

**Illinois Department of Agriculture
Bureau of Animal Welfare
Docket Findings Report**

Docket Number: 2011-1110
Date Assigned: 9/29/2011
Method: Telephone

Type: Animal Welfare
Species: Dogs
Taken By: NZ
Assigned to: Neal Zelasko
First Contact Date:
Follow-Up Date:
Closed Date: 1/26/2012

Respondent's Name: EDGAR COUNTY HUMANE ASSOCIATION, INC.
Address: PO BOX 1152 *
City and State: PARIS, IL 61944
County: EDGAR
Facility Type: Animal Shelter

Directions / Location:

Description of Complaint:

Edgar Co HS found complainant's dog running loose and adopted it out. The dog was micro chipped.

Inspector's Notes:

09/29/2011

I received a message from my office to call the complainant which I did on 9-28-11. The complainant said the Edgar County Humane Society HS and the Edgar County Animal Control (AC) adopted her dog which got loose. The dog was microchipped and no checked for a microchip before it was adopted.

I called Rob Williams, AC Warden, the same morning. He did not know anything about the dog until the complainant called him about seeing an ad of her dog on Craigslist. She gave him the microchip number and it was registered to her. He told her to call Melodie Elston with the HS. He gave me Elston's number and I called her next.

I met Elston at AC later that morning and we ended up going to her husband Terry's office where the three of us discussed the complaint. Elston received a call on 8-30-11 from a person who found two Basset Hounds running loose. There were no homes nearby. Elston told the person to take the dogs to Hoof & Paw Boarding Paris, IL which was near the location.

Elston is at AC every day to try and find homes for the dogs there. The dogs are put on Petfinder and when someone wants to adopt one, AC give HS the dog and HS handles the adoption. Elston said she knew AC was full and had the dogs sent to Hoof & Paw for that reason. She did not get the person's name who found the dogs.

Hoof & Paw required the dogs to be vaccinated if they were going to stay there. Elston had called Dr. Michael Straub DVM to come out and vaccinate them. She said the dogs were thin. Dr. Staub has his primary office in Terre Haute, In and has an office in Paris, IL. He vaccinated the dogs on 9-04-11.

I spoke to Dr. Staub after leaving Elston at his Paris office. He said his records are kept in Terre Haute and he would have them faxed to me.

Elston said both dogs were put on Petfinder and she was contacted on 9-06-11 by someone wanting to adopt the dog with the micro chip. She did not tell AC about the dogs or have them scanned for a microchip. She would not let it be adopted until 7 days had passed because that was the policy at AC in case anyone called about the dogs. It was adopted on 9-08-11. She gave me copies of the ad and the adoption information.

I told her she did not have the authority to pick up strays unless she had an agreement from AC. I told her AC is required to scan all strays for a microchip. If the dogs had been taken to AC the microchip would have been scanned and the owner contacted.

She said the owner only wanted the dog with the microchip back and told Elston she could keep the other one. Elston called the adopter and explained the situation. Elston did not want the complainant to get the dog back because both dogs were thin when found and the owner only wanted one of the dogs back.

She said the complainant told her the dogs got loose before and where found in a shelter in Indiana. She said the complainant never called AC even though she lives in Edgar County. She said for those reasons she did not believe the complaint was taking proper care of the dogs.

I told her I would have to see if Dr. Staub had any notes on the condition of the dogs when he vaccinated them and find out from the complainant when the dogs got loose. Elston said she would not take in any more strays without checking with AC.

I called the complainant on 9-29-11 who was at work and she said would call me back. I did not receive a callback by the time I took off from work early that afternoon.

Enforcements:**Actions Taken:**

10/03/2011 Reviewed by Springfield - Regina Burris

The humane society should turn stray dogs into the county animal control where they can be scanned for a microchip. Citation should be issued to the respondent for not following proper protocols. The humane society should take proper steps to return the dog back to the rightful owner.

10/17/2011 Reviewed by Springfield - Dr. Mark Ballman
Citation may be issued by the Springfield Office.

10/18/2011 Review for Administrative Hearing - Regina Burris

10/19/2011 Review for Administrative Hearing - Jackie Eckert

The humane society does not have a copy of the signed relinquishment and does not have a source of the dog. The matter regarding picking up strays should be handled by local animal control. The matter of the dog being returned becomes a civil matter to be determined by the courts. Citation for Section 25.130 a) and c).

01/26/2012 Finalized - Docket is Closed - Dr. Mark Ballman

Administrative Law Judge dismissed the docket and it is now closed.

Supporting Documentation:

9/8/2011 petfinder attachment - Complainant, RB

9/8/2011 petfinder attachment - Complainant, RB

9/8/2011 petfinder attachment - Complainant, RB

Read Balaban