

Communication from Public

Name: Jeffrey Mausner
Date Submitted: 10/20/2022 04:44 PM
Council File No: 22-1176

Comments for Public Posting: I strongly support removing the ability to suspend, terminate, and discipline volunteers from the Los Angeles Animal Services Department (LAAS). LAAS has demonstrated a complete inability to discipline volunteers in a fair and Constitutional manner. It has used its ability to suspend, terminate, and discipline volunteers in an attempt to cover-up conditions at the City animal shelters and mismanagement by the Department. Trivial, frivolous, and sometimes false pretexts are cooked up in order to threaten, suspend, and terminate volunteers who have spoken with the press or posted on social media regarding shelter conditions. Violations of the U.S. and California Constitutions by the Director of Volunteer Programs, General Manger, and others at LAAS in their dealings with volunteers have resulted in a cease and desist letter being sent to City officials, explaining that if these Constitutional violations do not stop, a lawsuit will be filed against the appropriate officials, including under 42 U.S.C. §1983. The cease and desist letter is attached. Suspension, termination, harassment, and bullying of volunteers who are trying to help the animals through the exercise of their First Amendment rights must stop! This comment is written in my private individual capacity, and not on behalf of LAAS. Sincerely, Jeffrey Mausner

LAW OFFICE OF JAMES A. FRIEDEN

862 Fiske Street
Pacific Palisades, CA 90272-3839
Tel. 310-917-1940 Fax to: (866) 653-0684
Email to: jfriedenatty@gmail.com

October 11, 2022

Mayor Eric Garcetti
By email to: Mayor.helpdesk@LACity.org; Mayor.Garcetti@LACity.org;
Laura.Cortez@LACity.org

Michael Feuer, Esq., City Attorney and Steve Houchin, Esq., Deputy City Attorney
Los Angeles City Hall
200 North Spring St.
Los Angeles, CA 90012
By email to: Mike.N.Feuer@LACity.org; Mike.Feuer@LACity.org;
Steve.Houchin@LACity.org

Annette G. Ramirez, Acting General Manager, Curtis R. Watts, Assistant General
Manager Administration, Larry Gross, President, Board of Animal Services
Commissioners and Commissioners Garcia, Finsten, Sandoval, and Cohen, and
Board Secretary Acuna
Department Of Animal Services
221 N. Figueroa Street, Suite 600
Los Angeles, CA 90012
By email to: Annette.Ramirez@LACity.org; curtis.watts@lacity.org;
commissioner.gross@yahoo.com; oliviaegarcia@outlook.com;
alisafinsten@gmail.com; jsandoval91402@gmail.com; jill_cohen@sbcglobal.net;
francine.acuna@lacity.org

Also sent by certified mail return receipt requested to City Attorney Feuer and
Acting General Manager Ramirez.

**Re: Demand that Los Angeles City Department of Animal Services Cease and
Desist From Depriving Volunteers at Animal Shelters of their Rights to
Freedom of Speech and to Contact the Press.**

Ladies and Gentlemen,

This office represents Animal Services Volunteers Association (ASVA), a California
nonprofit unincorporated association, whose members are volunteers or former

volunteers at animal shelters operated by the Los Angeles Department of Animal Services (“LAAS”).

Every day, volunteers at LAAS animal shelters provide invaluable services to the animals in the shelters and to the City of Los Angeles. However, LAAS repays those volunteers by violating their rights of free speech (including the right to speak with the media) under the First Amendment to the United States Constitution and Article 1, Sections 1 and 2, of the California Constitution Declaration of Rights.

1. LAAS requires volunteers and prospective volunteers to waive their right to speak to the media in overly broad and unconstitutional terms. Specifically, they are required to agree that:

15. I will not speak to the media without direct authorization from the Public Relations Specialist and I understand that all media inquiries are to be directed to the ACT Supervisor or Mobile Adoption Coordinator at a mobile site

It is not permissible under the California and Federal Constitutions for LAAS to require volunteers to waive their right to speak to the media as individuals or to condition their admission to the position of volunteer upon agreement to waive their right to speak to the media. An LAAS volunteer position is a valuable governmental privilege, which LAAS “may not deny ... to a person on a basis that infringes his constitutionally protected interests—especially, his interest in freedom of speech.” *Hyland v. Wonder*, 972 F.2d 1129, 1334 (9th Cir. 1992). Volunteers therefore cannot be “compelled to relinquish the First Amendment rights they would otherwise enjoy as citizens to comment on matters of public interest.” *Pickering v. Board of Ed. of Tp. High School Dist. 205, Will County, Illinois*, 391 U.S. 563, 568 (1968). The waiver as phrased is overly broad and wrongfully seeks to obtain a waiver of the volunteers’ constitutional rights to make statements to the media in their personal capacity as a condition of serving as a volunteer.

In addition, this waiver is obtained from persons not represented by counsel who may not be aware of their rights under the Federal and California Constitutions. It is unconscionable to require such a waiver without full disclosure, which LAAS does not provide.

Demand is hereby made that LAAS immediately cease and desist from requiring that volunteers and potential volunteers sign the above waiver and from enforcing that waiver. If LAAS desires volunteers to agree that their role does not authorize them to speak with the press on behalf of LAAS or in any official capacity without obtaining clearance from LAAS, it needs to obtain that agreement in a way that is not constitutionally overly broad and which does not seek to deprive volunteers of their constitutional rights to free speech including the right to communicate with the

media as individuals. In the meantime, the existing waiver is void and cannot be enforced. Demand is made that LAAS stop enforcing this waiver and notify all volunteers that the waiver is ineffective as to their personal communications with the media not made officially on behalf of LAAS.

2. LAAS inconsistently and arbitrarily enforces unconstitutional, vague and ambiguous rules regarding the rights of volunteers to speak to the press and refuses to clarify those rules to many volunteers. The existing Volunteer Handbook, to which all LAAS volunteers must adhere, states:

“ . . . no volunteer is permitted to talk to the media without express written consent.”

This rule could be read to refer either to talking to the media in any capacity or to refer only to talking to the media on LAAS's behalf. Thus, the requirement is overly broad and unconstitutionally vague.

The rule is also enforced inconsistently and arbitrarily. Upon demand, LAAS has told at least one legally sophisticated volunteer that it interprets that statement to refer only to official statements made by volunteers on behalf of LAAS. See Jeffrey Mausner Declaration attached hereto. However, despite this volunteer's request, LAAS has refused to publicize this fact and to inform the other volunteers of its policy. Thus, the language in the handbook remains overly broad, vague and ambiguous, and infringes on the rights of volunteers to speak to the media. Indeed, the fact that LAAS has refused to publicly clarify this vague rule, supports the inference that LAAS prefers to preserve its vagueness in order to intimidate volunteers and maintain an unconstitutionally broad restriction on their freedom of speech. In addition, I am informed that since July 18, 2022, the date of the email to Mr. Mausner clarifying its interpretation of the LAAS rules, LAAS has required some volunteers who desire to speak to the media in their own personal capacity to notify and/or obtain permission from LAAS.

To conform to constitutional requirements the statement in the handbook (and all related statements) as well as the practice of LAAS must be modified to avoid infringing on the free speech of the volunteers. Moreover, the policy must be consistently applied.

3. LAAS appears to be enforcing the waiver and rules set out in 1 & 2 above against volunteers who post personal comments on social media. This unconstitutionally infringes the volunteers' freedom of speech. Demand is made that LAAS cease and desist from any effort to enforce unconstitutional regulations so as to deprive volunteers of their freedom of speech.

4. Finally, LAAS has retaliated against volunteers who have spoken with the press or published information on social media, or who will not agree to abide by the unconstitutional terms described above, by terminating or suspending their volunteer status or by declining their applications for volunteer status. Demand is made that LAAS cease and desist from this practice.

Demand is made that LAAS immediately cease and desist from all adverse actions against any volunteers who have made statements to the media and that it reinstate those volunteers who have been suspended or terminated as volunteers after they provided information to the media or in which a violation of the above rules played a role in the decision to suspend or terminate the volunteer. In light of the overly broad, vague, and unconstitutional restrictions on free speech (including the right to speak with the media) sometimes enforced by LAAS, any actions taken against volunteers in which free speech or contact with the media played any role are constitutionally tainted and must be reversed.

On behalf of the Animal Services Volunteers Association, I demand that all unconstitutional actions cease and desist. If I am not informed that LAAS will cease and desist from unconstitutional restrictions on the rights to free speech of its volunteers with a specific description of what actions LAAS will take by October 28, 2022, I will file suit for preliminary and permanent injunctive relief against LAAS presenting, *inter alia*, claims pursuant to 18 USC § 1983. (Note that I will be out of the country from October 13 to October 25 but I will be available by email.)

It is the hope of the volunteers who are members of the Animal Services Volunteers Association that, after consultation with its attorneys, LAAS will reform its procedures and that everyone, volunteers and LAAS, can cooperate for the benefit of the animals at the shelters.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Ja Frieden". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Frieden, Esq.

Enclosure: Mausner Declaration

cc: City Councilmember Paul Koretz, Paul.Koretz@LACity.org; members

1 **DECLARATION OF JEFFREY MAUSNER**

2 My name is Jeffrey Mausner. I am a resident of the City of Los Angeles and a member
3 in good standing of the California State Bar, SBN # 122385. Unless specifically stated to be on
4 information and belief, I have personal knowledge of the facts stated in this declaration and if
5 called as a witness, I could and would competently testify to the facts contained herein.

6 1. I am retired from practicing law. I worked for Kaye Scholer in New York City
7 from 1976 to 1979. I then worked at the United States Justice Department in Washington DC as
8 a Trial Attorney and Special Assistant United States Attorney from 1979 to December 1985 or
9 January 1986. At the Justice Department, I received numerous awards from the Attorney
10 General of the United States for my work prosecuting Nazi war criminals, including the Justice
11 Department Exceptional Performance Award, Outstanding Performance Award, Meritorious
12 Award for superior performance of duties on a continuous basis, and the Special Achievement
13 Award. Please see [https://mausnerlaw.com/yahoo_site_admin/assets/docs/Jeffrey_Mausner-](https://mausnerlaw.com/yahoo_site_admin/assets/docs/Jeffrey_Mausner-US_Department_of_Justice_Awards.273160407.pdf)
14 [US_Department_of_Justice_Awards.273160407.pdf](https://mausnerlaw.com/yahoo_site_admin/assets/docs/Jeffrey_Mausner-US_Department_of_Justice_Awards.273160407.pdf)

15 2. In January 1986, our family moved to Tarzana, California. I was an associate
16 and then partner in a law firm from 1986 to about 2008. Then I was the principal of the Law
17 Offices of Jeffrey Mausner until my retirement in 2012. I practiced Intellectual Property
18 litigation. I was also an Adjunct Professor of Law at Southwestern Law School from 1992 until
19 2016, teaching Internet and Computer Law, Intellectual Property Law, and Advanced Copyright
20 Seminar. In 2001, I was the recipient of the Southwestern Adjunct Excellence in Teaching
21 Award. A true and correct copy of my resume is submitted as Exhibit 1.

22 3. After I retired, I became involved in Animal Welfare volunteer work at the West
23 Valley Animal Shelter operated by the City of Los Angeles Department of Animal Services
24 (hereinafter "LAAS"). I have been a shelter volunteer for approximately 10 years. I also
25 dedicated my time to political bodies such as the Valley Alliance of Neighborhood Councils
26 (VANC), serving as the liaison to LAAS and on the Executive Committee. I am also the
27 Second Vice President of the Tarzana Neighborhood Council and Chair of its Animal Welfare

1 Committee. (This declaration is submitted in my personal capacity and not as an official of
2 VANC or the Neighborhood Council, and not as a spokesperson for or on behalf of LAAS.) I
3 also write articles about animal welfare for the on-line newspaper CityWatch, which can be
4 found here:

5 [https://citywatchla.com/index.php/component/search/?searchword=Mausner&searchphrase=all](https://citywatchla.com/index.php/component/search/?searchword=Mausner&searchphrase=all&Itemid=113)
6 [&Itemid=113](https://citywatchla.com/index.php/component/search/?searchword=Mausner&searchphrase=all&Itemid=113)

7 4. I and the Tarzana Neighborhood Council Animal Welfare Committee received
8 the VANC “Best of” Award for “Engaging the City to Save the Lives of Hundreds of Animals.”
9 Please see [https://northvalleyreporter.com/engaging-the-city-to-save-the-lives-of-hundreds-of-](https://northvalleyreporter.com/engaging-the-city-to-save-the-lives-of-hundreds-of-animals-tarzana-neighborhood-council/)
10 [animals-tarzana-neighborhood-council/](https://northvalleyreporter.com/engaging-the-city-to-save-the-lives-of-hundreds-of-animals-tarzana-neighborhood-council/)

11 5. I and VANC were instrumental in the City of Los Angeles officially condemning
12 the Dog Meat Trade, in which millions of dogs and cats are tortured and killed every year, and
13 requesting governments of the countries involved to ban the sale of dog meat and enforce their
14 animal cruelty laws. Please see <https://koreandogs.org/la-resolution/>

15 6. I met Claudio Kusnier in 2019 at the West Valley Animal Shelter, prior to the
16 pandemic, when we were both there to volunteer. When the West Valley Shelter closed during
17 the pandemic, Claudio and I were both involved in trying to keep it from permanently closing as
18 a municipal shelter. Please see [https://citywatchla.com/index.php/cw/los-angeles/20457-what-](https://citywatchla.com/index.php/cw/los-angeles/20457-what-s-going-on-at-the-west-valley-animal-shelter-will-it-remain-a-city-run-shelter)
19 [s-going-on-at-the-west-valley-animal-shelter-will-it-remain-a-city-run-shelter](https://citywatchla.com/index.php/cw/los-angeles/20457-what-s-going-on-at-the-west-valley-animal-shelter-will-it-remain-a-city-run-shelter) When the West
20 Valley Shelter re-opened for volunteers, in the first half of 2021, both Claudio and I resumed
21 volunteering in the shelter, caring for the dogs. Claudio is without a doubt one of the best
22 volunteers I have met in my 10 years volunteering at West Valley. On information and belief,
23 he volunteered almost every day. He was one of the most skilled volunteers handling difficult
24 dogs. There were dogs at West Valley that would not have been walked or taken out to the play
25 yard if Claudio was not there. There are currently dogs at West Valley who are not being taken
26 out of their kennels because Claudio is not there. There were occasions when Claudio helped
27 me get dogs out of their kennels and/or back in.

1 7. In July 2022, the Los Angeles Times and other news media began running
2 articles and reports regarding conditions at the City of Los Angeles animal shelters. The first
3 such article I saw was in the L.A. Times, entitled '*It's inhumane': Dogs at L.A. animal shelters*
4 *go weeks or months without being walked*, by Dakota Smith, dated July 14, 2022. I then saw
5 the article entitled '*Horrified': L.A. City Council members call for action on overcrowded*
6 *animal shelters*, dated July 16, 2022, also by Dakota Smith. At that time, I heard that shelter
7 volunteers including Claudio were being suspended and terminated for speaking with the press.

8 8. On July 16, 2022, I received an email from Dakota Smith, a reporter for the Los
9 Angeles Times, asking to speak with me regarding a story about retaliation against volunteers
10 who work at the city's animal shelters. I looked at the latest version of the L.A. Animal
11 Services Volunteer Handbook to see what it said about volunteers speaking to the press. I was
12 very surprised to see what the purported policy was, so I wrote the following email to the
13 General Manager of the Animal Services Department and other LAAS officials:

14 **On Sun, Jul 17, 2022 at 8:42 PM Jeffrey Mausner <jeff@mausnerlaw.com>**
15 **wrote:**

16 Los Angeles Times reporter Dakota Smith has asked me to speak with her about
17 retaliation against volunteers at the City's animal shelters. I have been a Los
18 Angeles Animal Services (LAAS) Volunteer for 10 years. However, if I speak with
19 her, it would be in my individual capacity expressing my own views and
20 observations. I will not be speaking on behalf of LAAS in an official capacity.

21 The latest version of the L.A. Animal Services Volunteer Handbook that I have
22 states:

23 *Public Relations* - When representing L.A. Animal Services, volunteers are
24 expected to be courteous and professional and a positive ambassador for L.A.
25 Animal Services. Furthermore, no volunteer is permitted to talk to the media
26 without express written consent.

27 The phrasing of this section of the Volunteer Handbook appears to be vague and
28 ambiguous. Are volunteers banned from speaking with the media without express
written consent only when speaking in an official capacity as an "ambassador for
L.A. Animal Services?" I interpret the sentence "Furthermore, no volunteer is
permitted to talk to the media without express written consent" to be modified by the
phrase "When representing L.A. Animal Services," so that the sentence refers only to

1 statements made by volunteers in an official capacity when speaking on behalf of
2 LAAS, and not to statements made in an individual capacity. Otherwise, if this
3 sentence is meant to be a complete prohibition on volunteers speaking to the media,
4 even in their individual capacities, such a ban would be in violation of both the First
5 Amendment to the U.S. Constitution and Article 1, Section 2 of the California
6 Constitution.

7 In an abundance of caution, however, I am now seeking “express written consent” to
8 speak with Dakota Smith of the Los Angeles Times about retaliation against
9 volunteers, as well as with her and any other member of the media on any topic, to
10 express my individual views and observations. I also request a clarification of the
11 meaning of the sentence from the Volunteer Handbook that “Furthermore, no
12 volunteer is permitted to talk to the media without express written consent” – does it
13 refer only to statements made by volunteers in an official capacity when speaking on
14 behalf of LAAS, or is it your position that this also refers to statements made in an
15 individual capacity.

16 Please respond to this email immediately. I am holding off on speaking
17 with Dakota Smith of the L.A. Times until you clarify LAAS policy on this
18 subject. Failure to provide a timely response will inhibit my free expression and
19 could therefore be a violation of my Constitutional rights.

20 Sincerely, Jeffrey Mausner

21 9. The next day I received the following response:

22 **On Mon, Jul 18, 2022 at 12:45 PM Annette Ramirez**
23 **<annette.ramirez@lacity.org> wrote:**

24 Hi Jeffrey, your email has been received. The question is for the Department and not
25 the Board. I have included our Public Relations team who will provide you with a
26 response and assist with your inquiry.

27 Thank you,

28 Annette G. Ramirez
Interim General Manager
Los Angeles Animal Services

10. Later on July 18, 2022, I received the following reply from Agnes Sibal-von
Debschitz, Public Information Director for LAAS

From: agnes.sibal@lacity.org <agnes.sibal@lacity.org> **On Behalf Of** Ani PR

Sent: Monday, July 18, 2022 6:56 PM

To: Annette Ramirez <annette.ramirez@lacity.org>

Cc: Jeffrey Mausner <jeff@mausnerlaw.com>; Curtis.Watts@LACity.org; [steve.ho
uchin@lacity.org](mailto:steve.ho
uchin@lacity.org); mike.n.feuer@lacity.org

1 **Subject:** Re: Los Angeles Times reporter Dakota Smith

2 Hi Jeff,

3 LA Animal Services does not prohibit a volunteer from speaking to the media as a
4 private individual. Under the Department’s Volunteer Rules and Guidelines,
5 volunteers must receive authorization before speaking to the media on behalf of the
6 Department, or giving the impression they are speaking on behalf of the Department.
7 If speaking as a private individual, a volunteer should make every effort possible to
8 clarify that they are doing so in that private capacity – including the use of a
9 disclaimer and by not wearing official Department clothing. Volunteers must also
10 refrain from disclosing confidential information or records pertaining to staff,
11 volunteers, and customers, including addresses, email addresses, and home phone
12 numbers.

13 Relevant provisions from the Volunteer Handbook and Rules and Guidelines are
14 provided below:

15 **13. Public Relations** – When representing L.A. Animal Services, volunteers
16 are expected to be courteous and professional and a positive ambassador for
17 L.A. Animal Services. Furthermore, no volunteer is permitted to talk to the
18 media without express written consent. Please direct all media inquiries to a
19 staff member. Volunteers need to obtain prior approval from the Volunteer
20 Office before distributing or posting any written information or flyers. This is
21 to ensure that all printed materials are consistent with department guidelines
22 and our mission.

23 New volunteers also sign a rules and guidelines document that includes the
24 following, which states:

25 15. I will not speak to the media without direct authorization from the Public
26 Relations Specialist and I understand that all media inquiries are to be
27 directed to the ACT Supervisor or Mobile Adoption Coordinator at a mobile
28 site

29 As well as follow confidentiality guidelines:

30 1. CONFIDENTIALITY

31 I understand that I will be subject to the same legal restrictions as City staff to
32 protect confidentiality and identity of customers as well as the confidentiality
33 of records pertaining to staff, volunteers and customers including addresses,
34 email addresses, home phone numbers etc.

35 I will not engage in “loose talk” at work or at home that might reveal
36 confidential information, including the names or identifying information of

customers, vendors, volunteers and staff.

Sincerely, Agnes
Agnes Sibal-von Debschitz
Public Information Director
Los Angeles Animal Services

11. I responded as follows:

From: Jeffrey Mausner
Sent: Tuesday, July 19, 2022 11:54 AM
To: Agnes.Sibal@lacity.org; Annette.Ramirez@lacity.org
Cc: Curtis.Watts@LACity.org; steve.houchin@lacity.org; mike.n.feuer@lacity.org
Subject: FW: Los Angeles Times reporter Dakota Smith

Hi Agnes and Annette, thank you for clarifying this and your quick response. I suggest that this policy be emailed to all volunteers so that the policy is clear. I will forward these emails to the volunteers I have email addresses for, but I think it should go to all volunteers. The current statement of policy in the Volunteer Handbook is vague and ambiguous, and it is no wonder that volunteers did not know what the policy is.

I also ask that volunteers who have been suspended or terminated be reinstated immediately. The animals need those volunteers. Everyone knows there is a volunteer shortage. These are some of the best volunteers and they should be reinstated without arguing whether they violated an unclear policy or whether their 1st Amendments rights have been violated.

My emails with you regarding this matter have been in my private individual capacity. They are not on behalf of the Animal Services Department. They are also not on behalf of any of the Neighborhood Council entities that I am an official or member of. They are also not as an attorney for any party.

Best regards, Jeff

A true and correct copy of this email string is attached as Exhibit 2.

12. To date, to the best of my knowledge, LAAS has not sent a general email or other announcement to the volunteers clarifying its vague and ambiguous policy about volunteers speaking with the press as I requested in my correspondence with them. I have not received any such general email or announcement.

13. I am informed and believe that some volunteers signed a purported waiver of the right to speak to the press referred to in Ms. Sibal's July 18, 2022 email (Exhibit 2) stating:

Declaration of Jeffrey Mausner

1 I will not speak to the media without direct authorization from the Public Relations
2 Specialist and I understand that all media inquiries are to be directed to the ACT
3 Supervisor or Mobile Adoption Coordinator at a mobile site.

4 14. I am informed and believe that LAAS has not voided or withdrawn this
5 purported waiver.

6 15. On August 2, 2022, I sent the following email to various Los Angeles City
7 officials, including Annette Ramirez, Interim General Manager of Los Angeles Animal
8 Services and all members of the Board of Animal Services Commissioners:

9 From: Jeffrey Mausner <jeff@mausnerlaw.com>

10 Date: August 2, 2022 11:47 AM

11 To: ...

12 Subject: Re: Northeast Valley Animal Shelter; Reinstate Volunteers - Petition for
13 Grievances ...

14 Regarding the suspended and terminated Volunteers, again, these comments are sent
15 in my private individual capacity. They are not on behalf of the Animal Services
16 Department. They are not on behalf of any of the Neighborhood Council entities that
17 I am an official or member of. These comments are not sent as an attorney for any
18 party. Just in my private individual capacity.

19 (However, I will note that several years ago when issues of Volunteers being
20 terminated for exercising their First Amendment rights came up, the Neighborhood
21 Council Budget Advocates passed a resolution regarding that. Please
22 see: <https://citywatchla.com/index.php/budget-advocates-2/19044-budget-advocates-call-for-investigation-of-animal-services-department-volunteer-program>)

23 The suspension and termination of Volunteers for criticizing the Department or
24 speaking to the press is highly damaging to the Department. The damage to the
25 Department for the suspensions and terminations is as damaging as the revelations
26 those Volunteers have made. The suspensions and terminations exponentially
27 increase the number of people who will see the revelations these Volunteers have
28 made and be concerned about them. The number of people on this email string is
continually growing (including bcc's), and more and more people will know about it,
including the media.

I have previously written to you (in my individual capacity, not as an attorney for
any party) regarding the vague, ambiguous, unpublicized, and unknown media policy
regarding Volunteers speaking with the press. It was not until after the latest
suspensions that the policy was clarified, in an email to me, but not in a blast email
to all of the Volunteers. This whole thing has been handled in a terrible

1 manner. Again, not speaking as an attorney for any party (but as someone who is
2 knowledgeable on the subject as a former attorney for more than 35 years in both
3 private practice and as a former Federal Prosecutor, a former law professor, etc.),
4 you are subjecting the Department, City, and individuals to potential legal liability. I
5 strongly suggest that you immediately reinstate the Volunteers. As Paul Darrigo
6 said, let's complete this and move on. This will not go away until the Volunteers are
7 reinstated, because it is the animals (as well as the principle of Free Speech) who are
8 suffering. Someone please take responsibility for this and see that the Volunteers are
9 reinstated.

10 Sincerely, Jeff

11 A true and correct copy of this email is attached as Exhibit 3. I am not aware of any direct
12 response from LAAS to this email.

13 16. On October 3, 2022 and August 12, 2022, I sent the following emails to
14 various officials of the City of Los Angeles:

15 ... Also, as noted below, the Valley Alliance of Neighborhood Councils **strongly**
16 **condemns** the suspension or termination of Volunteers for speaking with the press
17 about conditions in the City Animal Shelters or exercising their First Amendment
18 rights. Some of those Volunteers have not yet been reinstated.

19 ... At its monthly meeting on August 11, 2022, the Valley Alliance of Neighborhood
20 Councils passed the following two resolutions:

21 1. *Suspension or Termination of Animal Services Department Volunteers.*
22 **RESOLVED, that the Valley Alliance of Neighborhood Councils (VANC),**
23 **representing the 34 Neighborhood Councils throughout the San Fernando**
24 **Valley, strongly condemns the suspension or termination of Volunteers for**
25 **speaking with the press about conditions in the City Animal Shelters or**
26 **exercising their First Amendment rights.**

27 In discussion of the motion and in the Hot Topic #5 explanation attached to the
28 agenda, it was noted that in the last month, the Los Angeles Times, as well as other
news outlets, have run stories very critical of the Animal Services Department and
conditions for animals in the City Animal Shelters, for example:

*'It's Inhumane': Dogs At L.A. Animal Shelters Go Weeks Or Months Without Being
Walked:* <https://www.latimes.com/california/story/2022-07-14/la-city-animal-shelters-dogs-sit-in-kennels-weeks-months-without-walks>

*'Horrified': L.A. City Council Members Call For Action On Overcrowded Animal
Shelters:* <https://www.latimes.com/california/story/2022-07-16/l-a-city-council-members-called-for-action-city-shelters>

1 *LA Animal Services Officials Blame Staff Shortage, Pandemic Challenges For Issues*
2 *At City Shelters: [https://abc7.com/animal-shelters-la-city-council-concerns-](https://abc7.com/animal-shelters-la-city-council-concerns-emergency-meeting/12061158/)*
3 *[emergency-meeting/12061158/](https://abc7.com/animal-shelters-la-city-council-concerns-emergency-meeting/12061158/)*

4 Volunteers who spoke with the press and others about conditions at the City Animal
5 Shelters have been suspended or terminated. As well as likely being a First
6 Amendment violation subjecting the City to potential liability, this harms the animals
7 who are deprived of the essential care given by these Volunteers, making the
8 conditions exposed in these articles even worse.

9 The problems at the City Shelters have been brought up at the Board of Animal
10 Services Commissioners (BASC) meetings for many months, to no avail. For the
11 most part, the BASC and Department Management did little or nothing to fix the
12 problems. And recently, the Commissioners have taken steps to severely limit public
13 comment, and to prevent Neighborhood Council resolutions and Community Impact
14 Statement from being heard at their meetings.

