group would most benefit from. Pick and choose the topics and the number of days for training. We are flexible in our offerings. As the hosting agency, your agency would receive 2 complimentary registrations for every 10 paid. ACTS can also promote the training to area agencies and provide registration forms. All we require from the hosting agency is a meeting room that has an LCD projector and a screen, along with speakers for sound. The meeting room should accommodate at least 20 students. There is no cost to the agency to host training, unless you choose to register your own employees for the training, outside of any comps that you might receive. ACTS welcomes the opportunity to assist with your training needs. Let us know how we can help.