

MONTGOMERY COUNTY COMMON PLEAS COURT  
MONTGOMERY COUNTY, OHIO

**BARBARA SCHNEIDER, individually  
and as Executor of the Estate of Klonda  
Richey, Deceased,**

Plaintiff,

vs.

**MARK KUMPF, Director of Montgomery  
County Animal Resource Center and  
Montgomery County Dog Warden, in His  
Individual Capacity Only**

Defendant.

: CASE NO: 2015 CV 00730

: JUDGE: MARY WISEMAN

**AFFIDAVIT OF TRACEE RAINE**

I, Tracee Raine, depose and state of my personal knowledge that:

1. I am a former employee of the Animal Resource Center ("ARC") in Montgomery County, Ohio. I currently reside in Destin, Florida.
2. I worked at ARC from approximately 2006 until 2014. During my tenure at the ARC, I worked under Director Mark Kumpf.
3. I decided to end my employment with ARC due in part to the lack of professionalism with which Mr. Kumpf ran the ARC. Among other things, I disagreed with the way in which ARC, under Mr. Kumpf's direction, routinely neglected duties owed to the public and failed to adequately address complaints it received.
4. During my time at the ARC, I held various positions, including Veterinary Technician Assistant, Animal Care Provider, and, most recently, Clerical Processor Specialist I.
5. During my time at the ARC, one Clerical Processor Specialist I served as a dispatcher each day. At that time, the dispatcher answered calls made to the ARC, input callers'

information into the ARC's computer system, and dispatched Animal Care and Control Officers ("ACCO's") to respond to complaints.

6. In late January or early February 2014, while I was working at the ARC front desk (and not as a dispatcher), I recall receiving a call from a woman who was panicking and in extreme distress. The call was memorable because the caller was crying hysterically. She said her neighbor's two dogs were attacking her car and that she was trapped inside the vehicle. She was crying and yelling and pleading for help. She said she was terrified that the dogs were going to kill her.

7. Because I was not the assigned to serve as dispatcher that day, and was instead working the front desk, I told the caller that I had to put her on hold in order to transfer her to the dispatcher on duty, April Wheeler. The caller begged me not to put her on hold. She explained that it was an emergency and that she had tried to call the dispatcher's telephone line multiple times but nobody would answer the phone, which was why she decided to try the main shelter's line and reached me.

8. Because the caller was terrified that she would be disconnected if she were put on hold, I recall leaving my desk and physically walking over to the dispatch center to ensure that Ms. Wheeler accepted the call and got the woman help. I recall being shaken and afraid for the caller's life.

9. Unfortunately, it was an all too common practice for ARC employees to simply refuse to answer phone calls requesting service during business hours, and instead push a "divert" button on the telephone to send calls to voicemail. Employees would routinely divert calls when they were merely socializing with co-workers. I recall receiving many calls over the years from callers demanding to speak with a supervisor to complain about the ARC's refusal to

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answer calls. Each time I would forward the calls to my supervisor, the shelter supervisor, Mick Sagester.

10. ARC employees' abuse of the divert button function was well-known to Mark Kumpf, who was often present in the dispatch center when calls were diverted.

11. It was similarly well-known that some ARC employees would regularly socialize with coworkers during work hours rather than perform work duties. In fact, the work atmosphere under Kumpf was so casual and social that the ARC provided employees a grill to use at lunch even though it was impossible to heat up a grill, prepare food, grill it, and then eat it in the 30 minutes provided for a lunch break. Yet I saw two ACCO's in particular, Josh Cusick and Chris Byrd, use the grill for their lunches.

12. Similarly, I regularly saw ACCO's socializing in the break room or at other locations at the ARC for many hours a day. The ACCO's truck sheets should show a clear picture of how they spent their days.

13. During my tenure with the ARC, I often received calls complaining about, and heard colleagues discussing, ACCO's who had been caught sleeping in their vehicles, taking extended breaks at the park, or simply going home during work hours. I had conversations with my supervisor about ACCO's not doing their jobs. I told him I felt powerless. Yet I do not recall any ACCO's being reprimanded or terminated for any such offenses.

14. I had the day off from work on February 7, 2014 when Ms. Richey was tragically killed by her neighbor's dogs and heard about it on the news. I remember having lunch with Ms. Wheeler on my next work day and we were both devastated by the news. I remember talking with Ms. Wheeler about what had happened in response to the call described above, and then we both went to the dispatch center in order to pull the call records from the computer system. The

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records reflected that the call was for an East Bruce Avenue address in Dayton. I understand that Klonda Richey lived on East Bruce Avenue, and that she often complained to the ARC about her neighbor's dogs on East Bruce Avenue.

15. The call record that Ms. Wheeler and I reviewed showed that an ACCO responded to the call, drove past the East Bruce Avenue address, but did not see any dogs and therefore found no violation. I also remember approaching Mr. Sagester in the days after to inquire about what had happened in response to the call. I am not sure, but I believe I was told that the responding officer did not even leave his vehicle.

16. At the time of the frantic telephone call described above, ARC logged telephone calls using software designed specifically for animal shelters called Chameleon. Under the Chameleon software, ARC employees were able to manipulate call records after the fact by removing identifying information like names and addresses from the entries. This was a common practice used by ACCO's. Based on my review of the electronic record of the frantic telephone call described above, I could tell that someone had manipulated the call records, obscuring the caller's identity. I do not know who changed the call records or why.

17. After Ms. Richey died, ARC held a meeting during which Mark Kumpf and a Montgomery County representative, Amy Wiedeman, told ARC employees that they were not permitted to discuss Ms. Richey or her call history with anyone.

18. Around this time, Mr. Kumpf called a meeting to announce significant changes at ARC with regard to how violations were to be treated. Prior to the change, ACCO's enjoyed considerable discretion in deciding whether to issue a citation or a warning to a dog owner. In fact, management previously expressed a preference for *not* issuing citations unless absolutely

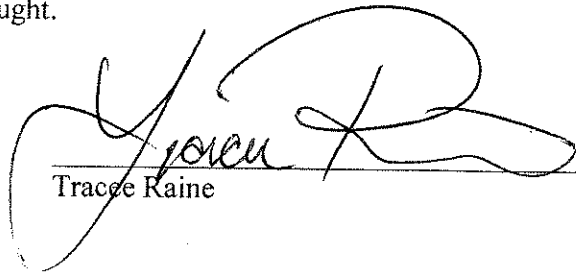
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necessary. However, Mr. Kumpf made clear at the meeting that going forward that all citable offenses were to be cited and that all phone calls should be answered immediately.

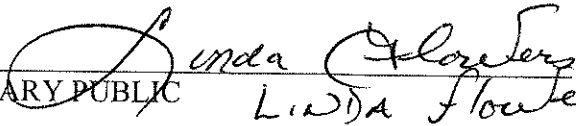
19. I remember that after the meeting, ARC employees, including ACCO's, were strictly monitored by management in order to eliminate fooling around during business hours and to maximize the number of citations issued.

Further Affiant sayeth naught.

  
Tracee Raine

SWORN TO and subscribed before me in my presence this 19 day of APRIL, 2018.



  
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