



# VACA News

Winter 2008

vacaonline.com

Winter 2008

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## 2007 Conference Wrap UP

There were 108 attendees at this years conference, some 1st "timers", 2nd "timers" and 10+yrs "timers"; I have to say all were very respectful, polite and professional. Which only exemplifies the qualities in the code of conduct VACA members voted on and agreed to add to our by-laws at this years conference.

It was a perfect Indian Summer in Roanoke, most guests were wearing short sleeves and wondering what happened to the fall weather. This conference wouldn't have been such a great success without the leadership of the VACA Board and many thanks go to the Ex Vice President Kim Miller for bringing together terrific speakers and instructors. Kathy Strouse and Teresa Dockery started us off with legal updates; our bread and butter for enforcement. Dr. Charlotte Robinson instructed the attendees in two sessions- Animal Hoarding and Ritualistic Animal Abuse which was fitting information that close to Halloween.

This year the Awards banquet was held on Wednesday night. Everyone was in good spirits and looked good too. The President's Award went to Laurie Morris

from Galax for her services as a volunteer; the Valor Award went to a local ACO Roanoke's Michael L. Caldwell, who ended up in the middle of gun shots resulting in a homicide helping apprehend the suspect; Public Service went to Kathy Strouse, her dedication to Animal Control is unyielding; Dr. Kent Roberts Award went to Virginia Girolami, she was taken off guard and was pleasantly surprised when her boyfriend was secreted in to celebrate the moment with her. The evening ended with comedian David Ferrell who made up an ACO song with the help of Willie Tydings debut.

The 2nd day of the conference started with Handling Aggressive Dogs and Anger Management (sounds like a great movie title), the afternoon was a chance for the attendees to choose between three classes during a break out session. VACA Board members Kathy Strouse, Kevin Kilgore, Willie Tydings, and Chad Carr instructed us through recognizing child, abuse, first aid, and self defense. By the end of the day we were ready for a little "R&R".

Audio To Go lead the way with the DJ playing the tunes while a competitive game of "ACO Family Feud" was being held, winners received medals and prizes and the dance floor was "hot" everyone had a great time.

*(Continued on page 6)*



**President**  
Kevin Kilgore  
(Term '08,' 09, '10)

**Vice President**  
Richard Samuels  
(Term '08, '09, '10)



**Secretary/Treasurer**  
Patricia Dahl  
(Term '07,08,09)

Hanover County Animal Control  
P.O. Box 470  
Hanover, VA 23069  
Wk. (804) 365-6485 VM (804) 365-6487  
Fax (804) 365-6488  
Email: [kmkilgore@co.hanover.va.us](mailto:kmkilgore@co.hanover.va.us)

450 T.V. Dr.  
P.O. Box 699  
spotsylvania, VA 22408  
Wk. (540)507-7456  
Fax (540)891-9705  
Email [rsamuels@spotsylvania.va.us](mailto:rsamuels@spotsylvania.va.us)

Orange County Sheriff's Office  
Animal Control  
11362 Porter Road  
Orange County, Virginia 22960  
Wk. (540) 672-9725  
Fax 540-672-9727

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## Board Members

**Past President: Director Mark Kumpf**  
Animal Resource Center  
6790 Webster Street  
Dayton, OH 45414  
Office: (937) 264-5466  
Fax: (937) 454-8139  
Web: <http://www.mcoho.org/animalshelter>  
Email: [kumpfm@mcoho.org](mailto:kumpfm@mcoho.org)

**Robbie Chestnut** (Term '06, '07, '08)  
Bath County Animal Control  
P.O. Box 309  
Warm Springs, VA 24484  
Wk/Voice Mail (540) 839-7210 Fax (540) 839-7222, attn: Robbie  
E-mail: [beanimalcontrol@tds.net](mailto:beanimalcontrol@tds.net)

**Chad Carr** (Term '07, '08, '09)  
Orange County Sheriff's Office  
11362 Porter Road  
Orange, VA 22960  
Wk. (540) 672-9725 Fax (540) 672-9726  
Email: [ccarr@orangecova.com](mailto:ccarr@orangecova.com)

**Mike Quesenberry** (Term '07, '08, '09)  
Roanoke City Animal Control  
348 Campbell Ave., S.W.  
Roanoke, VA 24011  
Wk. (540) 853-2211 VM (540) 853-2891 Fax (540) 853-2265  
Email: [michael.quesenberry@roanokeva.gov](mailto:michael.quesenberry@roanokeva.gov)

