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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF RIVERSIDE**

11 ALAN WOODRUFF, DAVID KIRK, LISA
12 BLODGETT, TIFFANI LOBUE,

13 Petitioners,

14 vs.

15 ERIN GETTIS, in her official capacity as
16 Director, Riverside County Department of
17 Animal Services; RIVERSIDE COUNTY
18 DEPARTMENT OF ANIMAL SERVICES;
19 COUNTY OF RIVERSIDE; DOES 1
20 through 10, inclusive,

21 Respondents.

CASE NO.: **CVPS2405127**

**PETITION FOR WRIT OF MANDATE;
COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF**

20 Petitioners Alan Woodruff, David Kirk, Lisa Blodgett and Tiffani LoBue bring this
21 action for a writ of mandate, and declaratory and injunctive relief, pursuant to *Code of Civil*
22 *Procedure* §1085 and *Civil Code* §525, *et seq.*, and allege as follows against Respondents Erin
23 Gettis (“Gettis”), in her official capacity as the Director of Respondent Riverside County
24 Department of Animal Services, Respondent Riverside County Department of Animal Services
25 (“RCDAS”), Respondent County of Riverside, and Does 1 through 10, inclusive. The following
26 allegations are based on information and belief, unless otherwise specified.

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28 ////

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INTRODUCTION



1. The photographs above were taken by a community member visiting the San Jacinto facility of RCDAS. What she saw was appalling—the dog in the picture on the left had been dead for some period of time and the dog pictured on right was laying on an excrement-covered floor with more excrement on the dog’s body. How long the dogs were left in these inhumane conditions is unknown. These disturbing photographs of animal cruelty are emblematic of the fundamental failings and pervasive deficiencies, the inertia and inaction, of RCDAS and its Director, Gettis. RCDAS under the direction of Gettis is plagued with lack of leadership, mismanagement, budget opacity, disdain for the health and safety of animals in its custody, disinterest in working with the community and rescue organizations to place animals in homes, inertia in moving to adopt no kill policies, and a focus on killing, rather than saving, dogs and cats. This must stop.

2. Animals should be treated “kindly,” as required by law, and not, as RCDAS treats them, in dirty kennels, under inhumane conditions, subject to being killed in a helter-skelter manner and placed in barrels to be disposed. *Dogs and cats in the custody of RCDAS*

1 *deserve to go out the front door to a new beginning, not the back door with their lives cut*
2 *short to end up in a landfill or rendering facility.*

3 3. Gettis must be removed and RCDAS must follow—not evade—the applicable
4 law. And, the No Kill Equation—a set of simple and straightforward elements, developed by
5 Nathan Winograd of the No Kill Advocacy Center, that when implemented comprehensively in
6 animal shelters can eliminate the killing of healthy or treatable animals—must be adopted by
7 RCDAS, just as it has been in communities, large and small, urban and rural, wealthy and less
8 wealthy, throughout the country.

9 4. *It is troubling that in 2024, and despite a budget of \$39,000,0000, Riverside*
10 *County Department of Animal Services is notorious for its extraordinarily high kill rate. In*
11 *2023, Best Friends Animal Society, a nationally respected organization with particular*
12 *expertise in shelter statistics, stated that RCDAS facilities killed more animals than any other*
13 *reporting shelter in the United States in 2022.¹ Indeed, 24,000 animals have been killed in*
14 *the last two years—roughly 1,000 each month.² The priorities of RCDAS must change.*

15 5. The purpose of this action is to permanently remove Gettis as Director of
16 RCDAS and compel RCDAS to follow and obey the law, to treat animals in their custody with
17 necessary and prompt veterinary care, nutrition, shelter, “to treat them kindly” as the law
18 requires, and to stop killing healthy and adoptable animals, and animals that could be made
19 adoptable with reasonable efforts. Sadly, so many other animals at RCDAS suffer the same fate
20 as those in the photographs above—an utter and profound lack of care, concern and dignity that
21 they are entitled to. It is time for that to change. As set forth below, the excessive killing of
22 animals without rhyme or reason and a death sentence that can come at any time, often based on
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24 ¹ RCDAS has engaged in “sleight of hand” statistical manipulation to publicly contend
25 otherwise. The tactics are as transparent as the statistical results are unconvincing. The level of
26 deceit is disturbing, but par for the course for RCDAS and Gettis.

27 ² To refer to the killings as “euthanasia” is, to say the least, misleading. Euthanasia refers to
28 ending the life of someone who is terminally ill or in great pain and suffering. The
overwhelming number of dogs and cats at RCDAS who are killed are healthy and adoptable, or
could be made adoptable with reasonable efforts. Though the term may be a convenient one for
RCDAS to use, ending the lives of thousands of healthy and adoptable animals is anything but
euthanasia.

