

A G E N D A R E P O R T

DATE January 22, 2008

ITEM Animal Shelter Report Special Examiner Appointment

INITIATED BY City Commission

ACTION REQUESTED Appoint Special Examiner

PREPARED & PRESENTED BY John Lawton, City Manager

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RECOMMENDATION:

Staff recommends the City Commission appoint a Special Examiner to conduct further investigation into the report prepared by the Great Falls Police Department concerning allegations regarding the Animal Shelter operations.

MOTION:

“I move the City Commission appoint _____ as the Special Examiner to investigate the report on Animal Shelter operations.”

SYNOPSIS:

Staff is recommending the appointment of a Special Examiner to conduct the continuing investigation of allegations that have been made by current and former employees of the Great Falls Animal Shelter. It is recommended that the Examiner have background in conducting investigative hearings.

Proposed appointees include: Brendon J. Rohan with Poore, Roth & Robinson, PC, of Butte, Montana; Elizabeth Baker with Hughes, Kellner, Sullivan & Alke, PLLP, of Helena, Montana; and Brian J. Kahn, Attorney and mediator, of Helena, Montana.

BACKGROUND:

In December of 2007, one current and one former employee of the City of Great Falls Animal Shelter came forward through a press conference making allegations concerning animal shelter operations and treatment of animals. As a result of those allegations, the Police Department began an internal investigation of those charges. The final report was completed on January 17, 2008.

City staff is recommending that the City Commission hire a Special Examiner to further investigate the allegations, using the Police Department report as the basis for further investigation. The Special Examiner’s report will offer analysis of the adequacy, fairness, and appropriateness of the Police Department report.

The City Charter authorizes the City Commission, or its designee, to investigate any operation of the City. The Special Examiner will have the Commission’s power to subpoena witnesses and receive sworn testimony to test the accuracy or complete the findings of the report. The Special Examiner will receive direction from and report to the City Commission.