15 So it's no wonder that Shelter Volunteers, who care deeply about the animals, spoke
16 to the press, newspapers and television news, about what is going on at the
17 Shelters. The Commissioners and Animal Services Department management were
18 ignoring their complaints. In a further attempt to cover-up conditions at the Shelters,
19 the Animal Services Department management, with the apparent approval of the
20 Commissioners, have suspended and terminated Volunteers, in an attempt to
21 intimidate Volunteers into silence.

22 The above resolution passed with 17 in favor, 3 abstentions. (Only one
23 representative from each Neighborhood Council is allowed to vote.)

24 True and correct copies of these emails are attached as Exhibit 4.

25 17. I am not aware of any direct response from LAAS to these emails.

26 18. I am submitting this declaration in my private individual capacity, and not on
27 behalf of the Animal Services Department.

28 I declare under penalty of perjury under the laws of the State of California that the foregoing is
true and correct. Executed this 7th day of October 2022 at Tarzana, California.

Jeffrey N. Mausner

Jeffrey Mausner

Exhibit 1

JEFFREY MAUSNER - RESUME

Telephone: (310) 617-8100, Email: Jeff@Mausnerlaw.com

SINCE RETIREMENT

Board of Directors and 2nd Vice President, Tarzana Neighborhood Council Chairperson, Tarzana Neighborhood Council Animal Welfare Committee

Committee was the recipient of the 2017 VANC (Valley Alliance of Neighborhood Councils) award for “Engaging the City to Save the Lives of Hundreds of Animals” See <http://northvalleyreporter.com/engaging-the-city-to-save-the-lives-of-hundreds-of-animals-tarzana-neighborhood-council/>

Neighborhood Council Liaison to Los Angeles Animal Services Department Valley Alliance of Neighborhood Councils (VANC) Executive Committee and Liaison to Los Angeles Animal Services Department Los Angeles Animal Services Department Sub-Committee on No-Kill Neighborhood Council Budget Representative Volunteer, West Valley Animal Shelter

EMPLOYMENT

Law Offices of Jeffrey N. Mausner 2007-2012. Currently Retired.

Los Angeles, California

Selected as Southern California Super Lawyer, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016

Berman, Mausner & Resser, A Law Corporation 1986-2007

Los Angeles, California

Selected as Southern California Super Lawyer, 2006, 2007

Southwestern University Law School

Los Angeles, California

Adjunct Professor of Law

1992 - 2016

Adjunct Professor of Law, teaching Advanced Copyright Law, Intellectual Property Law, and Internet and Computer Law

Recipient of the Year 2001 Adjunct Excellence in Teaching Award

United States Department of Justice

Criminal Division, Office of Special Investigations
Washington, D.C.

Trial Attorney

1979 - 1985

Charged with denaturalizing and deporting Nazi war criminals. Handled all aspects of cases in U.S. District Courts including filing of complaints, depositions in the United States and abroad, discovery, law and motion practice, trials, appeals to U.S. Courts of Appeals, and administrative hearings and appeals.

AWARDS from the Attorney General: United States Justice Department Meritorious Award for Superior Performance of Duties on a Continuous Basis, 1982; Justice Department Exceptional Performance Rating, 1982; Outstanding Performance Rating, 1983; Justice Department Special Achievement Award, 1984; Outstanding Performance Rating, 1984; Justice Department Outstanding Performance Rating, 1985.

Protecting Your Product From Counterfeiters,
Bobbin Magazine, July 1994

The Ex Parte Seizure: Your Weapon Against Counterfeiters
The Crafts Report, Vol. 20, No. 221, September 1994

Company Assets, Confidential Information, and the Mobile Employee
Lorman Education Services, 1996

State Exemptions From Securities Regulation Coextensive with SEC Rule 146
1976 Securities Law Review 785

This article originally appeared as a student note in 61 Cornell Law Review 157 (1975)

Apprehending and Prosecuting Nazi War Criminals in the United States
15 Nova Law Review 747 (1991)

Author of articles regarding animal issues, CityWatchLA:

<https://www.citywatchla.com/index.php/component/search/?searchword=mausner&searchphrase=all&Itemid=113>

SELECTED REPORTED CASES

Perfect 10, Inc. v. Amazon.com, Inc., Google, Inc., 487 F.3d 701 (9th Cir. 2007); *Perfect 10, Inc. v. Visa International Service Ass'n*, 494 F.3d 788 (9th Cir. 2007); *Perfect 10, Inc. v. CCBill LLC*, 488 F.3d 1102 (9th Cir. 2007), reversing in part, *Perfect 10, Inc. v. CCBill, LLC*, 340 F.Supp.2d 1077 (C.D.Cal., 2004); *Perfect 10, Inc. v. Google, Inc.*, 416 F.Supp.2d 828 (C.D. Cal. 2006); *Perfect 10, Inc. v. Cybernet Ventures, Inc.*, 213 F.Supp.2d 1146 (2002); 167 F.Supp.2d 1114 (C.D. Cal. 2001); *TeleTech Customer Care Management (California), Inc. v. Tele-Tech Co.*, 977 F.Supp. 1407 (C.D.Ca. 1997); *Raz Imports, Inc. v. Target Stores*, 45 U.S.P.Q. 2d 1795 (C.D. Cal. 1997); *Watts Health Systems v. United Healthcare*, 960 F.Supp. 1431 (C.D. Ca. 1996); *Perfect 10, Inc. v. Talisman Communications Inc.*, 2000 WL 364813 (C.D. Ca. 2000); *Nestlé U.S.A. v. Virtual Integration Technology*, 55 U.S.P.Q. 2d 1062, 2000 U.S. Dist. Lexis 8249 (C.D. Ca. 2000); *Nestlé U.S.A. v. Travelers Casualty & Surety Co.*, 1998 U.S. Dist. Lexis 17287 (C.D. Ca. 1998); *Nestlé U.S.A. v. Heart to Heart Publishing Co.*, 1997 Lexis 21334 (C.D. Ca. 1997); *Tuchman v. Aetna*, 44 Cal. App. 4th 1607 (1996); *McCalden v. California Library Assoc., Simon Wiesenthal Center*, 955 F.2d 1214 (9th Cir. 1992), 919 F.2d 538 (9th Cir. 1990); *Proton Corp. v. Proton America Inc.*, 4 USPQ 2d 1495 (C.D.Ca. 1987); *U.S. v. Kowalchuk*, 571 F. Supp. 72 (E.D. Pa. 199 3), aff'd en banc, 773 F.2d 488 (3d Cir. 1985); *Maikovskis v. I.N.S.*, 773 F.2d 435 (2d Cir. 1985); *U.S. v. Sprogis*, 763 F.2d 115 (2d Cir. 1985); *U.S. v. Linnas*, 19 I & N Dec. 302, 1985 W.L. 56051.

OTHER ACTIVITIES

President, Los Angeles Copyright Society – 2003-2004; President Elect, 2002-2003; Vice President, 2001-2002.

Speaker and Moderator for Mandatory Continuing Legal Education seminar: *Company Assets, Confidential Information, and the Mobile Employee*, Jan. 18, 1996, Los Angeles; Oct. 25, 1996, Palo Alto; Jan. 24, 1997, Newport Beach; Sept. 26 1997, San Diego; Jan. 9, 1998 Palo Alto.

Arbitrator, National Arbitration Forum.

Wrote Opinion in *Advanced Internet Technologies, Inc. v. Mark Bianchi d/b/a Dayton Internet d/b/a Dayton Internet Design Inc.*, Claim Number: FA0403000245965 (2004), published at: <https://www.adrforum.com/domaindecisions/245965.htm>

Wrote Opinion in *Gruner + Jahr Printing & Publ'n Co. v. Web Mktg., Inc.*, Claim Number: FA0407000295211 (2004), published at: <https://www.adrforum.com/domaindecisions/295211.htm>

Wrote Opinion in *Jamison v. Hugh Hedley and Cyber Holdings, Inc.*, Claim Number: FA0508000540031 (2005), published at: <https://www.adrforum.com/domaindecisions/540031.htm>

Wrote Opinion in *GOL TV, Inc. v. Onyx Domain Solutions*, Claim Number FA0703000944251, published at: <https://www.adrforum.com/domaindecisions/944251.htm>

Exhibit 2



From: Jeffrey Mausner <jeff@mausnerlaw.com>

Sent: Tuesday, July 19, 2022 11:53 AM

To: Agnes.Sibal@lacity.org <Agnes.Sibal@lacity.org>; Annette.Ramirez@lacity.org <Annette.Ramirez@lacity.org>

Cc: Curtis.Watts@LACity.org <Curtis.Watts@LACity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; mike.n.feuer@lacity.org <mike.n.feuer@lacity.org>

Subject: FW: Los Angeles Times reporter Dakota Smith

Hi Agnes and Annette, thank you for clarifying this and your quick response. I suggest that this policy be emailed to all volunteers so that the policy is clear. I will forward these emails to the volunteers I have email addresses for, but I think it should go to all volunteers. The current statement of policy in the Volunteer Handbook is vague and ambiguous, and it is no wonder that volunteers did not know what the policy is.

I also ask that volunteers who have been suspended or terminated be reinstated immediately. The animals need those volunteers. Everyone knows there is a volunteer shortage. These are some of the best volunteers and they should be reinstated without arguing whether they violated an unclear policy or whether their 1st Amendments rights have been violated.

My emails with you regarding this matter have been in my private individual capacity. They are not on behalf of the Animal Services Department. They are also not on behalf of any of the Neighborhood Council entities that I am an official or member of. They are also not as an attorney for any party.

Best regards, Jeff

Jeffrey Mausner
Email: Jeff@Mausnerlaw.com
Cell phone: (310) 617-8100

From: agnes.sibal@lacity.org <agnes.sibal@lacity.org> **On Behalf Of** Ani PR
Sent: Monday, July 18, 2022 6:56 PM
To: Annette Ramirez <annette.ramirez@lacity.org>
Cc: Jeffrey Mausner <jeff@mausnerlaw.com>; Curtis.Watts@LACity.org;
steve.houchin@lacity.org; mike.n.feuer@lacity.org
Subject: Re: Los Angeles Times reporter Dakota Smith

Hi Jeff,

LA Animal Services does not prohibit a volunteer from speaking to the media as a private individual. Under the Department's Volunteer Rules and Guidelines, volunteers must receive authorization before speaking to the media on behalf of the Department, or giving the impression they are speaking on behalf of the Department. If speaking as a private individual, a volunteer should make every effort possible to clarify that they are doing so in that private capacity – including the use of a disclaimer and by not wearing official Department clothing. Volunteers must also refrain from disclosing confidential information or records pertaining to staff, volunteers, and customers, including addresses, email addresses, and home phone numbers.

Relevant provisions from the Volunteer Handbook and Rules and Guidelines are provided below:

13. Public Relations - When representing L. A. Animal Services, volunteers are expected to be courteous and professional and a positive ambassador for L. A. Animal Services. Furthermore, no volunteer is permitted to talk to the media without express written consent. Please direct all media inquiries to a staff member. Volunteers need to obtain prior approval from the Volunteer Office before distributing or posting any written information or flyers. This is to ensure that all printed materials are consistent with Department guidelines and our mission.



New volunteers also sign a rules and guidelines document that includes the following, which states:

15. I will not speak to the media without direct authorization from the Public Relations Specialist and I understand that all media inquiries are to be directed to the ACT Supervisor or Mobile Adoption Coordinator at a mobile site.

As well as follow confidentiality guidelines:

1. CONFIDENTIALITY

I understand that I will be subject to the same legal restrictions as City staff to protect the confidentiality and identity of customers as well as the confidentiality of records pertaining to staff, volunteers and customers, including addresses, email address, home phone numbers etc.

I will not engage in "loose talk" at work or at home that might reveal confidential information, including the names or identifying information of customers, vendors, volunteers and staff.

Sincerely,
Agnes

Agnes Sibal-von Debschitz
Public Information Director
Los Angeles Animal Services
221 N. Figueroa Street, Suite 600
Los Angeles, CA 90012
W: (213) 482-9512
E: agnes.sibal@lacity.org

Follow us on social media:



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On Mon, Jul 18, 2022 at 12:45 PM Annette Ramirez <annette.ramirez@lacity.org> wrote:

Hi Jeffrey, your email has been received. The question is for the Department and not the Board. I have included our Public Relations team who will provide you with a

response and assist with your inquiry.

Thank you,

Annette G. Ramirez

Interim General Manager

Los Angeles Animal Services

221 N. Figueroa Street, Suite 600

Los Angeles, Ca. 90012

W: 213-482-9558

E: annette.ramirez@lacity.org

Follow us on social media:



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On Sun, Jul 17, 2022 at 8:42 PM Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

Los Angeles Times reporter Dakota Smith has asked me to speak with her about retaliation against volunteers at the City's animal shelters. I have been a Los Angeles Animal Services (LAAS) Volunteer for 10 years. However, if I speak with her, it would be in my individual capacity expressing my own views and observations. I will not be speaking on behalf of LAAS in an official capacity.

The latest version of the L.A. Animal Services Volunteer Handbook that I have states:

Public Relations - When representing L.A. Animal Services, volunteers are expected to be courteous and professional and a positive ambassador for L.A. Animal Services. Furthermore, no volunteer is permitted to talk to the media without express written consent.

The phrasing of this section of the Volunteer Handbook appears to be vague and ambiguous. Are volunteers banned from speaking with the media without express written consent only when speaking in an official capacity as an "ambassador for L.A. Animal Services?" I interpret the sentence "Furthermore, no volunteer is permitted to talk to the media without express written consent" to be modified by the phrase "When representing L.A. Animal Services," so that the sentence refers only to statements made by volunteers in an official capacity when speaking on behalf of LAAS, and not to statements made in an individual capacity. Otherwise, if this sentence is meant to be a complete prohibition on volunteers speaking to the media, even in their individual capacities, such a ban would be in violation of both the First Amendment to the U.S. Constitution and Article 1, Section 2 of the California Constitution.

In an abundance of caution, however, I am now seeking “express written consent” to speak with Dakota Smith of the Los Angeles Times about retaliation against volunteers, as well as with her and any other member of the media on any topic, to express my individual views and observations. I also request a clarification of the meaning of the sentence from the Volunteer Handbook that “Furthermore, no volunteer is permitted to talk to the media without express written consent” – does it refer only to statements made by volunteers in an official capacity when speaking on behalf of LAAS, or is it your position that this also refers to statements made in an individual capacity.

Please respond to this email immediately. I am holding off on speaking with Dakota Smith of the L.A. Times until you clarify LAAS policy on this subject. Failure to provide a timely response will inhibit my free expression and could therefore be a violation of my Constitutional rights.

Sincerely, Jeffrey Mausner

Jeffrey Mausner

Email: Jeff@Mausnerlaw.com

Cell phone: (310) 617-8100

Exhibit 3

Jeffrey Mausner

From: Jeffrey Mausner
Sent: Tuesday, August 2, 2022 11:47 AM
To: Kenneth Mejia; Larry Gross; mike.feuer@lacity.org; Eric Garcetti; Paul Darrigo
Cc: Curtis Watts; oliviaegarcia@outlook.com; alisafinsten@gmail.com; jsandoval91402@gmail.com; jill_cohen@sbcglobal.net; Francine Acuna; Annette.Ramirez@lacity.org; steve.houchin@lacity.org; Jennifer Curiel; paul.koretz@lacity.org; councilmember.rodriguez@lacity.org; Councilmember Bob Blumenfeld; Lisa.Hansen@lacity.org; john.popoch@lacity.org; Jeff.Jacobberger@LACity.org; Jake Flynn; Seme Park; Mirna Ezquivel; Jill Barad; Linda Gravani; Linda Gravani (lgravani@hotmail.com); Michelle Cornelius; Sherry Brown; Glenn Bailey; Glenn Bailey; cindy cleghorn; tonyw.civic@gmail.com; slowtony@gmail.com; Corinne Ho; Ginny Hatfield; judi; Kathy Delle Donne; mark seigel; Mary Garcia; Saul; Ken Ross; kenrossdds@aol.com; Cathy Serksnas; David Hernandez; Haze; Joy Freiberg; Lydia Grant; Michael Bell; whitney smith; dduukkee11@aol.com; Gail Raff; Leonard Shaffer (l.shaffer@tarzananc.org); James Bickhart; mayor.helpdesk@lacity.org; Michelle.Vergara@LACity.org; Erin.Seinfeld@lacity.org; contactCD4@lacity.org; paul.Krekorian@lacity.org; councilmember.martinez@lacity.org; sophie.gilchrist@lacity.org; arianna.miskin@lacity.org; Kiernan; jfuchs@mhnconline.org; acharlton@mhnconline.org; rruiz-penuela@mhnconline.org; WDiaz-Antonio@mhnconline.org; rperez@mhnconline.org; ggarcia-mendoza@mhnconline.org; rveliz@mhnconline.org; sruiz-perez@mhnconline.org; jflores@mhnconline.org; DEscamilla@mhnconline.org; sbrown@mhnconline.org; jcabrera@mhnconline.org; jascencio@mhnconline.org; Ron.Galperin@LACity.org; Brian Allen (BAllen@NCBALA.org); Kusnier@aol.com; Jack Humphreville; Smith, Dakota; seisenberg@sullivantriggs.com
Subject: Re: Northeast Valley Animal Shelter; Reinstate Volunteers - Petition for Grievances

After having quickly reviewed the RFP, the following are my comments. These comments are sent in my private individual capacity. They are not on behalf of the Animal Services Department. They are not on behalf of any of the Neighborhood Council entities that I am an official or member of. (Outreach should have been done with the Neighborhood Councils and the Public months ago, so that they could have had input into the process in a timely and orderly manner.) These comments are not sent as an attorney for any party. Just in my private individual capacity. (However, it should be noted that the Valley Alliance of Neighborhood Councils (VANC) passed a resolution regarding this matter, as detailed in the email dated July 15, 2022, below.)

What has the Board of Animal Services Commissioners (BASC) and Los Angeles Animal Services Department (LAAS) done to attempt to secure funding to run the Northeast Valley Animal Shelter as a municipal shelter? Has a budget proposal to run the Shelter as a municipal shelter ever been written or submitted? There is a great deal of money coming to the City from the State and Federal Governments; has any proposal been submitted to ask for a small portion of that money to run the Northeast Valley Shelter? There is a shortage of kennel space to care for the dogs, cats, and rabbits in the City shelter system. Before giving away hundreds of

kennels, has a serious attempt been made to secure funding to keep them in the City shelter system? Who is watching out for the interests of the animals? And who is watching out for the interests of the stakeholders of the City who voted for, and paid for, the Northeast Valley Shelter to be a municipal shelter pursuant to Proposition F? Please see the first email in this string, dated July 15, 2022. As noted below, when Proposition F was passed by two-thirds of voters in 2000, residents were told that the Department of Animal Services would operate 8 animal shelters. Voters were told that additional space was needed for animal control officers to “solve problems of stray, abandoned, and dangerous animals” and the new facilities would improve response times. The Prop F voter guide also acknowledged that additional funds would need to be appropriated to staff the two new animal shelters, one of which was Northeast Valley. However, that was never done, and I have never seen anything to indicate that the BASC or LAAS has made any attempt to secure the additional funds to staff the Northeast Valley Shelter (at least not in recent years).

Assuming that sufficient, sincere attempts have been made to secure funding to operate Northeast Valley as a municipal shelter and that it is impossible to secure that funding now, my comments on the RFP are as follows:

1. What services will the rescue organization provide to the people who approved the funding to build the shelter and paid for it? The RFP is very light on the required services and level of services.
2. The RFP does not specify how many animals the rescue organization will be required to take from LAAS. It does not specify what animals the rescue organization will be required to take from LAAS. Will they be required to take dogs who are difficult to adopt, or can they meet their quota by taking easily adoptable kittens?
3. The RFP does not specify how kennel space will be used. LAAS often has a shortage of kennel space. Will the arrangement with the rescue maximize the amount of kennel space that will be available for the Valley’s homeless animals, and how will that be enforced?
4. The RFP specifically provides that “[t]here will be no intake of animals from the public, no public calls for animal pick up ...” RFP page 4. “Proposer will not provide any animal intake at the Shelter and will not accept animals brought to the Shelter by members of the public.” RFP page 6. That was never proposed to, discussed, or approved by the stakeholders.
4. The RFP specifically provides that “[t]he City will not allow any Animal Control and Law Enforcement Services to be conducted at the Northeast Valley Animal Shelter.” RFP page 7. “The Department is not operating in the Northeast Valley Animal Shelter.” RFP page 4. “The Proposers are not to operate a fully functioning animal shelter.” RFP page 4. That was never proposed to, discussed, or approved by the stakeholders who paid for the Northeast Valley Shelter facility.

I suggest that LAAS and the BASC immediately attempt to secure funding for the Northeast Valley Animal Shelter to operate as a municipal shelter, including from the General Fund, State and Federal grants and funding. I suggest that you keep the Public (including Neighborhood

Councils) advised of those efforts. Keeping us advised will allow us to mobilize support for the attempts you make to secure funding, and if you are ultimately unsuccessful, will at least gain public acceptance of the RFP route. I also suggest that you do outreach to the Public (including Neighborhood Councils) regarding what they would like to see in an RFP. The Stakeholders should not be shut out of something as important as how a multi-million dollar facility that they paid for will be operated.

Regarding the suspended and terminated Volunteers, again, these comments are sent in my private individual capacity. They are not on behalf of the Animal Services Department. They are not on behalf of any of the Neighborhood Council entities that I am an official or member of. These comments are not sent as an attorney for any party. Just in my private individual capacity.

(However, I will note that several years ago when issues of Volunteers being terminated for exercising their First Amendment rights came up, the Neighborhood Council Budget Advocates passed a resolution regarding that. Please see: <https://citywatchla.com/index.php/budget-advocates-2/19044-budget-advocates-call-for-investigation-of-animal-services-department-volunteer-program>)

The suspension and termination of Volunteers for criticizing the Department or speaking to the press is highly damaging to the Department. The damage to the Department for the suspensions and terminations is as damaging as the revelations those Volunteers have made. The suspensions and terminations exponentially increase the number of people who will see the revelations these Volunteers have made and be concerned about them. The number of people on this email string is continually growing (including bcc's), and more and more people will know about it, including the media.

I have previously written to you (in my individual capacity, not as an attorney for any party) regarding the vague, ambiguous, unpublicized, and unknown media policy regarding Volunteers speaking with the press. It was not until after the latest suspensions that the policy was clarified, in an email to me, but not in a blast email to all of the Volunteers. This whole thing has been handled in a terrible manner. Again, not speaking as an attorney for any party (but as someone who is knowledgeable on the subject as a former attorney for more than 35 years in both private practice and as a former Federal Prosecutor, a former law professor, etc.), you are subjecting the Department, City, and individuals to potential legal liability. I strongly suggest that you immediately reinstate the Volunteers. As Paul Darrigo said, let's complete this and move on. This will not go away until the Volunteers are reinstated, because it is the animals (as well as the principle of Free Speech) who are suffering. Someone please take responsibility for this and see that the Volunteers are reinstated.

Sincerely, Jeff

Jeffrey Mausner
Email: Jeff@Mausnerlaw.com
Cell phone: (310) 617-8100

From: Paul Darrigo <fedguy2@pacbell.net>

Sent: Tuesday, August 2, 2022 12:10 AM

To: Kenneth Mejia <kenneth@mejiaforcontroller.com>; Larry Gross <commissioner.gross@yahoo.com>; Jeffrey Mausner <jeff@mausnerlaw.com>; mike.feuer@lacity.org <mike.feuer@lacity.org>; Eric Garcetti <mayor.garcetti@lacity.org>

Cc: Curtis Watts <curtis.watts@lacity.org>; oliviaegarcia@outlook.com <oliviaegarcia@outlook.com>; alisafinsten@gmail.com <alisafinsten@gmail.com>; jsandoval91402@gmail.com <jsandoval91402@gmail.com>; jill_cohen@sbcglobal.net <jill_cohen@sbcglobal.net>; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org <annette.ramirez@lacity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; Jennifer Curiel <jennifer.curiel@lacity.org>; paul.koretz@lacity.org <paul.koretz@lacity.org>; councilmember.rodriquez@lacity.org <councilmember.rodriquez@lacity.org>; Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org <lisa.hansen@lacity.org>; john.popoch@lacity.org <john.popoch@lacity.org>; Jeff.Jacobberger@LACity.org <jeff.jacobberger@lacity.org>; Jake Flynn <jakeblynn@gmail.com>; Semee Park <semee.park@lacity.org>; Mirna Ezquivel <mirna.ezquivel@lacity.org>; Jill Barad <jbbarad@gmail.com>; Linda Gravani <lindag@lakebalboanc.org>; Linda Gravani (lgravani@hotmail.com) <lgravani@hotmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy cleghorn <cindycleghorn@gmail.com>; tonyw.civic@gmail.com <tonyw.civic@gmail.com>; slowtony@gmail.com <slowtony@gmail.com>; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <maryagarciaa@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com <kenrossdds@aol.com>; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com <dduukkee11@aol.com>; Gail Raff <valleyvillagecat@gmail.com>; Leonard Shaffer (l.shaffer@tarzananc.org) <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org <mayor.helpdesk@lacity.org>; Michelle.Vergara@LACity.org <michelle.vergara@lacity.org>; Erin.Seinfeld@lacity.org <erin.seinfeld@lacity.org>; contactCD4@lacity.org <contactcd4@lacity.org>; paul.Krekorian@lacity.org <paul.krekorian@lacity.org>; councilmember.martinez@lacity.org <councilmember.martinez@lacity.org>; sophie.gilchrist@lacity.org <sophie.gilchrist@lacity.org>; arianna.miskin@lacity.org <arianna.miskin@lacity.org>; Kiernan <kiernan.elam@gmail.com>; jfuchs@mhnconline.org <jfuchs@mhnconline.org>; acharlton@mhnconline.org <acharlton@mhnconline.org>; rruiz-penuela@mhnconline.org <rruiz-penuela@mhnconline.org>; WDiaz-Antonio@mhnconline.org <wdiaz-antonio@mhnconline.org>; rperez@mhnconline.org <rperez@mhnconline.org>; ggarcia-mendoza@mhnconline.org <ggarcia-mendoza@mhnconline.org>; rveliz@mhnconline.org <rveliz@mhnconline.org>; sruiz-perez@mhnconline.org <sruiz-perez@mhnconline.org>; jflores@mhnconline.org <jflores@mhnconline.org>; DEscamilla@mhnconline.org <descamilla@mhnconline.org>; sbrown@mhnconline.org <sbrown@mhnconline.org>; jcabrera@mhnconline.org <jcabrera@mhnconline.org>; jascencio@mhnconline.org <jascencio@mhnconline.org>; Ron.Galperin@LACity.org <ron.galperin@lacity.org>

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter - Petition for Grievances

Jeff,

If you are going to Ombudsman for the volunteers, in my opinion, you will have to ask if they want to seek counsel at this point. If a complaint is drafted and petitioned to the city, they will have to answer or it will have to go to the grand jury for a various list of grievances to be discussed side bar.

We have reviewed the LAAS Volunteer handbook and find it vague and ambiguous.

But.

LAAS has an easy win on these suspensions; LAAS has counseled with the volunteers, explained the rules (which are contradicting, vague and ambiguous) and the volunteers grievances have been heard and are being mitigated. They

agree to adapt their 1st amendment rights to not speak for LAAS unless given permission and will distinguish when they are expressing their personal opinion. The Volunteer handbook will be revised for clarity and compliance. They can now be reinstated.

Easy win for all.

Let's complete this and move on. Please let me know when you want to talk further on this.

Paul Darrigo
CHULA - Citizens for a Humane Los Angeles
<https://www.facebook.com/groups/773416409436730/>
323-244-8020

On Monday, August 1, 2022 at 08:04:44 PM PDT, Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

Hi Kenneth, thank you for your email, and thank you in particular for your support for the Volunteers who have been terminated (which has been discussed in another email string).

Every current office-holder seems to take the position that they do not have the authority to reinstate the Volunteers. I think everyone who is taking that position is underestimating their authority, or at the least underestimating their influence, to have the Volunteers reinstated. The suspensions have gone on for too long and it is the animals (as well as the principle of Free Speech) who are suffering. Someone please take responsibility for this.

The City Controller may not have the direct authority to reinstate a terminated Volunteer, but I have no doubt that a good Controller could see that Volunteers are reinstated.