1 a pretext that the animal has a behavioral or medical issue, not matter how minor or treatable (in
2 one instance, it was a cough), is unconscionable. This disregard for the law must stop, a no-kill
3 policy must be adopted, and Gettis (entrusted with the stewardship of RCDAS, despite
4 absolutely no relevant experience) must be replaced with a leader truly committed to acting in
5 the best interests of animals in the custody of RCDAS.

6 6. This case involves a shocking, callous, and ongoing failure to follow California
7 law by RCDAS and Gettis, who has referred to the Hayden Act—the well-established and
8 controlling statutory scheme regulating animal shelters—as nothing more than “legalese.”³
9 This cavalier attitude to the law is appalling. *Despite Gettis’ contempt for, and disregard of, the*
10 *well-established Hayden Act, California law is clear: animals should be saved, not destroyed.*

11 7. The enactment of the Hayden Act placed California at the forefront of saving,
12 rather than destroying, the lives of animals in animal care facilities. Indeed, the Hayden Act
13 was recently affirmed less than one year ago in *Santa Paula Animal Rescue Center, Inc. v.*
14 *County of Los Angeles* (2023) 95 Cal.App.5th 630, 637 where the Court of Appeal stated:
15 “[Food and Agriculture] section 17005, subdivision (a), Civil Code section 1834.4, subdivision
16 (a), and Penal Code section 599d, subdivision (a), *all state that it is California’s policy that no*
17 *adoptable animal should be euthanized.*” The law is clear and Respondents’ willful failure to
18 adhere to it—and indeed disregard of it—compels Court intervention.

19 8. Petitioners ask that Gettis be permanent removed from her position with
20 RCDAS, and RCDAS be ordered to follow state laws as set forth herein, to cease practices
21 which directly lead to the death of animals under the supposed care of RCDAS, and to stop
22 abusive practices which are harmful to animals without any reciprocal benefit to the animals or
23 to the public.

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26 _____
27 ³ Interview with Investigative Reporter Mary Strong, KMIR, May 16, 2024. In this same
28 television interview, Ms. Gettis suddenly and disdainfully rolled her chair off camera to avoid
answering questions about her management of RCDAS and the applicable law. Press Control
and click link to open: <https://youtu.be/bJ1c7TLgLn0>.

THE PARTIES

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2 9. The Petitioners in this action have spent, collectively, over a half-century
3 devoting countless hours to animal advocacy and welfare, animal rescue, shelter management,
4 animal safety, community education and no kill policies (as opposed to Gettis who evidently
5 spent no time in any of these areas before her employment with RCDAS).

6 10. Petitioner Alan Woodruff is an individual and 35-year resident of the City of La
7 Quinta, County of Riverside, State of California. He is a former head coach of track and field,
8 and cross country, at Palm Desert High School. Petitioner is beneficially interested in this
9 action as a citizen of the State of California in having the laws discussed herein executed
10 properly and the statutory duties owed by RCDAS and Gettis enforced. Petitioner Woodruff is
11 the founder and CEO of Alan’s All Animal Rescue Foundation (“AAARF”). AAARF is
12 devoted to reuniting lost pets with their owners, finding homes for animals in danger of being
13 euthanized, providing meals to animals in need, and rescuing dogs that sometimes become
14 trapped in the mountains surrounding La Quinta Cove. Petitioner starts his days at 4:00 a.m.
15 feeding dozens of feral and abandoned cats in his community. He has rescued and found homes
16 for over 231 dogs. The La Quinta City Council has awarded him a “Pillar of the Community”
17 award for his dedication to the devotion of all animals. His motto is simple: Adopt and love all
18 animals.” Petitioner Woodruff feels strongly that this core principle is not one adhered to by
19 Respondents.

20 11. Petitioner David Kirk is an individual and 14-year full-time and 19-year part-
21 time resident of Coachella Valley, County of Riverside, State of California. Before retiring to
22 the Coachella Valley, Petitioner Kirk was a senior executive in Fortune-10 technology
23 companies in Silicon Valley and Washington, D.C. Petitioner Kirk is beneficially interested in
24 this action as a citizen of the State of California in having the laws discussed herein executed
25 properly and the duties owed by Gettis and RCDAS enforced. Petitioner Kirk first became
26 involved with RCDAS in 2008 when his wife (Dr. Leigh Kirk, DVM, MS), prior to graduating
27 as a veterinarian from Colorado State University with a specific interest in Feline and Shelter
28 Medicine, volunteered with RCDAS. Petitioner Kirk quickly learned that RCDAS had a very

1 high kill rate for cats and Petitioner began to review and analyze their published data. Based on
2 Petitioner’s calculations of RCDAS published statistics for 2009, 4 out of every 5 cats who
3 entered RCDAS did not leave alive. In 2015, upon learning that RCDAS was killing hundreds
4 of underage kittens (less than 8 weeks of age, because they needed 24-hour care which RCDAS
5 would not provide), Petitioner Kirk converted one of his outbuildings to a kitten nursery and
6 started saving cats that would otherwise be killed by RCDAS. Between 2010 and 2022,
7 Petitioner Kirk and his spouse rescued approximately 1500 cats and kittens. Petitioner worked
8 diligently to bring resources to RCDAS to achieve higher life-saving rates.

