

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

ANIMAL CALLS
SUBJECT

DATE: January 17, 2006

NO: Y-1

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: **Animal Calls**
Dead Animals
Handling Injured Animals

I. POLICY

Field Services Division personnel will handle cases involving animals when Animal Control personnel and Senior Cadets are not on duty.

II. LAW

A. Officers must become familiar with the following sections and are required to take appropriate action when a violation is observed:

1. Section 597f of the Penal Code, which describes the duties of a peace officer for the care and disposition of animals.
2. Section 370 of the Penal Code may be used where it is apparent the dog is a public nuisance disturbing the tranquility of the neighborhood but does not conform to Section 7-127 S.M.C.
3. Section 7-127 of the Stockton Municipal Code, which states that annoying, barking dogs may be considered a public nuisance.
4. Section 7-129 of the Stockton Municipal Code, which states that dogs will be licensed by the age of four months.
5. Section 7-129.3 of the Stockton Municipal Code, which states that licensed dogs must wear license tags.
6. Section 7-129.5 of the Stockton Municipal Code, which states that before dogs are licensed, they must have received a rabies vaccination.
7. Section 7-124 of the Stockton Municipal Code, which states that dogs may not run at large.
8. Section 7-125 of the Stockton Municipal Code, which states that a vicious dog may not run at large.

III. PROCEDURE

A. Officers must be aware that the owner of an animal is responsible for its care, and when an owner is present or immediately available the animal, excluding dead animals, will be turned over to the owner.

B. Injured Animals.

1. Injured animals will be listed in any of three basic categories:
 - a. Minor injuries.
 - (1) Whenever there are obvious signs of injuries to an animal, the law requires that animals be taken to a veterinarian for treatment.

- b. Severe injuries.
 - (1) When an animal has severe injuries and there is evidence of pain and the officer is not equipped to handle the animal, he/she may call for the services of an Animal Control Officer.
 - (2) When an Animal Control Officer is not available and injuries are severe but not critical, the officer will take the animal, dog or cat, to a veterinarian.
 - (a) The injured cat or dog will be transported to Associated Veterinary Emergency Services, 3008 E. Hammer La. #115 for treatment. The clinic has a veterinarian on duty from 1800 hours to 0800 hours on weekdays, and from 1200 hours Saturday to 0800 hours Monday.
 - (b) During daytime hours when the clinic is closed and Animal Control is not available, the injured animal will be taken to the nearest veterinarian for treatment.
- c. Critical injuries.
 - (1) When an animal has critical injuries, the officer will ask for the services of an Animal Control Officer.
 - (2) When an Animal Control Officer is not available, the officer, under the approval of his/her immediate supervisor, may shoot the animal.
 - (a) When practical, the animal's owner should give permission before the animal is shot.
 - (b) If the owner cannot be located, a witness who can verify that the animal was critically injured should be obtained.
 - (3) Before a critically injured animal is shot it should be placed on a soft surface to prevent any possibility of a ricochet.
 - (a) Use caution when moving the animal since injury generally creates viciousness.
 - (b) Lift the animal by the nape of the neck, if possible.
 - (4) Shoot the animal directly above the eye and aim down through the length of the animal.
 - (a) If there is any possibility that the animal might be rabid or might have bitten anyone, the animal will be shot in the heart and delivered to the Animal Shelter for follow-up.

C. Live Animals (No Injury).

- 1. Live animals will be taken to the Animal Shelter.
- 2. Live animals may be turned over to an owner after proper enforcement action is taken.
- 3. If an officer needs a snare to handle a live animal, one may be obtained from the City-County Animal Shelter, 1575 South Lincoln Street.
 - a. The Animal Shelter stores two snares in the closet located adjacent to the office.
 - b. A snare is also kept in the Senior Police Cadet van.
 - c. Snares are also kept in the Sergeant's Office's at both the Main Police Facility and the North Police Facility.
- 4. Document the reason for impounding the animal, pick-up location, name, address, and telephone numbers of the animal's owner and/or contact person.

5. Advise the animal's owner or contact person to contact Animal Control as soon as possible (during business hours). The shelter is only required to hold an animal 72 hours from impoundment.

