



COMMONWEALTH OF VIRGINIA
Department of Agriculture and Consumer Services

Division of Animal and Food Industry Services
Office of Veterinary Services

102 Governor Street, Richmond, Virginia 23219
Phone: 804-692-4001 Fax: 804-371-2380



COMPLAINT FORM

The Office of Veterinary Services (OVS) investigates complaints alleging violation of the Virginia Laws and Virginia Administrative Codes pertaining to facilities, agencies, and persons subject to direct regulation by this office.

Please use this form to submit such a complaint.

Complaints pertaining to a subject under the enforcement authority or regulation of another agency should be submitted directly to the appropriate state or local enforcement agency.
If such a complaint is received by OVS, it will be forwarded accordingly.

This form may be submitted by mail or fax using the contact information above, or submitted by email to:
animalcare@vdacs.virginia.gov

SECTION 1 – COMPLAINANT INFORMATION

Mr. Mrs. Ms. Mrs.	Last Name Martin	First Name Tanya	Middle Initial M
Street Address 150 Cambridge Circle			Apt. or Suite Number
City Danville		State VA	Zip Code 24541
Telephone Number (434) 489-1505		Email Address tmartin@horizontech.com	

SECTION 2 – SUBJECT OF COMPLAINT

Subject Name (provide name of individual if subject is a private animal owner, or name of business, non-profit organization, or government agency) Danville Area Humane Society, Inc.		
Street Address 996 South Boston Road		
City Danville	State VA	Zip Code 24540
Telephone number (434) 799-0843	Website URL and/or Email Address www.dahsinc.com	

SECTION 3 – NATURE OF COMPLAINT

Please provide a detailed description of your complaint. Use additional sheets if necessary. You may also attach any supporting documentation in the form of a Word document, PDF, or photocopied image.

Please see the attached detailed description and supporting documentation.

SECTION 4 – RESOLUTION ATTEMPTED BY COMPLAINANT

Have you made direct contact with the subject of the complaint on this matter? Yes ☒ or No ☐

If **yes**, name and title (if applicable) of person most recently contacted: Please see the attached list

Person's telephone number

Please see attached list

List any other agencies or organizations you have contacted to attempt to resolve this particular complaint and the outcome:

A list of the Danville Area Humane Society Board members, Danville City Council members, and the Danville City Manager that have been contacted and the outcome of those contacts is attached.

SECTION 5 – DISCLAIMER

- All complaints, whether substantiated or not, will be retained within VDACS' records for five years from the date the complaint is received by VDACS. Afterward, VDACS will destroy the records in accordance with the Virginia Public Records Act, Virginia Code Section 42.1-76 et seq.
- Any information provided on this complaint form is subject to disclosure under the provisions of the Virginia Freedom of Information Act, Virginia Code Section 2.2-3700 et seq. For this reason, please do not provide any information of a sensitive personal nature on this form. If you wish to remain anonymous, please do not fill out the complainant information section.
- The information requested on this form and on any subsequent requests for additional information is subject to the Virginia Government Data Collection and Dissemination Practices Act, Va. Code Section 2.2-3800 et seq.
- By submitting this form, you authorize the Virginia Department of Agriculture and Consumer Services, and any other local, state or federal agencies with which we may work on this matter, to evaluate your complaint, to contact you, and to take whatever lawful actions are deemed appropriate with regard to your complaint.
- By submitting this form, you certify that the statements made herein or on any attached documentation are true and complete to the best of your knowledge, information, and belief.

Date: 10/14/2024

If you are completing this form electronically, please check this box: ☒

(Revised June 2022)

Section 1 – Complainant Information

Tanya M. Martin

tmartin@horizontech.com

434-489-1505

150 Cambridge Circle

Danville, VA 24541

Cherie S. Tamson

zztamson@gmail.com

434-489-5045

528 S. Woodbury Avenue

Danville, VA 24540

Olivia Reid, DVM

reidoliviarose@gmail.com

7503 Woodley Road

Richmond, VA 23229

Section 3: Nature of Complaint:

The historical and astronomically high euthanasia rates at our city shelter, Danville Area Humane Society (DAHS), have caused many of Danville's citizens to question the policies, procedures, performance standards, and other factors resulting in their dismal 16% save rate, when every other shelter in the Commonwealth is saving over 80% of the animals in their care.

