

Animal Care and Control

705.1 VERSION

Review Date	Effective Date	Approving Authority
02/26/19	07/09/18	Eric D. English, Chief of Police

705.2 POLICY AND PURPOSE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

It is the policy of the Harrisonburg Police Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

Officers shall enforce laws relating to animals to the same extent that other laws in the Commonwealth of Virginia are enforced (Va. Code § 3.2-6567).

705.3 ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this policy. Responsibility rests with the supervisor to ensure that any violations of policy are investigated and appropriate training, counseling and/or disciplinary action is initiated. This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

705.4 DEFINITIONS

Agricultural animals – Includes all livestock and poultry.

Animal exposure - An open (bleeding) break in the skin of a human that is caused by the teeth or claws of a dog or cat.

Companion animals - Includes dogs, cats and other small animals normally kept as pets, or any animal under the care, custody or ownership of a person (see VA Code 3.2-6500 for full list).

Emergency veterinary treatment - means veterinary treatment to stabilize a life-threatening condition, alleviate suffering, prevent further disease transmission, or prevent further disease progression

Euthanasia - means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death or by a method that involves anesthesia, produced by an agent that causes painless loss of consciousness, and death during such loss of consciousness.

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Wildlife - Includes any species other than companion and agricultural animals.

705.5 ANIMAL CONTROL RESPONSIBILITIES

All animal-related calls will be directed to the Animal Control Officer (ACO) whenever she/he is on-duty. When the Animal Control Officer is off-duty, all animal calls involving public safety, animal cruelty or other emergencies will be handled by the on-duty patrol shift. Animal control services are generally the primary responsibility of Animal Control and include:

- (a) Animal-related matters during periods when Animal Control is available.
- (b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that Animal Control is available for investigation and resolution.
- (c) Follow-up on animal-related calls and intakes handled by members.

705.6 OFFICER RESPONSIBILITIES

Officers who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.

Due to the hazards of handling animals without proper training and equipment, responding officers generally should not attempt to capture or pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Officers may consider acting before the arrival of such assistance when:

- (a) There is a threat to public safety.
- (b) An animal has bitten someone. Officers should take measures to confine the animal and prevent further injury.
- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.
- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the officer should find appropriate placement for the animal.
 - 1. This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.
 - 2. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
 - 3. If no person can be found or the owner does not or cannot give consent, the animal should be taken to a designated animal care facility.
- (f) A dog is suspected of being a dangerous or vicious dog, in violation of Va. Code § 3.2-6540 or Va. Code § 3.2-6540.1.

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705.6.1 TRANSPORTATION OF SMALL ANIMALS

- (a) Transportation of animals will be in the following order of vehicles, when practicable:
 - 1. Animal Care and Control vehicle
 - 2. Utility vehicle (available van or truck)
 - 3. Patrol vehicle (as a last resort)
- (b) Animals will never be placed in a canine vehicle because of the possibility of transmission of disease, etc. to the police canine.

705.6.2 STATE REQUIREMENTS

Officers taking custody of a dog or a cat shall ask whether, if known, the animal has bitten a person or other animal, and the date and circumstances of such bite. Officers shall document the information in the report of the incident.

Officers who subsequently release the animal for adoption, return to rightful owner, or transfer to another agency shall disclose that the animal has bitten a person or other animal and the circumstances and date of such bite (Va. Code § 3.2-6509.1).

705.7 DELIVERY OF DOGS/CATS TO THE SPCA

- (a) When an uninjured dog/cat is taken into custody by an officer during the Animal Control Officer's off-duty time, it shall be transported to the SPCA, located at 2170 Old Furnace Road, phone 540-434-5270.
- (b) During SPCA business hours, SPCA staff will check the animal in at the front desk.
- (c) After SPCA business hours, the officer will follow the After Hours Intake Procedures Until further notice.

705.8 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced including, but not limited to:

- (a) Care of companion animals by owner (Va. Code § 3.2-6503).
- (b) Care of agricultural animals by owner (Va. Code § 3.2-6503.1).
- (c) Abandonment of animal (Va. Code § 3.2-6504).
- (d) Cruelty to animals (Va. Code § 3.2-6570 et seq.).
- (e) Control of dangerous dogs (Va. Code § 3.2-6540).
- (f) Vicious dogs (Va. Code § 3.2-6540.1).