Best regards, Jeff

From: Kenneth Mejia <kenneth@mejiaforcontroller.com>
Sent: Monday, August 1, 2022 7:12 PM
To: Larry Gross <commissioner.gross@yahoo.com>
Cc: Curtis Watts <curtis.watts@lacity.org>; Jeffrey Mausner <jeff@mausnerlaw.com>;
oliviaegarcia@outlook.com; alisafinsten@gmail.com; jsandoval91402@gmail.com; jill_cohen@sbcglobal.net;
Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org; steve.houchin@lacity.org; Jennifer
Curiel <jennifer.curiel@lacity.org>; paul.koretz@lacity.org; councilmember.rodriquez@lacity.org;
Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org;
john.popoch@lacity.org; Jeff.Jacobberger@LACity.org; Jake Flynn <jakebflynn@gmail.com>; Semee Park
<semee.park@lacity.org>; Mirna.Ezquivel@lacity.org; Jill.Barad@gmail.com;

Linda Gravani <lindag@lakebalboanc.org>; Linda Gravani (lgravani@hotmail.com) <lgravani@hotmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy cleghorn <cindycleghorn@gmail.com>; tonyw.civic@gmail.com; slowtony@gmail.com; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <maryagarciaa@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; Paul Darrigo <fedguy2@pacbell.net>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com; Gail Raff <valleyvillagecat@gmail.com>; Leonard Shaffer (l.shaffer@tarzananc.org) <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org; Michelle.Vergara@LACity.org; Erin.Seinfeld@lacity.org; contactCD4@lacity.org; paul.Krekorian@lacity.org; councilmember.martinez@lacity.org; sophie.gilchrist@lacity.org; arianna.miskin@lacity.org; Kiernan <kiernan.elam@gmail.com>; jfuchs@mhnconline.org; acharlton@mhnconline.org; rruiz-penuela@mhnconline.org; WDiaz-Antonio@mhnconline.org; rperez@mhnconline.org; ggarcia-mendoza@mhnconline.org; rveliz@mhnconline.org; sruiz-perez@mhnconline.org; jflores@mhnconline.org; DEscamilla@mhnconline.org; sbrown@mhnconline.org; jcabrera@mhnconline.org; jascencio@mhnconline.org

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter

Hi all, my name is **Kenneth Mejia** and I am the leading candidate to be the next City of LA's **City Controller**. The City Controller is also the City's Auditor in charge of auditing city departments and programs.

I encourage employee heads at LAAS, the Commission, and other City Officials to do a better job in providing transparency AND accessibility when it comes to handling our City of LA animal shelters. For something as important as managing a city animal shelter (e.g. the Northeast Valley Animal Shelter), the public shouldn't have to be given transparency AND accessibility in the form of a Commission President emailing a PDF of the RFP to 70 people on an email thread to make the RFP publicly available.

As others have stated, you cannot access the RFP easily without creating an Angeleno account (why if the public just wants to read the RFP? Larry Gross literally just emailed it to everyone for us to share with the public). In addition, once you create an Angeleno account, you have to have a business to access the RFP doc:

ⓘ You currently do not have a RAMP acc

In addition, I would encourage department heads, the commission, and city officials to **please reinstate volunteers who have been suspended for speaking up about our city animal shelters**. At least, provide suspended volunteers with transparency and courtesy in terms of how long they will be suspended, why they

were suspended, and what can be done to be reinstated (reconciliation process). You all talk about how much LA Animal Services rely heavily on volunteers, well let's make it happen then and work together.

Kenneth Mejia, CPA

Mejia for LA City Controller 2022

mejiaforcontroller.com



Paid for by Mejia for City Controller 2022, FPPC ID#: 1435234

1001 Wilshire Blvd. Suite 102, Los Angeles CA 90017.

Additional information is available at ethics.lacity.org.

On Mon, Aug 1, 2022 at 6:47 PM Larry Gross <commissioner.gross@yahoo.com> wrote:

I downloaded the RFP for you from RAMPLA.org. It is attached.

Larry Gross

Commissioner - President

City of Los Angeles

Board of Animal Services Commissioners

Email : commissioner.gross@yahoo.com

<http://www.laanimalservices.com/about-us-2/commission/>

On Monday, August 1, 2022 at 06:26:45 PM PDT, Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

I still have not been able to access the RFP because I do not have a Company Name and Company Tax ID Number. Has the RFP been posted yet where members of the General Public or Neighborhood Councils can see it?

There is a meeting tonight of the Mission Hills Neighborhood Council (MHNC) in which the Northeast Valley Animal Shelter is on the agenda. As far as I know, members of the MHNC have also not seen the RFP and their input regarding the Northeast Valley Animal Shelter has not been sought by the Animal Services Department. The Northeast Valley Animal Shelter is located in Mission Hills.

Sincerely, Jeff

From: Jeffrey Mausner <jeff@mausnerlaw.com>

Sent: Monday, August 1, 2022 10:17 AM

To:

Cc:

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter

Thank you Curtis. However, if you go here: [Opportunity Details \(rampla.org\)](https://rampla.org)

it requires a Login (upper right corner).

When you click on Login, you then need to sign in with your Angeleno Account, which I happen to have from the Neighborhood Council.

When you log into the Angeleno Account, it states: "You currently do not have a RAMP account. If you would like to register please check first if your company is already registered by entering the information below." Among the information required to be entered is "Company Name" and "Tax ID." Since I am retired and have closed down my law firm, I do not have a Company Name or Tax ID. The website does not allow you to get further without entering this information. And because of that, even if you were able to get past providing that information, it seems that you will not be able to register without having a Company Name or Tax ID. Members of the public and Neighborhood Councils should be able to view the RFP without having a Company Name or Tax ID.

Thank you. Best regards, Jeff

From: Curtis Watts <curtis.watts@lacity.org>
Sent: Monday, August 1, 2022 9:42 AM
To: Jeffrey Mausner <jeff@mausnerlaw.com>
Cc: Larry Gross <commissioner.gross@yahoo.com>; oliviaegarcia@outlook.com
<oliviaegarcia@outlook.com>; alisafinsten@gmail.com <alisafinsten@gmail.com>;
jsandoval91402@gmail.com <jsandoval91402@gmail.com>; jill_cohen@sbcglobal.net
<jill_cohen@sbcglobal.net>; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org
<Annette.Ramirez@lacity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; Jennifer Curiel
<jennifer.curiel@lacity.org>; paul.koretz@lacity.org <paul.koretz@lacity.org>;
councilmember.rodriquez@lacity.org <councilmember.rodriquez@lacity.org>; Councilmember Bob
Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org <Lisa.Hansen@lacity.org>;
john.popoch@lacity.org <john.popoch@lacity.org>; Jeff.Jacobberger@LACity.org
<Jeff.Jacobberger@lacity.org>; Jake Flynn <jakebflynn@gmail.com>; Semee Park <semee.park@lacity.org>;
Mirna Ezquivel <Mirna.Ezquivel@lacity.org>; Jill Barad <jbarad@gmail.com>; Linda Gravani
<Lindag@lakebalboanc.org>; Linda Gravani (lgravani@hotmail.com) <lgravani@hotmail.com>; Michelle
Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey
<glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy cleghorn
<cindycleghorn@gmail.com>; tonyw.civic@gmail.com <tonyw.civic@gmail.com>; slowtony@gmail.com
<slowtony@gmail.com>; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <Ginnyaauw@gmail.com>;
judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel
<mark.seigel@gmail.com>; Mary Garcia <MaryAGarciaA@sbcglobal.net>; Saul <saul.daniels@gmail.com>;
Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com <kenrossdds@aol.com>; Cathy Serksnas
<serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy
Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell
<brooklynboymike@gmail.com>; Paul Darrigo <fedguy2@pacbell.net>; whitney smith
<whitneysmith3@gmail.com>; dduukkee11@aol.com <dduukkee11@aol.com>; Gail Raff
<valleyvillagecat@gmail.com>; Leonard Shaffer (l.shaffer@tarzananc.org) <l.shaffer@tarzananc.org>; James
Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org <mayor.helpdesk@lacity.org>;
Michelle.Vergara@LACity.org <Michelle.Vergara@lacity.org>; Erin.Seinfeld@lacity.org

<Erin.Seinfeld@lacity.org>; contactCD4@lacity.org <contactCD4@lacity.org>; paul.Krekorian@lacity.org <paul.Krekorian@lacity.org>; councilmember.martinez@lacity.org <councilmember.martinez@lacity.org>; sophie.gilchrist@lacity.org <sophie.gilchrist@lacity.org>; arianna.miskin@lacity.org <arianna.miskin@lacity.org>; Kenneth@mejiaforcontroller.com <kenneth@mejiaforcontroller.com>; Kiernan <kiernan.elam@gmail.com>

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter

Hi Mr. Mausner,

The RAMPLA website is the City's public website where contracting opportunities are posted. Anyone is able to create an account and obtain information regarding the opportunities listed on the site.

Thanks,

Curtis R. Watts

Assistant General Manager

Los Angeles Animal Services

221 N. Figueroa Street, Suite 600

Los Angeles, CA 90012

O: (213) 482-9558

E: curtis.watts@lacity.org

On Sun, Jul 31, 2022 at 1:08 PM Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

The Request for Proposal (RFP) for the Northeast Valley Animal Shelter should be posted in a location that is accessible to the general public. It appears that the RFP was posted on the website www.Rampla.org on July 27, but that website requires credentials to access the RFP and appears to make the RFP available only to potential bidders. There has been a complete lack of transparency and failure to get input from the public in connection with the Northeast Valley Shelter.

Please post the RFP so that it is available to the public and publicize where it is posted, including publicizing by email to the Neighborhood Councils.

Sincerely, Jeffrey Mausner

From: Jeffrey Mausner

Sent: Friday, July 15, 2022 3:06 PM

To: Larry Gross <commissioner.gross@yahoo.com>; oliviaegarcia@outlook.com <oliviaegarcia@outlook.com>; alisafinsten@gmail.com <alisafinsten@gmail.com>; jsandoval91402@gmail.com <jsandoval91402@gmail.com>; jill_cohen@sbcglobal.net <jill_cohen@sbcglobal.net>; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org <Annette.Ramirez@lacity.org>; Curtis.Watts@LACity.org <Curtis.Watts@LACity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; Jennifer Curiel <jennifer.curiel@lacity.org>

Cc: paul.koretz@lacity.org <paul.koretz@lacity.org>; councilmember.rodriquez@lacity.org <councilmember.rodriquez@lacity.org>; Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org <Lisa.Hansen@lacity.org>; john.popoch@lacity.org <john.popoch@lacity.org>; Jeff.Jacobberger@LACity.org <Jeff.Jacobberger@LACity.org>; Jake Flynn <jakebflynn@gmail.com>; Semee Park <semee.park@lacity.org>; Mirna Ezquivel <Mirna.Ezquivel@lacity.org>; Jill Barad <jbbarad@gmail.com>; Linda Gravani <Lindag@lakebalboanc.org>; Linda Gravani (lgravani@hotmail.com) <lgravani@hotmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy cleghorn <cindycleghorn@gmail.com>; tonyw.civic@gmail.com <tonyw.civic@gmail.com>; slowtony@gmail.com <slowtony@gmail.com>; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <Ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <MaryAGarciaA@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com <kenrossdds@aol.com>; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Paul Darrigo <fedguy2@pacbell.net>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com <dduukkee11@aol.com>; Gail Raff <valleyvillagecat@gmail.com>; 'Leonard Shaffer (l.shaffer@tarzananc.org)' <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org <mayor.helpdesk@lacity.org>; Michelle.Vergara@LACity.org <Michelle.Vergara@LACity.org>; Erin.Seinfeld@lacity.org <Erin.Seinfeld@lacity.org>; contactCD4@lacity.org <contactCD4@lacity.org>; paul.Krekorian@lacity.org <paul.Krekorian@lacity.org>; councilmember.martinez@lacity.org <councilmember.martinez@lacity.org>; sophie.gilchrist@lacity.org <sophie.gilchrist@lacity.org>; arianna.miskin@lacity.org <arianna.miskin@lacity.org>

Subject: VANC Resolution re Northeast Valley Animal Shelter

To the Board of Animals Services Commissioners and Officials of the Los Angeles Animal Services Department:

At its meeting on July 14, 2022, the Valley Alliance of Neighborhood Councils (VANC) unanimously (with one abstention) passed the following resolution:

The Valley Alliance of Neighborhood Councils (VANC) represents the 34 Neighborhood Councils throughout the San Fernando Valley, including all of the Neighborhood Councils in the vicinity of the Northeast Valley Animal Shelter. This shelter is a City facility built with Proposition F funds to be a municipal animal shelter, open to the public. It was not meant to be a private facility to house rescue organizations. Nevertheless, the Board of Animal Services Commissioners has issued an RFP (Request for Proposal) to do just that, lease the Northeast Valley Animal Shelter to rescue organizations to operate. The Board of Animal Services Commissioners and Animal Services Department did not provide an opportunity for the affected Neighborhood Councils to provide input into this decision. Therefore, it is RESOLVED that VANC takes the position that the Department of Animals Services and City Council should receive input from the affected Neighborhood Councils before releasing the Request for Proposal for rescue organizations to operate the Northeast Valley Animal Shelter.

The Resolution passed with 24 in favor, none against, and one abstention. (Only one vote can be cast per Neighborhood Council.) The following background information was provided for the Resolution:

When Proposition F was passed by two-thirds of voters in 2000, residents were told that the Department of Animal Services would operate 8 animal shelters. Voters were told that additional space was needed for animal control officers to “solve problems of stray, abandoned, and dangerous animals” and the new facilities would improve response times. The Prop F voter guide also acknowledged that additional funds would need to be appropriated to staff the two new animal shelters, one of which was Northeast Valley. However, instead of operating the facility as a municipal shelter as contemplated by Prop F, the Animal Services Department leased the facility to Best Friends rescue organization.

Best Friends publicly announced on June 29 that they intended to vacate the Northeast shelter when their contract expires on December 31, 2022 (they began operating the Northeast shelter in January 2012). The Department of Animal Services did not publicly announce their intention to release an RFP for the Northeast Shelter until Friday July 8 when they placed the item on their meeting agenda. This short time frame did not allow the affected neighborhood councils to provide any input regarding whether the Northeast Valley Animal Shelter is operated by the City or by rescue organizations, or the terms under which a rescue organization would operate the facility. Nevertheless, on Tuesday, July 12 the Board of Animal Services Commissioners approved releasing an RFP for rescue organizations to operate the Northeast Valley Animal Shelter.

There are several ways in which the Board of Animal Services Commissioners (BASC) and Animal Services Department (LAAS) can provide the public information and receive input regarding a major decision such as this:

1. You can hold town halls regarding the issue, in which information is provided and the public can voice their views. The Neighborhood Councils and Neighborhood Council Alliances would be happy to help publicize these town halls and distribute information to their constituents. Adequate time must be given for people to express their views; cutting them off after one or two minutes is not sufficient in a town hall.
2. Representatives of BASC and LAAS can appear at individual Neighborhood Council (NC) meetings to discuss the issue. These appearances should be agendaized so that there is sufficient time for discussion and NC members and the public can ask questions.
3. Representatives of BASC and LAAS can appear at Neighborhood Council Coalition meetings. VANC would be happy to have you, as we do with other departments that are considering major projects or decisions.
4. You can send out email blasts on your mailing list regarding such matters.

These are all things that other Departments do. I would be happy to help with any of those alternatives. Among many other things, the following questions need to be answered and discussed:

- a. Why isn't the Northeast Valley Shelter being opened as a municipal shelter, as contemplated by the voters who approved it and paid for it?
- b. What has BASC and LAAS done to secure funding to run the Northeast Valley Shelter as a municipal shelter? Have you submitted any budget proposals to do so?
- c. What are the terms of the RFP that you voted to release on July 12? The RFP wasn't even attached to your agenda.
- d. What services will the rescue organization provide to the people who approved the funding to build the shelter and paid for it?
- e. How many animals will the rescue organization be required to take from LAAS? Will they be required to take dogs who are difficult to adopt, or can they meet their quota by taking easily adoptable kittens?
- f. How will the kennel space be used? LAAS often has a shortage of kennel space. Does the arrangement with the rescue maximize the amount of kennel space that will be available for the Valley's homeless animals? If there is a provision to maximize kennel space, how will it be enforced?
- g. What are the consequences if the organization does not meet its contractual obligations?
- h. Why won't the rescue organization provide intake for animals?
- i. Will the rescue organization provide working space for Animal Control Officers?
- j. What type of oversight will the public have of the operations of the rescue organization at the shelter?

None of these issues, and more, have been discussed with the public. The lack of transparency is very concerning on a matter as important as who will operate the Northeast Valley Shelter and the terms of operation. I can tell you that many people I've heard from are very angry about this.

Sincerely, Jeffrey Mausner, Member of the VANC Executive Committee and VANC Animal Representative.

Jeffrey Mausner

(For identification purposes)

Valley Alliance of Neighborhood Councils and Tarzana NC Liaison to Los Angeles Animal Services Department

Board of Directors and 2nd Vice President, Tarzana Neighborhood Council

Chairman, Tarzana Neighborhood Council Animal Welfare Committee

Neighborhood Council Budget Representative

Volunteer, West Valley Animal Shelter

Retired Attorney and Former Federal Prosecutor, United States Department of Justice

Website: www.Mausnerlaw.com

Email: Jeff@MausnerLaw.com; J.Mausner@TarzanaNC.org

Cell phone: (310) 617-8100

Exhibit 4

Jeffrey Mausner

From: Jeffrey Mausner
Sent: Wednesday, August 31, 2022 11:22 AM
To: Larry Gross; mike.feuer@lacity.org; Eric Garcetti; Paul Darrigo; Kenneth@mejiaforcontroller.com
Cc: Curtis Watts; oliviaegarcia@outlook.com; alisafinsten@gmail.com; jsandoval91402@gmail.com; jill_cohen@sbcglobal.net; Francine Acuna; Annette.Ramirez@lacity.org; steve.houchin@lacity.org; Jennifer Curiel; paul.koretz@lacity.org; councilmember.rodriguez@lacity.org; Councilmember Bob Blumenfeld; Lisa.Hansen@lacity.org; john.popoch@lacity.org; Jeff.Jacobberger@LACity.org; Jake Flynn; Seme Park; Mirna Ezquivel; Jill Barad; Linda Gravani; Linda Gravani (lgravani@hotmail.com); Michelle Cornelius; Sherry Brown; Glenn Bailey; Glenn Bailey; cindy cleghorn; tonyw.civic@gmail.com; slowtony@gmail.com; Corinne Ho; Ginny Hatfield; judi; Kathy Delle Donne; mark seigel; Mary Garcia; Saul; Ken Ross; kenrossdds@aol.com; Cathy Serksnas; David Hernandez; Haze; Joy Freiberg; Lydia Grant; Michael Bell; whitney smith; dduukkee11@aol.com; Gail Raff; Leonard Shaffer (l.shaffer@tarzananc.org); James Bickhart; mayor.helpdesk@lacity.org; Michelle.Vergara@LACity.org; Erin.Seinfeld@lacity.org; contactCD4@lacity.org; paul.Krekorian@lacity.org; councilmember.martinez@lacity.org; sophie.gilchrist@lacity.org; arianna.miskin@lacity.org; Kiernan; jfuchs@mhnconline.org; acharlton@mhnconline.org; rruiz-penuela@mhnconline.org; WDiaz-Antonio@mhnconline.org; rperez@mhnconline.org; ggarcia-mendoza@mhnconline.org; rveliz@mhnconline.org; sruiz-perez@mhnconline.org; jflores@mhnconline.org; DEscamilla@mhnconline.org; sbrown@mhnconline.org; jcabrera@mhnconline.org; jascencio@mhnconline.org; Ron.Galperin@LACity.org; Brian Allen (BAllen@NCBALA.org); Kusnier@aol.com; Jack Humphreville; Smith, Dakota; seisenberg@sullivantriggs.com; Board@MHNConline.org; president@resedacouncil.org; vicepresident@resedacouncil.org; secretary@resedacouncil.org; jamiey@resedacouncil.org; rduran@arletanc.org; jgallo@arletanc.org; mshoemaker@arletanc.org; llacson@arletanc.org; George.Ortega@SylmarNC.org; carmennhenc@gmail.com; wilnegrete@gmail.com; rduran@arletanc.org; jgallo@arletanc.org; mshoemaker@arletanc.org; llacson@arletanc.org; fuchsjoseph@yahoo.com; andy_mhnc@andycharlton.com; wendymhnc@gmail.com; RebeccaMHNC@gmail.com; stncpresidentgrant@gmail.com; write2rowe@yahoo.com; Karen.Perdue.stnc@gmail.com; Stnc.ed.treasurer@gmail.com; carolh.stnc@gmail.com; Kevin.Davis@ftdnc.org; Cindy.Bloom@ftdnc.org; Scott.Froschauer@ftdnc.org; brielle.acevedo@sylmarnc.org; donald.zelaya@sylmarnc.org; Judi.Trujillo@ftdnc.org; Andres Rubalcaba; brielle.acevedo@sylmarnc.org; donald.zelaya@sylmarnc.org; George.Ortega@SylmarNC.org; VANC34.CHAIR@gmail.com
Subject: RE: Northeast Valley Animal Shelter; Reinstate Volunteers - Petition for Grievances
Attachments: VANC Northeast Animal Shelter Municipal Shelter, 8-27-2022.pdf

To the Board of Animal Services Commissioners and Officials of the Los Angeles Animal Services Department:

Please see the attached letter from the Valley Alliance of Neighborhood Councils regarding the Northeast Valley Animal Shelter.

Also, as noted below, the Valley Alliance of Neighborhood Councils **strongly condemns** the suspension or termination of Volunteers for speaking with the press about conditions in the City Animal Shelters or exercising their First Amendment rights. Some of those Volunteers have not yet been reinstated.

Sincerely, Jeff

Jeffrey Mausner

(For identification purposes)

Executive Committee, Valley Alliance of Neighborhood Councils (VANC)

VANC and Tarzana NC Liaison to Los Angeles Animal Services Department

Board of Directors and 2nd Vice President, Tarzana Neighborhood Council

Chairman, Tarzana Neighborhood Council Animal Welfare Committee

Neighborhood Council Budget Representative

Volunteer, West Valley Animal Shelter

Retired Attorney and Former Federal Prosecutor, United States Department of Justice

Website: www.Mausnerlaw.com

Email: Jeff@MausnerLaw.com; J.Mausner@TarzanaNC.org

Cell phone: (310) 617-8100

(Disclaimer: This email is not sent on behalf of the Animal Services Department.)

From: Jeffrey Mausner <jeff@mausnerlaw.com>

Sent: Friday, August 12, 2022 12:39 PM

To: Larry Gross <commissioner.gross@yahoo.com>; mike.feuer@lacity.org; Eric Garcetti <mayor.garcetti@lacity.org>;

[Paul Darrigo <fedguy2@pacbell.net>](mailto:Paul.Darrigo@pacbell.net); Kenneth@mejiaforcontroller.com

Cc: Curtis Watts <curtis.watts@lacity.org>; oliviaegarcia@outlook.com; alisafinsten@gmail.com;

jsandoval91402@gmail.com; jill_cohen@sbcglobal.net; Francine Acuna <francine.acuna@lacity.org>;

Annette.Ramirez@lacity.org; steve.houchin@lacity.org; Jennifer Curiel <jennifer.curiel@lacity.org>;

paul.koretz@lacity.org; councilmember.rodriquez@lacity.org; Councilmember Bob Blumenfield

<councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org; john.popoch@lacity.org;

Jeff.Jacobberger@LACity.org; Jake Flynn <jakebflynn@gmail.com>; Semee Park <seeme.park@lacity.org>; Mirna

Ezquivel <mirna.ezquivel@lacity.org>; Jill Barad <jbbarad@gmail.com>; Linda Gravani <lindag@lakebalboanc.org>; Linda

Gravani (<lgravani@hotmail.com>) <lgravani@hotmail.com>; Michelle Cornelius <artshapelife@gmail.com>; Sherry

Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey

<glennbaileyncs@gmail.com>; cindy.cleghorn@gmail.com>; tonyw.civic@gmail.com;

slowtony@gmail.com; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <ginnyaauw@gmail.com>; judi

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arianna.miskin@lacity.org; Kiernan <kiernan.elam@gmail.com>; jfuchs@mhnconline.org; acharlton@mhnconline.org;

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Subject: RE: Northeast Valley Animal Shelter; Reinstate Volunteers - Petition for Grievances

To the Board of Animal Services Commissioners and Officials of the Los Angeles Animal Services Department:

At its monthly meeting on August 11, 2022, the Valley Alliance of Neighborhood Councils passed the following two resolutions:

1. Suspension or Termination of Animal Services Department Volunteers.

RESOLVED, that the Valley Alliance of Neighborhood Councils (VANC), representing the 34 Neighborhood Councils throughout the San Fernando Valley, strongly condemns the suspension or termination of Volunteers for speaking with the press about conditions in the City Animal Shelters or exercising their First Amendment rights.

In discussion of the motion and in the Hot Topic #5 explanation attached to the agenda, it was noted that in the last month, the Los Angeles Times, as well as other news outlets, have run stories very critical of the Animal Services Department and conditions for animals in the City Animal Shelters, for example:

'It's Inhumane': Dogs At L.A. Animal Shelters Go Weeks Or Months Without Being Walked:
<https://www.latimes.com/california/story/2022-07-14/la-city-animal-shelters-dogs-sit-in-kennels-weeks-months-without-walks>

'Horried': L.A. City Council Members Call For Action On Overcrowded Animal Shelters:
<https://www.latimes.com/california/story/2022-07-16/l-a-city-council-members-called-for-action-city-shelters>

LA Animal Services Officials Blame Staff Shortage, Pandemic Challenges For Issues At City Shelters: <https://abc7.com/animal-shelters-la-city-council-concerns-emergency-meeting/12061158/>

Volunteers who spoke with the press and others about conditions at the City Animal Shelters have been suspended or terminated. As well as likely being a First Amendment violation subjecting the City to potential liability, this harms the animals who are deprived of the essential care given by these Volunteers, making the conditions exposed in these articles even worse.

The problems at the City Shelters have been brought up at the Board of Animal Services Commissioners (BASC) meetings for many months, to no avail. For the most part, the BASC and Department Management did little or nothing to fix the problems. And recently, the Commissioners have taken steps to severely limit public comment, and to prevent Neighborhood Council resolutions and Community Impact Statement from being heard at their meetings.

So it's no wonder that Shelter Volunteers, who care deeply about the animals, spoke to the press, newspapers and television news, about what is going on at the Shelters. The Commissioners and Animal Services Department management were ignoring their complaints. In a further attempt to cover-up conditions at the Shelters, the Animal Services Department management, with the apparent approval of the Commissioners, have suspended and terminated Volunteers, in an attempt to intimidate Volunteers into silence.

The above resolution passed with 17 in favor, 3 abstentions. (Only one representative from each Neighborhood Council is allowed to vote.)

2. Northeast Valley Animal Shelter

RESOLVED, that the Valley Alliance of Neighborhood Councils (VANC), representing the 34 Neighborhood Councils throughout the San Fernando Valley, believes the Northeast Valley Animal Shelter should be a full-service municipal animal shelter as contemplated by Proposition F and that no action should be taken on the RFP (Request for Proposal) until it is determined if this can be done.

In discussion of the motion and in the Hot Topic #4 explanation attached to the agenda, it was noted that at last month's VANC meeting, we passed the following resolution regarding the Northeast Valley animal shelter:

The Valley Alliance of Neighborhood Councils (VANC) represents the 34 Neighborhood Councils throughout the San Fernando Valley, including all of the Neighborhood Councils in the vicinity of the Northeast Valley Animal Shelter. This shelter is a City facility built with Proposition F funds to be a municipal animal shelter, open to the public. It was not meant to be a private facility to house rescue organizations. Nevertheless, the Board of Animal Services Commissioners has issued an RFP (Request for Proposal) to do just that, lease the Northeast Valley Animal Shelter to rescue organizations to operate. The Board of Animal Services Commissioners and Animal Services Department did not provide an opportunity for the affected Neighborhood Councils to provide input into this decision. Therefore, it is RESOLVED that VANC takes the position that the Department of Animal Services and City Council should receive input from the affected Neighborhood Councils before releasing the Request for Proposal for rescue organizations to operate the Northeast Valley Animal Shelter.