**Newsletter-Sheila Irving**  
Virginia Beach Animal Control  
2665 Leroy Road  
Virginia Beach, VA 23456  
Wk. (757) 427-4444 VM (757) 439-7981  
Email: [sirving@vbgov.com](mailto:sirving@vbgov.com)

**Caroline Hairfield** (Term '07, '08, '09)  
Hanover County  
P.O. Box 470  
Hanover, VA 23069  
Wk. (804) 365-6485/6486 Cell. 804-317-2677 Pgr. (804)-997-4907  
Fax (804) 365-6488  
Email: [mchairfield@hanover.co.va.us](mailto:mchairfield@hanover.co.va.us)

**Emmett Edmonds** (Term '08, '09, '10)  
Halifax County  
P.O. Box 699  
Halifax, VA 24558  
Wk. (434)572-4292

**William Tydings** (Term '07, '08, '09)  
Spotsylvania County Animal Control  
450 T.V. Drive  
Fredericksburg, VA 22408  
Wk/Voice Mail (540) 891-1329 ext. 278 Fax (540) 891-9705  
Email: [wtydings@spotsylvania.va.us](mailto:wtydings@spotsylvania.va.us)

**Shane Ayers (Board/Newsletter)** (Term '07, '08, '09)  
Staunton Animal Control  
116 W. Beverly St.  
Staunton, VA 24401  
Wk. (540) 332-3842 VM (540) 448-1087 Fax (540) 332-3980  
Email [ayerssi@ci.staunton.va.us](mailto:ayerssi@ci.staunton.va.us)

**Kathy Strouse** (Term '05, '06, '07)  
City of Chesapeake Animal Control  
3807 Cook Blvd.  
Chesapeake, VA 23323  
Wk/Voice Mail (757) 382-8084 Fax (757) 485-7319  
Email: [katacb@yahoo.com](mailto:katacb@yahoo.com)

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## ***MESSAGE FROM THE PRESIDENT***

Never before has so much attention been given to the issues and problems of our profession. From the tragedy in Texas with the Evans murder, to the Vick case, to the recent problem of Puppy Mills made so public; the entire Commonwealth of Virginia is behind the men and women who work in Animal Control to solve these issues. So much attention is now public about the lack of resources, training, self-defense, proper authority, and the coordination of other branches of the legal system that now the wheels of justice are being turned toward the Animal Control Officer and their needs as well as the Animal Control needs of the communities that we serve.

So many of us in this line of work share the common burden of not having enough funding for one important need or another. From equipment to facilities to manpower; Animal Control never seems to get the budget that other public safety department appear to get with ease. From Surry County and the Vick case to all of the rural counties in Southwest Virginia with Puppy Mills; it is now public knowledge that these agencies are not properly provided for and taken as seriously as they should be. Our profession demands the same attention now as other larger public safety agencies that provide for the same number of citizens including their pets and livestock. Perhaps now from media attention along with the public pressure from the media some of these agencies will get long needed funding.

Training has always been one of the top priorities of VACA and now some of the frustration our members feel trying to improve that training has been translated from the needs of these high profile media rich cases with national attention. The VACA based Virginia Animal Fighting Task Force has brought together a vast coalition of professional law enforcement and animal welfare resources like never before. Training of the highest level in Animal Control investigation and case handling was the result

of a very difficult dog fighting case being discovered and acted on. Because of this network of professionals the Vick case will be tried and justice will be and has been served.

The recent murder of Bobby Evans in Bellmead, Texas has brought the immediate danger of each and every un-armed Animal Control Officer to the attention of every corner of this country. It is now another high profile incident that proves that Animal Control Officers need to be able to defend ourselves from deadly force.

In just a few hours the state mandated Animal Control Officer committee brought together through HJR 116 will meet for one more time with findings that our profession needs better training standards, more authority to enforce through definition, and a strong branch of state government within our legal system to promote and regulate Animal Control throughout Virginia. It has been found by this committee made up of every branch of law enforcement that 90% of what we do as Animal Control Officers is law enforcement. So why not have the same standards and be included in the state's definition of Law Enforcement as a Judge has ruled in Virginia Beach recently?

