



THE CITY OF SAN DIEGO

November 13, 2024

Honorable Maureen F. Hallahan
Presiding Judge
San Diego Superior Court
1100 Union Street, 10th Floor
San Diego, CA 92101

Re: San Diego County Grand Jury Report, Dog Bites in San Diego County

Honorable Judge Hallahan,

Pursuant to California Penal Code Section 933.05(c), the City of San Diego provides the attached response from the City Council and Mayor to the applicable findings and recommendations included in the above referenced Grand Jury Report.

If you require additional information, or have any questions, please contact Luz Anaya Luna, Director of Legislative Affairs, at lanayaluna@sandiego.gov.

Sincerely,

Handwritten signature of Todd Gloria in black ink.

Todd Gloria
Mayor
City of San Diego

Handwritten signature of Sean Elo-Rivera in black ink.

Sean Elo-Rivera
Council President
City of San Diego

Enclosure:

1. City of San Diego Response to San Diego County Grand Jury Report Titled "Dog Bites in San Diego County"
2. City Council Resolution R-315879

**City of San Diego Response to
San Diego County Grand Jury Report Titled
“Dog Bites in San Diego County”**

Pursuant to California Penal Code Section 933(c), the City of San Diego Mayor and City Council provide the following response to the applicable findings and recommendations included in the above referenced Grand Jury Report.

RESPONSE TO FINDINGS:

Finding 1: *Not all animal control agencies with jurisdiction for animal control in the cities of San Diego County consistently report their dog bite information to San Diego County Animal Control for annual reporting to the California Department of Public Health.*

This finding applies to the cities of Coronado and Chula Vista. Therefore, a response is not provided.

Finding 2: *Public information concerning fines for violations of dog control ordinances is not available for all interviewed jurisdictions.*

Response: The Mayor and City Council disagree with the Grand Jury’s finding. The City of San Diego, through San Diego Municipal Code Chapter 4, section 44.0300, adopts the San Diego County Code of Regulatory Ordinances regarding dog control. Public information regarding fines for violations of these ordinances is available on the Superior Court of California, County of San Diego’s website as a downloadable PDF titled “Bail Schedule,” linked here: <https://www.sdcourt.ca.gov/sdcourt/criminal2/criminalresources>. Consistent with the Superior Court of California Bail Schedule, San Diego Municipal Code section 12.0201 enumerates the maximum fines for convictions of criminal misdemeanors and infractions.

Finding 3: *Providing the authorization to animal control officers to issue citations and fines would provide a method, short of a Dangerous Dog hearing, to incentivize owners to better control their dog’s behavior.*

Response: The Mayor and City Council disagree with the Grand Jury’s finding. Animal control officers already have authority to issue citations under section 62.662 of the San Diego County Code of Regulatory Ordinances and section 44.0300 of the San Diego Municipal Code. Fines can only be assessed by the Superior Court of California, County of San Diego.

Finding 4: *Public information about the presence of Dangerous Dogs in a neighborhood, particularly near public schools, is not readily available in San Diego County.*

This finding applies to the County of San Diego. Therefore, a response is not provided.

RESPONSE TO RECOMMENDATIONS:

Recommendation 1: *Interviewed cities should submit to the County of San Diego reports about all dog bites within their jurisdictions annually.*

This recommendation applies to the cities of Coronado and Chula Vista. Therefore, a response is not provided.

Recommendation 2: *Interviewed cities and the County of San Diego should publicly post the fines associated with violations of ordinances concerning dogs.*

Response: The recommendation has been implemented. As noted in the City's response to Finding 2 above, public information regarding fines for violations of these ordinances is available on the Superior Court of California, County of San Diego's website as a downloadable PDF titled "Bail Schedule," linked here: <https://www.sdcourt.ca.gov/sdcourt/criminal2/criminalresources>. The City of San Diego has also made the same information available to the public through its Parks and Recreation Department website, linked here: <https://www.sandiego.gov/park-and-recreation/parks/dogs>. The Superior Court has the sole discretion as to the actual imposition of fines and the amount.

Recommendation 3: *Interviewed cities and the County of San Diego should develop regulations for a citation and fine process for the violations of animal control ordinances including when a dog bite is reported.*

Response: The recommendation has been implemented. The City of San Diego has a process in place to address violations of animal control ordinances. The San Diego Humane Society, the City's animal services contractor, is authorized to investigate dog bite incidents and issue citations for violations of these ordinances. Violators are subject to fines imposed by the Superior Court of California, County of San Diego.

Recommendation 4: *The San Diego County Board of Supervisors direct the County Animal Control Division to develop a plan for collecting information about the location of a declared Dangerous Dog within the County and posting this information, so it is readily available to the public.*

This recommendation applies to the County of San Diego. Therefore, a response is not provided.

#333 11-12-24

(R-2025-210)

RESOLUTION NUMBER R- 315879

DATE OF FINAL PASSAGE NOV 12 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE CITY COUNCIL'S RESPONSE
TO THE 2023/2024 SAN DIEGO COUNTY GRAND JURY
REPORT TITLED "DOG BITES IN SAN DIEGO COUNTY."

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. On June 10, 2024, the 2023/2024 San Diego County Grand Jury (Grand Jury) issued a report titled "DOG BITES IN SAN DIEGO COUNTY" (Report) that focused on issues concerning how dog bite cases are handled in the County of San Diego. The Report made four findings and four recommendations, two of which were directed to the Mayor and Council of the City of San Diego (Council).

B. The Report requires a response by the Mayor and Council, in accordance with California law under California Penal Code section 933(c), which states that within 90 days after the filing of a Grand Jury report, each public agency, which the Grand Jury reviewed and about which it issued a report, must respond to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. In this instance, the Council President's office requested and received an extension for the response to December 6, 2024.

C. The Office of the Independent Budget Analyst (IBA) has proposed a response to the Report as set forth in IBA Report No. 24-29, dated October 3, 2024, for the Mayor and Council's consideration. The IBA has conferred with the Mayor and his staff, who have approved the proposed response applicable to the Mayor.

D. On October 16, 2024, the Council's Public Safety Committee approved the IBA's proposed response applicable to the Council and voted to forward it to the full Council for consideration.

E. The Office of the City Attorney prepared this Resolution based on the information provided by City staff including information provided by affected third parties and verified by City staff, with the understanding that this information is complete and accurate.

F. Under San Diego Charter section 280(a)(1), this Resolution is not subject to veto by the Mayor because this matter is exclusively within the Council's purview and does not affect the administrative service of the City under the Mayor's control.

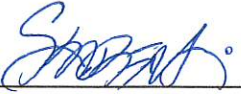
ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council approves and adopts as its own the response to the 2023/2024 San Diego County Grand Jury report titled "DOG BITES IN SAN DIEGO COUNTY" as set forth in the proposed response applicable to the Council in IBA Report No. 24-29, dated October 3, 2024, as prepared by the Independent Budget Analyst.

2. The Council President is authorized and directed, on behalf of the Council, to sign and deliver the above-described response to the Presiding Judge of the San Diego Superior Court no later than December 6, 2024.

APPROVED: MARA W. ELLIOTT, City Attorney

By  FOR _____
Nicole Pedone
Deputy City Attorney

NPM:jdf
10/25/2024
Or. Dept: IBA
Doc. No.: 3858234

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
NOV 12 2024.

DIANA J.S. FUENTES
City Clerk

By Connie Jatterson
Deputy City Clerk
for Gil Sanchez

Passed by the Council of The City of San Diego on NOV 12 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 12 2024.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 315879