

GENERAL ORDER



DISTRICT OF COLUMBIA

Title
**Animal Complaints and Reporting
Animal Bitings**

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Distribution
A

Replaces / Rescinds
**General Order 401.7 (Animal Complaints
and Reporting Animal Bitings)
SO 96-4 [Handling Dangerous Dogs (Pit
Bull and Rottweiler)]
TT#05-940-96 (Dangerous Dogs)
TT#28-161-93 (Abandoned Animals)**

I. Background.....Page 1
II. Policy.....Page 1
III. Definitions.....Page 1

IV. Regulations.....Page 2
V. Procedural Guidelines.....Page 2
VI. Cross References.....Page 11

I. BACKGROUND

The Metropolitan Police Department recognizes the importance of responding to and reporting animal complaints and bitings. The Department of Human Services, Animal Control Agency (ACA) has been established to handle these types of calls for service (except cruelty to animals). However, for those instances when ACA is not immediately available, the call involves cruelty to animals, or a member observes or is notified of an animal problem, MPD has established policies and procedures for handling these types of calls for service.

II. POLICY

The policy of the Metropolitan Police Department is to take the appropriate enforcement action to handle animal related calls for service.

III. DEFINITIONS

When used in this directive, the following terms shall have the meaning designated:

1. "Dangerous Dog" - any dog that:
 - a. Has bitten or attacked a person or domestic animal without provocation; or
 - b. In a menacing manner, approaches without provocation any person or domestic animal as if to attack, or has demonstrated a propensity to attack without provocation, or otherwise to endanger the safety of human beings or domestic animals.
2. "Badly Injured Animal" – any animal that is suspected of being rabid or has sustained an injury that may cause death.

IV. REGULATIONS

- A. Members of the Department taking a report relative to an animal complaint or animal biting shall utilize all available means to establish ownership of the animal.
1. Dog ownership can be established, via the dog license number, by contacting the Department of Health, Animal Disease Prevention Division, during normal working hours (Monday through Friday 0815 to 1645 hours) on 535-2323; or
 2. Dog ownership can be established, via the rabies vaccination number, by contacting the Department of Human Services, Animal Control Agency (ACA) twenty-four (24) hours a day, seven (7) days a week on 576-6664.

Note: The ACA cannot establish dog ownership, via the dog license number.

- B. Whenever a member receives a complaint of a dog running-at-large and the owner can be determined, the owner shall be notified of the violation and advised that a PD Form 61D (Violation Citation) will be issued for any subsequent violation.
- C. Members observing a stray dog running-at-large shall notify the ACA as soon as possible to have the animal removed from public space.
- D. To prevent the transmission of diseases (distemper, worms, lice, etc.), members shall not transport a stray dog or other animal in any Department vehicle, nor shall a stray dog or other animal be held in any stationhouse or K-9 Kennel, while awaiting removal by an employee of the Animal Disease Control unit.
- E. The Washington Humane Society has been delegated the authority and responsibility for enforcing cruelty to animal complaints, as set forth in D.C. Official Code § 44-1501 through 1511 and § 22-1001 through 1014.

V. PROCEDURAL GUIDELINES

- A. The Department of Human Services, Animal Control Agency (1201 New York Ave., N.E.) is responsible for handling all calls (except Cruelty to Animals and dead animal removal) regarding animals in distress, running-at-large, sick or injured and/or those involved in a biting incident (dead or alive), etc. To provide these services, the ACA is staffed twenty-four (24) hours a day, every day of the week and can be contacted on 576-6664.

B. Responsibilities of Members

1. Injured Animals

- a. When an animal is found injured on public space and the owner/custodian cannot be located, members observing the condition or having it brought to their attention shall contact the ACA, via telephone or through the dispatcher, to respond immediately to remove the injured animal. The ACA will give all MPD calls for service a priority rating.
- b. In all cases where the owner/custodian can be located, the owner shall be notified and requested to respond to remove the animal. If the owner/custodian refuses or is unable to respond the ACA shall be notified and requested to respond to remove the animal.