Earlier this year, in hopes of gaining valuable insight and promote positive, lifesaving changes at DAHS, a group of current and former community members with various backgrounds in animal welfare, veterinary medicine, animal shelter management, nonprofit administration, computer programming, business operations and law started working together to help the animals that cannot help themselves.

To obtain a clear and concise picture of what happens within the walls of our city shelter, we legally requested, via FOIAs, that DAHS provide all animal custody records, written records, documents, and euthanasia logs related to any animals euthanized and any substances, controlled or uncontrolled, used in the chemical restraint or euthanasia of animals, DAHS's AC6 Form and the certifications of any and all employees performing euthanasia for January 1, 2023-September 1, 2024. To date, we are still missing approximately 160 of the 2023 animal custody records, an undetermined number of 2024 custody records and over half of the euthanasia logs for 2023-2024. Therefore, this complaint covers 2023 and we anticipate the necessity to submit an additional and separate complaint for 2024.

We sought to identify the issues unique to our shelter that are causing the drastic difference in statistics between DAHS and every other shelter in Virginia, while at the same time disproving the claims of euthanizing animals as quickly as possible, blatant neglect of hurt and sick animals, poor record keeping, and willful ignorance of animal shelter management best practices to find permanent, adoptable homes for as many animals as possible – a stigma that has followed DAHS for decades. Instead, we feel the following evidence and analysis being provided to your agency and other pertinent state agencies and invested parties, proves those claims and much worse: malfeasance, fraud and intentional disregard for the Code of Virginia statutes and administrative directives in place to protect companion animals in the Commonwealth's public animal shelters.

The detailed complaint that follows includes efforts by group members with pertinent backgrounds and experience to ascertain and apply the Code of Virginia, Board of Pharmacy regulations, VDACS/AFIS/State Veterinarian Directives, and the Administrative Code of Virginia.

The undersigned individuals, acting on their own accord and not as representatives of any formal or recognized group, but rather as concerned citizens of the City of Danville and surrounding areas within the Commonwealth of Virginia, adjure the Virginia Department of Agriculture and Consumer Affairs, the Virginia Board of Pharmacy, the State Veterinarian and any other agency or individual with the authority to do so; to immediately investigate the following suspected violations of the statutes, administrative code and directives of the Code of Virginia noted in the attached documentation on behalf of ourselves and the current and former companion animals that we believe were affected by Danville Area Humane Society's intentional actions against them that resulted in harm, suffering and death.

Potential Violations Found in Danville Area Humane Society's 2023 Animal Custody Records

Code of Virginia

§ 3.2-6546. C. *An animal confined pursuant to this section shall be kept for a period of not less than five days, such stray hold period to commence on the day immediately following the day the animal is initially confined in the facility, unless sooner claimed by the rightful owner thereof.*

The operator or custodian of the public animal shelter shall make a reasonable effort to ascertain whether the animal has a collar, tag, license, tattoo, or other form of identification, including by complying with the provisions of § [3.2-6585.1](#). If such identification is found on the animal, the animal shall be held for an additional five-day stray hold period, unless sooner claimed by the rightful owner. If the rightful owner of the animal can be readily identified, the operator or custodian of the shelter shall make a reasonable effort to notify the owner of the animal's confinement within the next 48 hours following its confinement.

Out of the 3,419 custody forms we received from Danville Area Humane Society via a FOIA request, we found 423 separate instances of animals listed on custody records as stray, animals listed as stray with notes showing evidence of identification, and animals listed as being subject to a bite quarantine of 10 days, being euthanized prior to the hold period provided by § 3.2-6546 C.