Yes, this may be the most exciting time in our history for both Animal Control and VACA. As our membership and friends; please know that your board members and their supporters are working as hard as they can to make sure that our goals of authority, safety, and recognition are made clear to the Commonwealth of Virginia, its leaders, and the good citizens that we serve every day. God Bless,

Kevin Kilgore

VACA - President

## HANOVER COUNTY ANIMAL CONTROL WINS PRESTIGIOUS “INDUSTRY LEADER AWARD” FROM NATIONAL SAFETY COUNCIL

The Hanover County Department of Animal Control has been honored with a 2007 Industry Leader Award for achieving the best safety performance in its category. The Award was announced by the National Safety Council (NSC). In 2006, Hanover Animal Control lost 0 (zero) work days due to injury or illness.

The National Safety Council’s Industry Leader Award was created to recognize outstanding safety achievements. Categories are based on the North American Industry Classification System, an industry-wide classification system that is the index for statistical reporting of all economic activities of the U.S., Canada and Mexico.

Hanover County Animal Control is one of 59 companies honored with the 2007 Industry Leader Award and is the second Hanover County government department in two years to receive the award. The Department of Parks & Recreation won the award last year.

“Receiving the Industry Leader Award is a tremendous accomplishment for Kevin Kilgore, the Department’s Safety Committee and all of its employees,” said Greg Smithson, Hanover County’s Safety/Risk Manager. “These jobs involve some occupational safety risk and to complete an entire year without any type of injury is remarkable.”

Allan Smith represents Hanover County Animal Control on the Hanover County Safety Steering Team. The Steering team is made up of the departments in the County that typically have the most exposure to hazards because of the jobs that they do. The Safety Steering Team meets twice a year to take a global look at the County’s safety performance and provide input on the future direction of Hanover’s safety program.

I would like to commend each and every one of our officers and staff for achieving this award through our own department’s efforts to be aware of the tremendous challenges to our personnel safety as well as the safety of others

around us. It is truly through the team spirit model of Hanover County and our surrounding community that we are able to provide the services we do and be fortunate enough not to have anyone get seriously injured this year.

I would like to also thank Greg Smithson for his hard work, direct personnel involvement with our department, and his aboveboard professionalism that made it possible for our group to win this award. Animal Control personnel all over the country are seriously injured every day with several serious animal attacks and one fatality in Texas this year from a gunshot when an officer was found dead in the line of duty. So the fact that our department went one year without serious loss of time is a true milestone to our efforts to get everyone home safe every day.

The National Safety Council is a nonprofit, non-governmental, international public service organization dedicated to protecting life and promoting health. Members of NSC include more than 50,000 businesses, labor organizations, schools, public agencies, private groups and individuals. Founded in 1913, and chartered by the U.S. Congress in 1953, the primary focus of the NSC is preventing injuries on highways and in homes, workplaces and communities.



PSL vicious dog law dubbed unconstitutional

## Dog on death row is returned to owners after two-year court battle

By [Kit Bradshaw \(Contact\)](#), [Tyler Treadway \(Contact\)](#)

Thursday, December 6, 2007

Lisa and Larry Ciaccio are reunited with their dog, Liner, at Safe Harbor Animal Sanctuary and Hospital in Jupiter on Wednesday after the dog was taken away from them by Port St. Lucie Animal Control three years ago.

PORT ST. LUCIE — After more than two years on a canine equivalent of death row, Liner was returned to his Port St. Lucie owners Wednesday because an appeals court ruled the city's law that declared the dog vicious is unconstitutional.

"This is the best Christmas present ever, to get Liner back home," Larry Ciaccio said as he and his wife, Lisa Ciaccio, picked up the pit bull mix at Safe Harbor Animal Sanctuary and Hospital in Jupiter.

Having Liner confiscated, he said, "was like having your child taken away."

Liner's case began in January 2005, when Port St. Lucie Animal Control officers responded to a report he and another of the Ciaccios' dogs, Boss, were loose and fighting each other. Animal Control declared Liner "vicious." Boss, which had earlier been declared vicious, was confiscated and euthanized.

Under a Port St. Lucie ordinance, said Marcy LaHart, a West Palm Beach attorney representing the Ciaccios, a dog deemed vicious is subject to a host of restrictions, "and if the dog and the owner don't comply, the law says the city can come in, seize the dog and kill it."

In September 2005, Liner reportedly chased a woman and her son riding bicycles past Larry Ciaccio's business, and the dog was confiscated by Animal Control, LaHart said.

"Liner's only crime," LaHart said, "was that he

barked at two people who rode by on bikes. While I don't condone that, it doesn't warrant a death sentence, which is what the city imposed."