9 12. Petitioner Kirk has extensively reviewed and analyzed the statistics provided by
10 RCDAS, and has found that the public information contains, and continues to contain, gross
11 irregularities (e.g., earlier this year, the public records stated that approximately 15,700 animals,
12 going back to 2016, were “still in the shelter”), clearly an absurdly ridiculous assertion. In a
13 subsequent meeting with RCDAS staff, it was disclosed that the public data did not accurately
14 represent the actual internal data, and that a faulty process implemented in 2016 had
15 cumulatively introduced the erroneous data each month and the quality assurance procedures
16 were either not performed or failed to detect the errors for the following eight years. Further,
17 using internal shelter data records, it would appear to be mathematically highly improbable to
18 produce a calculation showing a live release rate of 97% for cats, and 95% for dogs, in RCDAS
19 facilities, without either (a) double counting dogs and cats who transfer between shelter and
20 foster homes (a matter that was suggested to the then staff in 2016), and (b) counting cats
21 involved with Trap Neuter Return (TNR) and Community Cat Programs – both of which distort
22 LLR erroneously to provide “better” results. In sum, the kill rates at RCDAS facilities appear
23 exponentially higher than those represented by RCDAS and Gettis, and RCDAS is inaccurately
24 reporting data, including LRR data.

25 13. Petitioner Lisa Blodgett is an individual and 40-year resident of the City of La
26 Quinta, in the County of Riverside, State of California. Petitioner is beneficially interested in
27 this action as a citizen of the State of California in having the laws discussed herein executed
28 properly and the duties owed by Gettis and RCDAS enforced. Petitioner Blodgett has been

1 involved in animal safety, animal rescue and community education for over 16 years, beginning
2 in 2008 with speaking out on the cruelty of the Palm Springs rodeo in conjunction with the
3 nonprofit Desert Paws. In 2009, Petitioner volunteered with the Humane Society of the Desert,
4 assisting with fundraising events, and adopted a pit bull. Petitioner first experienced and
5 witnessed the inhumane and illegal treatment of pets at the Indio Animal Shelter in about
6 2010. Animals were kenneled in substandard conditions, and volunteers, including Petitioner,
7 paid to install a misting system. During the fundraiser that was held at the Indio Shelter, many
8 people saw the deplorable conditions. Petitioner, along with others, began to volunteer.

9 14. Petitioner Blodgett worked diligently with the Mayor of Indio to teach the staff
10 how to clean kennels, transform the shelter from high-kill to no-kill, implement the programs,
11 and hire a qualified director. Petitioner communicated with Best Friends Animal Society to
12 help with a search for a director. The Grand Jury investigated the conditions at the Indio
13 shelter. A lawsuit was also filed against the city of Indio for the deplorable
14 conditions. Afterwards, the town of Indio chose to shut down the shelter in 2012 and contract
15 with the county of Riverside Animal Services. Over 200 pets were at the Indio shelter. Through
16 the relationships with rescues in Canada and Washington, the volunteers coordinated several
17 flights to safety and homes. A few local rescues also had adoption events. Every dog and cat
18 from Indio made it out alive and did not get transferred to RCDAS. Petitioner Blodgett has
19 fundraised at events and fostered for the Pet Rescue Center in Coachella. Petitioner has
20 volunteered with Wings of Rescue and coordinated flights with dogs from Coachella Valley
21 Animal Campus and the Palm Springs Animal Shelter to rescues in Bellingham, Washington,
22 and Canada. Petitioner has also whelped and raised almost 20 canine families from the
23 Coachella Valley, preventing them from entering the shelter system.

24 15. Petitioner Blodgett pulled three puppies under four months old from RCDAS in
25 2014 directly from what they called the “jeopardy” cage back behind closed doors. Petitioner
26 was allowed back there with the Animal Samaritans rescue coordinator. Petitioner has two
27 today. They were going to be killed for being fearful. They have been beautiful pets and part of
28 Petitioner’s family for ten years. Once Petitioner exposed this at an RCDAS commission

1 meeting, she could no longer pull dogs from jeopardy cages. Since then, Petitioner has saved
2 many dogs from RCDAS and San Bernardino Shelter, and found them homes. Over the past
3 years, Petitioner has had extensive experience and interaction with RCDAS including past
4 directors and the staff.