2. Cruelty to Animal Complaints

- a. Members who are called to the scene of a “Cruelty to Animals” case by a member of the Washington Humane Society, who has viewed a violation of the law or regulation of the District of Columbia for the prevention of cruelty to animals, shall, after determining that probable cause exists and receiving proper identification from the member of the society, arrest the offending party without a warrant as set forth in D.C. Official Code § 44-1505. (CALEA 1.2.5)
- b. If a member of the Humane Society is in possession of a warrant, and that member requests the assistance of the Metropolitan Police Department for service of the warrant, members shall provide the necessary assistance.
- c. Should a member make an arrest for such an offense, that member is responsible for the processing of the arrestee, including booking, papering and release, via citation, (unless the arrest was based on a warrant, then Citation Release is not authorized).

3. Removal of Dead Animals From Public Space:

- a. When a dead animal, which was not involved in a biting incident, is found on public space, members shall notify the City-Wide Call Center on 727-1000 of the location of the animal and then return to service and make an entry on their district’s Incidental Book as soon as practical.
- b. In addition, if the dead animal is wearing a License or Vaccination Tag, the member shall telephone the registration

number(s) to the ACA, who will in turn, make every reasonable effort to contact the owner/custodian of the deceased animal.

4. Innoculation of Dogs and Cats:

Rabies and distemper vaccinations are required for all dogs and cats over four (4) months old in the District of Columbia. Members who receive inquiries shall instruct all persons to contact the ACA for information relative to free vaccinations.

5. Handling Dangerous Dogs

- a. Members who observe or confront a dangerous dog shall attempt to identify the owner/custodian and determine if the dog is licensed and registered.
- b. If not satisfied that a suspected dangerous dog is licensed or registered, or if no owner/custodian can be identified, members shall contact the Animal Control Agency (ACA) for purposes of impounding the animal.
- c. Members shall seek the cooperation of the owner/custodian in confining the animal so as to eliminate any immediate danger and/or to await the response of an ACA representative.
- d. If the owner/custodian is not available or is unable to confine or control the animal, members shall take appropriate steps necessary to alleviate any immediate danger from the animal (i.e., utilization of O.C. Spray and/or ASP) and attempt to contain the animal until an ACA representative can respond.
- e. Dogs are not allowed to run at large on public property and must be restrained by a leash not exceeding 4 feet in length and controlled by a responsible person (24 DCMR, Chapter 9, Animal Control). A PD Form 61D [Violation Citation] may be issued for such violations.
- f. The owner of a dangerous dog that causes injury to or kills a human being or a domestic animal without provocation is subject to arrest for a felony and the dog may be impounded and destroyed.
- g. All incidents involving dangerous dogs are to be reported on a PD Form 251 (Event Report), setting forth the circumstances, including identity of the dog owner, breed and description of the dog, impoundment by ACA, or other enforcement action.

6. Reporting Animal Bitings:

- a. When the identity of the animal's owner is known, the reporting member shall be responsible for the following:
- (1) Preparing a PD Form 251 (Incident Report); (CALEA 82.2.1-a-b)
 - (2) Serving the owner/custodian of the biting animal with a PD Form 48 (Notice To Owner of Biting Animal);
 - (3) Notifying the ACA by telephone, prior to being relieved from duty, that a PD Form 48 has been served to the owner/custodian of a biting animal;
 - (4) Serving the owner with a PD Form 61D (Violation Citation) when applicable;
 - (5) Serving the owner/custodian with a second PD Form 48 upon being notified that the owner/custodian of a biting animal failed to have the animal examined;
 - (6) Applying for and obtaining a warrant if the owner/custodian fails to have the animal examined after being served with a second PD Form 48, or when the owner/custodian ignores the PD Form 61D;
 - (7) Notifying the victim of the disposition of the PD Form 48;
 - (8) Notifying the victim if a stray (biting) animal has been sent to the ACA, or if the biting animal could not be located; and/or
 - (9) Conducting a follow-up investigation within seven (7) days of the original report and completing a PD Form 252 (Supplemental Report). The investigative report shall contain all new pertinent facts such as: (CALEA 82.2.1-a-b-c)
 - (a) Time and date the biting animal was examined by the ACA;
 - (b) Failure of owner/custodian to have the biting animal examined; and
 - (c) Service of second PD Form 48.
- b. When the identity of the animal's owner/custodian is not known, members shall:

- (1) Notify the ACA and prepare the PD Form 251; (CALEA 82.2.1-a-b)
 - (2) Make every possible effort to locate the animal responsible for the biting and the owner/custodian thereof; and
 - (3) Conduct a follow-up investigation within seven (7) days of the original report and complete a PD Form 252 (Supplement Report). If the follow-up investigation results in the identity of the owner/custodian, the reporting member shall be responsible for section V, B, 6, a, (1) through (9) of this directive. (CALEA 82.2.1-a-b)
- c. The ACA shall not be notified of animal bites involving MPDC canine, see GO-RAR-306.01 (Canine Teams).