The Ciaccos appealed the confiscation to a special magistrate and then to St. Lucie County Court, both of which upheld Animal Control's action.

In the next appeal, to the 19th Circuit Court, a panel of three judges ruled the city code "is unconstitutional on its face for failure to provide adequate procedural due process to animal owners" and ordered Liner should "be returned to (the Ciaccos) forthwith."

Specifically, the panel said the Ciaccios should have been given written notice their dog had been deemed vicious and a chance to appeal Liner's status before he was confiscated — and without having to take the matter to court.

"I don't want anyone else to go through anything like this," Ciaccio said.

According to Gabrielle Taylor, Port St. Lucie assistant city attorney, no one else will have to.

"The ordinance that the court said is unconstitutional has since (Liner's confiscation) been changed," Taylor said, "so that it now provides for an administrative hearing with the owner of a dog that has been declared vicious."

Taylor didn't know if Liner's case was an impetus for changing the law.

Still, Lisa Ciaccio wants "an apology from Port St. Lucie and reimbursement for the cost of (Liner's) care."

LaHart said she'll file to have the city pay her attorney fees and to reimburse the Ciaccios for the "thousands of dollars he spent to board his dog for the more than two years it took for this case to wind through the judicial system."

[tyler.treadway@scripps.com](mailto:tyler.treadway@scripps.com)

[kit.bradshaw@scripps.com](mailto:kit.bradshaw@scripps.com)

Read the court ruling that released the dog "Liner" to his owners and declared Port St. Lucie's vicious dog ordinance unconstitutional.

## 2008 General Assembly

The 2008 Session is fast approaching. This should be a very exciting year for the animals and for ACOs. Recent high profile dog fighting and puppy mill cases captured the public's attention and concern in ways that surprised many.

It is expected that bills to address animal fighting will be introduced. VACA has worked very hard on language for bills to address both dog and cock fighting. One such bill has already been introduced by Delegate Riley Ingram. This bill would make cock fighting a class 1 misdemeanor, and would remove the current requirement that a participant must wager or charge admission in order to commit this offense. It would make it illegal to own, raise, train, or sell birds for this purpose and would make attendance at a cock fight a class 3 misdemeanor.

Another issue expected to receive attention is that of puppy mills. A Humane Society of the United States expose of conditions in Virginia Puppy Mills aired on "Entertainment Tonight" in November. One subsequent investigation uncovered a Virginia puppy mill containing over 1,000 animals. Although VACA offered assistance via the Virginia Animal Fighting Task Force to assist with the investigation, the only offers accepted by that locality were for placement of the animals. This is outside the purview of VACA, as our organization represents ACOs whose duty it is to enforce the laws for the protection of

animals. It is expected that there will be bills in 2008 to better regulate puppy mills and to protect the animals housed by these entities.

VACA continues to work with Animal Control Training Committee established by the Crime Commission on the vital issue of adequate and proper training for all ACOs. By the next issue of the newsletter, the report to the Crime Commission on the progress of the committee should be available to members.

As of this writing, two gas chamber bills have been introduced. One, by Delegate Robert Orrock would prohibit the use of gas chambers for euthanasia of companion animals. The second by Delegate James Scott would prohibit the use of a gas chamber for any animal, and has a delayed effective date of October 2008.

Of course, this is only the beginning. Many more bills are expected. VACA will monitor the bills introduced in 2008, as we have done in past sessions. We will be certain to maintain a presence in Richmond to work on behalf of good legislation for the protection of animals and the enhancement and protection of the profession of animal control. It is hoped that VACA members will respond when called upon to do their part. This may include a request to write letters, make telephone calls, or even pay visits to their legislators. VACA will need the help of its members this session, as in the past.

Kathy Strouse

*(Conference Wrap Up, Continued from page 1)*

The last day of the conference was just a half day of instruction on Infectious Disease Control in Animal Welfare Organizations, but was filled with the ultimate in door prize give-away, concluding with the drawing from the scavenger hunt which gave attendees a chance to get to know the vendors better, a 19in flat screen TV with built in DVD player went to Louisa County.

Everyone received their certificates of attendance and was dismissed to return to their respective jurisdictions.

The 2008 30th Annual VACA will be held Oct 22-24th in Fredericksburg.