5 16. Petitioner Blodgett believes strongly that a no-kill facility *is achievable, but*
6 *requires a compassionate, hard-working Director with experience in the field leading the way*
7 *and not rubber-stamping the continued killing of animals.*

8 17. Petitioner Tiffani LoBue has been at the forefront of animal advocacy for 27
9 years. Petitioner is beneficially interested in this action as a citizen of the State of California in
10 having the laws discussed herein executed properly and the duties owed by Gettis and Riverside
11 County Department of RCDAS enforced. Petitioner LoBue’s journey to animal rights and
12 advocacy began before moving to Palm Springs, but upon arrival, Petitioner quickly immersed
13 herself in volunteering with Save-a-Pet, in Desert Hot Springs, an organization that rescued
14 stray and discarded animals from the fields and streets in the area. Petitioner also volunteered
15 with Orphan Pet Oasis (now the Humane Society of the Desert) and worked with both
16 organizations until 2003.

17 18. In 2004, Petitioner LoBue volunteered with Animal Samaritans doing
18 administrative work, cleaning kennels and walking dogs. Later, Petitioner began a 7-year
19 project of transporting dogs from the Thousand Palms facility to homes in Southern California.

20 19. Thereafter, Petitioner LoBue began to regularly speak at city council Board
21 meetings through the Coachella Valley in support of a variety of causes, including spay/neuter
22 programs, backyard breeding, and related proposed ordinances.

23 20. In 2013, Petitioner LoBue began to volunteer with the Palm Springs Animal
24 Shelter which now serves as a model for no kill shelters. In addition, Petitioner has volunteered
25 for the Animal Rescue Center of California, based in Coachella, California, which works to save
26 dogs from the East Valley. Petitioner has attempted time and time again to meet with Gettis to
27 discuss her concerns, was successful in meeting with her once, but her efforts to meet again
28 have been ignored for two years.

1 21. Respondent Erin Gettis is, and at all times relevant hereto has been, the Director
2 of Respondent Riverside County Department of Animal Services. Coincidentally, Respondent
3 Gettis’ husband, Aaron Gettis, is Chief Deputy County Counsel for the County of Riverside.⁴

4 22. Respondent Riverside County Department of Animal Services provides all
5 animal services for Respondent County of Riverside, including shelter services and operates
6 four facilities that house dog, cats and other animals. The shelters are (1) the Western Riverside
7 County/City Animal Shelter in Jurupa Valley, California, (2) the San Jacinto Valley Animal
8 Campus in San Jacinto, California, (3) the Coachella Valley Animal Campus in Thousand
9 Palms, California, and (4) the Blythe Animal Shelter in Blythe, California.

10 23. Respondent County of Riverside is a political and geographic subdivision of the
11 State of California established and operating under the laws of the State of California and
12 created for the provision of government services

13 24. The true names or capacities, whether individual, corporate, partnership, joint
14 venture, or otherwise of Respondents DOES 1 through 10, inclusive, are unknown to
15 Petitioners, who therefore sue these Respondents by such fictitious names. Each of the
16 fictitiously named Respondents is responsible in some manner for the occurrences and
17 violations herein alleged. Petitioners will amend this Petition to allege the true names and
18 capacities of Does 1 through 10 when ascertained.

19 25. At all times herein mentioned, each Respondent was acting as the agent, servant,
20 representative, partner, employee, joint venturer and/or co-conspirator of each remaining
21 Respondent. Each Respondent was acting in concert with each of the remaining Respondents in
22 all matters herein alleged. At all times herein mentioned, each of the Respondents was acting
23 within the course and scope of such agency, employment, representation, partnership, joint
24 venture, conspiracy, and/or concert of action, with the advance knowledge, permission,
25 acquiescence, authorization, direction, or subsequent ratification of each and every remaining
26 Respondent.

27 _____
28 ⁴ An obvious conflict of interest arises with respect to Mr. Gettis’ position with the County of
Riverside and the representation of his spouse, Respondent Gettis, in this action.

JURISDICTION AND VENUE

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2 26. This Court has jurisdiction under *Code of Civil Procedure* §1085 and *Civil Code*
3 §525, *et seq.* The County of Riverside is the proper venue for this Petition since the acts
4 performed by the Respondents, including but not limited to, the violations of statutes, took place
5 and continue to take place in the County of Riverside. Further, the impact of Respondents’
6 decisions, policies, acts, and failures to act have had and will continue to have severe adverse
7 impact upon Petitioners, the County of Riverside, its citizens and its dogs, cats, and other
8 animals, as more fully set forth herein.

