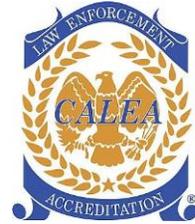




# Evansville Police Department Operational Guideline



## ANIMAL COMPLAINTS AND OFFENSES

### OG 110.00

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### Purpose

The purpose of this policy is to establish guidelines to assist with investigating animal type crimes, neglect of animals, barking complaints and animal bites.

### Policy

It is the policy of the Evansville Police Department to ensure that any attack by an animal that results in injury or any instances of cruelty to an animal is properly reported and to follow the applicable Indiana Statutes in such instances. This procedure covers the steps to be taken regardless of the species of animal that inflicts the injury or suffers the cruelty. The Evansville Police Department may be called upon to investigate cases of abused and neglected animals. If probable cause exists, an arrest may be made for a criminal offense. Regardless of whether or

not an arrest is made, an initial case report will be completed and forwarded to the appropriate agency for follow up. The department's Humane Officer may assist Animal Control and the Prosecutor's Office with follow up if requested. It is also the policy to assist the Zoo director in the event of dangerous animals escaping or posing a danger to the Zoo personnel or the general population.

Since the State of Indiana requires that every city Police Department have a Humane Officer, this procedure will also cover that position and its responsibilities. The Humane Officer position and responsibilities are currently assigned to be performed by a designated patrol officer who will act as a liaison to Animal Control and the Prosecutor's Office in addition to normally assigned patrol duties.

### **Indiana Law and City Ordinance**

Indiana Statutes that concern animal bites/cruelty and the Humane Officer may be found under Title 35 Article 20, Chapter 3 as well as Title 15, Article 20 and Article 21.

Evansville's City Ordinance relating to Animal Control may be found in its entirety under 6.05, sections 6.05.010 through 6.05.180.

### **Animal Control's Current Hours of Operation:**

Monday – Saturday:           0600 – 2100 hours  
Sunday:                         0930 – 1800 hours

A list of updated Animal Control hours of operation can be found on the officer's MCT under "active advisories."

### **Complaints DURING Animal Control's Normal Hours of Operation:**

Routinely, if a run is received during the hours of Animal Control's normal operation, an Animal Control Officer will respond and handle the run without assistance from the Evansville Police Department.

### **Complaints AFTER Animal Control's Normal Hours of Operation:**

If an animal complaint run is received after the hours of Animal Control's normal operation, the 911 operator will ordinarily direct the complainant to notify Animal Control the next day. However, an Animal Control Officer will respond after hours, if an Evansville police officer requests their assistance, or if the involved animal is a stray and is confined for pick-up.

### **Responding Officer's Responsibility for all calls for service and animal complaints**

If a run involving an animal bite, attack or cruelty is received that is in-progress, is of a severe nature, or their presence is specifically requested, then an Evansville Police Officer will be dispatched to the scene.

1. As always, respond to an in-progress call with all due speed and care.
2. After determining the validity of the call, file an incident/case report, listing all of the standard information of those involved.
  - A. If an involved subject is a juvenile, obtain their information and the information of a parent/guardian.
  - B. Fully describe the involved animal(s) as thoroughly as possible. (Breed, color, name, sex, rabies vaccine date, rabies tag number, license number, microchip number, name of veterinarian)
  - C. If known, list all available information of the animal's owner.
  - D. Describe the incident and any action taken with the animal.
  - E. If probable cause exists, an arrest may be made for a criminal offense.
  - F. Route the report to the department's Humane Officer (Routing choice "ACO")

### **Humane Officer's Responsibility**

1. Act as Liaison to the Humane Society, Animal Control, and the Prosecutor's Office
2. Attend special and scheduled meetings at least once a month.
3. Assist Animal Control and the Humane Society with complaints of abandoned, neglected, and mistreated animals.
4. Generate any necessary reports and follow-up on all animal cruelty cases.

### **Responding Officer's Responsibility to Bites or Exposure**

Bite reports are tracked and managed by the State Board of Health. It shall be the duty of every physician, hospital, veterinarian, law enforcement officer and all other persons involved, to report all animal bites within 24 hours from the occurrence. The report shall include all information necessary to locate the person or animal bitten, as well as the animal responsible for the bite. The purpose of bite reports are for the control of rabies exposures.

Animal Control responds to all animal bite complaints that occur during normal business hours. If the Animal Control Officer determines a run is a criminal matter or if the police are needed for any reason, the Animal Control Officer will request police assistance. If a bite occurs after business hours or Animal Control cannot be reached, dispatch may send and EPD officer to the run. If the situation constitutes an emergency, Animal Control shall be called.

Upon being dispatched to an animal bite run, the EPD officer will do the following:

1. Determine if the complaint involves a bite or exposure. A bite is any break in the skin. An exposure is any contact with the saliva of the animal through an opening in the skin.
2. If the incident involves a bite:
  - A. Locate the animal and its owner
  - B. Determine if the owner is able to confine the animal or if it should be confined by Animal Control
  - C. If the owner can confine the animal, be certain that he is aware of the importance of keeping the animal quarantined
  - D. Notify Central Dispatch of the address where the animal will be confined, so that a bite report may be taken when Animal Control resumes normal business hours
  - E. Complete an Incident report. Include the victim and owner information, as well as a description of the animal. Forward a copy of the Incident report to the Humane Officer by routing the report with the "ACO" choice.
3. If you cannot determine or locate the owner of the animal or the owner is incapable of confining the animal, Animal Control will be called in for quarantine. Animal Control will complete a bite report.
4. If it is impossible to confine the animal and the possibility exists that the animal may escape, destroy the animal. If possible, have a supervisor or other officer present during this process.
  - A. Exercise extreme caution in the use of a firearm to destroy an animal, use a shotgun.
  - B. Do not shoot the animal in the head. The head may be needed for laboratory analysis to determine if the animal had rabies. Shoot behind the front shoulder and down into the chest cavity.
  - C. In the event that an officer is required to destroy an animal and it escapes, the officer should request additional assistance, including assistance from Animal Control. This should be done in order to conduct an extensive search for the loose, possibly injured animal, making every attempt to locate the animal.
  - D. Attempt to contact the owner to advise him of the circumstances surrounding the destruction of the animal and the location of the animal.
  - E. Contact Animal Control to take possession of the carcass and for completion of a bite report. If the incident occurs after hours, call in Animal Control. An Animal Control Officer may write/note any city ordinance violations and forward these to