Officers should document and report to the Animal Control Officer, who will conduct an investigation on all reports of animal cruelty. Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty (Va. Code § 3.2-6564).

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705.9 ANIMAL EXPOSURES

Employees investigating an animal exposure should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Employees should attempt to identify and notify the owner and victim of the final disposition of the animal.

- (a) Persons exposed by any animal should be instructed to seek medical attention at the Emergency Room or with their private physician.
 1. If a Police Officer is exposed by an animal, the officer shall follow procedures seeking treatment for exposure to communicable disease and file a worker's comp injury claim.
- (b) Whether or not the victim decides to seek medical treatment, the responding Officer should forward the contact information for the victim and the animal owner to the Animal Control Officer promptly (you may email at HACC@harrisonburgva.gov), who will then forward the information to the VA Dept. of Health (574-5200).
- (c) The officer responding to the animal exposure will complete an Incident Report and copy the Animal Control Officer.
- (d) The officer shall also document the victim's injuries by taking appropriate photographs.
- (e) If an animal exposure occurs, the animal involved must be quarantined for 10 days at the location set forth in City Code 15-2-3.
 1. Clearly indicate exposure on SPCA After Hours Intake Blue Form or notify SPCA staff.

705.10 STRAY ANIMALS

If the animal has a license, tag, microchip or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the animal should be released to the owner and a citation may be issued, if appropriate. If an animal is taken into custody, it shall be transported to the SPCA, secured in a kennel and it will be released during normal business hours of the SPCA.

If a companion animal is found an officer may scan for a microchip using the chip scanner located in the ACO's vehicles. Once the officer has retrieved a number, the officer may call the SPCA, any local Veterinarian or the Emergency Veterinary Services. Once they receive the number they can obtain the owners information. An officer may also go to the nearest veterinarian office where they can also scan for a chip.

Officers shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

705.11 DANGEROUS ANIMALS

In the event responding officers cannot fulfill a request for service because an animal is difficult or dangerous to handle, the on-duty supervisor will be contacted to determine available resources.

Any potentially dangerous or vicious dog as defined by State Code 3.2-6540 and 3.2-6540.1 shall be taken into custody and secured at the SPCA per these guidelines.

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705.12 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Officers should diligently address calls related to nuisance animals (e.g., barking dogs), because such calls may involve significant quality-of-life issues.

705.13 DECEASED ANIMALS

Companion animals and poultry are removed by Animal Care and Control when available. The City of Harrisonburg's Street Department should be contacted for removal of wildlife and livestock of unknown ownership. Contact the Virginia Department of Transportation (VDOT) for removal of all deceased animals on Interstate 81.

When a officer becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Deceased animals on public property should be removed, sealed in a plastic bag and transported to the SPCA by the responding member. The animal is to be placed in an unused kennel. The SPCA After Hours Intake Blue Form will need to be completed.

Officers should not climb onto or under any privately owned structure for the purpose of removing a deceased animal.

705.14 INJURED ANIMALS

When a officer becomes aware of an injured companion animal, all reasonable attempts should be made to contact an owner or responsible handler. If an owner or responsible handler cannot be located, the animal should be taken to a designated animal care facility.

705.14.1 VETERINARY CARE

When the owner or responsible handler cannot be located and the animal is not an immediate danger to the community, it shall be taken to a veterinarian or other care provider (SPCA). Indicators for immediate care include:

- (a) Evaluation and stabilization required of an obvious or suspected injury
- (b) An apparent life-threatening Injury
- (c) The need for pain management

Responding officer shall first call the local SPCA or the department's ACO's for direction on an critically sick or injured companion animal. Typically, there is not a veterinarian on duty at the SPCA daily, however there may be a volunteer veterinarian on duty. The officer may also be directed to the closest veterinarian on the provider list (Call list of Veterinarians in case of an emergency of a Companion animal). After business hours the companion animal shall go to the Emergency Veterinarian Services (540) 248-1051 and located at 465 Lee Highway, Verona VA 24482. Once stabilized at the veterinarians office, the companion animal shall then be taken to the SPCA for the holding period.