FACTUAL BACKGROUND

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10 27. Petitioners have satisfied the requirements for a Writ of Mandate in that (1)
11 Petitioners have a beneficial interest in the outcome of this Petition in that each of them have
12 been involved in animal advocacy for decades and have a strong interest in requiring
13 Respondents to follow the law, including the Hayden Act; (2) there is no plain, speedy, or
14 adequate remedy at law; (3) dogs and cats will continue to be killed daily by RCDAS and (4)
15 the lack of adherence to the law by Gettis and RCDAS will continue unless the Court orders
16 Respondents to follow and obey the applicable law and issue injunctive relief as requested
17 herein.

18 28. Gettis has publicly stated that the Hayden Act is not an enacted law—cavalierly
19 describing it as “legalese” that she does not have “to dwell on.” This displays an utter lack of
20 understanding of the law. In fact, provisions of the Hayden Act were upheld as recently as
21 September 2023. *See e.g., Santa Paula Animal Rescue Center, Inc. v. County of Los Angeles*
22 (2023) 95 Cal.App.5th 630 (provisions of the Hayden Act “all state that it is California’s policy
23 that no adoptable animal should be euthanized”). Press Control and click link to open:
24 <https://youtu.be/Q1m5yCQvahk>.

25 29. In 1998, noting the “social and economic costs of euthanasia,” the California
26 Legislature enacted—on an almost unanimous vote—the Hayden Act with the purpose of
27 shifting California’s animal shelter system from *taking lives* to *saving lives* of animals that
28 found their way to an animal shelter. The Hayden Act’s provisions are codified throughout the

1 *Civil Code, the Food and Agricultural Code, and the Penal Code. In all three codes, the*
2 *Legislature specifically emphasized the policy of California to save, not kill, animals. See Civil*
3 *Code §1834.4 (“It is the policy of this state that no adoptable animal should be euthanized if it*
4 *can be adopted into a suitable home.”); Food & Agriculture Code §17005 (same); Penal Code*
5 *§599d (same). Under the statutes, even animals that are not technically “adoptable” should not*
6 *be euthanized “if they could become adoptable with reasonable efforts.” **This policy preference,***
7 ***enacted by the People of the State of California, is the law and does not warrant the derision***
8 ***by Gettis as “legalese.”***

9 30. The annual budget of RCDAS for fiscal year 2023/2024 is \$39,138,743.00. This
10 is an almost \$17,000,000.00 increase over fiscal year 2022/2023. Instead of allocating that
11 money to the care and welfare of the animals to which it is entrusted and facilitating their
12 adoption to the public and rescue organizations, RCDAS and Gettis use the money to inflate
13 upper management salaries and spend it in ways that are opaque, at best, and do nothing to
14 proactively move RCDAS to a no kill facility.⁵

15 31. RCDAS cuts costs by carrying out a policy to kill healthy, adoptable animals,
16 instead of spending resources feeding, caring for and housing them, and hiring sufficient
17 personal to perform those duties and veterinary services, and ensuring that the animals are
18 adopted in the community or through animal rescue organizations.

19 32. RCDAS refuses to spend money necessary to carry out their basic duties towards
20 dogs and cats, and the taxpaying citizens of the County of Riverside, including (1) the
21 recruitment and hiring of critically needed kennel attendants and employees who actually render
22 care and services to the animals, (2) ensuring that proper and necessary veterinary medical care
23 is available to all animals; (3) educating and training kennel staff to properly handle, interact,
24 treat, and assess animals, and (4) develop and implement proven and successful animal welfare
25 programs where the public or rescue organizations are encouraged to adopt animals.

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27 ⁵ To illustrate, RCDAS accounting records show hundreds of dollars paid to Gettis for such
28 items as “public service transportation” and “meals.” Another entry shows a check issued for
\$29,719.00 for “professional services,” with no vendor identified.

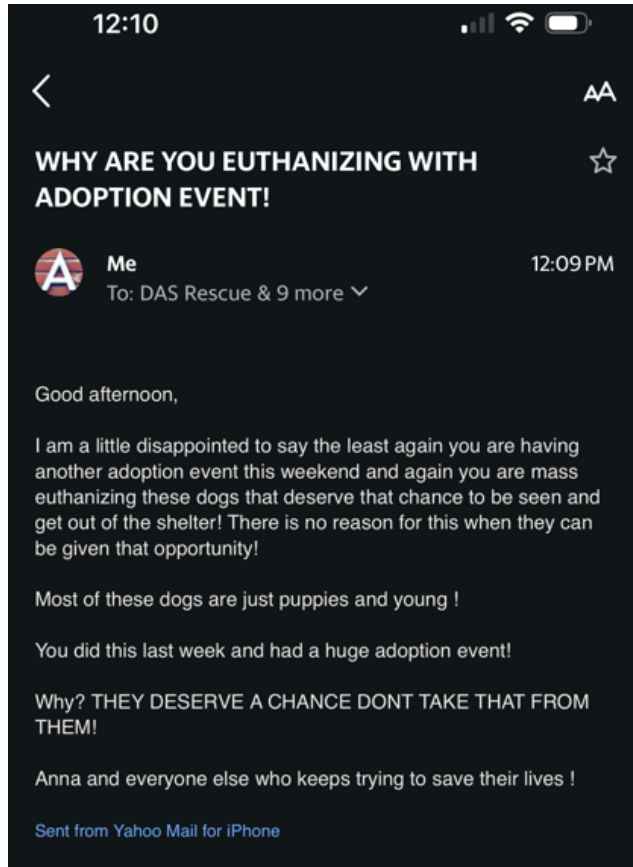
1 33. These critical duties are out of reach in large part due to Gettis being the Director
2 of RCDAS. Gettis has no prior education, work experience or background in animal welfare,
3 animal behavioral science or shelter management. Gettis has a Bachelor’s degree in
4 Architectural Studies and a Master’s degree in Architecture. Her work experience before
5 arriving at RCDAS consisted of the following:

- 6 * November 2003 – March 2005: Historic Preservation Manager, City of San Juan
7 Capistrano:
- 8 * March 2005 – January 2006 – County Historic Preservation Officer, Riverside
9 County Regional Parks and Open-Space District;
- 10 * January 2006 – February 2018 – City of Riverside, Division Manager-
11 Neighborhood Engagement Division (March 2013 – February 2018), Principal Planner
12 (March 2011 – February 2013), City Historic Preservation Officer (January 2006 –
13 March 2011)
- 14 * March 2018 – March 2022 – Riverside County Regional Parks and Open-Space
15 District, Bureau Chief – Planning and Development (March 2018 – December 2019);
16 Assistant Director (December 2019 – March 2022).

17 34. In sum, Gettis’ works history is essentially Parks and Rec. That is the extent of
18 it. Before becoming Director of RCDAS in March 2022, she had absolutely no experience with
19 animal care, animal welfare or shelter management, *let alone being entrusted to run an*
20 *organization with a 39-million-dollar budget.* Respondent Gettis’ lack of qualifications,
21 training and experience plays an inordinate role in giving RCDAS the dubious distinction of
22 being an animal shelter with the highest kill rate among reporting shelters *in the entire United*
23 *States.*

24 35. Notably, Gettis’ hiring as Director of RCDAS was, to say the least, opaque and
25 secretive. ***She was not hired by the County of Riverside Board of Supervisors nor were any***
26 ***public hearings held relating to her employment by the County of Riverside. Gettis was***
27 ***appointed to the position of RCDAS Director by the County Executive Officer Jeff Van***
28 ***Wagenen. This appointment was effective on March 10, 2022. As the CEO made this***

1 39. As reflected in the email below, Respondents have a pattern and practice of
2 killing adoptable animals.



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17 40. Dogs remain in kennels for days without any interaction or exercise, and the only
18 break comes if a volunteer is able to spend some time with the animal.

19 41. The prolonged confinement causes stress on the animals and adversely affects
20 the animal's mental and physical condition. Over time, without a means to release the pent-up
21 energy, a dog will begin to exhibit signs of kennel stress, such as barking excessively, jumping
22 up and down when a person walks by, or over excitement such as jumping on a person if the
23 person attempts to connect with the dog. Moreover, given the abysmal kennel conditions (the
24 photographs below are indicative of those conditions) animals often suffer from kennel cough or
25 giardia which is used as a pretext to then kill the animals, despite the fact that these infectious
26 conditions are easily treatable with minimal expense.
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42. These behavioral issues not only decrease the likelihood of adoption, but in fact, increase the dog's likelihood of being killed by RCDAS. Indeed, RCDAS, with the support of Gettis, uses the pretext of animal behavioral problems to support the killing of the animal. Even young puppies and kittens are not spared from this haphazard killing.

43. To ensure temperament and behavioral evaluations before sentencing a healthy animal to death, RCDAS must hire qualified professionals such as properly qualified animal behaviorists and veterinarians. These professionals may then perform evidence-based, proper and lawful behavioral evaluations to determine whether the dog has a behavioral or temperamental defect that could pose a health or safety risk or otherwise make the animal unsuitable for adoption, before reaching the irreversible decision to kill an animal. The individuals currently entrusted with deciding whether an animal will lose his or her life at RCDAS lack those qualifications.

1 44. RCDAS kills adoptable dogs without any warning and without providing
2 adequate warnings of impending euthanization on its website since the “red list” of animals
3 about to be killed is not on the adoption section of the website. Virtually every day dogs are
4 denied the chance of adoption because of this defective and limited system of alerts, and despite
5 the fact that community members and qualified rescue organizations are ready and able to adopt
6 the animals.