The RFP was released without input from the affected Neighborhood Councils. In response to VANC's motion, the City Council introduced a resolution (Council File 22-0897, Koretz and Blumenfield) to amend the City Charter to make sure things like this don't happen in the future. The proposed charter amendment would require that the commission associated with any department contemplating the issuance of an RFP hold a public hearing or the department hold a public meeting, to provide members of the public an opportunity to offer relevant ideas for consideration by the department **prior** to the drafting of the RFP.

But the Animal Services Commission doesn't appear to be doing anything to stop the RFP for the Northeast Valley Shelter. So the resolution above was passed, 18 in favor, 3 abstentions.

(Disclaimer: This email is not sent on behalf of the Animal Services Department or as an attorney for any party, but in my individual capacity.)

Sincerely, Jeff

Jeffrey Mausner

Email: Jeff@MausnerLaw.com

Cell phone: (310) 617-8100

From: Jeffrey Mausner <jeff@mausnerlaw.com>

Sent: Tuesday, August 2, 2022 11:47 AM

To: Kenneth Mejia <kenneth@mejiaforcontroller.com>; Larry Gross <commissioner.gross@yahoo.com>; mike.feuer@lacity.org; Eric Garcetti <mayor.garcetti@lacity.org>; Paul Darrigo <fedguy2@pacbell.net>

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Subject: Re: Northeast Valley Animal Shelter; Reinstate Volunteers - Petition for Grievances

After having quickly reviewed the RFP, the following are my comments. These comments are sent in my private individual capacity. They are not on behalf of the Animal Services Department. They are not on behalf of any of the Neighborhood Council entities that I am an

official or member of. (Outreach should have been done with the Neighborhood Councils and the Public months ago, so that they could have had input into the process in a timely and orderly manner.) These comments are not sent as an attorney for any party. Just in my private individual capacity. (However, it should be noted that the Valley Alliance of Neighborhood Councils (VANC) passed a resolution regarding this matter, as detailed in the email dated July 15, 2022, below.)

What has the Board of Animal Services Commissioners (BASC) and Los Angeles Animal Services Department (LAAS) done to attempt to secure funding to run the Northeast Valley Animal Shelter as a municipal shelter? Has a budget proposal to run the Shelter as a municipal shelter ever been written or submitted? There is a great deal of money coming to the City from the State and Federal Governments; has any proposal been submitted to ask for a small portion of that money to run the Northeast Valley Shelter? There is a shortage of kennel space to care for the dogs, cats, and rabbits in the City shelter system. Before giving away hundreds of kennels, has a serious attempt been made to secure funding to keep them in the City shelter system? Who is watching out for the interests of the animals? And who is watching out for the interests of the stakeholders of the City who voted for, and paid for, the Northeast Valley Shelter to be a municipal shelter pursuant to Proposition F? Please see the first email in this string, dated July 15, 2022. As noted below, when Proposition F was passed by two-thirds of voters in 2000, residents were told that the Department of Animal Services would operate 8 animal shelters. Voters were told that additional space was needed for animal control officers to “solve problems of stray, abandoned, and dangerous animals” and the new facilities would improve response times. The Prop F voter guide also acknowledged that additional funds would need to be appropriated to staff the two new animal shelters, one of which was Northeast Valley. However, that was never done, and I have never seen anything to indicate that the BASC or LAAS has made any attempt to secure the additional funds to staff the Northeast Valley Shelter (at least not in recent years).

Assuming that sufficient, sincere attempts have been made to secure funding to operate Northeast Valley as a municipal shelter and that it is impossible to secure that funding now, my comments on the RFP are as follows:

1. What services will the rescue organization provide to the people who approved the funding to build the shelter and paid for it? The RFP is very light on the required services and level of services.
2. The RFP does not specify how many animals the rescue organization will be required to take from LAAS. It does not specify what animals the rescue organization will be required to take from LAAS. Will they be required to take dogs who are difficult to adopt, or can they meet their quota by taking easily adoptable kittens?
3. The RFP does not specify how kennel space will be used. LAAS often has a shortage of kennel space. Will the arrangement with the rescue maximize the amount of kennel space that will be available for the Valley’s homeless animals, and how will that be enforced?
4. The RFP specifically provides that “[t]here will be no intake of animals from the public, no public calls for animal pick up ...” RFP page 4. “Proposer will not provide any

animal intake at the Shelter and will not accept animals brought to the Shelter by members of the public.” RFP page 6. That was never proposed to, discussed, or approved by the stakeholders.

4. The RFP specifically provides that “[t]he City will not allow any Animal Control and Law Enforcement Services to be conducted at the Northeast Valley Animal Shelter.” RFP page 7. “The Department is not operating in the Northeast Valley Animal Shelter.” RFP page 4. “The Proposers are not to operate a fully functioning animal shelter.” RFP page 4. That was never proposed to, discussed, or approved by the stakeholders who paid for the Northeast Valley Shelter facility.

I suggest that LAAS and the BASC immediately attempt to secure funding for the Northeast Valley Animal Shelter to operate as a municipal shelter, including from the General Fund, State and Federal grants and funding. I suggest that you keep the Public (including Neighborhood Councils) advised of those efforts. Keeping us advised will allow us to mobilize support for the attempts you make to secure funding, and if you are ultimately unsuccessful, will at least gain public acceptance of the RFP route. I also suggest that you do outreach to the Public (including Neighborhood Councils) regarding what they would like to see in an RFP. The Stakeholders should not be shut out of something as important as how a multi-million dollar facility that they paid for will be operated.

Regarding the suspended and terminated Volunteers, again, these comments are sent in my private individual capacity. They are not on behalf of the Animal Services Department. They are not on behalf of any of the Neighborhood Council entities that I am an official or member of. These comments are not sent as an attorney for any party. Just in my private individual capacity.

(However, I will note that several years ago when issues of Volunteers being terminated for exercising their First Amendment rights came up, the Neighborhood Council Budget Advocates passed a resolution regarding that. Please see: <https://citywatchla.com/index.php/budget-advocates-2/19044-budget-advocates-call-for-investigation-of-animal-services-department-volunteer-program>)

The suspension and termination of Volunteers for criticizing the Department or speaking to the press is highly damaging to the Department. The damage to the Department for the suspensions and terminations is as damaging as the revelations those Volunteers have made. The suspensions and terminations exponentially increase the number of people who will see the revelations these Volunteers have made and be concerned about them. The number of people on this email string is continually growing (including bcc’s), and more and more people will know about it, including the media.

I have previously written to you (in my individual capacity, not as an attorney for any party) regarding the vague, ambiguous, unpublicized, and unknown media policy regarding Volunteers speaking with the press. It was not until after the latest suspensions that the policy was clarified, in an email to me, but not in a blast email to all of the Volunteers. This whole thing has been handled in a terrible manner. Again, not speaking as an attorney for any party (but as someone who is knowledgeable on the subject as a former attorney for more than 35

years in both private practice and as a former Federal Prosecutor, a former law professor, etc.), you are subjecting the Department, City, and individuals to potential legal liability. I strongly suggest that you immediately reinstate the Volunteers. As Paul Darrigo said, let's complete this and move on. This will not go away until the Volunteers are reinstated, because it is the animals (as well as the principle of Free Speech) who are suffering. Someone please take responsibility for this and see that the Volunteers are reinstated.

Sincerely, Jeff

Jeffrey Mausner

Email: Jeff@Mausnerlaw.com

Cell phone: (310) 617-8100

From: Paul Darrigo <fedguy2@pacbell.net>

Sent: Tuesday, August 2, 2022 12:10 AM

To: Kenneth Mejia <kenneth@mejiaforcontroller.com>; Larry Gross <commissioner.gross@yahoo.com>; Jeffrey Mausner <jeff@mausnerlaw.com>; mike.feuer@lacity.org <mike.feuer@lacity.org>; Eric Garcetti <mayor.garcetti@lacity.org>

Cc: Curtis Watts <curtis.watts@lacity.org>; oliviaegarcia@outlook.com <oliviaegarcia@outlook.com>; alisafinsten@gmail.com <alisafinsten@gmail.com>; jsandoval91402@gmail.com <jsandoval91402@gmail.com>; jill_cohen@sbcglobal.net <jill_cohen@sbcglobal.net>; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org <annette.ramirez@lacity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; Jennifer Curiel <jennifer.curriel@lacity.org>; paul.koretz@lacity.org <paul.koretz@lacity.org>; councilmember.rodriquez@lacity.org <councilmember.rodriquez@lacity.org>; Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org <lisa.hansen@lacity.org>; john.popoch@lacity.org <john.popoch@lacity.org>; Jeff.Jacobberger@LACity.org <jeff.jacobberger@lacity.org>; Jake Flynn <jakebflynn@gmail.com>; Semee Park <semee.park@lacity.org>; Mirna Ezquivel <mirna.ezquivel@lacity.org>; Jill Barad <jbarad@gmail.com>; Linda Gravani <lindag@lakebalboanc.org>; Linda Gravani (lgravani@hotmail.com) <lgravani@hotmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy cleghorn <cindycleghorn@gmail.com>; tonyw.civic@gmail.com <tonyw.civic@gmail.com>; slowtony@gmail.com <slowtony@gmail.com>; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <maryagarciaa@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com <kenrossdds@aol.com>; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com <dduukkee11@aol.com>; Gail Raff <valleyvillagecat@gmail.com>; Leonard Shaffer (l.shaffer@tarzananc.org) <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org <mayor.helpdesk@lacity.org>; Michelle.Vergara@LACity.org <michelle.vergara@lacity.org>; Erin.Seinfeld@lacity.org <erin.seinfeld@lacity.org>; contactCD4@lacity.org <contactcd4@lacity.org>; paul.Krekorian@lacity.org <paul.krekorian@lacity.org>; councilmember.martinez@lacity.org <councilmember.martinez@lacity.org>; sophie.gilchrist@lacity.org <sophie.gilchrist@lacity.org>; arianna.miskin@lacity.org <arianna.miskin@lacity.org>; Kiernan <kiernan.elam@gmail.com>; jfuchs@mhnconline.org <jfuchs@mhnconline.org>; acharlton@mhnconline.org <acharlton@mhnconline.org>; rruiz-penuela@mhnconline.org <rruiz-penuela@mhnconline.org>; WDiaz-Antonio@mhnconline.org <wdiaz-antonio@mhnconline.org>; rperez@mhnconline.org <rperez@mhnconline.org>; ggarcia-mendoza@mhnconline.org <ggarcia-mendoza@mhnconline.org>; rveliz@mhnconline.org <rveliz@mhnconline.org>; sruiz-perez@mhnconline.org <sruiz-perez@mhnconline.org>; jflores@mhnconline.org <jflores@mhnconline.org>; DEscamilla@mhnconline.org

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Subject: Re: VANC Resolution re Northeast Valley Animal Shelter - Petition for Grievances

Jeff,

If you are going to Ombudsman for the volunteers, in my opinion, you will have to ask if they want to seek counsel at this point. If a complaint is drafted and petitioned to the city, they will have to answer or it will have to go to the grand jury for a various list of grievances to be discussed side bar.

We have reviewed the LAAS Volunteer handbook and find it vague and ambiguous.

But.

LAAS has an easy win on these suspensions; LAAS has counseled with the volunteers, explained the rules (which are contradicting, vague and ambiguous) and the volunteers grievances have been heard and are being mitigated. They agree to adapt their 1st amendment rights to not speak for LAAS unless given permission and will distinguish when they are expressing their personal opinion. The Volunteer handbook will be revised for clarity and compliance. They can now be reinstated.

Easy win for all.

Let's complete this and move on. Please let me know when you want to talk further on this.

Paul Darrigo
CHULA - Citizens for a Humane Los Angeles
<https://www.facebook.com/groups/773416409436730/>
323-244-8020

On Monday, August 1, 2022 at 08:04:44 PM PDT, Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

Hi Kenneth, thank you for your email, and thank you in particular for your support for the Volunteers who have been terminated (which has been discussed in another email string).

Every current office-holder seems to take the position that they do not have the authority to reinstate the Volunteers. I think everyone who is taking that position is underestimating their authority, or at the least underestimating their influence, to have the Volunteers reinstated. The suspensions have gone on for too long and it is the animals (as well as the principle of Free Speech) who are suffering. Someone please take responsibility for this.

The City Controller may not have the direct authority to reinstate a terminated Volunteer, but I have no doubt that a good Controller could see that Volunteers are reinstated.

Best regards, Jeff

From: Kenneth Mejia <kenneth@mejiaforcontroller.com>
Sent: Monday, August 1, 2022 7:12 PM
To: Larry Gross <commissioner.gross@yahoo.com>
Cc: Curtis Watts <curtis.watts@lacity.org>; Jeffrey Mausner <jeff@mausnerlaw.com>; oliviaegarcia@outlook.com; alisafinsten@gmail.com; jsandoval91402@gmail.com; jill_cohen@sbcglobal.net; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org; steve.houchin@lacity.org; Jennifer

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Subject: Re: VANC Resolution re Northeast Valley Animal Shelter

Hi all, my name is **Kenneth Mejia** and I am the leading candidate to be the next City of LA's **City Controller**. The City Controller is also the City's Auditor in charge of auditing city departments and programs.

I encourage employee heads at LAAS, the Commission, and other City Officials to do a better job in providing transparency AND accessibility when it comes to handling our City of LA animal shelters. For something as important as managing a city animal shelter (e.g. the Northeast Valley Animal Shelter), the public shouldn't have to be given transparency AND accessibility in the form of a Commission President emailing a PDF of the RFP to 70 people on an email thread to make the RFP publicly available.

As others have stated, you cannot access the RFP easily without creating an Angeleno account (why if the public just wants to read the RFP? Larry Gross literally just emailed it to everyone for us to share with the public). In addition, once you create an Angeleno account, you have to have a business to access the RFP doc:

ⓘ You currently do not have a RAMP acc

In addition, I would encourage department heads, the commission, and city officials to **please reinstate volunteers who have been suspended for speaking up about our city animal shelters**. At least, provide suspended volunteers with transparency and courtesy in terms of how long they will be suspended, why they

were suspended, and what can be done to be reinstated (reconciliation process). You all talk about how much LA Animal Services rely heavily on volunteers, well let's make it happen then and work together.

Kenneth Mejia, CPA

Mejia for LA City Controller 2022

mejiaforcontroller.com



Paid for by Mejia for City Controller 2022, FPPC ID#: 1435234

1001 Wilshire Blvd. Suite 102, Los Angeles CA 90017.

Additional information is available at ethics.lacity.org.

On Mon, Aug 1, 2022 at 6:47 PM Larry Gross <commissioner.gross@yahoo.com> wrote:

I downloaded the RFP for you from RAMPLA.org. It is attached.

Larry Gross

Commissioner - President

City of Los Angeles

Board of Animal Services Commissioners

Email : commissioner.gross@yahoo.com

<http://www.laanimalservices.com/about-us-2/commission/>

On Monday, August 1, 2022 at 06:26:45 PM PDT, Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

I still have not been able to access the RFP because I do not have a Company Name and Company Tax ID Number. Has the RFP been posted yet where members of the General Public or Neighborhood Councils can see it?

There is a meeting tonight of the Mission Hills Neighborhood Council (MHNC) in which the Northeast Valley Animal Shelter is on the agenda. As far as I know, members of the MHNC

have also not seen the RFP and their input regarding the Northeast Valley Animal Shelter has not been sought by the Animal Services Department. The Northeast Valley Animal Shelter is located in Mission Hills.

Sincerely, Jeff

From: Jeffrey Mausner <jeff@mausnerlaw.com>

Sent: Monday, August 1, 2022 10:17 AM

To:

Cc:

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter

Thank you Curtis. However, if you go here: [Opportunity Details \(rampla.org\)](https://rampla.org)

it requires a Login (upper right corner).

When you click on Login, you then need to sign in with your Angeleno Account, which I happen to have from the Neighborhood Council.

When you log into the Angeleno Account, it states: "You currently do not have a RAMP account. If you would like to register please check first if your company is already registered by entering the information below." Among the information required to be entered is "Company Name" and "Tax ID." Since I am retired and have closed down my law firm, I do not have a Company Name or Tax ID. The website does not allow you to get further without entering this information. And because of that, even if you were able to get past providing that information, it seems that you will not be able to register without having a Company Name or Tax ID. Members of the public and Neighborhood Councils should be able to view the RFP without having a Company Name or Tax ID.

Thank you. Best regards, Jeff

From: Curtis Watts <curtis.watts@lacity.org>

Sent: Monday, August 1, 2022 9:42 AM

To: Jeffrey Mausner <jeff@mausnerlaw.com>

Cc: Larry Gross <commissioner.gross@yahoo.com>; oliviaegarcia@outlook.com <oliviaegarcia@outlook.com>; alisafinsten@gmail.com <alisafinsten@gmail.com>; jsandoval91402@gmail.com <jsandoval91402@gmail.com>; jill_cohen@sbcglobal.net <jill_cohen@sbcglobal.net>; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org <Annette.Ramirez@lacity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; Jennifer Curiel <jennifer.curriel@lacity.org>; paul.koretz@lacity.org <paul.koretz@lacity.org>;

councilmember.rodriquez@lacity.org <councilmember.rodriquez@lacity.org>; Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org <Lisa.Hansen@lacity.org>; john.popoch@lacity.org <john.popoch@lacity.org>; Jeff.Jacobberger@LACity.org <Jeff.Jacobberger@lacity.org>; Jake Flynn <jakebflynn@gmail.com>; Semee Park <semee.park@lacity.org>; Mirna Ezquivel <Mirna.Ezquivel@lacity.org>; Jill Barad <jbarad@gmail.com>; Linda Gravani <Lindag@lakebalboanc.org>; Linda Gravani (lgravani@hotmail.com) <lgravani@hotmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy cleghorn <cindycleghorn@gmail.com>; tonyw.civic@gmail.com <tonyw.civic@gmail.com>; slowtony@gmail.com <slowtony@gmail.com>; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <Ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <MaryAGarciaA@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com <kenrossdds@aol.com>; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; Paul Darrigo <fedguy2@pacbell.net>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com <dduukkee11@aol.com>; Gail Raff <valleyvillagecat@gmail.com>; Leonard Shaffer (l.shaffer@tarzananc.org) <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org <mayor.helpdesk@lacity.org>; Michelle.Vergara@LACity.org <Michelle.Vergara@lacity.org>; Erin.Seinfeld@lacity.org <Erin.Seinfeld@lacity.org>; contactCD4@lacity.org <contactCD4@lacity.org>; paul.Krekorian@lacity.org <paul.Krekorian@lacity.org>; councilmember.martinez@lacity.org <councilmember.martinez@lacity.org>; sophie.gilchrist@lacity.org <sophie.gilchrist@lacity.org>; arianna.miskin@lacity.org <arianna.miskin@lacity.org>; Kenneth@mejiaforcontroller.com <kenneth@mejiaforcontroller.com>; Kiernan <kiernan.elam@gmail.com>

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter

Hi Mr. Mausner,

The RAMPLA website is the City's public website where contracting opportunities are posted. Anyone is able to create an account and obtain information regarding the opportunities listed on the site.

Thanks,

Curtis R. Watts

Assistant General Manager

Los Angeles Animal Services

221 N. Figueroa Street, Suite 600

Los Angeles, CA 90012

O: (213) 482-9558

E: curtis.watts@lacity.org

On Sun, Jul 31, 2022 at 1:08 PM Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

The Request for Proposal (RFP) for the Northeast Valley Animal Shelter should be posted in a location that is accessible to the general public. It appears that the RFP was posted on the

website www.Rampla.org on July 27, but that website requires credentials to access the RFP and appears to make the RFP available only to potential bidders. There has been a complete lack of transparency and failure to get input from the public in connection with the Northeast Valley Shelter.

Please post the RFP so that it is available to the public and publicize where it is posted, including publicizing by email to the Neighborhood Councils.

Sincerely, Jeffrey Mausner

From: Jeffrey Mausner

Sent: Friday, July 15, 2022 3:06 PM

To: Larry Gross <commissioner.gross@yahoo.com>; oliviaegarcia@outlook.com <oliviaegarcia@outlook.com>; alisafinsten@gmail.com <alisafinsten@gmail.com>; jsandoval91402@gmail.com <jsandoval91402@gmail.com>; jill_cohen@sbcglobal.net <jill_cohen@sbcglobal.net>; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org <Annette.Ramirez@lacity.org>; Curtis.Watts@LACity.org <Curtis.Watts@LACity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; Jennifer Curiel <jennifer.curiel@lacity.org>

Cc: paul.koretz@lacity.org <paul.koretz@lacity.org>; councilmember.rodriquez@lacity.org <councilmember.rodriquez@lacity.org>; Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org <Lisa.Hansen@lacity.org>; john.popoch@lacity.org <john.popoch@lacity.org>; Jeff.Jacobberger@LACity.org <Jeff.Jacobberger@LACity.org>; Jake Flynn <jakebflynn@gmail.com>; Semee Park <seeme.park@lacity.org>; Mirna Ezquivel <Mirna.Ezquivel@lacity.org>; Jill Barad <jibbarad@gmail.com>; Linda Gravani <Lindag@lakebalboanc.org>; Linda Gravani (<lgravani@hotmail.com>); lgravani@hotmail.com; Michelle Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy cleghorn <cindycleghorn@gmail.com>; tonyw.civic@gmail.com <tonyw.civic@gmail.com>; slowtony@gmail.com <slowtony@gmail.com>; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <Ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <MaryAGarciaA@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com <kenrossdds@aol.com>; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Paul Darrigo <fedguy2@pacbell.net>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com <dduukkee11@aol.com>; Gail Raff <valleyvillagecat@gmail.com>; 'Leonard Shaffer (<l.shaffer@tarzananc.org>)' <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org <mayor.helpdesk@lacity.org>; Michelle.Vergara@LACity.org <Michelle.Vergara@LACity.org>; Erin.Seinfeld@lacity.org <Erin.Seinfeld@lacity.org>; contactCD4@lacity.org <contactCD4@lacity.org>; paul.Krekorian@lacity.org <paul.Krekorian@lacity.org>; councilmember.martinez@lacity.org <councilmember.martinez@lacity.org>; sophie.gilchrist@lacity.org <sophie.gilchrist@lacity.org>; arianna.miskin@lacity.org <arianna.miskin@lacity.org>

Subject: VANC Resolution re Northeast Valley Animal Shelter

To the Board of Animals Services Commissioners and Officials of the Los Angeles Animal Services Department:

At its meeting on July 14, 2022, the Valley Alliance of Neighborhood Councils (VANC) unanimously (with one abstention) passed the following resolution:

The Valley Alliance of Neighborhood Councils (VANC) represents the 34 Neighborhood Councils throughout the San Fernando Valley, including all of the Neighborhood Councils in the vicinity of the Northeast Valley Animal Shelter. This shelter is a City facility built with Proposition F funds to be a municipal animal shelter, open to the public. It was not meant to be a private facility to house rescue organizations. Nevertheless, the Board of Animal Services Commissioners has issued an RFP (Request for Proposal) to do just that, lease the Northeast Valley Animal Shelter to rescue organizations to operate. The Board of Animal Services Commissioners and Animal Services Department did not provide an opportunity for the affected Neighborhood Councils to provide input into this decision. Therefore, it is RESOLVED that VANC takes the position that the Department of Animals Services and City Council should receive input from the affected Neighborhood Councils before releasing the Request for Proposal for rescue organizations to operate the Northeast Valley Animal Shelter.

The Resolution passed with 24 in favor, none against, and one abstention. (Only one vote can be cast per Neighborhood Council.) The following background information was provided for the Resolution:

When Proposition F was passed by two-thirds of voters in 2000, residents were told that the Department of Animal Services would operate 8 animal shelters. Voters were told that additional space was needed for animal control officers to “solve problems of stray, abandoned, and dangerous animals” and the new facilities would improve response times. The Prop F voter guide also acknowledged that additional funds would need to be appropriated to staff the two new animal shelters, one of which was Northeast Valley. However, instead of operating the facility as a municipal shelter as contemplated by Prop F, the Animal Services Department leased the facility to Best Friends rescue organization.

Best Friends publicly announced on June 29 that they intended to vacate the Northeast shelter when their contract expires on December 31, 2022 (they began operating the Northeast shelter in January 2012). The Department of Animal Services did not publicly announce their intention to release an RFP for the Northeast Shelter until Friday July 8 when they placed the item on their meeting agenda. This short time frame did not allow the affected neighborhood councils to provide any input regarding whether the Northeast Valley Animal Shelter is operated by the City or by rescue organizations, or the terms under which a rescue organization would operate the facility. Nevertheless, on Tuesday, July 12 the Board of Animal Services Commissioners approved releasing an RFP for rescue organizations to operate the Northeast Valley Animal Shelter.

There are several ways in which the Board of Animal Services Commissioners (BASC) and Animal Services Department (LAAS) can provide the public information and receive input regarding a major decision such as this:

1. You can hold town halls regarding the issue, in which information is provided and the public can voice their views. The Neighborhood Councils and Neighborhood Council Alliances would be happy to help publicize these town halls and distribute information to their constituents. Adequate time must be given for people to express their views; cutting them off after one or two minutes is not sufficient in a town hall.
2. Representatives of BASC and LAAS can appear at individual Neighborhood Council (NC) meetings to discuss the issue. These appearances should be agendaized so that there is sufficient time for discussion and NC members and the public can ask questions.
3. Representatives of BASC and LAAS can appear at Neighborhood Council Coalition meetings. VANC would be happy to have you, as we do with other departments that are considering major projects or decisions.
4. You can send out email blasts on your mailing list regarding such matters.

These are all things that other Departments do. I would be happy to help with any of those alternatives. Among many other things, the following questions need to be answered and discussed:

- a. Why isn't the Northeast Valley Shelter being opened as a municipal shelter, as contemplated by the voters who approved it and paid for it?
- b. What has BASC and LAAS done to secure funding to run the Northeast Valley Shelter as a municipal shelter? Have you submitted any budget proposals to do so?
- c. What are the terms of the RFP that you voted to release on July 12? The RFP wasn't even attached to your agenda.
- d. What services will the rescue organization provide to the people who approved the funding to build the shelter and paid for it?
- e. How many animals will the rescue organization be required to take from LAAS? Will they be required to take dogs who are difficult to adopt, or can they meet their quota by taking easily adoptable kittens?
- f. How will the kennel space be used? LAAS often has a shortage of kennel space. Does the arrangement with the rescue maximize the amount of kennel space that will be available for the Valley's homeless animals? If there is a provision to maximize kennel space, how will it be enforced?
- g. What are the consequences if the organization does not meet its contractual obligations?
- h. Why won't the rescue organization provide intake for animals?
- i. Will the rescue organization provide working space for Animal Control Officers?
- j. What type of oversight will the public have of the operations of the rescue organization at the shelter?

None of these issues, and more, have been discussed with the public. The lack of transparency is very concerning on a matter as important as who will operate the Northeast Valley Shelter and the terms of operation. I can tell you that many people I've heard from are very angry about this.

Sincerely, Jeffrey Mausner, Member of the VANC Executive Committee and VANC Animal Representative.

