PACFA AUDIT REQUEST

We respectfully request that the Colorado State Auditor conduct a **performance and compliance audit** of the **Pet Animal Care and Facilities Act (PACFA)** program as administered by the **Colorado Department of Agriculture (CDA)**.

This request is based on persistent, documented concerns regarding **inspection coverage, complaint handling, enforcement against unlicensed operators, data transparency, and alignment of staffing and resources with statutory responsibilities**. Available public data and recent incidents indicate potential systemic deficiencies that warrant independent review.

Areas of Audit Concern

1. Inspection Frequency and Violation Resolution

PACFA has publicly stated that it attempts to inspect licensed facilities annually. However, PACFA's own published data indicates that:

- Only **44% of licensees received a routine inspection in 2024**
- The highest inspection coverage in the past decade occurred in **2020 and 2021**, at **46%**
- **Routine inspections have not exceeded 50% of licensees in at least ten years**

These figures raise questions regarding:

- Whether inspection frequency meets statutory and regulatory expectations
- Whether inspection resources are adequate
- Whether high-risk or repeat-violation facilities are prioritized appropriately

Case Example: Delta, Colorado Dog Breeding Facility (June 21, 2025)

A June 2025 enforcement action involving a PACFA-licensed dog breeding facility in Delta, Colorado highlights potential failures in inspection follow-through and violation resolution:

- **More than 160 dogs** were removed from the facility and transferred to National Mill Dog Rescue.
- Many dogs were **severely matted to the point of impaired mobility, eating, drinking, and elimination**; some suffered **loss of limbs due to constricting mats**.
- Emergency grooming revealed **maggots and rodent feces embedded in mats**.

Inspection history shows repeated violations over a ten-year period, including:

- 2015, 2020, 2022: documented severe matting affecting animal health
- Corrective actions repeatedly accepted via **licensee self-attestation**, without verification
- No inspection conducted between 2022 and June 2025

Three days prior to the rescue, inspectors documented deceased animals, extreme heat exposure, lack of water, and approximately 137 severely matted dogs—conditions described as "health and welfare severely compromised."

CDA leadership later acknowledged publicly that the facility had not been inspected for years and stated that the program relies heavily on "voluntary compliance" across approximately 2,400 licensed facilities.

This raises audit-relevant questions regarding:

- Verification of corrective actions
- Enforcement escalation for repeat violations
- Risk-based inspection scheduling
- Management oversight and accountability

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2. Complaint Handling

PACFA's own data shows a significant decline in inspections resulting from complaints:

- **2020–2021:** approximately **65–70%** of complaints resulted in inspections
- **2024:** only **21%** of complaints resulted in inspections

While complaint volume or composition may have changed, the magnitude of this decline raises concerns regarding:

- Complaint triage criteria
- Investigation thresholds
- Consistency of enforcement
- Public confidence in the complaint process

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3. Identification and Enforcement Against Unlicensed Operators

PACFA primarily relies on **public complaints** to identify potentially unlicensed operators. The following cases raise concerns about PACFA's ability to investigate and enforce licensing requirements when credible information is provided.

Case Example: Fatal Dog Attack – Colorado City (February 3, 2025)

- A 76-year-old woman with dementia was fatally mauled by dogs at a residence housing nearly two dozen dogs.
- Law enforcement documented **over 50 dogs** across two properties, along with birds kept in unsanitary conditions.
- Criminal charges were filed against the dog owner, including **criminal negligence resulting in death** and **multiple counts of aggravated animal cruelty**.
- Multiple parties have stated that PACFA received prior complaints alleging unlicensed breeding activity at the property.

PACFA has declined to produce records under the Colorado Open Records Act, citing an ongoing investigation, preventing independent assessment of whether complaints were properly handled.

Case Example: Unlicensed Boarding Operation – "Spoiled Rotten Dogs"

- A 2021 complaint warned PACFA that an unlicensed operation posed serious safety risks; the case was closed as "unresolved."
- The operator continued providing paid dog care without a license.
- In December 2024, a client's dog was mauled to death while in the operator's care.
- PACFA declined to review video evidence provided by the complainant and closed the investigation without conducting a site inspection.
- PACFA later provided legislators with inaccurate information regarding contact with the complainant.
- Enforcement action occurred only after escalation to senior leadership outside the Department.

These cases raise audit questions regarding:

- PACFA's authority and procedures for unlicensed operations
- Investigator training and supervision
- Evidence handling
- Accuracy of communications with legislators
- Timeliness of enforcement actions

Audit Purpose and Request

Taken together, these issues indicate potential **systemic weaknesses in the administration of PACFA** that may expose animals and the public to preventable harm.

We respectfully request that the State Auditor evaluate whether PACFA:

- Meeting its **statutory obligations for inspection, investigation, and enforcement**
- **Applying enforcement actions consistently and proportionately**, particularly where repeat or high-risk violations are documented
- **Effectively identifying, investigating, and enforcing against unlicensed operators**
- **Providing sufficient transparency** regarding violations, investigations, and enforcement actions to protect consumers and public safety
- **Deploying staffing and resources appropriately** given the scope, complexity, and risk of its regulatory responsibilities

Given PACFA's significant implications for **animal welfare, public safety, and interstate commerce**, an independent performance and compliance audit would serve the public interest and support effective legislative oversight.