

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF DEKALB COUNTY,
GEORGIA, REAFFIRMING THE COUNTY'S PRIOR AUTHORIZATION TO SEEK
RECOVERY OF COSTS OF IMPOUNDMENT AND CARE FOR COURT-HELD DOGS
PURSUANT TO O.C.G.A. § 4-11-9.8; URGING THE DEKALB COUNTY LAW
DEPARTMENT TO RESUME FILING COST-OF-CARE PETITIONS; AND TO
CREATE A COURT-HELD DOG COORDINATOR POSITION**

WHEREAS, in April 2024 DeKalb County approved and adopted a County action authorizing the County Attorney, or their designee, to file petitions seeking recovery of costs of impoundment and care in appropriate circumstances pursuant to **O.C.G.A. § 4-11-9.8**, for animals impounded due to criminal investigation or criminal proceedings under applicable law;

WHEREAS, the purpose of such authorization is to allow DeKalb County to recover the costs incurred for the impoundment and care of animals held as evidence or otherwise held under court authority, and to encourage timely resolution and disposition of such animals consistent with law and animal welfare;

WHEREAS, DeKalb County continues to experience an increasing number of dogs impounded and held due to criminal investigations and/or criminal proceedings, including dogs held for extended periods while cases remain pending;

WHEREAS, prolonged impoundment—particularly where dogs may be held for many months or a year or more—can create significant animal welfare concerns, including stress, deterioration of health and behavior, and diminished adoptability;

WHEREAS, the County has incurred substantial costs associated with these court-held dogs, including staffing, food, medical care, facility operations, and security, and the County has reported an approximate cost of **over \$38 per dog per day** for impoundment;

WHEREAS, despite the County's prior authorization and the continuing need, the DeKalb County Law Department has not filed cost-of-care petitions for court-held dogs since **April 2025**, and the impounded population has continued to grow;

WHEREAS, as of January 25, 2026, **74** court-held animals were being cared for by DeKalb County, including **66** dogs, 7 cats, and one turtle;

WHEREAS, resuming cost-of-care filings where legally appropriate will promote fiscal responsibility, accountability for owners in qualifying circumstances, and prompt case resolution that supports public safety and humane outcomes for animals;

WHEREAS, DeKalb County's previously adopted action further contemplated that such petitions would be filed in circumstances deemed appropriate by the County Attorney, with the consent of the relevant prosecutor and the Public Safety Director;

WHEREAS, the DeKalb County Animal Services Advisory Board's Plan for a Better Tomorrow recommends the creation of a “Court-held Dog Coordinator” position housed in the

Law Department to assist with tracking these cases, preparing motions, preparing monthly reports and other related duties;

WHEREAS, in 2024, a mid-year budget amendment was passed by the Board of Commissioners which allocated funding for the creation of this position;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DEKALB COUNTY, GEORGIA, AS FOLLOWS:

Section 1. Reaffirmation of Prior County Action.

The Board of Commissioners hereby **reaffirms** DeKalb County's prior authorization for the County Attorney, or her designee, to file petitions pursuant to **O.C.G.A. § 4-11-9.8** seeking recovery of the County's costs of impoundment and care for animals impounded in connection with criminal investigations or criminal proceedings under applicable law, in appropriate circumstances.

Section 2. Urging Resumption of Cost-of-Care Petitions for Court-Held Dogs.

The Board of Commissioners hereby **urges and requests** that the DeKalb County Law Department **promptly resume filing cost-of-care petitions** pursuant to O.C.G.A. § 4-11-9.8 for **court-held dogs**, where legally appropriate and consistent with prosecutorial consent and public safety considerations.

Section 3. Prioritization and Timeliness.

The Board of Commissioners further urges that the Law Department, in coordination with DeKalb County Animal Services, the District Attorney's Office and Solicitor-General's Office as applicable, and DeKalb County public safety leadership, develop and implement a process to ensure that qualifying cost-of-care petitions are filed **timely** in appropriate cases, particularly where dogs face extended impoundment.

Section 4. Animal Welfare and Humane Outcomes.

The Board of Commissioners declares that minimizing unnecessary length of confinement for court-held dogs is an important County interest supporting animal welfare, public safety, and humane outcomes, and that resumption of cost-of-care petitions is intended to encourage timely case decisions and legally appropriate dispositions.

Section 5. Reporting.

The Board of Commissioners requests that the DeKalb County Law Department provide a written update to the Board (or the appropriate committee of the Board) within **30 days** of adoption of this Resolution, and monthly thereafter, regarding:

- (a) the current number of court-held animals;

- (b) the number of cost-of-care petitions filed and pending since resumption;
- (c) any barriers or operational needs impacting timely filing; and
- (d) the estimated fiscal impact of resumed filings, including costs recovered and costs avoided.

Section 6. Court-Held Dog Coordinator

The Board of Commissioners requests that the DeKalb County Law Department create a “Court-Held Dog Coordinator” position within 90 days of adoption of this Resolution.

Section 7. Effective Date.

This Resolution shall become effective upon adoption.

ADOPTED by the Board of Commissioners of DeKalb County, this _____ day of _____, 2026.

Chakira Johnson
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, 2026.

LORRAINE COCHRAN-JOHNSON
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA NORWOOD-SANDERS, CCC
Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO FORM:

TERRY PHILLIPS
Interim County Attorney