Jeffrey Mausner

(For identification purposes)

Valley Alliance of Neighborhood Councils and Tarzana NC Liaison to Los Angeles Animal Services Department

Board of Directors and 2nd Vice President, Tarzana Neighborhood Council

Chairman, Tarzana Neighborhood Council Animal Welfare Committee

Neighborhood Council Budget Representative

Volunteer, West Valley Animal Shelter

Retired Attorney and Former Federal Prosecutor, United States Department of Justice

Website: www.Mausnerlaw.com

Email: Jeff@MausnerLaw.com; J.Mausner@TarzanaNC.org

Cell phone: (310) 617-8100

Communication from Public

Name: Jeffrey Mausner
Date Submitted: 10/20/2022 02:46 PM
Council File No: 22-1176

Comments for Public Posting: I strongly support removing the ability to suspend, terminate, and discipline volunteers from the Los Angeles Animal Services Department (LAAS). LAAS has demonstrated a complete inability to discipline volunteers in a fair and Constitutional manner. It has used its ability to suspend, terminate, and discipline volunteers in an attempt to cover-up conditions at the City animal shelters and mismanagement by the Department. Trivial, frivolous, and sometimes false pretexts are cooked up in order to threaten, suspend, and terminate volunteers who have spoken with the press or posted on social media regarding shelter conditions. Violations of the U.S. and California Constitutions by the Director of Volunteer Programs, General Manger, and others at LAAS in their dealings with volunteers have resulted in a cease and desist letter being sent to City officials, explaining that if these Constitutional violations do not stop, a lawsuit will be filed against the appropriate officials, including under 42 U.S.C. §1983. The cease and desist letter is attached. Suspension, termination, harassment, and bullying of volunteers who are trying to help the animals through the exercise of their First Amendment rights must stop! This comment is written in my private individual capacity, and not on behalf of LAAS. Sincerely, Jeffrey Mausner

LAW OFFICE OF JAMES A. FRIEDEN

862 Fiske Street
Pacific Palisades, CA 90272-3839
Tel. 310-917-1940 Fax to: (866) 653-0684
Email to: jfriedenatty@gmail.com

October 11, 2022

Mayor Eric Garcetti
By email to: Mayor.helpdesk@LACity.org; Mayor.Garcetti@LACity.org;
Laura.Cortez@LACity.org

Michael Feuer, Esq., City Attorney and Steve Houchin, Esq., Deputy City Attorney
Los Angeles City Hall
200 North Spring St.
Los Angeles, CA 90012
By email to: Mike.N.Feuer@LACity.org; Mike.Feuer@LACity.org;
Steve.Houchin@LACity.org

Annette G. Ramirez, Acting General Manager, Curtis R. Watts, Assistant General
Manager Administration, Larry Gross, President, Board of Animal Services
Commissioners and Commissioners Garcia, Finsten, Sandoval, and Cohen, and
Board Secretary Acuna
Department Of Animal Services
221 N. Figueroa Street, Suite 600
Los Angeles, CA 90012
By email to: Annette.Ramirez@LACity.org; curtis.watts@lacity.org;
commissioner.gross@yahoo.com; oliviaegarcia@outlook.com;
alisafinsten@gmail.com; jsandoval91402@gmail.com; jill_cohen@sbcglobal.net;
francine.acuna@lacity.org

Also sent by certified mail return receipt requested to City Attorney Feuer and
Acting General Manager Ramirez.

**Re: Demand that Los Angeles City Department of Animal Services Cease and
Desist From Depriving Volunteers at Animal Shelters of their Rights to
Freedom of Speech and to Contact the Press.**

Ladies and Gentlemen,

This office represents Animal Services Volunteers Association (ASVA), a California
nonprofit unincorporated association, whose members are volunteers or former

volunteers at animal shelters operated by the Los Angeles Department of Animal Services (“LAAS”).

Every day, volunteers at LAAS animal shelters provide invaluable services to the animals in the shelters and to the City of Los Angeles. However, LAAS repays those volunteers by violating their rights of free speech (including the right to speak with the media) under the First Amendment to the United States Constitution and Article 1, Sections 1 and 2, of the California Constitution Declaration of Rights.

1. LAAS requires volunteers and prospective volunteers to waive their right to speak to the media in overly broad and unconstitutional terms. Specifically, they are required to agree that:

15. I will not speak to the media without direct authorization from the Public Relations Specialist and I understand that all media inquiries are to be directed to the ACT Supervisor or Mobile Adoption Coordinator at a mobile site

It is not permissible under the California and Federal Constitutions for LAAS to require volunteers to waive their right to speak to the media as individuals or to condition their admission to the position of volunteer upon agreement to waive their right to speak to the media. An LAAS volunteer position is a valuable governmental privilege, which LAAS “may not deny ... to a person on a basis that infringes his constitutionally protected interests—especially, his interest in freedom of speech.” *Hyland v. Wonder*, 972 F.2d 1129, 1334 (9th Cir. 1992). Volunteers therefore cannot be “compelled to relinquish the First Amendment rights they would otherwise enjoy as citizens to comment on matters of public interest.” *Pickering v. Board of Ed. of Tp. High School Dist. 205, Will County, Illinois*, 391 U.S. 563, 568 (1968). The waiver as phrased is overly broad and wrongfully seeks to obtain a waiver of the volunteers’ constitutional rights to make statements to the media in their personal capacity as a condition of serving as a volunteer.

In addition, this waiver is obtained from persons not represented by counsel who may not be aware of their rights under the Federal and California Constitutions. It is unconscionable to require such a waiver without full disclosure, which LAAS does not provide.

Demand is hereby made that LAAS immediately cease and desist from requiring that volunteers and potential volunteers sign the above waiver and from enforcing that waiver. If LAAS desires volunteers to agree that their role does not authorize them to speak with the press on behalf of LAAS or in any official capacity without obtaining clearance from LAAS, it needs to obtain that agreement in a way that is not constitutionally overly broad and which does not seek to deprive volunteers of their constitutional rights to free speech including the right to communicate with the

media as individuals. In the meantime, the existing waiver is void and cannot be enforced. Demand is made that LAAS stop enforcing this waiver and notify all volunteers that the waiver is ineffective as to their personal communications with the media not made officially on behalf of LAAS.

2. LAAS inconsistently and arbitrarily enforces unconstitutional, vague and ambiguous rules regarding the rights of volunteers to speak to the press and refuses to clarify those rules to many volunteers. The existing Volunteer Handbook, to which all LAAS volunteers must adhere, states:

“. . . no volunteer is permitted to talk to the media without express written consent.”

This rule could be read to refer either to talking to the media in any capacity or to refer only to talking to the media on LAAS's behalf. Thus, the requirement is overly broad and unconstitutionally vague.

The rule is also enforced inconsistently and arbitrarily. Upon demand, LAAS has told at least one legally sophisticated volunteer that it interprets that statement to refer only to official statements made by volunteers on behalf of LAAS. See Jeffrey Mausner Declaration attached hereto. However, despite this volunteer's request, LAAS has refused to publicize this fact and to inform the other volunteers of its policy. Thus, the language in the handbook remains overly broad, vague and ambiguous, and infringes on the rights of volunteers to speak to the media. Indeed, the fact that LAAS has refused to publicly clarify this vague rule, supports the inference that LAAS prefers to preserve its vagueness in order to intimidate volunteers and maintain an unconstitutionally broad restriction on their freedom of speech. In addition, I am informed that since July 18, 2022, the date of the email to Mr. Mausner clarifying its interpretation of the LAAS rules, LAAS has required some volunteers who desire to speak to the media in their own personal capacity to notify and/or obtain permission from LAAS.

To conform to constitutional requirements the statement in the handbook (and all related statements) as well as the practice of LAAS must be modified to avoid infringing on the free speech of the volunteers. Moreover, the policy must be consistently applied.

3. LAAS appears to be enforcing the waiver and rules set out in 1 & 2 above against volunteers who post personal comments on social media. This unconstitutionally infringes the volunteers' freedom of speech. Demand is made that LAAS cease and desist from any effort to enforce unconstitutional regulations so as to deprive volunteers of their freedom of speech.

4. Finally, LAAS has retaliated against volunteers who have spoken with the press or published information on social media, or who will not agree to abide by the unconstitutional terms described above, by terminating or suspending their volunteer status or by declining their applications for volunteer status. Demand is made that LAAS cease and desist from this practice.

Demand is made that LAAS immediately cease and desist from all adverse actions against any volunteers who have made statements to the media and that it reinstate those volunteers who have been suspended or terminated as volunteers after they provided information to the media or in which a violation of the above rules played a role in the decision to suspend or terminate the volunteer. In light of the overly broad, vague, and unconstitutional restrictions on free speech (including the right to speak with the media) sometimes enforced by LAAS, any actions taken against volunteers in which free speech or contact with the media played any role are constitutionally tainted and must be reversed.

On behalf of the Animal Services Volunteers Association, I demand that all unconstitutional actions cease and desist. If I am not informed that LAAS will cease and desist from unconstitutional restrictions on the rights to free speech of its volunteers with a specific description of what actions LAAS will take by October 28, 2022, I will file suit for preliminary and permanent injunctive relief against LAAS presenting, *inter alia*, claims pursuant to 18 USC § 1983. (Note that I will be out of the country from October 13 to October 25 but I will be available by email.)

It is the hope of the volunteers who are members of the Animal Services Volunteers Association that, after consultation with its attorneys, LAAS will reform its procedures and that everyone, volunteers and LAAS, can cooperate for the benefit of the animals at the shelters.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Ja Frieden". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Frieden, Esq.

Enclosure: Mausner Declaration

cc: City Councilmember Paul Koretz, Paul.Koretz@LACity.org; members

1 **DECLARATION OF JEFFREY MAUSNER**

2 My name is Jeffrey Mausner. I am a resident of the City of Los Angeles and a member
3 in good standing of the California State Bar, SBN # 122385. Unless specifically stated to be on
4 information and belief, I have personal knowledge of the facts stated in this declaration and if
5 called as a witness, I could and would competently testify to the facts contained herein.

6 1. I am retired from practicing law. I worked for Kaye Scholer in New York City
7 from 1976 to 1979. I then worked at the United States Justice Department in Washington DC as
8 a Trial Attorney and Special Assistant United States Attorney from 1979 to December 1985 or
9 January 1986. At the Justice Department, I received numerous awards from the Attorney
10 General of the United States for my work prosecuting Nazi war criminals, including the Justice
11 Department Exceptional Performance Award, Outstanding Performance Award, Meritorious
12 Award for superior performance of duties on a continuous basis, and the Special Achievement
13 Award. Please see [https://mausnerlaw.com/yahoo_site_admin/assets/docs/Jeffrey_Mausner-](https://mausnerlaw.com/yahoo_site_admin/assets/docs/Jeffrey_Mausner-US_Department_of_Justice_Awards.273160407.pdf)
14 [US_Department_of_Justice_Awards.273160407.pdf](https://mausnerlaw.com/yahoo_site_admin/assets/docs/Jeffrey_Mausner-US_Department_of_Justice_Awards.273160407.pdf)

15 2. In January 1986, our family moved to Tarzana, California. I was an associate
16 and then partner in a law firm from 1986 to about 2008. Then I was the principal of the Law
17 Offices of Jeffrey Mausner until my retirement in 2012. I practiced Intellectual Property
18 litigation. I was also an Adjunct Professor of Law at Southwestern Law School from 1992 until
19 2016, teaching Internet and Computer Law, Intellectual Property Law, and Advanced Copyright
20 Seminar. In 2001, I was the recipient of the Southwestern Adjunct Excellence in Teaching
21 Award. A true and correct copy of my resume is submitted as Exhibit 1.

22 3. After I retired, I became involved in Animal Welfare volunteer work at the West
23 Valley Animal Shelter operated by the City of Los Angeles Department of Animal Services
24 (hereinafter "LAAS"). I have been a shelter volunteer for approximately 10 years. I also
25 dedicated my time to political bodies such as the Valley Alliance of Neighborhood Councils
26 (VANC), serving as the liaison to LAAS and on the Executive Committee. I am also the
27 Second Vice President of the Tarzana Neighborhood Council and Chair of its Animal Welfare

1 Committee. (This declaration is submitted in my personal capacity and not as an official of
2 VANC or the Neighborhood Council, and not as a spokesperson for or on behalf of LAAS.) I
3 also write articles about animal welfare for the on-line newspaper CityWatch, which can be
4 found here:

5 [https://citywatchla.com/index.php/component/search/?searchword=Mausner&searchphrase=all](https://citywatchla.com/index.php/component/search/?searchword=Mausner&searchphrase=all&Itemid=113)
6 [&Itemid=113](https://citywatchla.com/index.php/component/search/?searchword=Mausner&searchphrase=all&Itemid=113)

7 4. I and the Tarzana Neighborhood Council Animal Welfare Committee received
8 the VANC “Best of” Award for “Engaging the City to Save the Lives of Hundreds of Animals.”
9 Please see [https://northvalleyreporter.com/engaging-the-city-to-save-the-lives-of-hundreds-of-](https://northvalleyreporter.com/engaging-the-city-to-save-the-lives-of-hundreds-of-animals-tarzana-neighborhood-council/)
10 [animals-tarzana-neighborhood-council/](https://northvalleyreporter.com/engaging-the-city-to-save-the-lives-of-hundreds-of-animals-tarzana-neighborhood-council/)

11 5. I and VANC were instrumental in the City of Los Angeles officially condemning
12 the Dog Meat Trade, in which millions of dogs and cats are tortured and killed every year, and
13 requesting governments of the countries involved to ban the sale of dog meat and enforce their
14 animal cruelty laws. Please see <https://koreandogs.org/la-resolution/>

15 6. I met Claudio Kusnier in 2019 at the West Valley Animal Shelter, prior to the
16 pandemic, when we were both there to volunteer. When the West Valley Shelter closed during
17 the pandemic, Claudio and I were both involved in trying to keep it from permanently closing as
18 a municipal shelter. Please see [https://citywatchla.com/index.php/cw/los-angeles/20457-what-](https://citywatchla.com/index.php/cw/los-angeles/20457-what-s-going-on-at-the-west-valley-animal-shelter-will-it-remain-a-city-run-shelter)
19 [s-going-on-at-the-west-valley-animal-shelter-will-it-remain-a-city-run-shelter](https://citywatchla.com/index.php/cw/los-angeles/20457-what-s-going-on-at-the-west-valley-animal-shelter-will-it-remain-a-city-run-shelter) When the West
20 Valley Shelter re-opened for volunteers, in the first half of 2021, both Claudio and I resumed
21 volunteering in the shelter, caring for the dogs. Claudio is without a doubt one of the best
22 volunteers I have met in my 10 years volunteering at West Valley. On information and belief,
23 he volunteered almost every day. He was one of the most skilled volunteers handling difficult
24 dogs. There were dogs at West Valley that would not have been walked or taken out to the play
25 yard if Claudio was not there. There are currently dogs at West Valley who are not being taken
26 out of their kennels because Claudio is not there. There were occasions when Claudio helped
27 me get dogs out of their kennels and/or back in.

1 7. In July 2022, the Los Angeles Times and other news media began running
2 articles and reports regarding conditions at the City of Los Angeles animal shelters. The first
3 such article I saw was in the L.A. Times, entitled '*It's inhumane': Dogs at L.A. animal shelters*
4 *go weeks or months without being walked*, by Dakota Smith, dated July 14, 2022. I then saw
5 the article entitled '*Horrified': L.A. City Council members call for action on overcrowded*
6 *animal shelters*, dated July 16, 2022, also by Dakota Smith. At that time, I heard that shelter
7 volunteers including Claudio were being suspended and terminated for speaking with the press.

8 8. On July 16, 2022, I received an email from Dakota Smith, a reporter for the Los
9 Angeles Times, asking to speak with me regarding a story about retaliation against volunteers
10 who work at the city's animal shelters. I looked at the latest version of the L.A. Animal
11 Services Volunteer Handbook to see what it said about volunteers speaking to the press. I was
12 very surprised to see what the purported policy was, so I wrote the following email to the
13 General Manager of the Animal Services Department and other LAAS officials:

14 **On Sun, Jul 17, 2022 at 8:42 PM Jeffrey Mausner <jeff@mausnerlaw.com>**
15 **wrote:**

16 Los Angeles Times reporter Dakota Smith has asked me to speak with her about
17 retaliation against volunteers at the City's animal shelters. I have been a Los
18 Angeles Animal Services (LAAS) Volunteer for 10 years. However, if I speak with
19 her, it would be in my individual capacity expressing my own views and
20 observations. I will not be speaking on behalf of LAAS in an official capacity.

21 The latest version of the L.A. Animal Services Volunteer Handbook that I have
22 states:

23 *Public Relations* - When representing L.A. Animal Services, volunteers are
24 expected to be courteous and professional and a positive ambassador for L.A.
25 Animal Services. Furthermore, no volunteer is permitted to talk to the media
26 without express written consent.

27 The phrasing of this section of the Volunteer Handbook appears to be vague and
28 ambiguous. Are volunteers banned from speaking with the media without express
written consent only when speaking in an official capacity as an "ambassador for
L.A. Animal Services?" I interpret the sentence "Furthermore, no volunteer is
permitted to talk to the media without express written consent" to be modified by the
phrase "When representing L.A. Animal Services," so that the sentence refers only to

1 statements made by volunteers in an official capacity when speaking on behalf of
2 LAAS, and not to statements made in an individual capacity. Otherwise, if this
3 sentence is meant to be a complete prohibition on volunteers speaking to the media,
4 even in their individual capacities, such a ban would be in violation of both the First
5 Amendment to the U.S. Constitution and Article 1, Section 2 of the California
6 Constitution.

7 In an abundance of caution, however, I am now seeking “express written consent” to
8 speak with Dakota Smith of the Los Angeles Times about retaliation against
9 volunteers, as well as with her and any other member of the media on any topic, to
10 express my individual views and observations. I also request a clarification of the
11 meaning of the sentence from the Volunteer Handbook that “Furthermore, no
12 volunteer is permitted to talk to the media without express written consent” – does it
13 refer only to statements made by volunteers in an official capacity when speaking on
14 behalf of LAAS, or is it your position that this also refers to statements made in an
15 individual capacity.

16 Please respond to this email immediately. I am holding off on speaking
17 with Dakota Smith of the L.A. Times until you clarify LAAS policy on this
18 subject. Failure to provide a timely response will inhibit my free expression and
19 could therefore be a violation of my Constitutional rights.

20 Sincerely, Jeffrey Mausner

21 9. The next day I received the following response:

22 **On Mon, Jul 18, 2022 at 12:45 PM Annette Ramirez**
23 **<annette.ramirez@lacity.org> wrote:**

24 Hi Jeffrey, your email has been received. The question is for the Department and not
25 the Board. I have included our Public Relations team who will provide you with a
26 response and assist with your inquiry.

27 Thank you,

28 Annette G. Ramirez
Interim General Manager
Los Angeles Animal Services

10. Later on July 18, 2022, I received the following reply from Agnes Sibal-von
Debschitz, Public Information Director for LAAS

From: agnes.sibal@lacity.org <agnes.sibal@lacity.org> **On Behalf Of** Ani PR

Sent: Monday, July 18, 2022 6:56 PM

To: Annette Ramirez <annette.ramirez@lacity.org>

Cc: Jeffrey Mausner <jeff@mausnerlaw.com>; Curtis.Watts@LACity.org; [steve.ho
uchin@lacity.org](mailto:steve.ho
uchin@lacity.org); mike.n.feuer@lacity.org

1 **Subject:** Re: Los Angeles Times reporter Dakota Smith

2 Hi Jeff,

3 LA Animal Services does not prohibit a volunteer from speaking to the media as a
4 private individual. Under the Department’s Volunteer Rules and Guidelines,
5 volunteers must receive authorization before speaking to the media on behalf of the
6 Department, or giving the impression they are speaking on behalf of the Department.
7 If speaking as a private individual, a volunteer should make every effort possible to
8 clarify that they are doing so in that private capacity – including the use of a
9 disclaimer and by not wearing official Department clothing. Volunteers must also
10 refrain from disclosing confidential information or records pertaining to staff,
11 volunteers, and customers, including addresses, email addresses, and home phone
12 numbers.

13 Relevant provisions from the Volunteer Handbook and Rules and Guidelines are
14 provided below:

15 **13. Public Relations** – When representing L.A. Animal Services, volunteers
16 are expected to be courteous and professional and a positive ambassador for
17 L.A. Animal Services. Furthermore, no volunteer is permitted to talk to the
18 media without express written consent. Please direct all media inquiries to a
19 staff member. Volunteers need to obtain prior approval from the Volunteer
20 Office before distributing or posting any written information or flyers. This is
21 to ensure that all printed materials are consistent with department guidelines
22 and our mission.

23 New volunteers also sign a rules and guidelines document that includes the
24 following, which states:

25 15. I will not speak to the media without direct authorization from the Public
26 Relations Specialist and I understand that all media inquiries are to be
27 directed to the ACT Supervisor or Mobile Adoption Coordinator at a mobile
28 site

 As well as follow confidentiality guidelines:

 1. CONFIDENTIALITY

 I understand that I will be subject to the same legal restrictions as City staff to
 protect confidentiality and identity of customers as well as the confidentiality
 of records pertaining to staff, volunteers and customers including addresses,
 email addresses, home phone numbers etc.

 I will not engage in “loose talk” at work or at home that might reveal
 confidential information, including the names or identifying information of

customers, vendors, volunteers and staff.

Sincerely, Agnes
Agnes Sibal-von Debschitz
Public Information Director
Los Angeles Animal Services

11. I responded as follows:

From: Jeffrey Mausner
Sent: Tuesday, July 19, 2022 11:54 AM
To: Agnes.Sibal@lacity.org; Annette.Ramirez@lacity.org
Cc: Curtis.Watts@LACity.org; steve.houchin@lacity.org; mike.n.feuer@lacity.org
Subject: FW: Los Angeles Times reporter Dakota Smith

Hi Agnes and Annette, thank you for clarifying this and your quick response. I suggest that this policy be emailed to all volunteers so that the policy is clear. I will forward these emails to the volunteers I have email addresses for, but I think it should go to all volunteers. The current statement of policy in the Volunteer Handbook is vague and ambiguous, and it is no wonder that volunteers did not know what the policy is.

I also ask that volunteers who have been suspended or terminated be reinstated immediately. The animals need those volunteers. Everyone knows there is a volunteer shortage. These are some of the best volunteers and they should be reinstated without arguing whether they violated an unclear policy or whether their 1st Amendments rights have been violated.

My emails with you regarding this matter have been in my private individual capacity. They are not on behalf of the Animal Services Department. They are also not on behalf of any of the Neighborhood Council entities that I am an official or member of. They are also not as an attorney for any party.

Best regards, Jeff

A true and correct copy of this email string is attached as Exhibit 2.

12. To date, to the best of my knowledge, LAAS has not sent a general email or other announcement to the volunteers clarifying its vague and ambiguous policy about volunteers speaking with the press as I requested in my correspondence with them. I have not received any such general email or announcement.

13. I am informed and believe that some volunteers signed a purported waiver of the right to speak to the press referred to in Ms. Sibal's July 18, 2022 email (Exhibit 2) stating:

Declaration of Jeffrey Mausner

1 I will not speak to the media without direct authorization from the Public Relations
2 Specialist and I understand that all media inquiries are to be directed to the ACT
3 Supervisor or Mobile Adoption Coordinator at a mobile site.

4 14. I am informed and believe that LAAS has not voided or withdrawn this
5 purported waiver.

6 15. On August 2, 2022, I sent the following email to various Los Angeles City
7 officials, including Annette Ramirez, Interim General Manager of Los Angeles Animal
8 Services and all members of the Board of Animal Services Commissioners:

9 From: Jeffrey Mausner <jeff@mausnerlaw.com>

10 Date: August 2, 2022 11:47 AM

11 To: ...

12 Subject: Re: Northeast Valley Animal Shelter; Reinstate Volunteers - Petition for
13 Grievances ...

14 Regarding the suspended and terminated Volunteers, again, these comments are sent
15 in my private individual capacity. They are not on behalf of the Animal Services
16 Department. They are not on behalf of any of the Neighborhood Council entities that
17 I am an official or member of. These comments are not sent as an attorney for any
18 party. Just in my private individual capacity.

19 (However, I will note that several years ago when issues of Volunteers being
20 terminated for exercising their First Amendment rights came up, the Neighborhood
21 Council Budget Advocates passed a resolution regarding that. Please
22 see: <https://citywatchla.com/index.php/budget-advocates-2/19044-budget-advocates-call-for-investigation-of-animal-services-department-volunteer-program>)

23 The suspension and termination of Volunteers for criticizing the Department or
24 speaking to the press is highly damaging to the Department. The damage to the
25 Department for the suspensions and terminations is as damaging as the revelations
26 those Volunteers have made. The suspensions and terminations exponentially
27 increase the number of people who will see the revelations these Volunteers have
28 made and be concerned about them. The number of people on this email string is
continually growing (including bcc's), and more and more people will know about it,
including the media.

I have previously written to you (in my individual capacity, not as an attorney for
any party) regarding the vague, ambiguous, unpublicized, and unknown media policy
regarding Volunteers speaking with the press. It was not until after the latest
suspensions that the policy was clarified, in an email to me, but not in a blast email
to all of the Volunteers. This whole thing has been handled in a terrible

1 manner. Again, not speaking as an attorney for any party (but as someone who is
2 knowledgeable on the subject as a former attorney for more than 35 years in both
3 private practice and as a former Federal Prosecutor, a former law professor, etc.),
4 you are subjecting the Department, City, and individuals to potential legal liability. I
5 strongly suggest that you immediately reinstate the Volunteers. As Paul Darrigo
6 said, let's complete this and move on. This will not go away until the Volunteers are
7 reinstated, because it is the animals (as well as the principle of Free Speech) who are
8 suffering. Someone please take responsibility for this and see that the Volunteers are
9 reinstated.

10 Sincerely, Jeff

11 A true and correct copy of this email is attached as Exhibit 3. I am not aware of any direct
12 response from LAAS to this email.

13 16. On October 3, 2022 and August 12, 2022, I sent the following emails to
14 various officials of the City of Los Angeles:

15 ... Also, as noted below, the Valley Alliance of Neighborhood Councils **strongly**
16 **condemns** the suspension or termination of Volunteers for speaking with the press
17 about conditions in the City Animal Shelters or exercising their First Amendment
18 rights. Some of those Volunteers have not yet been reinstated.

19 ... At its monthly meeting on August 11, 2022, the Valley Alliance of Neighborhood
20 Councils passed the following two resolutions:

21 1. *Suspension or Termination of Animal Services Department Volunteers.*
22 **RESOLVED, that the Valley Alliance of Neighborhood Councils (VANC),**
23 **representing the 34 Neighborhood Councils throughout the San Fernando**
24 **Valley, strongly condemns the suspension or termination of Volunteers for**
25 **speaking with the press about conditions in the City Animal Shelters or**
26 **exercising their First Amendment rights.**

27 In discussion of the motion and in the Hot Topic #5 explanation attached to the
28 agenda, it was noted that in the last month, the Los Angeles Times, as well as other
news outlets, have run stories very critical of the Animal Services Department and
conditions for animals in the City Animal Shelters, for example:

*'It's Inhumane': Dogs At L.A. Animal Shelters Go Weeks Or Months Without Being
Walked:* <https://www.latimes.com/california/story/2022-07-14/la-city-animal-shelters-dogs-sit-in-kennels-weeks-months-without-walks>

*'Horrified': L.A. City Council Members Call For Action On Overcrowded Animal
Shelters:* <https://www.latimes.com/california/story/2022-07-16/l-a-city-council-members-called-for-action-city-shelters>

1 *LA Animal Services Officials Blame Staff Shortage, Pandemic Challenges For Issues*
2 *At City Shelters: [https://abc7.com/animal-shelters-la-city-council-concerns-](https://abc7.com/animal-shelters-la-city-council-concerns-emergency-meeting/12061158/)*
3 *[emergency-meeting/12061158/](https://abc7.com/animal-shelters-la-city-council-concerns-emergency-meeting/12061158/)*

4 Volunteers who spoke with the press and others about conditions at the City Animal
5 Shelters have been suspended or terminated. As well as likely being a First
6 Amendment violation subjecting the City to potential liability, this harms the animals
7 who are deprived of the essential care given by these Volunteers, making the
8 conditions exposed in these articles even worse.

9 The problems at the City Shelters have been brought up at the Board of Animal
10 Services Commissioners (BASC) meetings for many months, to no avail. For the
11 most part, the BASC and Department Management did little or nothing to fix the
12 problems. And recently, the Commissioners have taken steps to severely limit public
13 comment, and to prevent Neighborhood Council resolutions and Community Impact
14 Statement from being heard at their meetings.

15 So it's no wonder that Shelter Volunteers, who care deeply about the animals, spoke
16 to the press, newspapers and television news, about what is going on at the
17 Shelters. The Commissioners and Animal Services Department management were
18 ignoring their complaints. In a further attempt to cover-up conditions at the Shelters,
19 the Animal Services Department management, with the apparent approval of the
20 Commissioners, have suspended and terminated Volunteers, in an attempt to
21 intimidate Volunteers into silence.

22 The above resolution passed with 17 in favor, 3 abstentions. (Only one
23 representative from each Neighborhood Council is allowed to vote.)

24 True and correct copies of these emails are attached as Exhibit 4.

25 17. I am not aware of any direct response from LAAS to these emails.

26 18. I am submitting this declaration in my private individual capacity, and not on
27 behalf of the Animal Services Department.

28 I declare under penalty of perjury under the laws of the State of California that the foregoing is
true and correct. Executed this 7th day of October 2022 at Tarzana, California.