7 45. The limited hours of operation (10:00 a.m. – 4:00 p.m.) make it difficult for
8 those who are employed to visit the shelter during the week. The facilities are not open in the
9 evenings. Moreover, telephone calls are not answered on Saturdays which is yet another
10 roadblock to adoption.

11 46. Moreover, far too many times, community members show up at the shelters with
12 an interest in adopting a particular dog or cat they have seen online or expressed an interest in
13 adopting to RCDAS staff, only to be told the animal has been killed when they come to the
14 shelter. No reason is stated, just that it was killed.

15 47. Equally egregious, there have been instances where a person arrived at the
16 facility to adopt a pet and was prevented from doing so by RCDAS staff. On one occasion, a
17 person went to adopt the dog “Penelope” on May 30, 2024. She was prevented from doing so.
18 One day later, on May 31, 2024, RCDAS records state Penelope underwent “euthanasia.”
19 Penelope was pregnant when she was killed and was only one year old herself. These heartless
20 policies are utterly inconsistent with the legal obligation to save adoptable animals, not destroy
21 them.

22 48. Rather than continue to kill adoptable animals, RCDAS must focus their
23 resources on programs that promote and encourage adoption. Such programs would include
24 training and educating kennel attendants and volunteers, recruiting volunteers, having sufficient
25 veterinary care available for animals, and increasing meaningful community and rescue
26 outreach.

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1 kindly.” The photographs below depict dogs that are not treated kindly, but instead, placed in
2 disgusting kennels that simply cause them to experience more distress in an unpleasant and
3 filthy environment.



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57. Despite the sizable budget of 39 million dollars for RCDAS there is no veterinarian present full-time at each of the three larger facilities for daily routine and emergency care. Currently, many animals are seen and examined by veterinary technicians only.

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58. As a result, many animals do not, and have not, received necessary and prompt veterinary care, in violation of *Civil Code* §1834. Indeed, Gettis public admits that RCDAS does not comply with its statutory duties with respect to veterinary care and contends it is the responsibility of others. Press Control and click link to open: <https://youtu.be/MWgHVezfBkI>.

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59. Instead, animals with minor health issues that could easily be corrected are ignored and not treated, and those minor and treatable conditions are used as pretext to then kill the animal. Conditions such as kennel cough and giardia are prevalent at RCDAS and could be

1 treated at little expense. Indeed, allocating just a few hundred dollars to medicines for dogs at
2 RCDAS—rather than Gettis’ meals—would improve the health and happiness of so many
3 animals stuck in the RCDAS kennels.

4 **FOURTH CAUSE OF ACTION**

5 **Writ of Mandate for Violations of Riverside County**
6 ***Code of Ordinances §6.08.120 – Altered and unaltered animals***
7 **(Against all Respondents)**

8 60. Petitioners reallege and incorporate the above allegations as if fully set forth
9 herein.

10 61. Riverside County *Code of Ordinances §6.08.120* provides that “[a]n owner *or*
11 *custodian* of an unaltered dog must have the dog spayed or neutered, or provide a certificate of
12 sterility, or obtain an unaltered dog license in accordance with this chapter. An owner *or*
13 *custodian* of an unaltered cat must have the animal spayed or neutered or provide a certificate of
14 sterility.” (Emphasis added.)

15 62. RCDAS is, under any analysis, a custodian of the dogs and cats in its facilities.
16 There is no exemption in the Code of Ordinances for RCDAS. However, rather than follow §
17 6.08.120, RCDAS has dodged it for years and neglects to spay or neuter the dogs and cats in its
18 custody before they are adopted or released.

19 63. Instead, RCDAS impermissibly transfers this legal duty to others, including
20 those who adopt dogs or cats, or rescue agencies, and has steadfastly refused to follow the law
21 to spay or neuter dogs and cats in its custody.

22 64. This is especially irresponsible since, though RCDAS may set appointments for
23 those who adopt dogs or cats for spay or neutering, those appointments are frequently set
24 months in advance which is inconsistent with the policy behind *Code of Ordinances §6.08.120*.

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FIFTH CAUSE OF ACTION

**Writ of Mandate for Violations of Public Records Act
California Constitution, Art. I, §3; *Government Code §7920, et seq.***

(Against all Respondents)

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65. Petitioners reallege and incorporate the above allegations as if fully set forth herein.

66. The right to inspect public records is set forth in Article I, §3, of the California Constitution and the California Public Records Act (“CPRA”), *Government Code §7920, et seq.*

67. Community members and residents of the County of Riverside have requested records from Respondents relating to the operation and management of RCDAS. Respondents have not produced the records requested. Respondents continue to unlawfully withhold records that are indisputably subject to timely production under the CPRA. Consequently, Petitioners, who have a beneficial interest in having the constitutional and statutory duties executed properly by Respondents, and those duties enforced by the Court, require this Court’s intervention and an order directing Respondents to comply with the applicable law and produce the requested records.