§ 3.2-6546. F. *Nothing in this section shall prohibit the immediate euthanasia or disposal by the methods listed in subdivisions D 1 through 5 of an animal that has been released to a public or private animal shelter, other releasing agency, or animal control officer by the animal's rightful owner after the rightful owner has read and signed a statement: (i) surrendering all property rights in such animal; (ii) stating that no other person has a right of property in the animal; and (iii) acknowledging that the animal may be immediately euthanized or disposed of in accordance with subdivisions D 1 through 5.*

We discovered several Animal Control custody records that included “Owner’s Signature” (handwritten) next to a hand drawn signature line at the bottom of the form which was apparently signed by the owner of the animal(s) listed on the form but did not contain or offer evidence that said owner read the statement relinquishing their ownership rights in the animal as required by § 3.2-6546 F.

§ 3.2-6557. B. *An animal control officer, law-enforcement officer, humane investigator, or custodian of any public or private animal shelter, upon taking custody of any animal in the course of his official duties, or any representative of a humane society, upon obtaining custody of any animal on behalf of the society, shall immediately make a record of the matter. Such record shall include:*

1. The date on which the animal was taken into custody;
2. The date of the making of the record;
3. A description of the animal, including the animal's species, color, breed, sex, approximate age, and approximate weight;
4. The reason for taking custody of the animal and the location where custody was taken;
5. The name and address of the animal's owner, if known;
6. Any license or rabies tag, tattoo, collar, or other identification number carried by or appearing on the animal; and
7. The disposition of the animal.

Records required by this subsection shall be maintained for at least five years and shall be available for public inspection upon request. A summary of such records shall be submitted annually to the State Veterinarian in a format prescribed by him.

The entirety of the custody records we received from Danville Area Humane Society has been included with this complaint as evidence of the poor record keeping and enormous amount of records that contain more than one animal per form. We received 2,200 custody records, representing 3,575 custody record numbers, with approximately 160 records missing and 754 records containing more than one animal. According to a VDACS inspector via email:

“Please be advised that this is not a legal opinion, and any legal interpretation should be provided by an attorney. That being said, this office applies 3.2-6557 in the singular (“any animal”, “the animal”) upon inspection. For each animal in custody, the following information is expected (as it will be unique to each animal, and the disposition date of each animal will determine the record retention for that animal's custody record).”

The vast majority of DAHS’s custody records are illegible, numbered in non-sequential order, vast amounts of numbers are missing within dates, and contain so many animals with different dispositions and dates making it impossible to discern the disposition of each animal in many cases. Aside from the 754 custody records that contain more than one animal per record, we observed 217 errors involving intake dates, species descriptions, custody reasons, identification notes, and disposition dates, which would adversely affect the ability of a public shelter to accurately report the statistics of animals taken into custody each year as required by the Code of Virginia § 3.2-6557 B.

Outside of the 217 custody records detailed above, 24 records had dispositions recorded on the custody records as adopted, transferred or returned to owner, yet show up in the euthanasia logs as having been euthanized. The sheer amount of this kind of blatant misrepresentation is evidence more indicative of fraud as opposed to innocent human error.

§ 3.2-6566. Preventing cruelty to animals; interference; penalty

Each animal control officer, humane investigator or State Veterinarian's representative shall interfere to prevent the perpetration of any act of cruelty upon any animal in his presence. Any person who shall interfere with or obstruct or resist any humane investigator or State Veterinarian's representative in the discharge of his rights, powers, and duties as authorized and prescribed by law is guilty of a Class 4 misdemeanor.

Our research into the custody records and euthanasia logs indicated 48 separate instances where it was noted that animals were sick, unweaned, and/or injured, yet were not euthanized for some period of time. The Director of Danville Area Humane Society is a humane investigator and should be sensitive to the wellbeing of the animals in the shelter's custody. Allowing sick, injured and unweaned animals to suffer for days is unacceptable but this behavior becomes deplorable when perpetrated against companion animals by a humane investigator in the very shelter they oversee.

2VAC5-141-80. Pet animal entry requirements; exemptions.

A. Within the 10 days prior to its date of entry into Virginia, a pet animal must be deemed healthy and free of infectious diseases after examination by an accredited veterinarian. Proof of examination must be submitted with the permit request and on a Certificate of Veterinary Inspection in a format approved by the State Veterinarian.

B. No dog or cat younger than seven weeks of age may be imported into Virginia unless accompanied by its dam if the dam is known to be alive.