7. Service of PD Form 48 (Notice to Owner of Biting Animal)

- a. Members handling animal biting reports shall prepare an original and two copies of the PD Form 48. The original shall be served upon the owner/custodian of the biting animal and the remaining copies shall be turned in with the PD Form 251 or PD Form 252.
- b. Upon serving the owner/custodian of a biting animal with the PD Form 48, members shall:
 - (1) Instruct the owner/custodian to present the animal for examination to the ACA or a private veterinarian within 24 hours;
 - (2) Notify the ACA on 576-6664 prior to being relieved from duty;
 - (3) Instruct the owner/custodian that he/she must keep the biting animal under his/her control for a period of ten (10) days from the date of the alleged biting;
 - (4) Instruct him/her to have the veterinarian report his/her findings to the ACA on the same day that the animal is examined, if the owner/custodian elects to take the animal to his/her own private veterinarian; and
 - (5) Immediately notify the ACA if the biting animal is other than a dog or cat, or if the biting animal appears to be sick.
- c. When a member has been notified by the ACA that the owner/custodian of a biting animal has failed to present the animal for examination, the member shall:

- (1) Serve the owner/custodian with a second PD Form 48 and inform the owner/custodian that if he/she fails to adhere to the second notice an application will be sought for an arrest warrant;
 - (2) Prepare a PD Form 252 and indicate the time and date that the owner/custodian was served with the second notice and what efforts were made to locate and notify the owner/custodian, if the owner/custodian of a biting animal was not served with a PD Form 48 within seven (7) days of the assignment; and
 - (3) Immediately notify the ACA if the owner/custodian cannot be located, and prepare a PD Form 252, if the biting animal is suspected of being ill, or if the animal is other than a dog or cat.
- d. Upon being notified by the ACA that the owner/custodian has failed to produce the animal for examination after a second notice, the original reporting member shall:
- (1) Respond to the Office of the Attorney General for the District of Columbia, 441 4th Street, N.W. (Superior Court), to apply for a warrant;
 - (2) Request that the Attorney General expedite the issuance of the warrant as the health of the person bitten may be in jeopardy;
 - (3) Immediately execute the warrant (The Chief of the Animal Disease Control, Department of Human Services, or his/her designee, will be available as a witness in court); and
 - (4) Immediately contact the ACA to have the animal impounded.

8. Impoundment of Biting Animals

- a. When an animal has bitten a person or is suspected of having bitten a person and the owner/custodian cannot be located, members shall make every effort to confine the animal and shall notify the ACA for immediate impoundment and examination.
- b. If the biting animal or suspected biting animal is dead, the ACA shall be notified immediately and requested to respond and remove the animal for examination.
- c. Reports concerning the above instances shall indicate that the animal has been removed to the ACA for examination.

9. Impoundment of Dangerous or Abandoned Animals

- a. When a member confronts a dangerous animal and the owner/custodian is on the scene and refuses to confine the animal in a location that would eliminate the immediate danger, the member shall call the ACA and request that they respond and impound the animal.
- b. Members may request assistance from the ACA when they know in advance that they will be confronting a dangerous animal(s), while in the performance of their duties.
- c. Members who find animals inside the residence of a deceased person shall attempt to locate a relative or friend that will care for the animal. If unable to locate anyone to care for the animal, he/she shall contact the ACA and request that they respond and impound the abandoned animal.
- d. Anytime an animal is impounded by the ACA at the request of a member of this Department, a PD Form 251 shall be completed setting forth the circumstances of the incident that required the impoundment.