the Officer.

- F. Complete an Incident report relating the facts of the incident and route the report to “ACO.”
  - G. A shots fired report shall be completed and forwarded to the immediate supervisor.
5. In case of a dog bite where someone may have to undergo treatment for rabies if the dog is not located, the officer may need to call for additional assistance in locating the dog, or in some extreme cases, the officer may have Central Dispatch advise cars in the immediate area to help search for the dog.
  6. If applicable, include any criminal charges or city ordinance violations in the incident report.
  7. If notification to the Humane Officer needs to be expedited, an email should be sent to the Humane Officer in addition to the ACO routing.

#### **Responding Officer’s Responsibility for Barking Dog Complaints**

1. If possible, locate the owner of the dog.
  - A. Advise him of the complaint.
  - B. If the dog is a nuisance at the time as the complainant stated, a City Ordinance violation ticket may be written.
  - C. Check the dog for proper care and control by the owner.
  - D. Advise the owner if the situation does not improve, he may be taken to court and ordered to remove the dog from the premises.
2. If the dog is not properly maintained, see “Responding Officer’s Responsibility for Animal Cruelty Offenses” section.

#### **Responding Officer’s Responsibility for Animal Cruelty Offenses**

When dispatched on a run or receiving information on a self-initiated run involving an abused or neglected animal, and the complaint is valid:

1. Complete a Case Report with the appropriate criminal charge and route the report to the Humane Officer (ACO) If notification to the Humane Officer needs to be expedited, an e-mail should be sent to the Humane Office in addition to the ACO routing.
2. If probable cause exists, an arrest may be made for criminal offenses. City Ordinance

violations may also be written.

3. If the case constitutes a felony, contact the Criminal Investigations Section.
4. If there is any collectible evidence at the scene such as carcasses, weapons, etc., call CSU for assistance if needed.
5. Contact Animal Control to take custody of the animal.

### **Assisting Zoo Personnel**

1. The Zoo Director has primary jurisdiction over what takes place on Zoo grounds regarding dangerous animals. This includes members of the collection as well as dangers to the collection. Dangerous animals include animals in the Zoo collection as well as wild, domestic, and feral animals that enter or reside on the Zoo grounds and pose a danger to the Zoo Collection.
2. During an escaped-animal situation, the Zoo Director will determine if the situation poses a danger to the point that police must be called.
3. In the event the director is not on site, another supervisor will make the decision if the police should be called. Trained Zoo personnel have authority to use firearms without waiting for police to arrive if there is an immediate threat to persons or property.

### **Responding to an Escaped-Animal Call**

1. Every attempt will be made to keep an animal inside the Zoo. Officers will secure the Zoo perimeter to ensure the animal does not leave Zoo property.
2. Officers will defer to Zoo personnel to assess the specific situation, barring an attempt by a dangerous animal to leave Zoo grounds. Trained Zoo and veterinary personnel will be armed with appropriate sedation and firearms with authority to discharge those firearms when necessary to protect the collection, the public, or Zoo employees.
3. If the animal is considered dangerous:
  - A. An attempt will always be made by Zoo personnel to recapture an animal without the use of firearms (e.g. by darting or otherwise subduing the animal.) unless there is a risk of harm to Zoo personnel or property.
  - B. If the animal does not attempt to leave Zoo grounds; officers will stand by for further instructions from Zoo personnel.
  - C. If the animal attempts to leave Zoo grounds; officers will destroy the animal.
4. Officers will assist Zoo personnel and, if necessary, *destroy an animal in the interest of*

*public safety.*

5. All requests for assistance will be documented by the completion of an Incident Report and copies of all paperwork will be forwarded up the Chain of Command.

### **Patrol Supervisor's Responsibility**

#### Animal Bites & Animal Cruelty Runs

1. When notified of a situation involving an animal complaint, provide any assistance necessary. A supervisor may contact the Humane Officer if needed to get guidance or to have questions answered. In extreme cases, the Humane Officer may be called in from an off duty status.
2. Ensure CSU is called to collect evidence, if necessary
3. Review all reports by officers to ensure completeness and accuracy and ensure the reports are routed to the Humane Officer (ACO)

#### Escape Animal Call

1. The closest Patrol supervisor will respond to an escaped animal call and take charge of officers at the scene.
2. The senior officer at the scene will take charge until a Patrol supervisor arrives and assumes command.
3. The Patrol supervisor will coordinate police activity with Zoo personnel. To assist the Zoo in coordinating Zoo activity with police personnel, the Patrol supervisor or his representative will be stationed in the Zoo Administrative Office for consultation with the Zoo supervisor in charge.
4. If it becomes necessary to destroy an animal, the Patrol supervisor will ensure firearms are used in accordance with departmental procedures. *Public safety will be the primary consideration at all times.*