

# UINTAH COUNTY ATTORNEY'S OFFICE

641 East 300 South, Suite 200, Vernal, UT 84078

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**Gregory M. Lamb**, County Attorney  
**Jaymon J. Thomas**, Chief Deputy Criminal Division



January 7, 2021

**TO:** Mr. Grant Charles, Roosevelt City Attorney  
**RE:** Incident no. I10562983

## Question Presented

Whether Ms. Melisa Stevenson, manager and director of the Roosevelt City Animal Shelter misused public money and/ or property to benefit her or her non-profit Furever Buddys Rescue?

## Facts:

Sometime in May 2018, a resident of Duchesne County, who also happens to be an employee of the County, adopted a canine from the Roosevelt Animal Shelter. The resident was concerned because although the adoption took place at the animal shelter, the adoption paperwork was provided by Furever Buddys Rescue, not Roosevelt City. This person contacted Roosevelt City Police Chief Rick Harrison. Later, Chief Harrison in turn contacted the Roosevelt City attorney. The Roosevelt City Attorney contacted the Duchesne County Sherriff's Office to investigate this matter. An investigation was performed, and this matter was then turned over to the Uintah County Attorney's Office for analysis and potential prosecution.

According to the evidence presented to the Uintah County Attorney's Office, Roosevelt City operates a shelter for stray and displaced animals. Since approximately 2011, Ms. Melisa Stevenson has acted in the position of supervisor and manager of the Roosevelt City Shelter ("Shelter"). During this time, she has also acted as director and the operator of a local non-profit organization Furever Buddys Rescue ("Rescue"). This 501 (c)(3) organization, according to its website, "rescue[s] more than 90% of our dogs and cats from a high-kill rural shelter in Roosevelt, Utah. Each month, we're able to save at least 20 to 30 dogs and 15 to 20 cats."

Ms. Stevenson claims she was contracted by the City of Roosevelt through Rescue to supervise the animal shelter and its employees. She also states she was able to divide her time doing both as she knew when she acted on behalf of the City and when she was acting on behalf of

her non-profit.<sup>1</sup> She also claims her supervisor Chief Harrison knew she was using the Shelter to re-home pets through Rescue.

During most of her employment, Ms. Melisa Stevenson, was under the supervision of Roosevelt City Police Chief Rick Harrison. Sometime, possibly in July 2019, Chief Harrison assigned Officer Shaun Denver to act as liaison between the Animal Shelter and the Police Chief.<sup>2</sup> According to City expenditures, during fiscal year July 2019 to July 2020, Shelter was overbudget by approximately \$44,280.10. At this time, the Chief was instructed by the interim City Manager Ryan Clayburn that Ms. Stevenson would be overseeing the budget from that point on. It was then that Chief Harrison appointed a liaison.

Ms. Stevenson stated during her many years as Shelter supervisor she has never had access to the shelter's budget until 2020, once during a meeting with the Roosevelt City Manager in February and one time in June 2020 when the overages of the Shelter budget was discussed again. Ms. Stevenson claims she never knew what the budget was during her entire time as director of the Shelter.

As an example of what was going on, on June 12, 2020, a dog, who was given the name Cadence, was brought to the animal shelter after being struck by a vehicle. A few days later, June 16, it was discovered Cadence was pregnant. Rescue took Cadence to the vet for her injuries and an emergency cesarean. These procedures were billed in the amount of \$498.94. However, the veterinarian sent invoices concerning the same procedures to both Roosevelt City and Rescue. On June 18, 2020 Cadence was officially "rescued" by Rescue and later adopted out. During the time Cadence was held at the Shelter, Rescue advertised on social media seeking funds to help pay the costs of the veterinarian bill. It appears that Rescue sought to raise an amount greater than what was charged by the veterinarian.<sup>3</sup>

When an investigator with the Sherriff's Office went to the Shelter, he spoke with an employee who was present. This employee stated most of the food used at the shelter was donated from Rescue. According to bills paid by Roosevelt City, some dog food was paid for by the City. This young employee also stated that Shelter employees may not take any shelter animals to the veterinarian, volunteers of the Rescue must take them. As Cadence was taken to the veterinarian before being rescued by Rescue it is unknown how this is done. At the Shelter, the investigating officer took note of paperwork that was present at the Shelter, including adoption contracts and receipts from Rescue. Earlier, Ryan Clayburn, a City employee found items for

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<sup>1</sup> Just how she was able to do this is unknown, especially as it appears, she did both from City property at the same time.

<sup>2</sup> Why Chief choose to utilize a liaison is unknown.

<sup>3</sup> According to Ms. Stevenson there were many instances starting in 2018 wherein the veterinarian double billed both Rescue and the City. It is unknown if this statement has been investigated.

sale owned by Rescue at the Shelter, as well as photos of adoptions of animals, rescued by Rescue but adopted at the Shelter similar to the complaint which started this investigation.