Jeffrey N. Mausner

Jeffrey Mausner

Exhibit 1

JEFFREY MAUSNER - RESUME

Telephone: (310) 617-8100, Email: Jeff@Mausnerlaw.com

SINCE RETIREMENT

Board of Directors and 2nd Vice President, Tarzana Neighborhood Council Chairperson, Tarzana Neighborhood Council Animal Welfare Committee

Committee was the recipient of the 2017 VANC (Valley Alliance of Neighborhood Councils) award for “Engaging the City to Save the Lives of Hundreds of Animals” See <http://northvalleyreporter.com/engaging-the-city-to-save-the-lives-of-hundreds-of-animals-tarzana-neighborhood-council/>

Neighborhood Council Liaison to Los Angeles Animal Services Department Valley Alliance of Neighborhood Councils (VANC) Executive Committee and Liaison to Los Angeles Animal Services Department Los Angeles Animal Services Department Sub-Committee on No-Kill Neighborhood Council Budget Representative Volunteer, West Valley Animal Shelter

EMPLOYMENT

Law Offices of Jeffrey N. Mausner 2007-2012. Currently Retired.

Los Angeles, California

Selected as Southern California Super Lawyer, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016

Berman, Mausner & Resser, A Law Corporation 1986-2007

Los Angeles, California

Selected as Southern California Super Lawyer, 2006, 2007

Southwestern University Law School

Los Angeles, California

Adjunct Professor of Law

1992 - 2016

Adjunct Professor of Law, teaching Advanced Copyright Law, Intellectual Property Law, and Internet and Computer Law

Recipient of the Year 2001 Adjunct Excellence in Teaching Award

United States Department of Justice

Criminal Division, Office of Special Investigations
Washington, D.C.

Trial Attorney

1979 - 1985

Charged with denaturalizing and deporting Nazi war criminals. Handled all aspects of cases in U.S. District Courts including filing of complaints, depositions in the United States and abroad, discovery, law and motion practice, trials, appeals to U.S. Courts of Appeals, and administrative hearings and appeals.

AWARDS from the Attorney General: United States Justice Department Meritorious Award for Superior Performance of Duties on a Continuous Basis, 1982; Justice Department Exceptional Performance Rating, 1982; Outstanding Performance Rating, 1983; Justice Department Special Achievement Award, 1984; Outstanding Performance Rating, 1984; Justice Department Outstanding Performance Rating, 1985.

Protecting Your Product From Counterfeiters,
Bobbin Magazine, July 1994

The Ex Parte Seizure: Your Weapon Against Counterfeiters
The Crafts Report, Vol. 20, No. 221, September 1994

Company Assets, Confidential Information, and the Mobile Employee
Lorman Education Services, 1996

State Exemptions From Securities Regulation Coextensive with SEC Rule 146
1976 Securities Law Review 785

This article originally appeared as a student note in 61 Cornell Law Review 157 (1975)

Apprehending and Prosecuting Nazi War Criminals in the United States
15 Nova Law Review 747 (1991)

Author of articles regarding animal issues, CityWatchLA:

<https://www.citywatchla.com/index.php/component/search/?searchword=mausner&searchphrase=all&Itemid=113>

SELECTED REPORTED CASES

Perfect 10, Inc. v. Amazon.com, Inc., Google, Inc., 487 F.3d 701 (9th Cir. 2007); *Perfect 10, Inc. v. Visa International Service Ass'n*, 494 F.3d 788 (9th Cir. 2007); *Perfect 10, Inc. v. CCBill LLC*, 488 F.3d 1102 (9th Cir. 2007), reversing in part, *Perfect 10, Inc. v. CCBill, LLC*, 340 F.Supp.2d 1077 (C.D.Cal., 2004); *Perfect 10, Inc. v. Google, Inc.*, 416 F.Supp.2d 828 (C.D. Cal. 2006); *Perfect 10, Inc. v. Cybernet Ventures, Inc.*, 213 F.Supp.2d 1146 (2002); 167 F.Supp.2d 1114 (C.D. Cal. 2001); *TeleTech Customer Care Management (California), Inc. v. Tele-Tech Co.*, 977 F.Supp. 1407 (C.D.Ca. 1997); *Raz Imports, Inc. v. Target Stores*, 45 U.S.P.Q. 2d 1795 (C.D. Cal. 1997); *Watts Health Systems v. United Healthcare*, 960 F.Supp. 1431 (C.D. Ca. 1996); *Perfect 10, Inc. v. Talisman Communications Inc.*, 2000 WL 364813 (C.D. Ca. 2000); *Nestlé U.S.A. v. Virtual Integration Technology*, 55 U.S.P.Q. 2d 1062, 2000 U.S. Dist. Lexis 8249 (C.D. Ca. 2000); *Nestlé U.S.A. v. Travelers Casualty & Surety Co.*, 1998 U.S. Dist. Lexis 17287 (C.D. Ca. 1998); *Nestlé U.S.A. v. Heart to Heart Publishing Co.*, 1997 Lexis 21334 (C.D. Ca. 1997); *Tuchman v. Aetna*, 44 Cal. App. 4th 1607 (1996); *McCalden v. California Library Assoc., Simon Wiesenthal Center*, 955 F.2d 1214 (9th Cir. 1992), 919 F.2d 538 (9th Cir. 1990); *Proton Corp. v. Proton America Inc.*, 4 USPQ 2d 1495 (C.D.Ca. 1987); *U.S. v. Kowalchuk*, 571 F. Supp. 72 (E.D. Pa. 199 3), aff'd en banc, 773 F.2d 488 (3d Cir. 1985); *Maikovskis v. I.N.S.*, 773 F.2d 435 (2d Cir. 1985); *U.S. v. Sprogis*, 763 F.2d 115 (2d Cir. 1985); *U.S. v. Linnas*, 19 I & N Dec. 302, 1985 W.L. 56051.

OTHER ACTIVITIES

President, Los Angeles Copyright Society – 2003-2004; President Elect, 2002-2003; Vice President, 2001-2002.

Speaker and Moderator for Mandatory Continuing Legal Education seminar: *Company Assets, Confidential Information, and the Mobile Employee*, Jan. 18, 1996, Los Angeles; Oct. 25, 1996, Palo Alto; Jan. 24, 1997, Newport Beach; Sept. 26 1997, San Diego; Jan. 9, 1998 Palo Alto.

Arbitrator, National Arbitration Forum.

Wrote Opinion in *Advanced Internet Technologies, Inc. v. Mark Bianchi d/b/a Dayton Internet d/b/a Dayton Internet Design Inc.*, Claim Number: FA0403000245965 (2004), published at: <https://www.adrforum.com/domaindecisions/245965.htm>

Wrote Opinion in *Gruner + Jahr Printing & Publ'n Co. v. Web Mktg., Inc.*, Claim Number: FA0407000295211 (2004), published at: <https://www.adrforum.com/domaindecisions/295211.htm>

Wrote Opinion in *Jamison v. Hugh Hedley and Cyber Holdings, Inc.*, Claim Number: FA0508000540031 (2005), published at: <https://www.adrforum.com/domaindecisions/540031.htm>

Wrote Opinion in *GOL TV, Inc. v. Onyx Domain Solutions*, Claim Number FA0703000944251, published at: <https://www.adrforum.com/domaindecisions/944251.htm>

Exhibit 2



From: Jeffrey Mausner <jeff@mausnerlaw.com>

Sent: Tuesday, July 19, 2022 11:53 AM

To: Agnes.Sibal@lacity.org <Agnes.Sibal@lacity.org>; Annette.Ramirez@lacity.org <Annette.Ramirez@lacity.org>

Cc: Curtis.Watts@LACity.org <Curtis.Watts@LACity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; mike.n.feuer@lacity.org <mike.n.feuer@lacity.org>

Subject: FW: Los Angeles Times reporter Dakota Smith

Hi Agnes and Annette, thank you for clarifying this and your quick response. I suggest that this policy be emailed to all volunteers so that the policy is clear. I will forward these emails to the volunteers I have email addresses for, but I think it should go to all volunteers. The current statement of policy in the Volunteer Handbook is vague and ambiguous, and it is no wonder that volunteers did not know what the policy is.

I also ask that volunteers who have been suspended or terminated be reinstated immediately. The animals need those volunteers. Everyone knows there is a volunteer shortage. These are some of the best volunteers and they should be reinstated without arguing whether they violated an unclear policy or whether their 1st Amendments rights have been violated.

My emails with you regarding this matter have been in my private individual capacity. They are not on behalf of the Animal Services Department. They are also not on behalf of any of the Neighborhood Council entities that I am an official or member of. They are also not as an attorney for any party.

Best regards, Jeff

Jeffrey Mausner
Email: Jeff@Mausnerlaw.com
Cell phone: (310) 617-8100

From: agnes.sibal@lacity.org <agnes.sibal@lacity.org> **On Behalf Of** Ani PR
Sent: Monday, July 18, 2022 6:56 PM
To: Annette Ramirez <annette.ramirez@lacity.org>
Cc: Jeffrey Mausner <jeff@mausnerlaw.com>; Curtis.Watts@LACity.org;
steve.houchin@lacity.org; mike.n.feuer@lacity.org
Subject: Re: Los Angeles Times reporter Dakota Smith

Hi Jeff,

LA Animal Services does not prohibit a volunteer from speaking to the media as a private individual. Under the Department's Volunteer Rules and Guidelines, volunteers must receive authorization before speaking to the media on behalf of the Department, or giving the impression they are speaking on behalf of the Department. If speaking as a private individual, a volunteer should make every effort possible to clarify that they are doing so in that private capacity – including the use of a disclaimer and by not wearing official Department clothing. Volunteers must also refrain from disclosing confidential information or records pertaining to staff, volunteers, and customers, including addresses, email addresses, and home phone numbers.

Relevant provisions from the Volunteer Handbook and Rules and Guidelines are provided below:

13. Public Relations - When representing L. A. Animal Services, volunteers are expected to be courteous and professional and a positive ambassador for L. A. Animal Services. Furthermore, no volunteer is permitted to talk to the media without express written consent. Please direct all media inquiries to a staff member. Volunteers need to obtain prior approval from the Volunteer Office before distributing or posting any written information or flyers. This is to ensure that all printed materials are consistent with Department guidelines and our mission.



New volunteers also sign a rules and guidelines document that includes the following, which states:

15. I will not speak to the media without direct authorization from the Public Relations Specialist and I understand that all media inquiries are to be directed to the ACT Supervisor or Mobile Adoption Coordinator at a mobile site.

As well as follow confidentiality guidelines:

1. CONFIDENTIALITY

I understand that I will be subject to the same legal restrictions as City staff to protect the confidentiality and identity of customers as well as the confidentiality of records pertaining to staff, volunteers and customers, including addresses, email address, home phone numbers etc.

I will not engage in "loose talk" at work or at home that might reveal confidential information, including the names or identifying information of customers, vendors, volunteers and staff.

Sincerely,
Agnes

Agnes Sibal-von Debschitz
Public Information Director
Los Angeles Animal Services
221 N. Figueroa Street, Suite 600
Los Angeles, CA 90012
W: (213) 482-9512
E: agnes.sibal@lacity.org

Follow us on social media:



-----Confidentiality Notice-----

This electronic message transmission (including any attachments) may contain confidential, privileged, or non-public information from the City of Los Angeles, Department of Animal Services. If you are not the intended recipient, be aware that any disclosure, copying, distribution, dissemination or use of the content of this information is prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by e-mail and delete the original message and any attachment without reading or saving in any manner.

On Mon, Jul 18, 2022 at 12:45 PM Annette Ramirez <annette.ramirez@lacity.org> wrote:

Hi Jeffrey, your email has been received. The question is for the Department and not the Board. I have included our Public Relations team who will provide you with a

response and assist with your inquiry.

Thank you,

Annette G. Ramirez

Interim General Manager

Los Angeles Animal Services

221 N. Figueroa Street, Suite 600

Los Angeles, Ca. 90012

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On Sun, Jul 17, 2022 at 8:42 PM Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

Los Angeles Times reporter Dakota Smith has asked me to speak with her about retaliation against volunteers at the City's animal shelters. I have been a Los Angeles Animal Services (LAAS) Volunteer for 10 years. However, if I speak with her, it would be in my individual capacity expressing my own views and observations. I will not be speaking on behalf of LAAS in an official capacity.

The latest version of the L.A. Animal Services Volunteer Handbook that I have states:

Public Relations - When representing L.A. Animal Services, volunteers are expected to be courteous and professional and a positive ambassador for L.A. Animal Services. Furthermore, no volunteer is permitted to talk to the media without express written consent.

The phrasing of this section of the Volunteer Handbook appears to be vague and ambiguous. Are volunteers banned from speaking with the media without express written consent only when speaking in an official capacity as an "ambassador for L.A. Animal Services?" I interpret the sentence "Furthermore, no volunteer is permitted to talk to the media without express written consent" to be modified by the phrase "When representing L.A. Animal Services," so that the sentence refers only to statements made by volunteers in an official capacity when speaking on behalf of LAAS, and not to statements made in an individual capacity. Otherwise, if this sentence is meant to be a complete prohibition on volunteers speaking to the media, even in their individual capacities, such a ban would be in violation of both the First Amendment to the U.S. Constitution and Article 1, Section 2 of the California Constitution.

In an abundance of caution, however, I am now seeking “express written consent” to speak with Dakota Smith of the Los Angeles Times about retaliation against volunteers, as well as with her and any other member of the media on any topic, to express my individual views and observations. I also request a clarification of the meaning of the sentence from the Volunteer Handbook that “Furthermore, no volunteer is permitted to talk to the media without express written consent” – does it refer only to statements made by volunteers in an official capacity when speaking on behalf of LAAS, or is it your position that this also refers to statements made in an individual capacity.

Please respond to this email immediately. I am holding off on speaking with Dakota Smith of the L.A. Times until you clarify LAAS policy on this subject. Failure to provide a timely response will inhibit my free expression and could therefore be a violation of my Constitutional rights.

Sincerely, Jeffrey Mausner

Jeffrey Mausner

Email: Jeff@Mausnerlaw.com

Cell phone: (310) 617-8100

Exhibit 3

Jeffrey Mausner

From: Jeffrey Mausner
Sent: Tuesday, August 2, 2022 11:47 AM
To: Kenneth Mejia; Larry Gross; mike.feuer@lacity.org; Eric Garcetti; Paul Darrigo
Cc: Curtis Watts; oliviaegarcia@outlook.com; alisafinsten@gmail.com; jsandoval91402@gmail.com; jill_cohen@sbcglobal.net; Francine Acuna; Annette.Ramirez@lacity.org; steve.houchin@lacity.org; Jennifer Curiel; paul.koretz@lacity.org; councilmember.rodriguez@lacity.org; Councilmember Bob Blumenfeld; Lisa.Hansen@lacity.org; john.popoch@lacity.org; Jeff.Jacobberger@LACity.org; Jake Flynn; Seme Park; Mirna Ezquivel; Jill Barad; Linda Gravani; Linda Gravani (lgravani@hotmail.com); Michelle Cornelius; Sherry Brown; Glenn Bailey; Glenn Bailey; cindy cleghorn; tonyw.civic@gmail.com; slowtony@gmail.com; Corinne Ho; Ginny Hatfield; judi; Kathy Delle Donne; mark seigel; Mary Garcia; Saul; Ken Ross; kenrossdds@aol.com; Cathy Serksnas; David Hernandez; Haze; Joy Freiberg; Lydia Grant; Michael Bell; whitney smith; dduukkee11@aol.com; Gail Raff; Leonard Shaffer (l.shaffer@tarzananc.org); James Bickhart; mayor.helpdesk@lacity.org; Michelle.Vergara@LACity.org; Erin.Seinfeld@lacity.org; contactCD4@lacity.org; paul.Krekorian@lacity.org; councilmember.martinez@lacity.org; sophie.gilchrist@lacity.org; arianna.miskin@lacity.org; Kiernan; jfuchs@mhnconline.org; acharlton@mhnconline.org; rruiz-penuela@mhnconline.org; WDiaz-Antonio@mhnconline.org; rperez@mhnconline.org; ggarcia-mendoza@mhnconline.org; rveliz@mhnconline.org; sruiz-perez@mhnconline.org; jflores@mhnconline.org; DEscamilla@mhnconline.org; sbrown@mhnconline.org; jcabrera@mhnconline.org; jascencio@mhnconline.org; Ron.Galperin@LACity.org; Brian Allen (BAllen@NCBALA.org); Kusnier@aol.com; Jack Humphreville; Smith, Dakota; seisenberg@sullivantriggs.com
Subject: Re: Northeast Valley Animal Shelter; Reinstate Volunteers - Petition for Grievances

After having quickly reviewed the RFP, the following are my comments. These comments are sent in my private individual capacity. They are not on behalf of the Animal Services Department. They are not on behalf of any of the Neighborhood Council entities that I am an official or member of. (Outreach should have been done with the Neighborhood Councils and the Public months ago, so that they could have had input into the process in a timely and orderly manner.) These comments are not sent as an attorney for any party. Just in my private individual capacity. (However, it should be noted that the Valley Alliance of Neighborhood Councils (VANC) passed a resolution regarding this matter, as detailed in the email dated July 15, 2022, below.)

What has the Board of Animal Services Commissioners (BASC) and Los Angeles Animal Services Department (LAAS) done to attempt to secure funding to run the Northeast Valley Animal Shelter as a municipal shelter? Has a budget proposal to run the Shelter as a municipal shelter ever been written or submitted? There is a great deal of money coming to the City from the State and Federal Governments; has any proposal been submitted to ask for a small portion of that money to run the Northeast Valley Shelter? There is a shortage of kennel space to care for the dogs, cats, and rabbits in the City shelter system. Before giving away hundreds of

kennels, has a serious attempt been made to secure funding to keep them in the City shelter system? Who is watching out for the interests of the animals? And who is watching out for the interests of the stakeholders of the City who voted for, and paid for, the Northeast Valley Shelter to be a municipal shelter pursuant to Proposition F? Please see the first email in this string, dated July 15, 2022. As noted below, when Proposition F was passed by two-thirds of voters in 2000, residents were told that the Department of Animal Services would operate 8 animal shelters. Voters were told that additional space was needed for animal control officers to “solve problems of stray, abandoned, and dangerous animals” and the new facilities would improve response times. The Prop F voter guide also acknowledged that additional funds would need to be appropriated to staff the two new animal shelters, one of which was Northeast Valley. However, that was never done, and I have never seen anything to indicate that the BASC or LAAS has made any attempt to secure the additional funds to staff the Northeast Valley Shelter (at least not in recent years).

Assuming that sufficient, sincere attempts have been made to secure funding to operate Northeast Valley as a municipal shelter and that it is impossible to secure that funding now, my comments on the RFP are as follows:

1. What services will the rescue organization provide to the people who approved the funding to build the shelter and paid for it? The RFP is very light on the required services and level of services.

2. The RFP does not specify how many animals the rescue organization will be required to take from LAAS. It does not specify what animals the rescue organization will be required to take from LAAS. Will they be required to take dogs who are difficult to adopt, or can they meet their quota by taking easily adoptable kittens?

3. The RFP does not specify how kennel space will be used. LAAS often has a shortage of kennel space. Will the arrangement with the rescue maximize the amount of kennel space that will be available for the Valley’s homeless animals, and how will that be enforced?

4. The RFP specifically provides that “[t]here will be no intake of animals from the public, no public calls for animal pick up ...” RFP page 4. “Proposer will not provide any animal intake at the Shelter and will not accept animals brought to the Shelter by members of the public.” RFP page 6. That was never proposed to, discussed, or approved by the stakeholders.

4. The RFP specifically provides that “[t]he City will not allow any Animal Control and Law Enforcement Services to be conducted at the Northeast Valley Animal Shelter.” RFP page 7. “The Department is not operating in the Northeast Valley Animal Shelter.” RFP page 4. “The Proposers are not to operate a fully functioning animal shelter.” RFP page 4. That was never proposed to, discussed, or approved by the stakeholders who paid for the Northeast Valley Shelter facility.

I suggest that LAAS and the BASC immediately attempt to secure funding for the Northeast Valley Animal Shelter to operate as a municipal shelter, including from the General Fund, State and Federal grants and funding. I suggest that you keep the Public (including Neighborhood

Councils) advised of those efforts. Keeping us advised will allow us to mobilize support for the attempts you make to secure funding, and if you are ultimately unsuccessful, will at least gain public acceptance of the RFP route. I also suggest that you do outreach to the Public (including Neighborhood Councils) regarding what they would like to see in an RFP. The Stakeholders should not be shut out of something as important as how a multi-million dollar facility that they paid for will be operated.

Regarding the suspended and terminated Volunteers, again, these comments are sent in my private individual capacity. They are not on behalf of the Animal Services Department. They are not on behalf of any of the Neighborhood Council entities that I am an official or member of. These comments are not sent as an attorney for any party. Just in my private individual capacity.

(However, I will note that several years ago when issues of Volunteers being terminated for exercising their First Amendment rights came up, the Neighborhood Council Budget Advocates passed a resolution regarding that. Please see: <https://citywatchla.com/index.php/budget-advocates-2/19044-budget-advocates-call-for-investigation-of-animal-services-department-volunteer-program>)

The suspension and termination of Volunteers for criticizing the Department or speaking to the press is highly damaging to the Department. The damage to the Department for the suspensions and terminations is as damaging as the revelations those Volunteers have made. The suspensions and terminations exponentially increase the number of people who will see the revelations these Volunteers have made and be concerned about them. The number of people on this email string is continually growing (including bcc's), and more and more people will know about it, including the media.

I have previously written to you (in my individual capacity, not as an attorney for any party) regarding the vague, ambiguous, unpublicized, and unknown media policy regarding Volunteers speaking with the press. It was not until after the latest suspensions that the policy was clarified, in an email to me, but not in a blast email to all of the Volunteers. This whole thing has been handled in a terrible manner. Again, not speaking as an attorney for any party (but as someone who is knowledgeable on the subject as a former attorney for more than 35 years in both private practice and as a former Federal Prosecutor, a former law professor, etc.), you are subjecting the Department, City, and individuals to potential legal liability. I strongly suggest that you immediately reinstate the Volunteers. As Paul Darrigo said, let's complete this and move on. This will not go away until the Volunteers are reinstated, because it is the animals (as well as the principle of Free Speech) who are suffering. Someone please take responsibility for this and see that the Volunteers are reinstated.

Sincerely, Jeff

Jeffrey Mausner
Email: Jeff@Mausnerlaw.com
Cell phone: (310) 617-8100

From: Paul Darrigo <fedguy2@pacbell.net>

Sent: Tuesday, August 2, 2022 12:10 AM

To: Kenneth Mejia <kenneth@mejiaforcontroller.com>; Larry Gross <commissioner.gross@yahoo.com>; Jeffrey Mausner <jeff@mausnerlaw.com>; mike.feuer@lacity.org <mike.feuer@lacity.org>; Eric Garcetti <mayor.garcetti@lacity.org>

Cc: Curtis Watts <curtis.watts@lacity.org>; oliviaegarcia@outlook.com <oliviaegarcia@outlook.com>; alisafinsten@gmail.com <alisafinsten@gmail.com>; jsandoval91402@gmail.com <jsandoval91402@gmail.com>; jill_cohen@sbcglobal.net <jill_cohen@sbcglobal.net>; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org <annette.ramirez@lacity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; Jennifer Curiel <jennifer.curiel@lacity.org>; paul.koretz@lacity.org <paul.koretz@lacity.org>; councilmember.rodriquez@lacity.org <councilmember.rodriquez@lacity.org>; Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org <lisa.hansen@lacity.org>; john.popoch@lacity.org <john.popoch@lacity.org>; Jeff.Jacobberger@LACity.org <jeff.jacobberger@lacity.org>; Jake Flynn <jakeblynn@gmail.com>; Semee Park <semee.park@lacity.org>; Mirna Ezquivel <mirna.ezquivel@lacity.org>; Jill Barad <jbbarad@gmail.com>; Linda Gravani <lindag@lakebalboanc.org>; Linda Gravani (lgravani@hotmail.com) <lgravani@hotmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy cleghorn <cindycleghorn@gmail.com>; tonyw.civic@gmail.com <tonyw.civic@gmail.com>; slowtony@gmail.com <slowtony@gmail.com>; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <maryagarciaa@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com <kenrossdds@aol.com>; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com <dduukkee11@aol.com>; Gail Raff <valleyvillagecat@gmail.com>; Leonard Shaffer (l.shaffer@tarzananc.org) <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org <mayor.helpdesk@lacity.org>; Michelle.Vergara@LACity.org <michelle.vergara@lacity.org>; Erin.Seinfeld@lacity.org <erin.seinfeld@lacity.org>; contactCD4@lacity.org <contactcd4@lacity.org>; paul.Krekorian@lacity.org <paul.krekorian@lacity.org>; councilmember.martinez@lacity.org <councilmember.martinez@lacity.org>; sophie.gilchrist@lacity.org <sophie.gilchrist@lacity.org>; arianna.miskin@lacity.org <arianna.miskin@lacity.org>; Kiernan <kiernan.elam@gmail.com>; jfuchs@mhnconline.org <jfuchs@mhnconline.org>; acharlton@mhnconline.org <acharlton@mhnconline.org>; rruiz-penuela@mhnconline.org <rruiz-penuela@mhnconline.org>; WDiaz-Antonio@mhnconline.org <wdiaz-antonio@mhnconline.org>; rperez@mhnconline.org <rperez@mhnconline.org>; ggarcia-mendoza@mhnconline.org <ggarcia-mendoza@mhnconline.org>; rveliz@mhnconline.org <rveliz@mhnconline.org>; sruiz-perez@mhnconline.org <sruiz-perez@mhnconline.org>; jflores@mhnconline.org <jflores@mhnconline.org>; DEscamilla@mhnconline.org <descamilla@mhnconline.org>; sbrown@mhnconline.org <sbrown@mhnconline.org>; jcabrera@mhnconline.org <jcabrera@mhnconline.org>; jascencio@mhnconline.org <jascencio@mhnconline.org>; Ron.Galperin@LACity.org <ron.galperin@lacity.org>

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter - Petition for Grievances

Jeff,

If you are going to Ombudsman for the volunteers, in my opinion, you will have to ask if they want to seek counsel at this point. If a complaint is drafted and petitioned to the city, they will have to answer or it will have to go to the grand jury for a various list of grievances to be discussed side bar.

We have reviewed the LAAS Volunteer handbook and find it vague and ambiguous.

But.

LAAS has an easy win on these suspensions; LAAS has counseled with the volunteers, explained the rules (which are contradicting, vague and ambiguous) and the volunteers grievances have been heard and are being mitigated. They

agree to adapt their 1st amendment rights to not speak for LAAS unless given permission and will distinguish when they are expressing their personal opinion. The Volunteer handbook will be revised for clarity and compliance. They can now be reinstated.

Easy win for all.

Let's complete this and move on. Please let me know when you want to talk further on this.

Paul Darrigo
CHULA - Citizens for a Humane Los Angeles
<https://www.facebook.com/groups/773416409436730/>
323-244-8020

On Monday, August 1, 2022 at 08:04:44 PM PDT, Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

Hi Kenneth, thank you for your email, and thank you in particular for your support for the Volunteers who have been terminated (which has been discussed in another email string).

Every current office-holder seems to take the position that they do not have the authority to reinstate the Volunteers. I think everyone who is taking that position is underestimating their authority, or at the least underestimating their influence, to have the Volunteers reinstated. The suspensions have gone on for too long and it is the animals (as well as the principle of Free Speech) who are suffering. Someone please take responsibility for this.

The City Controller may not have the direct authority to reinstate a terminated Volunteer, but I have no doubt that a good Controller could see that Volunteers are reinstated.

