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VIA FACSIMILE, EMAIL AND U.S. MAIL

December 15, 2011

Ms. Brenda Barnette
General Manager
LA Animal Services
221 N. Figueroa Street, Suite 500
Los Angeles, CA 90012

RE: RVT Manuel Boado's termination

Ms. Barnette:

The Jason Debus Heigl Foundation (the Foundation) has long supported public animal shelters with significant financial contributions as well as advocated for the ethical and humane treatment of all animals, regardless of whether they are in shelters, with rescue organizations or in homes. Unfortunately, we have been informed of the attached LA Times article, "L.A. Fires Animal Shelter Worker Over His Euthanasia Practices." The details, as revealed in the article of this egregious situation, raise several questions for which we seek your immediate explanation.

The article indicates that you "did not consider referring Boado's case to the district attorney's office for prosecution." Would you please explain why you, as the head of Los Angeles Animal Services (the Department), determined that the abundance of facts supporting Mr. Boado's intentional, egregious, cruel and inhumane conduct did not warrant an immediate referral to a law enforcement agency (such as the Los Angeles Police Department) and/or an impartial LA City investigative department for further investigation and subsequent submission to a prosecutorial agency?

Moreover, following verification with the Department of Consumer Affairs, Veterinarian Medical Board, we noted that your Department has not filed a complaint regarding this incident. Would you please advise to why the Department did not immediately file a formal complaint with the Department of Consumer Affairs, Veterinarian Medical Board, which would launch an investigation by the State Licensing Agency and likely result in the revocation of Mr. Boado's RVT license? Our Foundation, and each of us personally, are extremely concerned that your Department's failure to report the termination for cause to the appropriate

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State Licensing Agency has enabled Mr. Boado to continue to seek and secure positions with other animal treatment clinics, with the unacceptable likelihood of the repetition of his cruel and inhumane conduct.

Finally, please advise of what steps you have taken (*e.g.*, installation and regular monitoring of security cameras) to ensure that no additional companion animals housed in your shelters suffer the same intolerable treatment, which has resulted in an understandable and deserved public outcry and an embarrassment for the Department.

We look forward to a prompt response.

Sincerely,

THE JASON DEBUS HEIGL FOUNDATION


Nancy Heigl/KO


Katherine Heigl

cc: Mayor Antonio Villaraigosa
City Councilmembers
Commissioners, Board of Animal Services
Dr. Peter Weinstein, President, SCVMA
Assistant District Attorney Debbie Knaan

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latimes.com/news/local/la-me-animal-cruelty-20111214,0,7090566.story

latimes.com

L.A. fires animal shelter worker over his euthanasia practices

Civil Service Commission says the technician failed to sedate the dogs he was trying to euthanize, brought dogs into a room with other dead animals and inserted euthanizing needles into jugular veins.

By David Zahniser, Los Angeles Times

December 14, 2011

A veterinary technician at a Los Angeles city animal shelter was fired last week after officials found that he had subjected dogs to inhumane treatment while euthanizing them.

Manuel Boado, 64, was discharged by the city's Civil Service Commission, which concluded that he failed to sedate the dogs he was trying to euthanize, brought dogs into a room with other dead animals and inserted euthanizing needles into jugular veins — a practice officials say was not permitted.

With allegations reminiscent of a Stephen King novel, case records open a rare window into the most unpleasant task carried out by the Animal Services Department — killing animals that have no owner when its shelters run out of room.

One shelter worker testified during the termination proceedings that she heard Boado tell a dog to "just die already," according to a report submitted to the commission. A second worker said he walked into Boado's work area and found two dead dogs on the floor and a third half-covered in blood.

A third employee, animal care technician Carolina Martinez, said she became sick to her stomach working alongside Boado, where animals were "struggling, shaking and urinating." She said she had to temporarily leave the room at the West Valley shelter in Chatsworth.

"By trying to jab them with the needle, he was causing them to bleed a lot," said the report prepared for the commission. "Martinez said she had never seen so much blood before or witnessed anyone do what [Boado] did to the animals."

By failing to provide sedation, putting live animals next to dead ones and yelling, Boado needlessly created a "fear factor" among animals being euthanized, said Brenda Barnette, the department's general manager who

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recommended his firing.

"It is totally unconscionable to add an element of fear if you're about to take an animal's life away," she said.

Terry Porvin, Boado's lawyer, denied that his client treated animals cruelly and said he had, in fact, taken several ailing dogs from hospitals into his home. Porvin also contended that his client, who earned about \$58,000 annually, never received proper training from the department in how to euthanize the animals.

Boado, who was hired in 2007, brought dogs into a room with other dead animals because the refrigerator used to store animal carcasses had been broken "for some time," Porvin said. Had Boado opened it, it would have emitted a foul stench — a situation that would have made his work more difficult, the lawyer said.

"Out of sheer frustration from the totality of the circumstances, he probably blurted out something he shouldn't have," Porvin said.

The firing comes at a time of turmoil for the department. Barnette's agency is investigating whether employees stole dogs at a Lincoln Heights animal shelter and sold them for a profit. In recent months, the department also placed five employees on leave during a probe into allegations of time card fraud.

Barnette said she did not consider referring Boado's case to the district attorney's office for prosecution, focusing exclusively on removing him from her department. Nevertheless, the department added a line in its protocol manual barring veterinarians from inserting needles with sodium pentobarbital, the chemical used for euthanasia, in the jugular vein of dogs and cats. Barnette said that she believed the manual already made the prohibition clear but that the new language makes the ban explicit.

Officials with the Pasadena Humane Society said needles they use during euthanasia are injected into a dog or cat's front leg — a practice they described as more humane than jugular injections. Shelters run by Los Angeles County rarely use the jugular, officials said.

To euthanize animals in an L.A. facility, Boado had to show he had a certification from the state of California showing he is a registered veterinary technician, personnel officials said Tuesday. Boado told a hearing officer that he had used the jugular vein as much as half the time and had learned the practice during a non-city training session.

But Doug Fakkema, the veterinarian Boado said provided the training, told city officials he never would have advised Boado or anyone else to use the jugular vein on healthy dogs and cats. Such a procedure should be used only in "extreme circumstances," he said. In an email to The Times, Fakkema said an injection into the jugular vein can be used for livestock but is "more likely to cause pain" for a dog or cat than injection into a vein in the leg.

Barnette sought Boado's termination, but last month a city hearing officer found that penalty to be "too extreme."

Hearing officer Stephen Biersmith recommended that Boado be reinstated and only have his pay docked, saying the department had not consistently enforced policies for its employees. He also argued that Boado had not intentionally violated the rules.

The Civil Service Commission reviewed the case and voted unanimously for termination.