**Analysis:**

Utah code is clear as it pertains to Misusing Public Monies or Property. Utah Code 76-8-402(2) states “It is unlawful for a public servant to knowingly:

(a) appropriate public money to the public servant's own use or benefit or to the use or benefit of another without authority of law; ...

(l) obtain or exercise unauthorized control of public property with the intent to temporarily appropriate, possess, use, or deprive the owner of possession of the public property; ... or

(m) appropriate public property to the public servant's own use or benefit or to the use or benefit of another without authority of law” [.]

In the present matter, the Uintah County Attorney’s Office has been requested to determine if Ms. Stevenson misused public funds or property as the director of the Shelter. It is our opinion that although there was been a lot of documents presented to the Uintah County Attorney’s Office, we cannot say there has been a violation of the law sufficient to meet the legal requirement showing a violation of Utah law occurred. We cannot determine if public monies benefitted Rescue either to the detriment and dispossession of Roosevelt City.

What we can definitively say is that Roosevelt City has created a situation that is confusing and full of difficulties, in other words a mess. When Roosevelt City hired Ms. Stevenson, it was fully aware she was the director of a non-profit which would work closely with the Shelter. According to Ms. Stevenson’s statement, the reason she was hired by Roosevelt City was precisely because she was the manager of Furever Buddys Rescue. By hiring someone from an interested organization and allowing that organization to intertwine itself so directly with the functions of the city, Roosevelt has created a potential for problems. We have three witnesses who state they conducted or saw property of the Rescue at the Shelter. This appears to have been standard practice for quite a few years and according to the evidence we have, i.e., a statement from Ms. Stevenson, Chief Harrison knew this was happening.

Although former Police Chief Harrison was not interviewed concerning this matter, it appears he had access to the finances of the Shelter. He would have or should have known what was going on under his supervision. Was there any oversight of Police Chief Harrison? It is unknown. The only further evidence we have is that Ms. Stevenson states she never had access to the budget until this year, although this statement is self-serving, it is not refuted. Just why Roosevelt City would allow the Shelter to go so far in arrears, almost \$50,000.00 without requiring any restraint or any explanation for the director/ manager of the Shelter, the very person who spent the monies, is also unknown.

The records of the Shelter merely show monies were paid out on certain animals. How many different animals is unknown, and we do not know the result of those monies being paid out, such as did Rescue charge the cost to the adoptive persons and then keep the money for the Rescue, or did they merely allow Roosevelt City to pay the costs and then adopt the animal out. Almost every payment reviewed by our

office shows they were paid on behalf of “Cat, “Dog”, Puppies” or “Canine.” A paper trail to determine which animal it references would be very difficult, if not impossible to ascertain.

It is troubling that Ms. Stevenson could conduct business for her non-profit at the Shelter. The workings of the Shelter and Rescue were so intermingled that they appear to be one and the same. We cannot agree with Ms. Stevenson’s statement that she can work both and knows when she is acting for one or the other. To represent various entities which are engaged in similar work is not possible. It is almost impossible to define the success of one without the other providing the benefit. Although we have been hard-pressed to find any legal violations the entire situation is ripe for potential illegal conduct, not to mention the ethical concerns which although not illegal have the potential to erode public and taxpayer trust.

Although they were not part of the record, the financial records of Rescue would be an important piece of evidence. There appeared to be funds raised by Rescue to pay for the veterinary bills of Cadence, after Roosevelt paid for those bills. If this is true, there are other legal concerns which would be implicated. Further was this an exception or a common occurrence?

Although there does not appear to be a violation of Utah Code 76-8-402, there does appear to be violations of Utah Code 11-46-103 and Roosevelt City Code 6.24.030 entitled “stray animals” and “disposition of animals”, respectively. These state and city codes do not allow licensed animals to be placed for adoption until they have been held by the shelter for at least five working days and unlicensed animals for three working days. The investigator states in his report that during the years 2017-2020 there have been violations of this law. As an example, there was a cat brought into the shelter on Tuesday April 3, 2018. This cat was immediately adopted out by Furever Buddys Rescue on the same day. This animal was not kept in the shelter for five or three working days as required by law. The violation of this law is a Class B Misdemeanor. However, once again, the records do not show who violated this code. We cannot determine if it was Ms. Stevenson, one of Shelter employees or someone else entirely. Without records indicating the person responsible, the State cannot go forward with such a charge.

### **Conclusion:**

Although the activities of Ms. Stevenson and Furever Buddys Rescue do not appear to violate Utah Code concerning the misuse of public funds, it is apparent that the lax oversight of the Shelter by Roosevelt City has created the current problems. The Shelter and Rescue have been able to blur the lines of independence to the point where they act as one and the same. The concerns and questions asked by the public about the animal shelter are merited. It is our recommendation that Roosevelt City put into place policies and procedures that will allow the Shelter to operate without its dependency on Furever Buddies Rescue.