C. Any dog or cat older than four months of age entering Virginia shall be currently vaccinated for rabies.

E. A pet animal brought into Virginia by a resident of Virginia or by a resident of another state who intends to make his residence in Virginia shall not be subject to the requirements of this chapter unless the pet animal is brought into Virginia to be offered for public adoption, transfer, sale, trade, or promotional incentive.

Our research noted 25 instances of animals being accepted by DAHS from other states without evidence of a health certificate being proffered with the animal.

§ 3.2-6585.1. Duty to identify; scanning for microchip.

Any veterinarian, public or private animal shelter, or releasing agency that releases or receives companion animals for adoption or is authorized to euthanize companion animals shall seek to identify the lawful owner of each unidentified companion animal submitted to it, including, for any weaned companion animal that may be safely handled, making a reasonable attempt to scan the animal for an embedded microchip at the time of intake, at the time of assessment, and prior to disposition. If a chip is detected, the veterinarian, shelter, or agency shall make every reasonable effort to contact the owner by the most expedient method available. Such veterinarian, shelter, or agency shall maintain documentation for at least 30 days from the date of the final disposition of the animal that includes the reason an animal could not be scanned, any scanning that located or failed to locate a microchip, whether a located microchip was registered to an owner, and any attempt to contact any owner. Veterinarians shall notify the local public shelter, in compliance with § [3.2-6551](#), when taking possession of a stray animal. The requirements of

this section shall not apply to the transfer of animals between veterinarians, public or private animal shelters, or releasing agencies.

There were a miniscule number of custody records that indicated that stray animals were being scanned for the presence of microchips. It is unreasonable to believe that out of more than 1,700 animals listed as stray on the DAHS custody records, less than 20 animals had a microchip.

§ 3.2-6546. K. The governing body shall require that the public animal shelter be operated in accordance with regulations issued by the Board. If this chapter or such regulations are violated, the locality may be assessed a civil penalty by the Board or its designee in an amount that does not exceed \$1,000 per violation. Each day of the violation is a separate offense. In determining the amount of any civil penalty, the Board or its designee shall consider (i) the history of previous violations at the shelter; (ii) whether the violation has caused injury to, death or suffering of, an animal; and (iii) the demonstrated good faith of the locality to achieve compliance after notification of the violation. All civil penalties assessed under this section shall be recovered in a civil action brought by the Attorney General in the name of the Commonwealth. Such civil penalties shall be paid into a special fund in the state treasury to the credit of the Department to be used in carrying out the purposes of this chapter.

Despite the numerous times that citizens have asked for assistance from our local government representatives in regard to the high euthanasia rates DAHS continues to report to VDACS, we are unaware of any previous complaints, violations, or penalties levied against Danville Area Humane Society, which is utterly absurd given the number of potential violations we have uncovered in 2023 alone. We request that the grievous nature of these violations and the resultant injuries, suffering and deaths of hundreds of companion animals that were not given the opportunity to find their permanent forever homes due to the illegal and immoral activity of the shelter they were unfortunate enough to be taken to, be taken into consideration and the shelter and locality penalized to the furthest extent of the law.

Potential Violations Found in Danville Area Humane Society's 2023 Euthanasia Logs and Staff Euthanasia Certifications

§ 54.1-3423. Board to issue registration unless inconsistent with public interest; authorization to conduct research; application and fees.

E. The Board may register a public or private animal shelter as defined in § [3.2-6500](#) to purchase, possess, and administer certain Schedules II through VI controlled substances approved by the State Veterinarian for the purpose of euthanizing injured, sick, homeless, and unwanted domestic pets and animals and to purchase, possess, and administer certain Schedule VI drugs and biological products for the purpose of preventing, controlling, and treating certain communicable diseases that failure to control would result in transmission to the animal population in the shelter. Controlled substances used for euthanasia shall be administered only in accordance with protocols established by the State Veterinarian and only by persons trained in accordance with instructions by the State Veterinarian. The list of Schedule VI drugs and biological products used for treatment and prevention of communicable diseases within the shelter shall be determined by the supervising veterinarian of the shelter and the drugs and biological products shall be administered only pursuant to written protocols established or approved by the supervising veterinarian of the shelter and only by persons who have been trained in accordance with instructions established or approved by the supervising veterinarian. The shelter shall maintain a copy of the approved list of drugs and biological products, written protocols for administering, and training records of those persons administering drugs and biological products on the premises of the shelter.

