



# CHARLOTTESVILLE POLICE DEPARTMENT



Type of Directive: General Order	Policy#: <b>810</b>
Chapter 8: Support Services	<u>Effective Date:</u> <b>01/18/2023</b>
Subject: <b>ANIMAL CONTROL</b>	
<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Replaces: G.O. #533.02 <input type="checkbox"/> Revises:	<u>Reviewed:</u> <b>01/09/2024</b>
By authority of the Chief of Police: Colonel Michael Kochis	

## 810.1 PURPOSE AND SCOPE

The purpose of this directive is to provide guidance to members of the Charlottesville Police Department when responding to calls for service involving animals and enforcing animal control laws.

## 810.2 POLICY

It is the policy of the Charlottesville 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).

## 810.3 DEFINITIONS

Definitions related to this policy include:

**Animal Control Officer (ACO)** – A member of the Charlottesville Police Department who has received state mandated animal control school training or who has been grandfathered as an animal control officer according to state law. A trained CSO may be assigned, in emergency circumstances to perform ACO duties. Pursuant to Virginia Code § 3.1-796.104, the position of Animal Control Officer for the city is vested with the power to enforce Chapter 27.4 of Title 3.1 of the Code of Virginia, all ordinances enacted pursuant to that chapter, and all laws for the protection of domestic animals.

## 810.4 ANIMAL CONTROL OFFICER - DUTIES AND RESPONSIBILITIES

- a. Animal control services are generally the primary responsibility of the Animal Control Officer (ACO). Such duties and responsibilities include but are not limited to the following:
  1. Responding to and handling calls for service of animal-related matters during periods

when Animal Control is available.

2. 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.
  3. Follow-up on animal-related calls, such as locating owners of injured animals.
  4. Enforcing state and local laws, which regulate animals within the City of Charlottesville.
- b. The ACO may be called out after hours, during days off, and on holidays by the on-duty Shift Supervisor for the following situations:
1. Vicious animals which are a direct threat to public health and safety;
  2. Animals in custody that are injured or sick; and
  3. Any emergency at the request of the on-duty Shift Supervisor.

#### **810.4.1 MEMBER DUTIES AND RESPONSIBILITIES**

- a. Members who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.
- b. If the ACO is not available for call out, on-duty police officers will respond to the following:
  1. Vicious animals which are a direct threat to public health and safety;
  2. Animal bites - An incident report is required on all animal bites. The owner of the animal will be required, under state law, to confine the animal for a ten (10) day period at either the local SPCA or a licensed veterinarian;
  3. Barking dogs;
  4. Animals in custody that are dangerous, sick, or injured; and
    - All other animal in custody calls will be held until the next regular workday for the ACO or assigned CSO.
    - Callers with animals in custody will be advised they should take the animal to the SPCA, detain them until the next scheduled regular work day, or release the animal.
    - The call will be referred to the on-duty Shift Supervisor should the caller object to holding, releasing, or taking the animal to the SPCA. The on-duty Shift Supervisor will either have an officer dispatched or call the complainant themselves. The decision to transport the animal will be based on the circumstances surrounding the welfare of the complainant, animal, shift staffing, and shift call volume.
  5. Situations deemed appropriate by the on-duty Shift Supervisor.

- c. In those instances where a police officer takes an animal into custody the following procedure will be followed:
  - 1. The ACO vehicle will be picked up and used to take the animal to the SPCA if they are open; and
  - 2. If the SPCA is closed, the animal will be picked up and placed in the dog box located in the sally port of the police department. The animal will be provided with food and water and periodically monitored until such time as the SPCA is open and a transfer of the animal is completed.

#### **810.4.2 STATE REQUIREMENTS**

- a. Department members 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. Members shall document the information in any required report of the incident.
- b. Department members 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).

#### **810.5 ANIMAL CRUELTY COMPLAINTS**

- a. Laws relating to the cruelty to animals should be enforced including, but not limited to:
  - 1. Care of companion animals by owner (Va. Code § 3.2-6503).
  - 2. Care of agricultural animals by owner (Va. Code § 3.2-6503.1).
  - 3. Abandonment of animal (Va. Code § 3.2-6504).
  - 4. Cruelty to animals (Va. Code § 3.2-6570 et seq.).
  - 5. Control of dangerous dogs (Va. Code § 3.2-6540).
  - 6. Control of vicious dogs (Va. Code § 3.2-6540.1).
- b. Department members should 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).

#### **810.6 DANGEROUS ANIMALS**

- a. In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, the on-duty Shift Supervisor will be contacted to determine available resources, including requesting the assistance of animal control services from an allied agency.

#### **810.7 PUBLIC NUISANCE CALLS RELATED TO ANIMALS**

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

#### **810.8 RABIES**

- a. Raccoons, skunks, foxes, and bobcats are terrestrial mammals classified as high risk of being infected with the rabies virus. Opossums, groundhog (woodchucks) and beavers are also classified as high risk in our geographic area because raccoon rabies is prevalent throughout the Thomas Jefferson Health District and these species travel/live among the raccoon population.
- b. Wild animals that are defined as high risk and that expose people or domestic animals should be euthanized and tested. Confinement periods are not applicable for wild animals because the length of time between rabies virus shedding, and onset of signs has not been established for these animals and such signs may not be readily recognized.

#### **810.9 EUTHANASIA OF SERIOUSLY INJURED/SICK WILDLIFE OR SUSPECTED RABID DOMESTIC ANIMALS AND WILDLIFE**

- a. Department members will adhere to all policies, procedures, and guidelines related to the use of Department issued/authorized weapons and the use of force.
- b. The responding officer will determine the need to euthanize an animal that has been seriously injured, such as a struck deer, or an animal that is exhibiting symptoms of rabies (e.g., change in behavior, aggression, problems swallowing, drooling, difficulty moving or paralysis, and death).
- c. If a firearm is needed to euthanize an animal in the absence of an emergency, the responding officer shall notify and seek permission from the on-duty Shift Supervisor prior to discharging a firearm. The Shift Supervisor will review the circumstances and ensure that a safe shot can be obtained to prevent any additional danger to the public (e.g., proper backstop, clear target, etc.).
- d. Officers will request the .22 caliber rifle from the on-duty Shift Supervisor to euthanize small animals if circumstances permit. Large animals, such as a deer, should be euthanized with the officer's duty weapon.

#### **810.10 DISPOSAL OF EUTHANIZED ANIMALS**

- a. If there is a wild animal that has exposed a person or domestic animal, then the wild animal should be captured and euthanized and submitted to the Health Department for testing.
- b. If exposures are unknown, then the biting wild animal should not be disposed of until the health department has been notified.
- c. If the wild animal is euthanized and there are no exposures identified, then the animal should be double bagged and disposed of in a dumpster at City Yard. Department members are responsible for disposal or the coordination of disposal of euthanized animals (e.g., Public Works)

- d. There is a wooden enclosed area around the back of the health department under the overhang where a refrigerator is kept to house animals needing testing. The refrigerator is outside of the enclosed area and has a lock. The key to the refrigerator is kept on the inside of the enclosed area. The combination lock code on the enclosed area door will be maintained in the Field Operations Sergeant's Office. Once inside the enclosed area, the key to the refrigerator should be hanging on a hook on the inside of the door.
- e. The health department has staff on call during weekends and holidays from 0900-1700 hours to provide guidance. They can be reached by calling (434) 972-6219.

#### **810.11 REPORTS**

- a. Members who take an animal into custody should generate a complete report of the incident, 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).
- b. Members who discharge a firearm to euthanize any animal shall thoroughly document the facts and circumstances surrounding the euthanasia in an incident and any other required report(s).