D. Dead Animals.

1. All dead animals will be removed and taken to the Animal Shelter.

E. Placement of animals at the Animal Shelter.

1. When an officer takes an animal to the Animal Shelter, the Officer shall:
 - a. Place the live or slightly injured animal in a cage. Dogs will be placed in the cage marked "Police Night Drop" inside the kennel. Cats will be placed in the cat cages located in the first section of the kennels. Animals will not be left in the outside holding cages.
 - b. Place dead animals in the barrels that are located inside a refrigeration unit on the north side of the Animal Control facility.
 - (1) A pin secures the door latch of the refrigerator. This pin must be replaced after the door is closed.
 - c. Complete the "Night Drop Log - In" form.
 - d. List all pertinent information on an S.I.R., labeling it "Attention Animal Shelter."
 - (1) Even though an animal is not placed in the Animal Shelter, details as to its disposition will be placed on an S.I.R. labeled "Attention Animal Shelter."
2. The Animal Shelter is equipped with a burglar alarm. When it is closed, the alarm will be set off each time a door is opened and will reset automatically when the door is closed. During the hours that the Center is closed to the public, the following procedures will be followed:
 - a. When an officer is going to enter or leave the Shelter, the officer will advise the Telecommunications Center.
 - b. The Telecommunications Center will inform the alarm company when an officer is entering or departing from the Shelter.
 - c. When the sliding door to the kennel area is opened or closed, the security pin on the left side of the door must be disconnected and then reconnected for the alarm to set up.

NOTE: The officer's key to the Police Facility will unlock the Animal Shelter fenced yard and north door. Animals should not be taken through the office area. The Animal Shelter Gate code can be obtained by contacting the Telecommunications Center.

F. Barking dog calls.

1. Barking dog complaints will be handled by Animal Control except in extenuating circumstances.
2. Telecommunications Center personnel taking routine barking dog complaints when Animal Control services are not available, will refer the calls to Animal Control for next day follow-up. Police Officers will not normally be dispatched unless there are extenuating circumstances that require the presence of an officer. Those calls will be evaluated by the on-duty C.T.C. Supervisor to determine if an officer should be dispatched.
 - a. Calls referred for next day follow-up by police telecommunications personnel should contain the following elements for proper follow-up by Animal Control. Personnel taking the initial barking dog complaint should be mindful of the fact that the initial contact on barking dog violations will be by mail and the following

information is imperative.

- (1) Name, address, zip code and telephone number of the reporting party for proper follow-up by Animal Control.
 - (2) Name, address, and zip code of the animal owner, as well as the date and time the animal is causing the disturbance.
3. If a police officer is dispatched due to extenuating circumstances, he/she will adhere to the following section:

S.M.C. SECTION 7-127, BARKING OR HOWLING DOG.

"No person shall keep or permit to remain on any premises within the City of Stockton any dog, which continuously and incessantly barks at any time during the day or night to the disturbance of any person. Continuous and incessant barking is defined as frequent barking for a period of ten minutes or more duration within a thirty-minute period, which disturbs the peace of another person, including howling, crying, baying, or making any other noise, provided that at the time of the complaint no person or persons were trespassing or threatening to trespass upon the private property of the owner or person in custody or control of the dog or the dog was not teased or provoked in any manner."

4. In order to issue a citation, an officer must determine the following:
- a. Name of complainant who must be willing to testify in court, if needed.
 - b. Actually witness the continuous barking, howling, crying, baying, or other noise for a period of ten minutes, noting the exact time.
 - c. Position themselves so he/she does not cause the dog to bark and can testify that it was not provoked.
 - d. If the dog does not bark, cry, bay, or howl for ten minutes in the officer's presence, the complainant will be advised that enforcement action cannot be taken because the necessary elements of the offense are not present.
 - (1) The complainant should be advised concerning that person's rights to seek a complaint from the City Attorney by contacting Animal Control.
 - e. If a citation is issued, the officer must write a brief summary of the offense on an S.I.R., making it "ATTENTION: ANIMAL SHELTER."
 - f. Juveniles will not be cited unless they are head of the household.
 - g. All other calls of this nature that requires further investigations by the Animal Shelter shall be documented on a S.I.R, attention" ANIMAL SHELTER".
 - h. If the owner of the dog is not at home, the investigating officer has two options:
 - (1) If a violation is observed, the officer may return and cite the owner later during the shift, or as an alternative, the officer may obtain the name of the owner from a neighbor and forward all the necessary information to Animal Control for next day follow-up, indicating the violation observed. Animal Control will cite the owner the next day with the observance of a violation by a police officer.
 - (a) When a complaint is forwarded to Animal Control, the officer will leave a note at the residence of the dog owner informing that person of the violation and indicate a citation may be issued through Animal Control the following day.
 - (b) If the dog is disturbing the tranquility of the neighborhood to the point where public peace is being disturbed and the complaining citizen is demanding relief, the nuisance may be abated by taking the dog to the Animal Shelter and leaving a note for the owner regarding the action.