Best regards, Jeff

From: Kenneth Mejia <kenneth@mejiaforcontroller.com>
Sent: Monday, August 1, 2022 7:12 PM
To: Larry Gross <commissioner.gross@yahoo.com>
Cc: Curtis Watts <curtis.watts@lacity.org>; Jeffrey Mausner <jeff@mausnerlaw.com>;
oliviaegarcia@outlook.com; alisafinsten@gmail.com; jsandoval91402@gmail.com; jill_cohen@sbcglobal.net;
Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org; steve.houchin@lacity.org; Jennifer
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Linda Gravani <lindag@lakebalboanc.org>; Linda Gravani (lgravani@hotmail.com) <lgravani@hotmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy cleghorn <cindycleghorn@gmail.com>; tonyw.civic@gmail.com; slowtony@gmail.com; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <maryagarciaa@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; Paul Darrigo <fedguy2@pacbell.net>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com; Gail Raff <valleyvillagecat@gmail.com>; Leonard Shaffer (l.shaffer@tarzananc.org) <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org; Michelle Vergara@LACity.org; Erin.Seinfeld@lacity.org; contactCD4@lacity.org; paul.Krekorian@lacity.org; councilmember.martinez@lacity.org; sophie.gilchrist@lacity.org; arianna.miskin@lacity.org; Kiernan <kiernan.elam@gmail.com>; jfuchs@mhnconline.org; acharlton@mhnconline.org; rruiz-penuela@mhnconline.org; WDiaz-Antonio@mhnconline.org; rperez@mhnconline.org; ggarcia-mendoza@mhnconline.org; rveliz@mhnconline.org; sruiz-perez@mhnconline.org; jflores@mhnconline.org; DEscamilla@mhnconline.org; sbrown@mhnconline.org; jcabrera@mhnconline.org; jascencio@mhnconline.org

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter

Hi all, my name is **Kenneth Mejia** and I am the leading candidate to be the next City of LA's **City Controller**. The City Controller is also the City's Auditor in charge of auditing city departments and programs.

I encourage employee heads at LAAS, the Commission, and other City Officials to do a better job in providing transparency AND accessibility when it comes to handling our City of LA animal shelters. For something as important as managing a city animal shelter (e.g. the Northeast Valley Animal Shelter), the public shouldn't have to be given transparency AND accessibility in the form of a Commission President emailing a PDF of the RFP to 70 people on an email thread to make the RFP publicly available.

As others have stated, you cannot access the RFP easily without creating an Angeleno account (why if the public just wants to read the RFP? Larry Gross literally just emailed it to everyone for us to share with the public). In addition, once you create an Angeleno account, you have to have a business to access the RFP doc:

ⓘ You currently do not have a RAMP acc

In addition, I would encourage department heads, the commission, and city officials to **please reinstate volunteers who have been suspended for speaking up about our city animal shelters**. At least, provide suspended volunteers with transparency and courtesy in terms of how long they will be suspended, why they

were suspended, and what can be done to be reinstated (reconciliation process). You all talk about how much LA Animal Services rely heavily on volunteers, well let's make it happen then and work together.

Kenneth Mejia, CPA

Mejia for LA City Controller 2022

mejiaforcontroller.com



Paid for by Mejia for City Controller 2022, FPPC ID#: 1435234

1001 Wilshire Blvd. Suite 102, Los Angeles CA 90017.

Additional information is available at ethics.lacity.org.

On Mon, Aug 1, 2022 at 6:47 PM Larry Gross <commissioner.gross@yahoo.com> wrote:

I downloaded the RFP for you from RAMPLA.org. It is attached.

Larry Gross

Commissioner - President

City of Los Angeles

Board of Animal Services Commissioners

Email : commissioner.gross@yahoo.com

<http://www.laanimalservices.com/about-us-2/commission/>

On Monday, August 1, 2022 at 06:26:45 PM PDT, Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

I still have not been able to access the RFP because I do not have a Company Name and Company Tax ID Number. Has the RFP been posted yet where members of the General Public or Neighborhood Councils can see it?

There is a meeting tonight of the Mission Hills Neighborhood Council (MHNC) in which the Northeast Valley Animal Shelter is on the agenda. As far as I know, members of the MHNC have also not seen the RFP and their input regarding the Northeast Valley Animal Shelter has not been sought by the Animal Services Department. The Northeast Valley Animal Shelter is located in Mission Hills.

Sincerely, Jeff

From: Jeffrey Mausner <jeff@mausnerlaw.com>

Sent: Monday, August 1, 2022 10:17 AM

To:

Cc:

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter

Thank you Curtis. However, if you go here: [Opportunity Details \(rampla.org\)](https://rampla.org)

it requires a Login (upper right corner).

When you click on Login, you then need to sign in with your Angeleno Account, which I happen to have from the Neighborhood Council.

When you log into the Angeleno Account, it states: "You currently do not have a RAMP account. If you would like to register please check first if your company is already registered by entering the information below." Among the information required to be entered is "Company Name" and "Tax ID." Since I am retired and have closed down my law firm, I do not have a Company Name or Tax ID. The website does not allow you to get further without entering this information. And because of that, even if you were able to get past providing that information, it seems that you will not be able to register without having a Company Name or Tax ID. Members of the public and Neighborhood Councils should be able to view the RFP without having a Company Name or Tax ID.

Thank you. Best regards, Jeff

From: Curtis Watts <curtis.watts@lacity.org>
Sent: Monday, August 1, 2022 9:42 AM
To: Jeffrey Mausner <jeff@mausnerlaw.com>
Cc: Larry Gross <commissioner.gross@yahoo.com>; oliviaegarcia@outlook.com
<oliviaegarcia@outlook.com>; alisafinsten@gmail.com <alisafinsten@gmail.com>;
jsandoval91402@gmail.com <jsandoval91402@gmail.com>; jill_cohen@sbcglobal.net
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<valleyvillagecat@gmail.com>; Leonard Shaffer (l.shaffer@tarzananc.org) <l.shaffer@tarzananc.org>; James
Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org <mayor.helpdesk@lacity.org>;
Michelle.Vergara@LACity.org <Michelle.Vergara@lacity.org>; Erin.Seinfeld@lacity.org

<Erin.Seinfeld@lacity.org>; contactCD4@lacity.org <contactCD4@lacity.org>; paul.Krekorian@lacity.org <paul.Krekorian@lacity.org>; councilmember.martinez@lacity.org <councilmember.martinez@lacity.org>; sophie.gilchrist@lacity.org <sophie.gilchrist@lacity.org>; arianna.miskin@lacity.org <arianna.miskin@lacity.org>; Kenneth@mejiaforcontroller.com <kenneth@mejiaforcontroller.com>; Kiernan <kiernan.elam@gmail.com>

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter

Hi Mr. Mausner,

The RAMPLA website is the City's public website where contracting opportunities are posted. Anyone is able to create an account and obtain information regarding the opportunities listed on the site.

Thanks,

Curtis R. Watts

Assistant General Manager

Los Angeles Animal Services

221 N. Figueroa Street, Suite 600

Los Angeles, CA 90012

O: (213) 482-9558

E: curtis.watts@lacity.org

On Sun, Jul 31, 2022 at 1:08 PM Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

The Request for Proposal (RFP) for the Northeast Valley Animal Shelter should be posted in a location that is accessible to the general public. It appears that the RFP was posted on the website www.Rampla.org on July 27, but that website requires credentials to access the RFP and appears to make the RFP available only to potential bidders. There has been a complete lack of transparency and failure to get input from the public in connection with the Northeast Valley Shelter.

Please post the RFP so that it is available to the public and publicize where it is posted, including publicizing by email to the Neighborhood Councils.

Sincerely, Jeffrey Mausner

From: Jeffrey Mausner

Sent: Friday, July 15, 2022 3:06 PM

To: Larry Gross <commissioner.gross@yahoo.com>; oliviaegarcia@outlook.com <oliviaegarcia@outlook.com>; olisafinsten@gmail.com <olisafinsten@gmail.com>; jsandoval91402@gmail.com <jsandoval91402@gmail.com>; jill_cohen@sbcglobal.net <jill_cohen@sbcglobal.net>; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org <Annette.Ramirez@lacity.org>; Curtis.Watts@LACity.org <Curtis.Watts@LACity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; Jennifer Curiel <jennifer.curiel@lacity.org>

Cc: paul.koretz@lacity.org <paul.koretz@lacity.org>; councilmember.rodriquez@lacity.org <councilmember.rodriquez@lacity.org>; Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org <Lisa.Hansen@lacity.org>; john.popoch@lacity.org <john.popoch@lacity.org>; Jeff.Jacobberger@LACity.org <Jeff.Jacobberger@LACity.org>; Jake Flynn <jakebflynn@gmail.com>; Semee Park <semee.park@lacity.org>; Mirna Ezquivel <Mirna.Ezquivel@lacity.org>; Jill Barad <jbbarad@gmail.com>; Linda Gravani <Lindag@lakebalboanc.org>; Linda Gravani (lgravani@hotmail.com) <lgravani@hotmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncls@gmail.com>; cindy cleghorn <cindycleghorn@gmail.com>; tonyw.civic@gmail.com <tonyw.civic@gmail.com>; slowtony@gmail.com <slowtony@gmail.com>; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <Ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <MaryAGarciaA@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com <kenrossdds@aol.com>; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Paul Darrigo <fedguy2@pacbell.net>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com <dduukkee11@aol.com>; Gail Raff <valleyvillagecat@gmail.com>; 'Leonard Shaffer (l.shaffer@tarzananc.org)' <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org <mayor.helpdesk@lacity.org>; Michelle.Vergara@LACity.org <Michelle.Vergara@LACity.org>; Erin.Seinfeld@lacity.org <Erin.Seinfeld@lacity.org>; contactCD4@lacity.org <contactCD4@lacity.org>; paul.Krekorian@lacity.org <paul.Krekorian@lacity.org>; councilmember.martinez@lacity.org <councilmember.martinez@lacity.org>; sophie.gilchrist@lacity.org <sophie.gilchrist@lacity.org>; arianna.miskin@lacity.org <arianna.miskin@lacity.org>

Subject: VANC Resolution re Northeast Valley Animal Shelter

To the Board of Animals Services Commissioners and Officials of the Los Angeles Animal Services Department:

At its meeting on July 14, 2022, the Valley Alliance of Neighborhood Councils (VANC) unanimously (with one abstention) passed the following resolution:

The Valley Alliance of Neighborhood Councils (VANC) represents the 34 Neighborhood Councils throughout the San Fernando Valley, including all of the Neighborhood Councils in the vicinity of the Northeast Valley Animal Shelter. This shelter is a City facility built with Proposition F funds to be a municipal animal shelter, open to the public. It was not meant to be a private facility to house rescue organizations. Nevertheless, the Board of Animal Services Commissioners has issued an RFP (Request for Proposal) to do just that, lease the Northeast Valley Animal Shelter to rescue organizations to operate. The Board of Animal Services Commissioners and Animal Services Department did not provide an opportunity for the affected Neighborhood Councils to provide input into this decision. Therefore, it is RESOLVED that VANC takes the position that the Department of Animals Services and City Council should receive input from the affected Neighborhood Councils before releasing the Request for Proposal for rescue organizations to operate the Northeast Valley Animal Shelter.

The Resolution passed with 24 in favor, none against, and one abstention. (Only one vote can be cast per Neighborhood Council.) The following background information was provided for the Resolution:

When Proposition F was passed by two-thirds of voters in 2000, residents were told that the Department of Animal Services would operate 8 animal shelters. Voters were told that additional space was needed for animal control officers to “solve problems of stray, abandoned, and dangerous animals” and the new facilities would improve response times. The Prop F voter guide also acknowledged that additional funds would need to be appropriated to staff the two new animal shelters, one of which was Northeast Valley. However, instead of operating the facility as a municipal shelter as contemplated by Prop F, the Animal Services Department leased the facility to Best Friends rescue organization.

Best Friends publicly announced on June 29 that they intended to vacate the Northeast shelter when their contract expires on December 31, 2022 (they began operating the Northeast shelter in January 2012). The Department of Animal Services did not publicly announce their intention to release an RFP for the Northeast Shelter until Friday July 8 when they placed the item on their meeting agenda. This short time frame did not allow the affected neighborhood councils to provide any input regarding whether the Northeast Valley Animal Shelter is operated by the City or by rescue organizations, or the terms under which a rescue organization would operate the facility. Nevertheless, on Tuesday, July 12 the Board of Animal Services Commissioners approved releasing an RFP for rescue organizations to operate the Northeast Valley Animal Shelter.

There are several ways in which the Board of Animal Services Commissioners (BASC) and Animal Services Department (LAAS) can provide the public information and receive input regarding a major decision such as this:

1. You can hold town halls regarding the issue, in which information is provided and the public can voice their views. The Neighborhood Councils and Neighborhood Council Alliances would be happy to help publicize these town halls and distribute information to their constituents. Adequate time must be given for people to express their views; cutting them off after one or two minutes is not sufficient in a town hall.
2. Representatives of BASC and LAAS can appear at individual Neighborhood Council (NC) meetings to discuss the issue. These appearances should be agendaized so that there is sufficient time for discussion and NC members and the public can ask questions.
3. Representatives of BASC and LAAS can appear at Neighborhood Council Coalition meetings. VANC would be happy to have you, as we do with other departments that are considering major projects or decisions.
4. You can send out email blasts on your mailing list regarding such matters.

These are all things that other Departments do. I would be happy to help with any of those alternatives. Among many other things, the following questions need to be answered and discussed:

- a. Why isn't the Northeast Valley Shelter being opened as a municipal shelter, as contemplated by the voters who approved it and paid for it?
- b. What has BASC and LAAS done to secure funding to run the Northeast Valley Shelter as a municipal shelter? Have you submitted any budget proposals to do so?
- c. What are the terms of the RFP that you voted to release on July 12? The RFP wasn't even attached to your agenda.
- d. What services will the rescue organization provide to the people who approved the funding to build the shelter and paid for it?
- e. How many animals will the rescue organization be required to take from LAAS? Will they be required to take dogs who are difficult to adopt, or can they meet their quota by taking easily adoptable kittens?
- f. How will the kennel space be used? LAAS often has a shortage of kennel space. Does the arrangement with the rescue maximize the amount of kennel space that will be available for the Valley's homeless animals? If there is a provision to maximize kennel space, how will it be enforced?
- g. What are the consequences if the organization does not meet its contractual obligations?
- h. Why won't the rescue organization provide intake for animals?
- i. Will the rescue organization provide working space for Animal Control Officers?
- j. What type of oversight will the public have of the operations of the rescue organization at the shelter?

None of these issues, and more, have been discussed with the public. The lack of transparency is very concerning on a matter as important as who will operate the Northeast Valley Shelter and the terms of operation. I can tell you that many people I've heard from are very angry about this.

Sincerely, Jeffrey Mausner, Member of the VANC Executive Committee and VANC Animal Representative.

Jeffrey Mausner

(For identification purposes)

Valley Alliance of Neighborhood Councils and Tarzana NC Liaison to Los Angeles Animal Services Department

Board of Directors and 2nd Vice President, Tarzana Neighborhood Council

Chairman, Tarzana Neighborhood Council Animal Welfare Committee

Neighborhood Council Budget Representative

Volunteer, West Valley Animal Shelter

Retired Attorney and Former Federal Prosecutor, United States Department of Justice

Website: www.Mausnerlaw.com

Email: Jeff@MausnerLaw.com; J.Mausner@TarzanaNC.org

Cell phone: (310) 617-8100

Exhibit 4

Jeffrey Mausner

From: Jeffrey Mausner
Sent: Wednesday, August 31, 2022 11:22 AM
To: Larry Gross; mike.feuer@lacity.org; Eric Garcetti; Paul Darrigo; Kenneth@mejiaforcontroller.com
Cc: Curtis Watts; oliviaegarcia@outlook.com; alisafinsten@gmail.com; jsandoval91402@gmail.com; jill_cohen@sbcglobal.net; Francine Acuna; Annette.Ramirez@lacity.org; steve.houchin@lacity.org; Jennifer Curiel; paul.koretz@lacity.org; councilmember.rodriguez@lacity.org; Councilmember Bob Blumenfeld; Lisa.Hansen@lacity.org; john.popoch@lacity.org; Jeff.Jacobberger@LACity.org; Jake Flynn; Seme Park; Mirna Ezquivel; Jill Barad; Linda Gravani; Linda Gravani (lgravani@hotmail.com); Michelle Cornelius; Sherry Brown; Glenn Bailey; Glenn Bailey; cindy cleghorn; tonyw.civic@gmail.com; slowtony@gmail.com; Corinne Ho; Ginny Hatfield; judi; Kathy Delle Donne; mark seigel; Mary Garcia; Saul; Ken Ross; kenrossdds@aol.com; Cathy Serksnas; David Hernandez; Haze; Joy Freiberg; Lydia Grant; Michael Bell; whitney smith; dduukkee11@aol.com; Gail Raff; Leonard Shaffer (l.shaffer@tarzananc.org); James Bickhart; mayor.helpdesk@lacity.org; Michelle.Vergara@LACity.org; Erin.Seinfeld@lacity.org; contactCD4@lacity.org; paul.Krekorian@lacity.org; councilmember.martinez@lacity.org; sophie.gilchrist@lacity.org; arianna.miskin@lacity.org; Kiernan; jfuchs@mhnconline.org; acharlton@mhnconline.org; rruiz-penuela@mhnconline.org; WDiaz-Antonio@mhnconline.org; rperez@mhnconline.org; ggarcia-mendoza@mhnconline.org; rveliz@mhnconline.org; sruiz-perez@mhnconline.org; jflores@mhnconline.org; DEscamilla@mhnconline.org; sbrown@mhnconline.org; jcabrera@mhnconline.org; jascencio@mhnconline.org; Ron.Galperin@LACity.org; Brian Allen (BAllen@NCBALA.org); Kusnier@aol.com; Jack Humphreville; Smith, Dakota; seisenberg@sullivantriggs.com; Board@MHNConline.org; president@resedacouncil.org; vicepresident@resedacouncil.org; secretary@resedacouncil.org; jamiey@resedacouncil.org; rduran@arletanc.org; jgallo@arletanc.org; mshoemaker@arletanc.org; llacson@arletanc.org; George.Ortega@SylmarNC.org; carmennhenc@gmail.com; wilnegrete@gmail.com; rduran@arletanc.org; jgallo@arletanc.org; mshoemaker@arletanc.org; llacson@arletanc.org; fuchsjooseph@yahoo.com; andy_mhnc@andycharlton.com; wendymhnc@gmail.com; RebeccaMHNC@gmail.com; stncpresidentgrant@gmail.com; write2rowe@yahoo.com; Karen.Perdue.stnc@gmail.com; Stnc.ed.treasurer@gmail.com; carolh.stnc@gmail.com; Kevin.Davis@ftdnc.org; Cindy.Bloom@ftdnc.org; Scott.Froschauer@ftdnc.org; brielle.acevedo@sylmarnc.org; donald.zelaya@sylmarnc.org; Judi.Trujillo@ftdnc.org; Andres Rubalcaba; brielle.acevedo@sylmarnc.org; donald.zelaya@sylmarnc.org; George.Ortega@SylmarNC.org; VANC34.CHAIR@gmail.com
Subject: RE: Northeast Valley Animal Shelter; Reinstate Volunteers - Petition for Grievances
Attachments: VANC Northeast Animal Shelter Municipal Shelter, 8-27-2022.pdf

To the Board of Animal Services Commissioners and Officials of the Los Angeles Animal Services Department:

Please see the attached letter from the Valley Alliance of Neighborhood Councils regarding the Northeast Valley Animal Shelter.

Also, as noted below, the Valley Alliance of Neighborhood Councils **strongly condemns** the suspension or termination of Volunteers for speaking with the press about conditions in the City Animal Shelters or exercising their First Amendment rights. Some of those Volunteers have not yet been reinstated.

Sincerely, Jeff

Jeffrey Mausner

(For identification purposes)

Executive Committee, Valley Alliance of Neighborhood Councils (VANC)

VANC and Tarzana NC Liaison to Los Angeles Animal Services Department

Board of Directors and 2nd Vice President, Tarzana Neighborhood Council

Chairman, Tarzana Neighborhood Council Animal Welfare Committee

Neighborhood Council Budget Representative

Volunteer, West Valley Animal Shelter

Retired Attorney and Former Federal Prosecutor, United States Department of Justice

Website: www.Mausnerlaw.com

Email: Jeff@MausnerLaw.com; J.Mausner@TarzanaNC.org

Cell phone: (310) 617-8100

(Disclaimer: This email is not sent on behalf of the Animal Services Department.)

From: Jeffrey Mausner <jeff@mausnerlaw.com>

Sent: Friday, August 12, 2022 12:39 PM

To: Larry Gross <commissioner.gross@yahoo.com>; mike.feuer@lacity.org; Eric Garcetti <mayor.garcetti@lacity.org>; Paul Darrigo <fedguy2@pacbell.net>; Kenneth@mejiaforcontroller.com

Cc: Curtis Watts <curtis.watts@lacity.org>; oliviaegarcia@outlook.com; alisafinsten@gmail.com; jsandoval91402@gmail.com; jill_cohen@sbcglobal.net; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org; steve.houchin@lacity.org; Jennifer Curiel <jennifer.curiel@lacity.org>; paul.koretz@lacity.org; councilmember.rodriquez@lacity.org; Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org; john.popoch@lacity.org; Jeff.Jacobberger@LACity.org; Jake Flynn <jakebflynn@gmail.com>; Semee Park <semee.park@lacity.org>; Mirna Ezquivel <mirna.ezquivel@lacity.org>; Jill Barad <jbbarad@gmail.com>; Linda Gravani <lindag@lakebalboanc.org>; Linda Gravani (lgravani@hotmail.com) <lgravani@hotmail.com>; Michelle Cornelius <artshapelife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy.cleghorn@gmail.com; tonyw.civic@gmail.com; slowtony@gmail.com; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <maryagarciaa@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com; Gail Raff <valleyvillagecat@gmail.com>; Leonard Shaffer (l.shaffer@tarzananc.org) <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org; Michelle.Vergara@LACity.org; Erin.Seinfeld@lacity.org; contactCD4@lacity.org; paul.Krekorian@lacity.org; councilmember.martinez@lacity.org; sophie.gilchrist@lacity.org; arianna.miskin@lacity.org; Kiernan <kiernan.elam@gmail.com>; jfuchs@mhnconline.org; acharilton@mhnconline.org; rruiz-penuela@mhnconline.org; WDiaz-Antonio@mhnconline.org; rperez@mhnconline.org; ggarciamendoza@mhnconline.org; rveliz@mhnconline.org; sruiz-perez@mhnconline.org; jflores@mhnconline.org;

DEscamilla@mhnconline.org; sbrown@mhnconline.org; jcabrera@mhnconline.org; jascencio@mhnconline.org; Ron.Galperin@LACity.org; Brian Allen (BAllen@NCBALA.org) <BAllen@NCBALA.org>; Kusnier@aol.com; Jack Humphreville <jackh@targetmediapartners.com>; Smith, Dakota <Dakota.Smith@latimes.com>; seisenberg@sullivantriggs.com; Board@MHNConline.org

Subject: RE: Northeast Valley Animal Shelter; Reinstate Volunteers - Petition for Grievances

To the Board of Animal Services Commissioners and Officials of the Los Angeles Animal Services Department:

At its monthly meeting on August 11, 2022, the Valley Alliance of Neighborhood Councils passed the following two resolutions:

1. Suspension or Termination of Animal Services Department Volunteers.

RESOLVED, that the Valley Alliance of Neighborhood Councils (VANC), representing the 34 Neighborhood Councils throughout the San Fernando Valley, strongly condemns the suspension or termination of Volunteers for speaking with the press about conditions in the City Animal Shelters or exercising their First Amendment rights.

In discussion of the motion and in the Hot Topic #5 explanation attached to the agenda, it was noted that in the last month, the Los Angeles Times, as well as other news outlets, have run stories very critical of the Animal Services Department and conditions for animals in the City Animal Shelters, for example:

'It's Inhumane': Dogs At L.A. Animal Shelters Go Weeks Or Months Without Being Walked:
<https://www.latimes.com/california/story/2022-07-14/la-city-animal-shelters-dogs-sit-in-kennels-weeks-months-without-walks>

'Horried': L.A. City Council Members Call For Action On Overcrowded Animal Shelters:
<https://www.latimes.com/california/story/2022-07-16/l-a-city-council-members-called-for-action-city-shelters>

LA Animal Services Officials Blame Staff Shortage, Pandemic Challenges For Issues At City Shelters: <https://abc7.com/animal-shelters-la-city-council-concerns-emergency-meeting/12061158/>

Volunteers who spoke with the press and others about conditions at the City Animal Shelters have been suspended or terminated. As well as likely being a First Amendment violation subjecting the City to potential liability, this harms the animals who are deprived of the essential care given by these Volunteers, making the conditions exposed in these articles even worse.

The problems at the City Shelters have been brought up at the Board of Animal Services Commissioners (BASC) meetings for many months, to no avail. For the most part, the BASC and Department Management did little or nothing to fix the problems. And recently, the Commissioners have taken steps to severely limit public comment, and to prevent Neighborhood Council resolutions and Community Impact Statement from being heard at their meetings.

So it's no wonder that Shelter Volunteers, who care deeply about the animals, spoke to the press, newspapers and television news, about what is going on at the Shelters. The Commissioners and Animal Services Department management were ignoring their complaints. In a further attempt to cover-up conditions at the Shelters, the Animal Services Department management, with the apparent approval of the Commissioners, have suspended and terminated Volunteers, in an attempt to intimidate Volunteers into silence.

The above resolution passed with 17 in favor, 3 abstentions. (Only one representative from each Neighborhood Council is allowed to vote.)

2. Northeast Valley Animal Shelter

RESOLVED, that the Valley Alliance of Neighborhood Councils (VANC), representing the 34 Neighborhood Councils throughout the San Fernando Valley, believes the Northeast Valley Animal Shelter should be a full-service municipal animal shelter as contemplated by Proposition F and that no action should be taken on the RFP (Request for Proposal) until it is determined if this can be done.

In discussion of the motion and in the Hot Topic #4 explanation attached to the agenda, it was noted that at last month's VANC meeting, we passed the following resolution regarding the Northeast Valley animal shelter:

The Valley Alliance of Neighborhood Councils (VANC) represents the 34 Neighborhood Councils throughout the San Fernando Valley, including all of the Neighborhood Councils in the vicinity of the Northeast Valley Animal Shelter. This shelter is a City facility built with Proposition F funds to be a municipal animal shelter, open to the public. It was not meant to be a private facility to house rescue organizations. Nevertheless, the Board of Animal Services Commissioners has issued an RFP (Request for Proposal) to do just that, lease the Northeast Valley Animal Shelter to rescue organizations to operate. The Board of Animal Services Commissioners and Animal Services Department did not provide an opportunity for the affected Neighborhood Councils to provide input into this decision. Therefore, it is RESOLVED that VANC takes the position that the Department of Animal Services and City Council should receive input from the affected Neighborhood Councils before releasing the Request for Proposal for rescue organizations to operate the Northeast Valley Animal Shelter.

The RFP was released without input from the affected Neighborhood Councils. In response to VANC's motion, the City Council introduced a resolution (Council File 22-0897, Koretz and Blumenfield) to amend the City Charter to make sure things like this don't happen in the future. The proposed charter amendment would require that the commission associated with any department contemplating the issuance of an RFP hold a public hearing or the department hold a public meeting, to provide members of the public an opportunity to offer relevant ideas for consideration by the department **prior** to the drafting of the RFP.

But the Animal Services Commission doesn't appear to be doing anything to stop the RFP for the Northeast Valley Shelter. So the resolution above was passed, 18 in favor, 3 abstentions.

(Disclaimer: This email is not sent on behalf of the Animal Services Department or as an attorney for any party, but in my individual capacity.)