18VAC110-20-580. Animal shelters.

An animal shelter, after having obtained the proper registrations pursuant to state and federal laws, may purchase, possess and administer controlled substances in accordance with provisions of § 54.1-3423 of the Code of Virginia provided that these procedures are followed:

2. A veterinarian shall provide general supervision for the facility and shall provide and certify training in accordance with guidelines set forth by the State Veterinarian to the persons responsible for administration of the drugs. Certification of training signed by the veterinarian providing the training shall be maintained at the facility for each person administering drugs and must be retained for not less than two years after the person ceases administering.

3. The person in charge of administration of drugs for the facility shall obtain the required permit and controlled substances registration from the board and shall be responsible for maintaining proper security and required records of all controlled substances obtained and administered.

6. Complete and accurate records shall be maintained for two years on the administration of the drug. The record shall show the name and strength of the drug, date of administration, the species of the animal, the weight of animal, the amount of drug administered and the signature of the person administering the drug.

It is our contention that Danville Area Humane Society's euthanasia of animals does not meet the written protocols established and approved by the State Veterinarian or the shelter's own supervising veterinarian. As evidenced by the attached AC6, shelter staff

Competency Certifications for Animal Euthanasia and 2023 euthanasia logs obtained via a FOIA request, the following potential violations have been found:

The prescribed circumstance of a companion animal having exceeded its mandated holding period, under which euthanasia can be performed by persons other than a licensed veterinarian, was not met in 423 instances in 2023, yet these animals were euthanized.

According to directive 79-1, all animals undergoing euthanasia (excepting those critically injured, ill, or otherwise in emergent situations) must be administered some form of chemical sedation. The AC6 protocol written specifically for DAHS by their supervising veterinarian utilizes acepromazine maleate as a single agent at appropriate doses. None of the euthanasia records provided by the shelter via FOIA and included with this complaint include evidence or documentation that certified shelter staff are administering the required sedative in cage (for cats) or in kennel (for dogs) as detailed in the AC6 on file at the shelter and required to be recorded by 18VAC110-20-580 (6).

The certificates for two of the three staff members that perform euthanasia at DAHS do not have the required box checked indicating that the supervising veterinarian believes they have demonstrated competency in understanding and applying State Veterinarian's Directive 79-1, Methods Prescribed or Approved for Animal Euthanasia, the absence of which invalidates their certification. As a result of this failure to certify that the two staff members have a level of competency conducive to the proficient and humane performance of euthanasia, we propose that the 2 staff members have not held valid certifications since 5/1/2023 and should be prohibited from performing euthanasia effective immediately.

The proficiency of shelter staff to accurately dose the required amount of sodium pentobarbital, as detailed in the AC6, is another valid concern. There are a significant number of cases where the volume of euthanasia solution given is allegedly greater than the animal's weight in pounds (i.e. the final dose for that animal exceeded 1ml per pound). Extenuating circumstances can certainly occur, and some animals simply require higher doses than expected, but the apparent regularity with which this occurs raises concerns either about the veracity of their recordkeeping or the competency of the individuals performing these procedures.

The euthanasia logs kept by DAHS do not meet the requirements of Virginia Administrative Code 18VAC110-20-580 (6), maintaining complete and accurate records on the administration of the drugs used in euthanasia. The handwritten euthanasia log records do not show the name and strength of the drug, many of the dates are illegible due to poor handwriting, the weights of the animals look to be nothing more than guesses, and the dosage amounts of the (inferred) sodium phenobarbital used do not match the 3ml per 10lb dosages detailed in the AC6 Supervising Veterinarian's Protocol for Companion Animal Euthanasia.

Section 4: Resolution Attempted by Complainant

We have been contacting individuals associated with Danville Area Humane Society via social media for the last several months. We have also appeared before Danville City Council on separate occasions to speak to these issues and request their assistance. Below is the list of all contacts that we have had some dialogue with concerning these issues.