68. RCDAS is governed by the public disclosure requirements of Article 1, §3, of the California Constitution and *Government Code §7920, et seq.*

69. The California Constitution, Art. I, § 3(b)(1), declares that “[t]he people have the right of access to information concerning the conduct of the people’s business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.”

70. The CPRA, *Government Code § 6250*, declares that “access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state.”

71. The CPRA provides, *Government Code §7921.000*, that “access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state.”

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PRAYER FOR RELIEF

WHEREFORE, Petitioners respectfully request that this Court:

1. Issue a Writ of Mandate directing Respondents to cease violating the law, including the Hayden Act, Riverside County Code of Ordinances §6.08.120, California Constitution, Art. I, §3, and the California Public Records Act, as set forth herein, and issue an injunction ordering Respondents to take the following actions:
 - (a) Permanent removal of Gettis as Director of RCDAS;
 - (b) Cease the killing of adoptable animals in violation of the Hayden Act;
 - (c) Cease the killing of animals that could become adoptable with reasonable efforts in violation of the Hayden Act;
 - (d) Hire a forensic auditor to review the RCDAS budget, and all financial data and records of RCDAS;
 - (e) Hire veterinarians to be present full-time at each of the three larger facilities for daily routine and emergency care, and additional qualified kennel attendants;
 - (f) Cease any current temperament/behavior assessments evaluating whether a dog or cat is to be killed since such assessments are currently conducted in an improper and negligent manner;
 - (g) Hire qualified personnel to perform temperament/behavior assessments of animals to determine whether they are adoptable or could be made adoptable with reasonable efforts;
 - (h) Cooperate with qualified rescue organizations and adoption organizations, and promptly release animals to a qualified organization in accordance with the Hayden Act;
 - (i) Cease any “euthanasia” date upon notification of interest by an individual, rescue organization or adoption organization;
 - (j) Commence programs that educate kennel staff and volunteers on how to interact and care for animals to increase their adoptability;

1 (k) Provide animals in the custody of RCDAS with necessary and prompt
2 veterinary care, nutrition, shelter, and treat them kindly, as required by law;

3 (l) Require a licensed veterinarian to sign a declaration under oath attesting
4 to his/her opinion that “euthanasia” is medically warranted and sets forth, in detail, the factual
5 basis for that opinion;

6 (m) Replace current staff who do not follow the Hayden Act and do not act in
7 the best interests of the animals under their care;

8 (n) Provide animals with proper nutrition and water, clean kennels and
9 regular exercise, on at least a daily basis;

10 (o) Spay and neuter all animals in the custody of RCDAS before adoption or
11 release; and

12 (p) Appoint a monitor to oversee compliance and report findings back to the
13 Court on a schedule deemed appropriate by the Court;

14 2. Award Petitioners all costs incurred in this action;

15 3. Award Petitioners reasonable attorney fees, pursuant to *Code of Civil Procedure*
16 §1021.5; and

17 4. Award Petitioners such other and further relief as the Court deems just and
18 proper.

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20 DATED: August 20, 2024

WALTER CLARK LEGAL GROUP

21
22 By: Dan C. Bolton
23 Dan C. Bolton
24 Attorneys for Petitioners
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VERIFICATION

I, Alan Woodruff, declare:

I am a Petitioner in this action.

I have read the foregoing Petition for Writ of Mandate; Complaint for Declaratory and Injunctive Relief, and know its contents. The same is true of my own knowledge, except as to those matters which are stated on information and belief, and, as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 20, 2024, at La Quinta, California.



Alan Woodruff

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VERIFICATION

I, David Kirk, declare:

I am a Petitioner in this action.

I have read the foregoing Petition for Writ of Mandate; Complaint for Declaratory and Injunctive Relief, and know its contents. The same is true of my own knowledge, except as to those matters which are stated on information and belief, and, as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 19, 2024, at Palm Desert, California.



David Kirk

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VERIFICATION

I, Lisa Blodgett, declare:

I am a Petitioner in this action.

I have read the foregoing Petition for Writ of Mandate; Complaint for Declaratory and Injunctive Relief, and know its contents. The same is true of my own knowledge, except as to those matters which are stated on information and belief, and, as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 16, 2024, at La Quinta, California.

Lisa Blodgett
Signed with DocuBee — 6e94104fb50e

Lisa Blodgett

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VERIFICATION

I, Tiffani LoBue, declare:

I am a Petitioner in this action.

I have read the foregoing Petition for Writ of Mandate; Complaint for Declaratory and Injunctive Relief, and know its contents. The same is true of my own knowledge, except as to those matters which are stated on information and belief, and, as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 16, 2024, at Palm Springs, California.



Tiffani LoBue

Signed with DocuBee -- 4726fa742673