Sincerely, Jeff

Jeffrey Mausner

Email: Jeff@MausnerLaw.com

Cell phone: (310) 617-8100

From: Jeffrey Mausner <jeff@mausnerlaw.com>

Sent: Tuesday, August 2, 2022 11:47 AM

To: Kenneth Mejia <kenneth@mejiaforcontroller.com>; Larry Gross <commissioner.gross@yahoo.com>; mike.feuer@lacity.org; Eric Garcetti <mayor.garcetti@lacity.org>; Paul Darrigo <fedguy2@pacbell.net>

Cc: Curtis Watts <curtis.watts@lacity.org>; oliviaegarcia@outlook.com; alisafinsten@gmail.com; jsandoval91402@gmail.com; jill_cohen@sbcglobal.net; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org; steve.houchin@lacity.org; Jennifer Curiel <jennifer.curiel@lacity.org>; paul.koretz@lacity.org; councilmember.rodriquez@lacity.org; Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org; john.popoch@lacity.org; Jeff.Jacobberger@LACity.org; Jake Flynn <jakebflynn@gmail.com>; Semee Park <semeepark@lacity.org>; Mirna Ezquivel <mirna.ezquivel@lacity.org>; Jill Barad <jbbamad@gmail.com>; Linda Gravani <lindag@lakebalboanc.org>; Linda Gravani (<lgravani@hotmail.com>) <lgravani@hotmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy cleghorn <cindycleghorn@gmail.com>; tonyw.civic@gmail.com; slowtony@gmail.com; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <maryagarciaa@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com; Gail Raff <valleyvillagecat@gmail.com>; Leonard Shaffer (<l.shaffer@tarzananc.org>) <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org; Michelle.Vergara@LACity.org; Erin.Seinfeld@lacity.org; contactCD4@lacity.org; paul.Krekorian@lacity.org; councilmember.martinez@lacity.org; sophie.gilchrist@lacity.org; arianna.miskin@lacity.org; Kiernan <kiernan.elam@gmail.com>; jfuchs@mhnconline.org; acharlton@mhnconline.org; rruiz-penuela@mhnconline.org; WDiaz-Antonio@mhnconline.org; rperez@mhnconline.org; ggarcia-mendoza@mhnconline.org; rveliz@mhnconline.org; sruiz-perez@mhnconline.org; jflores@mhnconline.org; DEscamilla@mhnconline.org; sbrown@mhnconline.org; jcabrera@mhnconline.org; jascencio@mhnconline.org; Ron.Galperin@LACity.org; Brian Allen (<Ballen@NCBALA.org>) <Ballen@NCBALA.org>; Kusnier@aol.com; Jack Humphreville <jackh@targetmediapartners.com>; Smith, Dakota <Dakota.Smith@latimes.com>; seisenberg@sullivantriggs.com

Subject: Re: Northeast Valley Animal Shelter; Reinstate Volunteers - Petition for Grievances

After having quickly reviewed the RFP, the following are my comments. These comments are sent in my private individual capacity. They are not on behalf of the Animal Services Department. They are not on behalf of any of the Neighborhood Council entities that I am an

official or member of. (Outreach should have been done with the Neighborhood Councils and the Public months ago, so that they could have had input into the process in a timely and orderly manner.) These comments are not sent as an attorney for any party. Just in my private individual capacity. (However, it should be noted that the Valley Alliance of Neighborhood Councils (VANC) passed a resolution regarding this matter, as detailed in the email dated July 15, 2022, below.)

What has the Board of Animal Services Commissioners (BASC) and Los Angeles Animal Services Department (LAAS) done to attempt to secure funding to run the Northeast Valley Animal Shelter as a municipal shelter? Has a budget proposal to run the Shelter as a municipal shelter ever been written or submitted? There is a great deal of money coming to the City from the State and Federal Governments; has any proposal been submitted to ask for a small portion of that money to run the Northeast Valley Shelter? There is a shortage of kennel space to care for the dogs, cats, and rabbits in the City shelter system. Before giving away hundreds of kennels, has a serious attempt been made to secure funding to keep them in the City shelter system? Who is watching out for the interests of the animals? And who is watching out for the interests of the stakeholders of the City who voted for, and paid for, the Northeast Valley Shelter to be a municipal shelter pursuant to Proposition F? Please see the first email in this string, dated July 15, 2022. As noted below, when Proposition F was passed by two-thirds of voters in 2000, residents were told that the Department of Animal Services would operate 8 animal shelters. Voters were told that additional space was needed for animal control officers to “solve problems of stray, abandoned, and dangerous animals” and the new facilities would improve response times. The Prop F voter guide also acknowledged that additional funds would need to be appropriated to staff the two new animal shelters, one of which was Northeast Valley. However, that was never done, and I have never seen anything to indicate that the BASC or LAAS has made any attempt to secure the additional funds to staff the Northeast Valley Shelter (at least not in recent years).

Assuming that sufficient, sincere attempts have been made to secure funding to operate Northeast Valley as a municipal shelter and that it is impossible to secure that funding now, my comments on the RFP are as follows:

1. What services will the rescue organization provide to the people who approved the funding to build the shelter and paid for it? The RFP is very light on the required services and level of services.
2. The RFP does not specify how many animals the rescue organization will be required to take from LAAS. It does not specify what animals the rescue organization will be required to take from LAAS. Will they be required to take dogs who are difficult to adopt, or can they meet their quota by taking easily adoptable kittens?
3. The RFP does not specify how kennel space will be used. LAAS often has a shortage of kennel space. Will the arrangement with the rescue maximize the amount of kennel space that will be available for the Valley’s homeless animals, and how will that be enforced?
4. The RFP specifically provides that “[t]here will be no intake of animals from the public, no public calls for animal pick up ...” RFP page 4. “Proposer will not provide any

animal intake at the Shelter and will not accept animals brought to the Shelter by members of the public.” RFP page 6. That was never proposed to, discussed, or approved by the stakeholders.

4. The RFP specifically provides that “[t]he City will not allow any Animal Control and Law Enforcement Services to be conducted at the Northeast Valley Animal Shelter.” RFP page 7. “The Department is not operating in the Northeast Valley Animal Shelter.” RFP page 4. “The Proposers are not to operate a fully functioning animal shelter.” RFP page 4. That was never proposed to, discussed, or approved by the stakeholders who paid for the Northeast Valley Shelter facility.

I suggest that LAAS and the BASC immediately attempt to secure funding for the Northeast Valley Animal Shelter to operate as a municipal shelter, including from the General Fund, State and Federal grants and funding. I suggest that you keep the Public (including Neighborhood Councils) advised of those efforts. Keeping us advised will allow us to mobilize support for the attempts you make to secure funding, and if you are ultimately unsuccessful, will at least gain public acceptance of the RFP route. I also suggest that you do outreach to the Public (including Neighborhood Councils) regarding what they would like to see in an RFP. The Stakeholders should not be shut out of something as important as how a multi-million dollar facility that they paid for will be operated.

Regarding the suspended and terminated Volunteers, again, these comments are sent in my private individual capacity. They are not on behalf of the Animal Services Department. They are not on behalf of any of the Neighborhood Council entities that I am an official or member of. These comments are not sent as an attorney for any party. Just in my private individual capacity.

(However, I will note that several years ago when issues of Volunteers being terminated for exercising their First Amendment rights came up, the Neighborhood Council Budget Advocates passed a resolution regarding that. Please see: <https://citywatchla.com/index.php/budget-advocates-2/19044-budget-advocates-call-for-investigation-of-animal-services-department-volunteer-program>)

The suspension and termination of Volunteers for criticizing the Department or speaking to the press is highly damaging to the Department. The damage to the Department for the suspensions and terminations is as damaging as the revelations those Volunteers have made. The suspensions and terminations exponentially increase the number of people who will see the revelations these Volunteers have made and be concerned about them. The number of people on this email string is continually growing (including bcc’s), and more and more people will know about it, including the media.

I have previously written to you (in my individual capacity, not as an attorney for any party) regarding the vague, ambiguous, unpublicized, and unknown media policy regarding Volunteers speaking with the press. It was not until after the latest suspensions that the policy was clarified, in an email to me, but not in a blast email to all of the Volunteers. This whole thing has been handled in a terrible manner. Again, not speaking as an attorney for any party (but as someone who is knowledgeable on the subject as a former attorney for more than 35

years in both private practice and as a former Federal Prosecutor, a former law professor, etc.), you are subjecting the Department, City, and individuals to potential legal liability. I strongly suggest that you immediately reinstate the Volunteers. As Paul Darrigo said, let's complete this and move on. This will not go away until the Volunteers are reinstated, because it is the animals (as well as the principle of Free Speech) who are suffering. Someone please take responsibility for this and see that the Volunteers are reinstated.

Sincerely, Jeff

Jeffrey Mausner

Email: Jeff@Mausnerlaw.com

Cell phone: (310) 617-8100

From: Paul Darrigo <fedguy2@pacbell.net>

Sent: Tuesday, August 2, 2022 12:10 AM

To: Kenneth Mejia <kenneth@mejiaforcontroller.com>; Larry Gross <commissioner.gross@yahoo.com>; Jeffrey Mausner <jeff@mausnerlaw.com>; mike.feuer@lacity.org <mike.feuer@lacity.org>; Eric Garcetti <mayor.garcetti@lacity.org>

Cc: Curtis Watts <curtis.watts@lacity.org>; oliviaegarcia@outlook.com <oliviaegarcia@outlook.com>; alisafinsten@gmail.com <alisafinsten@gmail.com>; jsandoval91402@gmail.com <jsandoval91402@gmail.com>; jill_cohen@sbcglobal.net <jill_cohen@sbcglobal.net>; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org <annette.ramirez@lacity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; Jennifer Curiel <jennifer.curriel@lacity.org>; paul.koretz@lacity.org <paul.koretz@lacity.org>; councilmember.rodriquez@lacity.org <councilmember.rodriquez@lacity.org>; Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org <lisa.hansen@lacity.org>; john.popoch@lacity.org <john.popoch@lacity.org>; Jeff.Jacobberger@LACity.org <jeff.jacobberger@lacity.org>; Jake Flynn <jakebflynn@gmail.com>; Semee Park <semee.park@lacity.org>; Mirna Ezquivel <mirna.ezquivel@lacity.org>; Jill Barad <jbarad@gmail.com>; Linda Gravani <lindag@lakebalboanc.org>; Linda Gravani (lgravani@hotmail.com) <lgravani@hotmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy cleghorn <cindycleghorn@gmail.com>; tonyw.civic@gmail.com <tonyw.civic@gmail.com>; slowtony@gmail.com <slowtony@gmail.com>; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <maryagarciaa@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com <kenrossdds@aol.com>; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com <dduukkee11@aol.com>; Gail Raff <valleyvillagecat@gmail.com>; Leonard Shaffer (l.shaffer@tarzananc.org) <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org <mayor.helpdesk@lacity.org>; Michelle.Vergara@LACity.org <michelle.vergara@lacity.org>; Erin.Seinfeld@lacity.org <erin.seinfeld@lacity.org>; contactCD4@lacity.org <contactcd4@lacity.org>; paul.Krekorian@lacity.org <paul.krekorian@lacity.org>; councilmember.martinez@lacity.org <councilmember.martinez@lacity.org>; sophie.gilchrist@lacity.org <sophie.gilchrist@lacity.org>; arianna.miskin@lacity.org <arianna.miskin@lacity.org>; Kiernan <kiernan.elam@gmail.com>; jfuchs@mhnconline.org <jfuchs@mhnconline.org>; acharlton@mhnconline.org <acharlton@mhnconline.org>; rruiz-penuela@mhnconline.org <rruiz-penuela@mhnconline.org>; WDiaz-Antonio@mhnconline.org <wdiaz-antonio@mhnconline.org>; rperez@mhnconline.org <rperez@mhnconline.org>; ggarcia-mendoza@mhnconline.org <ggarcia-mendoza@mhnconline.org>; rveliz@mhnconline.org <rveliz@mhnconline.org>; sruiz-perez@mhnconline.org <sruiz-perez@mhnconline.org>; jflores@mhnconline.org <jflores@mhnconline.org>; DEscamilla@mhnconline.org

<descamilla@mhnconline.org>; sbrown@mhnconline.org <sbrown@mhnconline.org>; jcabrera@mhnconline.org <jcabrera@mhnconline.org>; jascencio@mhnconline.org <jascencio@mhnconline.org>; Ron.Galperin@LACity.org <ron.galperin@lacity.org>

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter - Petition for Grievances

Jeff,

If you are going to Ombudsman for the volunteers, in my opinion, you will have to ask if they want to seek counsel at this point. If a complaint is drafted and petitioned to the city, they will have to answer or it will have to go to the grand jury for a various list of grievances to be discussed side bar.

We have reviewed the LAAS Volunteer handbook and find it vague and ambiguous.

But.

LAAS has an easy win on these suspensions; LAAS has counseled with the volunteers, explained the rules (which are contradicting, vague and ambiguous) and the volunteers grievances have been heard and are being mitigated. They agree to adapt their 1st amendment rights to not speak for LAAS unless given permission and will distinguish when they are expressing their personal opinion. The Volunteer handbook will be revised for clarity and compliance. They can now be reinstated.

Easy win for all.

Let's complete this and move on. Please let me know when you want to talk further on this.

Paul Darrigo
CHULA - Citizens for a Humane Los Angeles
<https://www.facebook.com/groups/773416409436730/>
323-244-8020

On Monday, August 1, 2022 at 08:04:44 PM PDT, Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

Hi Kenneth, thank you for your email, and thank you in particular for your support for the Volunteers who have been terminated (which has been discussed in another email string).

Every current office-holder seems to take the position that they do not have the authority to reinstate the Volunteers. I think everyone who is taking that position is underestimating their authority, or at the least underestimating their influence, to have the Volunteers reinstated. The suspensions have gone on for too long and it is the animals (as well as the principle of Free Speech) who are suffering. Someone please take responsibility for this.

The City Controller may not have the direct authority to reinstate a terminated Volunteer, but I have no doubt that a good Controller could see that Volunteers are reinstated.

Best regards, Jeff

From: Kenneth Mejia <kenneth@mejiaforcontroller.com>
Sent: Monday, August 1, 2022 7:12 PM
To: Larry Gross <commissioner.gross@yahoo.com>
Cc: Curtis Watts <curtis.watts@lacity.org>; Jeffrey Mausner <jeff@mausnerlaw.com>; oliviaegarcia@outlook.com; alisafinsten@gmail.com; jsandoval91402@gmail.com; jill_cohen@sbcglobal.net; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org; steve.houchin@lacity.org; Jennifer

Curiel <jennifer.curiel@lacity.org>; paul.koretz@lacity.org; councilmember.rodriquez@lacity.org;
Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org;
john.popoch@lacity.org; Jeff.Jacobberger@LACity.org; Jake Flynn <jakebflynn@gmail.com>; Semee Park
<semee.park@lacity.org>; Mirna Ezquivel <mirna.ezquivel@lacity.org>; Jill Barad <jbarad@gmail.com>;
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arianna.miskin@lacity.org; Kiernan <kiernan.elam@gmail.com>; jfuchs@mhnconline.org;
acharltan@mhnconline.org; r Ruiz-penuela@mhnconline.org; WDiaz-Antonio@mhnconline.org;
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perez@mhnconline.org);
jflores@mhnconline.org; DEscamilla@mhnconline.org; sbrown@mhnconline.org;
jcabrera@mhnconline.org; jascencio@mhnconline.org

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter

Hi all, my name is **Kenneth Mejia** and I am the leading candidate to be the next City of LA's **City Controller**. The City Controller is also the City's Auditor in charge of auditing city departments and programs.

I encourage employee heads at LAAS, the Commission, and other City Officials to do a better job in providing transparency AND accessibility when it comes to handling our City of LA animal shelters. For something as important as managing a city animal shelter (e.g. the Northeast Valley Animal Shelter), the public shouldn't have to be given transparency AND accessibility in the form of a Commission President emailing a PDF of the RFP to 70 people on an email thread to make the RFP publicly available.

As others have stated, you cannot access the RFP easily without creating an Angeleno account (why if the public just wants to read the RFP? Larry Gross literally just emailed it to everyone for us to share with the public). In addition, once you create an Angeleno account, you have to have a business to access the RFP doc:

ⓘ You currently do not have a RAMP acc

In addition, I would encourage department heads, the commission, and city officials to **please reinstate volunteers who have been suspended for speaking up about our city animal shelters**. At least, provide suspended volunteers with transparency and courtesy in terms of how long they will be suspended, why they

were suspended, and what can be done to be reinstated (reconciliation process). You all talk about how much LA Animal Services rely heavily on volunteers, well let's make it happen then and work together.

Kenneth Mejia, CPA

Mejia for LA City Controller 2022

mejiaforcontroller.com



Paid for by Mejia for City Controller 2022, FPPC ID#: 1435234

1001 Wilshire Blvd. Suite 102, Los Angeles CA 90017.

Additional information is available at ethics.lacity.org.

On Mon, Aug 1, 2022 at 6:47 PM Larry Gross <commissioner.gross@yahoo.com> wrote:

I downloaded the RFP for you from RAMPLA.org. It is attached.

Larry Gross

Commissioner - President

City of Los Angeles

Board of Animal Services Commissioners

Email : commissioner.gross@yahoo.com

<http://www.laanimalservices.com/about-us-2/commission/>

On Monday, August 1, 2022 at 06:26:45 PM PDT, Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

I still have not been able to access the RFP because I do not have a Company Name and Company Tax ID Number. Has the RFP been posted yet where members of the General Public or Neighborhood Councils can see it?

There is a meeting tonight of the Mission Hills Neighborhood Council (MHNC) in which the Northeast Valley Animal Shelter is on the agenda. As far as I know, members of the MHNC

have also not seen the RFP and their input regarding the Northeast Valley Animal Shelter has not been sought by the Animal Services Department. The Northeast Valley Animal Shelter is located in Mission Hills.

Sincerely, Jeff

From: Jeffrey Mausner <jeff@mausnerlaw.com>

Sent: Monday, August 1, 2022 10:17 AM

To:

Cc:

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter

Thank you Curtis. However, if you go here: [Opportunity Details \(rampla.org\)](https://rampla.org)

it requires a Login (upper right corner).

When you click on Login, you then need to sign in with your Angeleno Account, which I happen to have from the Neighborhood Council.

When you log into the Angeleno Account, it states: "You currently do not have a RAMP account. If you would like to register please check first if your company is already registered by entering the information below." Among the information required to be entered is "Company Name" and "Tax ID." Since I am retired and have closed down my law firm, I do not have a Company Name or Tax ID. The website does not allow you to get further without entering this information. And because of that, even if you were able to get past providing that information, it seems that you will not be able to register without having a Company Name or Tax ID. Members of the public and Neighborhood Councils should be able to view the RFP without having a Company Name or Tax ID.

Thank you. Best regards, Jeff

From: Curtis Watts <curtis.watts@lacity.org>

Sent: Monday, August 1, 2022 9:42 AM

To: Jeffrey Mausner <jeff@mausnerlaw.com>

Cc: Larry Gross <commissioner.gross@yahoo.com>; oliviaegarcia@outlook.com <oliviaegarcia@outlook.com>; alisafinsten@gmail.com <alisafinsten@gmail.com>; jsandoval91402@gmail.com <jsandoval91402@gmail.com>; jill_cohen@sbcglobal.net <jill_cohen@sbcglobal.net>; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org <Annette.Ramirez@lacity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; Jennifer Curiel <jennifer.curriel@lacity.org>; paul.koretz@lacity.org <paul.koretz@lacity.org>;

councilmember.rodriquez@lacity.org <councilmember.rodriquez@lacity.org>; Councilmember Bob Blumenfield <councilmember.blumenfield@lacity.org>; Lisa.Hansen@lacity.org <Lisa.Hansen@lacity.org>; john.popoch@lacity.org <john.popoch@lacity.org>; Jeff.Jacobberger@LACity.org <Jeff.Jacobberger@lacity.org>; Jake Flynn <jakebflynn@gmail.com>; Semee Park <semee.park@lacity.org>; Mirna Ezquivel <Mirna.Ezquivel@lacity.org>; Jill Barad <jbarad@gmail.com>; Linda Gravani <Lindag@lakebalboanc.org>; Linda Gravani (lgravani@hotmail.com) <lgravani@hotmail.com>; Michelle Cornelius <artshapeslife@gmail.com>; Sherry Brown <sherrymandalay@gmail.com>; Glenn Bailey <glennbaileyncba@yahoo.com>; Glenn Bailey <glennbaileyncs@gmail.com>; cindy cleghorn <cindycleghorn@gmail.com>; tonyw.civic@gmail.com <tonyw.civic@gmail.com>; slowtony@gmail.com <slowtony@gmail.com>; Corinne Ho <corinnemho@gmail.com>; Ginny Hatfield <Ginnyaauw@gmail.com>; judi <judi13@gmail.com>; Kathy Delle Donne <kadedo@earthlink.net>; mark seigel <mark.seigel@gmail.com>; Mary Garcia <MaryAGarciaA@sbcglobal.net>; Saul <saul.daniels@gmail.com>; Ken Ross <kenrossnenc@yahoo.com>; kenrossdds@aol.com <kenrossdds@aol.com>; Cathy Serksnas <serksnas@aol.com>; David Hernandez <drhassoc@earthlink.net>; Haze <tmhrescue@gmail.com>; Joy Freiberg <joyfreiberg@yahoo.com>; Lydia Grant <fivegrants@msn.com>; Michael Bell <brooklynboymike@gmail.com>; Paul Darrigo <fedguy2@pacbell.net>; whitney smith <whitneysmith3@gmail.com>; dduukkee11@aol.com <dduukkee11@aol.com>; Gail Raff <valleyvillagecat@gmail.com>; Leonard Shaffer (l.shaffer@tarzananc.org) <l.shaffer@tarzananc.org>; James Bickhart <james.bickhart@lacity.org>; mayor.helpdesk@lacity.org <mayor.helpdesk@lacity.org>; Michelle.Vergara@LACity.org <Michelle.Vergara@lacity.org>; Erin.Seinfeld@lacity.org <Erin.Seinfeld@lacity.org>; contactCD4@lacity.org <contactCD4@lacity.org>; paul.Krekorian@lacity.org <paul.Krekorian@lacity.org>; councilmember.martinez@lacity.org <councilmember.martinez@lacity.org>; sophie.gilchrist@lacity.org <sophie.gilchrist@lacity.org>; arianna.miskin@lacity.org <arianna.miskin@lacity.org>; Kenneth@mejiaforcontroller.com <kenneth@mejiaforcontroller.com>; Kiernan <kiernan.elam@gmail.com>

Subject: Re: VANC Resolution re Northeast Valley Animal Shelter

Hi Mr. Mausner,

The RAMPLA website is the City's public website where contracting opportunities are posted. Anyone is able to create an account and obtain information regarding the opportunities listed on the site.

Thanks,

Curtis R. Watts

Assistant General Manager

Los Angeles Animal Services

221 N. Figueroa Street, Suite 600

Los Angeles, CA 90012

O: (213) 482-9558

E: curtis.watts@lacity.org

On Sun, Jul 31, 2022 at 1:08 PM Jeffrey Mausner <jeff@mausnerlaw.com> wrote:

The Request for Proposal (RFP) for the Northeast Valley Animal Shelter should be posted in a location that is accessible to the general public. It appears that the RFP was posted on the

website www.Rampla.org on July 27, but that website requires credentials to access the RFP and appears to make the RFP available only to potential bidders. There has been a complete lack of transparency and failure to get input from the public in connection with the Northeast Valley Shelter.

Please post the RFP so that it is available to the public and publicize where it is posted, including publicizing by email to the Neighborhood Councils.

Sincerely, Jeffrey Mausner

From: Jeffrey Mausner

Sent: Friday, July 15, 2022 3:06 PM

To: Larry Gross <commissioner.gross@yahoo.com>; oliviaegarcia@outlook.com <oliviaegarcia@outlook.com>; alisafinsten@gmail.com <alisafinsten@gmail.com>; jsandoval91402@gmail.com <jsandoval91402@gmail.com>; jill_cohen@sbcglobal.net <jill_cohen@sbcglobal.net>; Francine Acuna <francine.acuna@lacity.org>; Annette.Ramirez@lacity.org <Annette.Ramirez@lacity.org>; Curtis.Watts@LACity.org <Curtis.Watts@LACity.org>; steve.houchin@lacity.org <steve.houchin@lacity.org>; Jennifer Curiel <jennifer.curiel@lacity.org>

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Subject: VANC Resolution re Northeast Valley Animal Shelter

To the Board of Animals Services Commissioners and Officials of the Los Angeles Animal Services Department:

At its meeting on July 14, 2022, the Valley Alliance of Neighborhood Councils (VANC) unanimously (with one abstention) passed the following resolution:

The Valley Alliance of Neighborhood Councils (VANC) represents the 34 Neighborhood Councils throughout the San Fernando Valley, including all of the Neighborhood Councils in the vicinity of the Northeast Valley Animal Shelter. This shelter is a City facility built with Proposition F funds to be a municipal animal shelter, open to the public. It was not meant to be a private facility to house rescue organizations. Nevertheless, the Board of Animal Services Commissioners has issued an RFP (Request for Proposal) to do just that, lease the Northeast Valley Animal Shelter to rescue organizations to operate. The Board of Animal Services Commissioners and Animal Services Department did not provide an opportunity for the affected Neighborhood Councils to provide input into this decision. Therefore, it is RESOLVED that VANC takes the position that the Department of Animals Services and City Council should receive input from the affected Neighborhood Councils before releasing the Request for Proposal for rescue organizations to operate the Northeast Valley Animal Shelter.

The Resolution passed with 24 in favor, none against, and one abstention. (Only one vote can be cast per Neighborhood Council.) The following background information was provided for the Resolution:

When Proposition F was passed by two-thirds of voters in 2000, residents were told that the Department of Animal Services would operate 8 animal shelters. Voters were told that additional space was needed for animal control officers to “solve problems of stray, abandoned, and dangerous animals” and the new facilities would improve response times. The Prop F voter guide also acknowledged that additional funds would need to be appropriated to staff the two new animal shelters, one of which was Northeast Valley. However, instead of operating the facility as a municipal shelter as contemplated by Prop F, the Animal Services Department leased the facility to Best Friends rescue organization.

Best Friends publicly announced on June 29 that they intended to vacate the Northeast shelter when their contract expires on December 31, 2022 (they began operating the Northeast shelter in January 2012). The Department of Animal Services did not publicly announce their intention to release an RFP for the Northeast Shelter until Friday July 8 when they placed the item on their meeting agenda. This short time frame did not allow the affected neighborhood councils to provide any input regarding whether the Northeast Valley Animal Shelter is operated by the City or by rescue organizations, or the terms under which a rescue organization would operate the facility. Nevertheless, on Tuesday, July 12 the Board of Animal Services Commissioners approved releasing an RFP for rescue organizations to operate the Northeast Valley Animal Shelter.

There are several ways in which the Board of Animal Services Commissioners (BASC) and Animal Services Department (LAAS) can provide the public information and receive input regarding a major decision such as this:

1. You can hold town halls regarding the issue, in which information is provided and the public can voice their views. The Neighborhood Councils and Neighborhood Council Alliances would be happy to help publicize these town halls and distribute information to their constituents. Adequate time must be given for people to express their views; cutting them off after one or two minutes is not sufficient in a town hall.
2. Representatives of BASC and LAAS can appear at individual Neighborhood Council (NC) meetings to discuss the issue. These appearances should be agendaized so that there is sufficient time for discussion and NC members and the public can ask questions.
3. Representatives of BASC and LAAS can appear at Neighborhood Council Coalition meetings. VANC would be happy to have you, as we do with other departments that are considering major projects or decisions.
4. You can send out email blasts on your mailing list regarding such matters.

These are all things that other Departments do. I would be happy to help with any of those alternatives. Among many other things, the following questions need to be answered and discussed:

- a. Why isn't the Northeast Valley Shelter being opened as a municipal shelter, as contemplated by the voters who approved it and paid for it?
- b. What has BASC and LAAS done to secure funding to run the Northeast Valley Shelter as a municipal shelter? Have you submitted any budget proposals to do so?
- c. What are the terms of the RFP that you voted to release on July 12? The RFP wasn't even attached to your agenda.
- d. What services will the rescue organization provide to the people who approved the funding to build the shelter and paid for it?
- e. How many animals will the rescue organization be required to take from LAAS? Will they be required to take dogs who are difficult to adopt, or can they meet their quota by taking easily adoptable kittens?
- f. How will the kennel space be used? LAAS often has a shortage of kennel space. Does the arrangement with the rescue maximize the amount of kennel space that will be available for the Valley's homeless animals? If there is a provision to maximize kennel space, how will it be enforced?
- g. What are the consequences if the organization does not meet its contractual obligations?
- h. Why won't the rescue organization provide intake for animals?
- i. Will the rescue organization provide working space for Animal Control Officers?
- j. What type of oversight will the public have of the operations of the rescue organization at the shelter?

None of these issues, and more, have been discussed with the public. The lack of transparency is very concerning on a matter as important as who will operate the Northeast Valley Shelter and the terms of operation. I can tell you that many people I've heard from are very angry about this.

Sincerely, Jeffrey Mausner, Member of the VANC Executive Committee and VANC Animal Representative.

Jeffrey Mausner

(For identification purposes)

Valley Alliance of Neighborhood Councils and Tarzana NC Liaison to Los Angeles Animal Services Department

Board of Directors and 2nd Vice President, Tarzana Neighborhood Council

Chairman, Tarzana Neighborhood Council Animal Welfare Committee

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