5. Section 370 PC may be used where it is apparent the dog is a public nuisance disturbing the tranquility of the neighborhood but does not conform to Section 7-127 S.M.C. The investigating officer must make out a Crime Report and advise the citizen it will be forwarded to the District Attorney for a complaint.

G. Citations for Animal Control Violations.

1. Any officer investigating matters involving an animal control violation, who decides to take enforcement action, will issue a citation to a citizen in lieu of physical arrest.
 - a. The citizen has 21 days to appear at the San Joaquin County Courthouse.
2. If a citizen refuses to sign the "Promise to Appear" on an animal violation, the officer will not immediately arrest the violator.
 - a. The officer will advise the offender that if the citizen refuses to sign the "Promise to Appear," an arrest warrant will be issued charging the violation.
 - b. The officer will complete the citation and a Crime Report.
 - c. The Crime Report and all three copies of the citation will be turned in to the Records/Support Services Division.
 - d. The Animal Shelter's staff will follow-up and obtain a complaint.

H. Exceptions.

1. When situations arise where Field Services Division personnel need assistance, since the animal is too large, vicious, etc., an Animal Control Officer may be called in, from home, if necessary.
 - a. The case should be of an emergency nature or as previously stated and cleared through the Watch Commander.

I. Bats

1. Bats must be transported by Animal Control staff to the San Joaquin County Health Department for rabies testing. Officers and Telecommunications personnel should consider the following with regard to handling bats:
 - a. When handling dead or contained bats, the call can usually wait until an Animal Control Officer is available for pick-up.
 - b. All pertinent information should be left for next day follow-up by Animal Control (i.e., name, address, phone number, etc., of the reporting party).
 - c. If the citizen will not be present when the bat is picked up, the following information must accompany the bat to Animal Shelter:
 1. Name, address, and telephone number of reporting party.
 2. Whether or not a person or animal has come into contact with the bat.
 - d. Attempting to capture a bat is not recommended by Animal Control; however, during emergency situations staff should adhere to the following when containing bats:
 1. Telecommunications should explain to citizens that handling live or dead bats is done at their own risk.
 2. Gloves must be worn at all times.
 3. Carefully place a large container on top of the bat.
 4. Leave the container alone until Animal Control arrives.
 5. Instruct citizens to keep all pets and children away from the

bat/container.

J. Bees

1. When a problem with bees occurs and an Animal Control Officer is not available, the officer will contact the Telecommunications Center and request a bee keeper.
 - a. The Telecommunications Center has a list of citizens who handle bees and will answer a call to assist.

K. Impounding Mistreated Animals (Owner Not Present).

1. When an officer receives a report of an animal being cruelly treated or neglected, the report must be confirmed by the officer's observation.
 - a. When the animal is being neglected, but its condition does not appear critical, the information will be noted on an S.I.R. and routed to the Animal Shelter for follow-up investigation.
 - b. When the animal's condition appears critical, it can be impounded for treatment or may be destroyed if its condition indicates there is no hope for recovery.

L. Animal Bite Cases.

1. San Joaquin County is officially declared a rabies area. Therefore, all animal bites to humans must be reported to the County Health Officer (Reference: California Administrative Code 2606). In accordance with prevailing law, mandatory quarantine of animals suspected of biting humans is required under any of the following methods:
 - a. Quarantine in a veterinary hospital.
 - b. Home confinement (the animal must be strictly confined within the residence or on the enclosed premises of the owner).
 - c. Quarantine at the Animal Shelter.
2. Confinement period shall be ten days for dogs and cats and fourteen days for other animals. In cases handled by the Stockton Police Department, the biting animal will normally be quarantined in the Animal Shelter facility or at the home of the owner of the dog. Preferably, the owner will assume the responsibility. If the animal is confined at the Animal Shelter, the owner will assume the responsibility for paying any applicable fees. The officer handling the call will advise the owner of the quarantine requirement.
3. All reports of any human being bitten will be carried on an S.I.R. with the notation, "Attention: Animal Shelter." The Animal Shelter will follow-up and notify the County Health Officer.