Trish Dahl,  
Secretary/Treasurer



**Report Potential Foreign or Emerging Animal Disease**

*Business Hours: Monday-Friday, 8:15 a.m. - 5:00 p.m.*  
**State Veterinarian's Office** State Veterinarian 804/692-0601  
Richmond, VA Fax: 804/371-2380  
**USDA, APHIS, Vet. Svcs.** Area Veterinarian 804/343-2560  
Richmond, VA In Charge (AVIC) Fax: 804/343-2599  
*After-Hours, Weekends & Holidays:*  
**Virginia Emergency Operations Center (VEOC)** 804/674-2400  
Richmond, VA 800/468-8892  
www.vdacs.virginia.gov

**Regional Animal Health Laboratories**

**Lynchburg**  
434/347-2518  
**Wytheville**  
276/228-5501  
**Warrenton**  
540/347-6385  
**Ivor Regional**  
757/859-6221  
**Harrisonburg**  
540/434-3897

**Training Announcements**

**Virginia Federation of Humane Societies Annual Conference**

March 27-29, 2008 Lynchburg

Information available on the vfhs web site, [www.vfhs.org](http://www.vfhs.org)

As you know we had to cancel the dogfighting class that we had scheduled for November 29. That course has been re-scheduled for April 17<sup>th</sup> at the Central Shenandoah Criminal Justice Academy. Details on the course and registration can be conducted on our website at [www.vcpionline.org](http://www.vcpionline.org).

**Central Shenandoah Criminal Justice Training Academy**

3045 Lee Highway, Weyers Cave, VA. 24486

540-234-9191 FAX: 540-234-8211

Animal Control Officer 2008 Training Schedule

Animal Hoarders Jan 8<sup>th</sup>

Ritualistic Animal Abuse Feb 26<sup>th</sup>

4<sup>th</sup> Basic Animal Control Officer Mar 17-28<sup>th</sup>

Small Animal Scoring Apr 2

Dogfighting Apr 17 ([vcpionline.org](http://vcpionline.org) for info)

Large Animal Scoring May 6

Animal Hoarders July 15<sup>th</sup>

5<sup>th</sup> Basic Animal Control Officer Aug 4-15<sup>th</sup>

Small Animal Scoring Sept 30<sup>th</sup>

Large Animal Scoring Oct 1

Ritualistic Animal Abuse Dec 2

**Gloucester: Ritual Animal Abuse**

The objective of the class will be to identify evidence of ritual animal abuse when out in the field.

Location: Gloucester County Main Library, 6920 Main Street, Gloucester, VA 23061

Date/Time: Friday, Feb. 1<sup>st</sup>, 2008/8am-12 noon  
Light refreshments will be provided

**Virginia Comprehensive Animal Law Books for Sale!** Contact Tricia Dahl

Books \$10.00

VACA Patches \$2.50 each.

Contact: Tricia Dahl (540) 672-9725

**Useful Web Links:**

- [vacaonline.com](http://vacaonline.com)
- [vaanimalfighting.com](http://vaanimalfighting.com)
- [nacanet.org](http://nacanet.org)
- [familydogdigest.com](http://familydogdigest.com)
- [pet-abuse.com](http://pet-abuse.com)
- [municode.com](http://municode.com)
- [acofunstop.com](http://acofunstop.com)
- [hrlostpets.org](http://hrlostpets.org)
- [humanepot.org](http://humanepot.org)

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**Rabies Awareness Week**

Virginia Veterinary Medical Association (VVMA) will choose the dates for next year's Rabies Awareness Week to be held in March 2008.

**Virginia Animal Control Association MEMBERSHIP APPLICATION**

I, \_\_\_\_\_, hereby apply for membership in the Virginia Animal Control Association. If accepted, I will abide by the Constitution and by-laws and uphold the aims and purposes of the Virginia Animal Control Association.

Please Check One

- Active (ACOs) \$30
- Associate (Kennel staff, interested parties) \$25
- Organization \$45



Mail or FAX  
 Patricia Dahl  
 11362 Porter Road  
 Orange County, Virginia 22960  
 Fax 540-672-9727

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Jurisdiction:	Signature:
Business Address:	<input type="checkbox"/> I prefer this address for billing, please bill my agency
Home Address:	<input type="checkbox"/> I prefer this address for billing, please bill me.
Phone:	Email:

*Membership (includes NACA) is one calendar year, October 31st through October 31st the following year.*

RCVD _____	CARDS VACA _____/NACA _____	NACA REG _____	BOOK _____	MAIL ADD _____	Membership Paid? Y N
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