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Any companion animal that has knowingly been hit by a motor vehicle shall be taken to a veterinarian. A veterinarian call list has been created to assure a veterinarian is available to see the animal for emergency veterinary treatment.

After SPCA or regular local veterinary office hours, companion animals should be taken to Emergency Veterinary Services.

Officers responding to calls for injured wildlife will evaluate the animal upon arrival, contact the ACO, and if needed, the Virginia Wildlife Center in Waynesboro (540-942-9453) for guidance.

705.14.2 IMPOUND/SEIZURE

Officers are authorized to impound when the animal (Va. Code § 3.2-6569):

- (a) Has been abandoned.
- (b) Has been cruelly treated.
- (c) Is suffering a direct and immediate threat to its life, safety or health.

Prior to seizing or impounding any agricultural animal, officers shall contact the State Veterinarian (804-692-0601) who shall recommend the most appropriate action for effecting the seizure or impoundment (Va. Code § 3.2-6569).

705.15 DESTRUCTION OF ANIMALS

When it is necessary to use a firearm to euthanize an injured animal or stop any animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A severely injured animal shall only be euthanized with the approval of a supervisor.

Animal Control or officers shall seize or kill a dog that is in the act of killing or injuring livestock or poultry (Va. Code § 3.2-6552).

Companion animals that have been euthanized will either be turned over to its owner for disposal; transported to the SPCA for intake, held for evidence, unless they are to be necropsied. If held for necropsy keep it cool or refrigerate, do not freeze the body.

Agricultural animals such as cattle may require a Public Works response based on size and owner availability. Wildlife that is euthanized cannot be accepted by the SPCA. Public Works may be required to respond depending on the circumstances, location and size of the animal.

705.15.1 RABIES CASES

- (a) Destruction of suspected rabid animals
 1. The use of deadly force against a suspected rabid or injured animal not resulting in the death or injury to any person shall be documented in an Incident Report. A copy of the report shall be forwarded to the officer's Division Commander and Animal Care and Control.
 2. If the animal is suspected of having rabies, every effort should be made to preserve the head by carefully shooting the animal in an area of the body containing vital organs.

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3. When animal is euthanized for suspected rabies shall be preserved. It is to be double bagged, labeled with the address from where it is collected and place in the freezer at the 901 Chicago Avenue location to be held for the USDA.

705.16 REPORTING/DOCUMENTATION

Employees who take an animal into custody should complete an SPCA After Hours Intake Blue Form (commonly referred to as "the blue sheet"), including a description of the animal (species, color, breed, sex, approximate age and weight, and temperament), the reason the animal was taken into custody, the animal's home address, if known, and any identification number, tag information or other identification on the animal (Va. Code § 3.2-6557).

The Chief of Police or the authorized designee should ensure that this policy, the Dangerous Dog Registry, Animal Custody Records Report, and any additional animal intake procedures are filed annually with the State Veterinarian's Office (Va. Code § 3.2-6557).

705.16.1 USE OF FORCE

(a) Deadly force against attacking companion animal

1. The use of deadly force against an attacking companion animal resulting in the animal's wounding or death shall be documented in an Incident Report and investigated by the Division Commander.
2. The use of deadly force against an attacking companion animal not resulting in the animal's wounding or death, and not resulting in the death or injury to any person shall be documented on the Incident Report. A copy of the report shall be forwarded to the Division Commander.

(b) Deadly force against attacking non-companion animal

1. The use of deadly force against an attacking non-companion animal, regardless of the animal's wounding or death, and not resulting in the death or injury to any person shall be documented in an Incident Report. A copy of the report shall be forwarded to the appropriate Division Commander.

705.17 ADDITIONAL INFORMATION

For further information and guidance when handling animal related calls-for-service, consult City Code section 15 Chapter 2 or Title 3.2 of the Code of Virginia