Attorney General's Office:

Mrs. Michelle Welch, Senior Assistant Attorney General-Virginia

Mrs. Welch stated that based on the volume of potential violations described, it was significant, and we needed to file a complaint with VDACS and the State Veterinarian's office.

Danville Area Humane Society, Inc.:

Kathleen Contratto, DAHS Board President dahsinc@yahoo.com 434-799-0843

Ms. Contratto has only responded to posts on social media. She has blocked us and dismissed any questions regarding the reasons for the high euthanasia numbers, the shelter's policies and procedures, and refuses to meet with any of the members of our group to look at the evidence we have. She calls us bullies, liars and makes statements that we have threatened them multiple times. No threats (other than one made against one of our group members) has ever been produced.

Aaron Stainback, DAHS Board Member aaron_stainback83@yahoo.com 434-799-0843

Mr. Stainback has only responded to posts on social media. He has also dismissed all questions regarding the reasons for the high euthanasia numbers, shelter policies and procedures and has dismissed all evidence given as "bullying and hate".

Ms. Paulette Dean, Shelter Director dahsinc@yahoo.com 434-799-0843

Ms. Dean has dismissed all questions regarding policies and procedures, the shelter's high euthanasia numbers, and dismisses all evidence given as lies. She has blocked members in our group that ask questions via the DAHS Facebook page so we are unable to see and share any of the "positive changes" she has been posting on the shelter page. When DAHS had an annual meeting in August, she denied entrance to members of our group, even after we RSVPed and did so via police officers due to "threats and bullying the shelter had received" which to date have not been substantiated. In a recent news interview last month, Ms. Dean stated that "the shelter's euthanasia rates have not gone down, however the donations to the shelter are up".

Note: *We have several screenshots from the conversations with DAHS individuals listed above concerning these issues that are available upon request.*

Danville City Government:

Ken Larking, City Manager klarking@danvilleva.gov 434-799-5100

Two of us have had two meetings with Mr. Larking where we asked for a work session, asked to give a presentation to Council regarding issues, asked for a roundtable discussion, all were refused. When asked to encourage DAHS to use a shelter management program, such as ShelterLuv, he proffered with the city IT department programming a custom program for DAHS, which he could not describe or compare to the shelter management programs in use by many shelters throughout the state.

Alonzo Jones, Mayor alonzo.jones@danvilleva.gov 434-797-8928

Dr. Gary Miller, Vice Mayor gary.miller@danvilleva.gov 434-799-0908

James Buckner, Councilman james.buckner@danvilleva.gov 434-688-1589

Larry Campbell, Jr. Councilman larry.campbell@danvilleva.gov 434-228-3664

Bryant Hood, Councilman bryant.hood@danvilleva.gov 434-429-5698

Barry Mayo, Councilman barry.mayo@danvilleva.gov 434-792-1041

Sherman Saunders, Councilman sherman.saunders@danvilleva.gov 434-799-8737

Lee Vogler, Councilman lee.vogler@danvilleva.gov 434-548-5335

Madison Whittle, Councilman madison.whittle@danvilleva.gov 434-251-0926

The Danville City Councilmen listed above have only permitted members of our group to speak at city council meetings, for three minutes a piece. Councilmen Madison Whittle and Bryant Hood went to the Lynchburg shelter to see how they operated, and Councilman Whittle met with one of our group members to discuss his thoughts. Communications with other councilmen have not elicited any response concerning this issue. When asked what can be done to lower the euthanasia rates at DAHS, many of our councilmen defer any and all responsibility for the shelter, a city contractor, to the City Manager, Ken Larking. During a council meeting last month, the Mayor, Mr. Jones, yelled at and berated another councilman, Larry Campbell, for asking council to have a work session concerning the issues that have been brought to their attention over the last several months. The mayor has also made public statements in news articles that the City Council stands behind DAHS one hundred percent.

Note: *Part of the records FOIAed as part of our investigation of DAHS were emails between Danville City Council members, the City Manager, Paulette Dean, and shelter employees. In our opinion, these emails show a one-sided and biased relationship between Danville City government and their contractor, Danville Area Humane Society, forsaking any questioning of DAHS from anyone. These emails are available upon request.*