

Over 300 Violations, \$12,000 in Fines: Why this Animal Rescue Says They'd do it all over Again

By Shannon Marvel McNaught, Delaware News Journal | September 30, 2021



Taking a look inside the First State Animal Center and SPCA

Inside the First State Animal Center and SPCA after Animal welfare serves First State SPCA over 300 violations. *Lauren Roberts, Salisbury Daily Times*

First State Animal Center & SPCA in Camden has faced over 300 violations from the Delaware Office of Animal Welfare this year related to the transport of 83 dogs from an animal rescue in Arkansas.

The violations resulted in more than \$12,000 in fines, but Director Jon Parana said they'd do it all over again if they had to.

"We were told if they weren't rescued they were going to be euthanized," he said. "And if there's 85 dogs that are going to die ... and we're there at the spot, we're going to do our damndest to save them."

The dogs arrived at First State on Feb. 14, and after receiving three complaints including allegations of "improper transport, inadequate staffing and medical care provided, and disease transmission," animal welfare officers inspected the shelter Feb. 27.

They found 301 violations of Delaware's Shelter Standards Law, to include:

- 83 counts of invalid health certificates.
- 64 counts of failure to adhere to veterinary protocol.
- 51 counts of failure to perform intake exams within three days of arrival.
- 103 counts of failure to maintain records.

First State was lacking proper documentation for many things, according to an April 30 letter from Office of Animal Welfare Executive Director Christina Motoyoshi.

First State's veterinary protocol, which the law requires to be created by a veterinarian and followed by the shelter, was incomplete, Motoyoshi wrote, and some dogs were treated in ways that did not follow what veterinary protocol there was.

"Treatment provided was inadequate," she said.



Notes are written on a sign about a dog being treated for heartworm at First State Animal Center and SPCA Tuesday, Sept. 28, 2021, in Camden, Delaware. *Lauren Roberts/Salisbury Daily Times*

Thirteen of the 83 dogs tested positive for parvovirus, the letter said, and by the time of the Feb. 27 inspection, nine of them had died.

Parvovirus is a highly contagious gastrointestinal illness, common in young, unvaccinated dogs, according to the Merck Veterinary Manual.

Fourteen of the dogs had ringworm, a contagious fungal skin infection. They were not properly isolated, according to the letter.

Parana said that many of the decisions that led to the violations were made by the shelter's former advising veterinarian who resigned shortly after the transport.



Jon Parana, Executive Director of First State Animal Center and SPCA, talks about the Office of Animal Welfare findings and updates they've made Tuesday, Sept. 28, 2021, in Camden, Delaware. *Lauren Roberts/Salisbury Daily Times*

An \$8,300 penalty was imposed on the nonprofit "due to the number and seriousness of the violations." "A contributing factor was also the fact that OAW has provided multiple educational meetings and discussions with FSAC regarding the requirements set in law," Motoyoshi wrote, referencing a Jan. 26 meeting with shelter staff to review standards and answer questions.

More violations

Motoyoshi offered to reduce the fine to \$5,000 if all requirements were met during a follow-up inspection, but that didn't happen.

A June 24 inspection found 16 more violations, many of which were repeats, according to a July 8 letter from Motoyoshi.

Fourteen were related to "continued deficiencies" in record keeping, including still-inadequate veterinary protocols, according to the letter.

Parana said most of the record keeping issues were due to software issues and staff is now doing everything by hand. The shelter's veterinary protocol has since been approved by Office of Animal Welfare, according to Parana.



Veterinary technician Jess Tyler and Margarita, one of the dogs from the Arkansas transport, at First State Animal Center and SPCA Tuesday, Sept. 28, 2021, in Camden, Delaware. *Lauren Roberts/Salisbury Daily Times*

Another violation was issued over a dog that died after it wasn't seen by a veterinarian in a timely manner, Motoyoshi wrote. During that incident, state and federal law may have been broken in the administration of controlled substances by nonveterinary staff, according to the letter.

The last violation, which warranted a second follow-up visit from inspectors, related to the conditions of the kennels at First State.

"Many had protruding wire and exposed sharp edges that could injure dogs inside," Motoyoshi wrote.

First State allowed Delaware Online to tour the facility Sept. 28. Kennel doors deemed unsafe appeared to have been removed.



Cats at the First State Animal Center and SPCA Tuesday, Sept. 28, 2021, in Camden, Delaware. *Lauren Roberts/Salisbury Daily Times*

The July 8 letter included a list of additional concerns, one of which said First State could not provide a current U.S. Drug Enforcement Administration license, required for the use of controlled substances in a May euthanization.

Parana said Sept. 28 that the shelter's DEA license is still "pending."

A \$4,250 fine was assessed for the June violations.

“As evidenced by this complaint investigation and resulting inspections, it is clear that FSAC management does not fully understand the legal requirements of operating an animal shelter,” Motoyoshi wrote. “There is also a concern that inadequate staffing and/or expertise may be leading to continued and demonstrated inability to meet the minimum standards.”

A list of requirements to bring First State into compliance with Delaware shelter standards followed.



Outside the First State Animal Center and SPCA Tuesday, Sept. 28, 2021, in Camden, Delaware. *Lauren Roberts/Salisbury Daily Times*

"If FSAC cannot make corrections ... and deficiencies continue to occur, escalating fines may be assessed, and the shelter may be at risk of closure until correction of the violations are proven," the letter said.

First State was inspected again last week but Mary Fenimore, spokeswoman at the Office of Animal Welfare's parent agency, the Delaware Department of Health and Social Services, said the information was still under review. She also said the shelter has paid its fines.

First State's story

Prior to the February trip to Arkansas, First State had only 12 dogs at its shelter, according to Parana. Its advising veterinarian at the time had been in touch with an Arkansas rescue that needed help with 30 puppies, Parana said. He authorized her to go get them.

A handful of staff made the 22-hour drive to Arkansas in two vans. At the time, Arkansas was experiencing a rare winter storm, with low temperatures and high winds, according to First State veterinary technician Jess Tyler.



Inside the Delaware animal shelter served 300 violations

Inside the First State Animal Center and SPCA after Animal welfare serves First State SPCA over 300 violations.

"These dogs were all in outside kennels and the only thing they had for protection was a tarp in this ice storm," she said. "They talked us into taking 85."

"I got the phone call from our vet tech, saying 'What should we do? These animals are not going to survive,'" Parana said. "I told them, 'Bring them back.'"

They were unaware any of the dogs had parvo and they showed no symptoms, Tyler said.

When asked about each specific charge, Parana painted a different picture than Motoyoshi on some counts while admitting to others, but emphasized that he is not disputing the office's findings.



Nipsy is one of the dogs at the First State Animal Center and SPCA Tuesday, Sept. 28, 2021, in Camden, Delaware. *Lauren Roberts/Salisbury Daily Times*

"It's unfortunate but we learned a valuable lesson. We are wiser now and we're going to continue doing our best," he said. "However, our success rate with those animals that were saved was awesome."

Nineteen of the dogs from the Arkansas transport died, according to Tyler. About 60 others have been adopted.

"The shelter is not at all in danger of being shut down," he said. "We're not closing, simple as that."

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