10. Handling Suspected Rabid Animals

- a. Any member who observes a suspected rabid animal, within the confines of the District of Columbia, shall take the following action:
 - (1) Immediately contact the Animal Control Agency and keep the animal in sight until a member of that agency arrives;
 - (2) Take every precaution to stay away from the animal. Rabies affects the brain and the affected animal may be unpredictable and become dangerous if aroused or harassed;
 - (3) Keep all bystanders away and attempt to keep other animals from interfering with it;
 - (4) Follow the procedures outlined in GO-RAR-901.01 section VI, H, (Use of Firearms and Other Service Weapons) if a restraining device is not readily available; and
 - (a) For the purpose of this order, the suspected rabid animal shall be classified as a "Badly Injured Animal"

- (b) If it is necessary to destroy a suspected rabid animal that has bitten someone, do not, if at all possible, shoot the animal in the head because the head must be preserved for examination in order to confirm the presence of rabies.
 - (5) Do not, under any circumstances, handle any dead animal suspected of having rabies; call the Animal Control Agency and be guided by their instructions.
- b. If a member comes in direct contact with a suspected rabid animal, he/she shall:
 - (1) Immediately wash the affected area with soap and water;
 - (2) Immediately respond to a hospital facility;
 - (3) Complete a PD Form 318 (Communicable Disease Contact Report) to include, in the remarks section, the type of animal involved, and complete a PD Form 42 (Injury or Illness Report); and
 - (4) Notify a Medical Services Division (MSD) member as soon as possible and respond to sick call on the first day that the MSD is open for business following the initial contact.

C. Responsibilities and Procedures for Station Clerks (CALEA 82.2.1-d-e)

In cases involving animal bites, the station clerk shall be responsible for:

- a. Forwarding all reports to Staff Review, Records Division;
- b. Filing a copy of all PD Forms 251, 252, and 48 in the district's suspense file where they will remain until the biting animal has been examined, or until it is determined that the case should be suspended;
- c. Mailing a copy of PD Forms 251 or 252 with attached copy of PD Form 48 to the ACA. This shall be accomplished by placing the form(s) in a messenger envelope addressed to the Animal Control Agency, 1201 New York Avenue, N.E., Washington, D.C. 20002, and forwarding it to the Identification and Records Division mailroom, via the morning papers;
- d. Making a notation on the copies of PD Form 251 or PD Form 252 prior to mailing them to the ACA.

- (1) Date and time mailed;
 - (2) Name of forwarding station clerk; and
 - (3) Forwarding unit's phone number.
- e. Upon being notified by the ACA that an owner/custodian of a biting animal failed to have the animal examined:
- (1) Pull the PD Form 251 and PD Form 48 from the suspense file and make a notation on the forms;
 - (2) Notify the member who served the initial PD Form 48 to serve a second notice to the owner/custodian of the biting animal; and
 - (3) Instruct the member to apply for a warrant if the owner/custodian fails to comply with the second notice.
- f. Upon receiving a copy of a PD Form 48 from the ACA, certifying that the biting animal has been examined; and
- (1) Making a notation on the PD Form 48 in the district's suspense file;
 - (2) Notifying the issuing member that the biting animal has been examined; and
 - (3) Instructing the issuing member to complete a PD Form 252, closing out the original report, and submit the form through his/her supervisor.
- g. Removing all copies from the district's suspense file and the form(s) same in the district's general complaint file upon receiving a PD Form 252 closing out the original report or suspending the investigation.

D. Responsibilities and Procedures for Supervisory and Command Personnel

1. District Patrol Service Area (PSA) officials shall be responsible for:
 - a. Assigning another member to serve the PD Form 48 if the reporting member was unable to locate the owner/custodian of a biting animal and is going on day off, leave or on detail (more than one tour of duty);
 - b. Making a determination as to when all reasonable avenues have been pursued and exhausted to locate the owner/custodian of a biting animal; and

- c. Ensuring that all animal bites, except those involving MPDC canine, be reported to the ACA telephonically, prior to the reporting member being relieved of duty.
2. Upon receiving information that a member has used a firearm to destroy a dangerous animal, the Watch Commander shall follow the procedures outlined in GO-RAR-901.01. (CALEA 1.3.9-a)
3. Director, Records Division shall:

Ensure that all PD Forms 48, received from the ACA, are forwarded to the originating element indicating that the case has been closed.

Note: The Chief of the Animal Disease Control, Department of Human Services, after completing the examination of an animal or learning that the examination has been completed by a private veterinarian, will forward a verified copy of the PD Form 48 to the Records Division, with a notation on the form, giving the time and date the animal was examined.

VI. CROSS REFERENCES

1. GO-RAR-901.01 (Use of Firearms and Other Service Weapons)
2. GO-RAR-306.01 (Canine Teams)
3. D.C. Official Code § 22-1001 through 1014
4. D.C. Official Code § 44-1501 through 1511

// SIGNED //
Charles H. Ramsey
Chief of Police

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