
KANSAS CITY, KANSAS POLICE

GENERAL ORDER

ORDER NUMBER: **40.16**
ISSUED DATE: 02/25/2011
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SUBJECT: Handling Domestic Livestock, Exotic or Wild Animal Situations and Animal Bite Complaints

REFERENCE: CALEA

will employ whatever means necessary to protect human life.

CROSS REFERENCE:

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IV. ENCOUNTERS WITH CANINES

- I. PURPOSE**
 - A. To establish Departmental policy regarding the handling, destruction and disposal of killed, injured or otherwise incapacitated domestic livestock, exotic, or wild animals.
 - B. To establish Departmental policies regarding the handling of animal bite complaints.
- II. GENERAL ANIMAL ORDINANCE ENFORCEMENT PROVISIONS**
 - A. Animal control officers, employees of the Health Department whose duties involve animal control and police officers have the authority to enforce animal control ordinances, which are contained in Chapter 7 of the Unified Government Ordinances. (U.G. Ord. 7-1)
 - 1. It is the duty of the police to assist animal control in direct assistance and through any applicable enforcement efforts. (U.G. Ord. 7-4)
- III. EMERGENCY ANIMAL DESTRUCTIONS**
 - A. Police officers may forego the previously listed procedures for destruction of animals in those situations in which an animal is engaged in a physical attack upon the officer or another person.
 - 1. In these instances, safety of the officer and other people is of paramount importance and the officer

- A. Depending on the nature of a call for service, the responding officer should make a visual scan of the area upon his or her arrival to determine if overt signs are apparent that would indicate that there is a dog at the scene.
- B. If the nature of the call allows such action, the officer may need to do something to attract the attention of a dog on the property to indicate his or her presence in order to avoid startling the dog.
- C. Canine encounters are classified in three ways:
 - 1. Nuisance encounters: These encounters generally involve smaller dogs that cannot cause death or serious injury to a person if they did attack. If such a dog attacks, an officer should be able to kick the dog away or shout. If other deterrents fail, OC spray could be used to cause the dog to stop attacking.
 - 2. Threat encounters: These encounters generally involve larger dogs that are can pose a serious physical threat if they attack. These dogs are generally attempting to get the officer out of its territory. The dog may repeatedly lunge and back up in a threatening way. Threat encounters can escalate into more aggressive attacks if the officer continues to remain in or enter farther into the dog's territory. If a threat encounter is not reasonably avoidable the following actions may be taken:
 - a. Officers may attempt to neutralize the canine's aggressiveness by spraying the dog with OC spray.
 - b. An animal control officer may be called to respond and take custody of the canine.
 - c. If possible, a second officer should be present in case the dog attacks in a vicious manner that a single officer may not be able to successfully stop.
 - 3. Vicious attacks: These encounters involve dogs that are medium to large in size. Some breeds of canines were developed to hunt and attack large animals and humans. Although this type of encounter is rare, it must be taken seriously. Some large dogs have been trained as "attack dogs" and present a threat of serious injury to any officer that enters the dog's domain. On occasion, it may be difficult for an officer to distinguish between a mere threatening canine and a vicious attack until it is too late. Threats are characterized by barking, growling and lunging, however, a canine determined to engage in a serious attack on a

person may not bark, growl, or show any overt signs of aggression, other than running at top speed directly towards its prey.

- a. If an officer is unable to escape a canine's vicious attack, deadly force may be the only means available to neutralize the situation. If the animal breaks away from the officer, then the necessity to use deadly force is no longer present.
- b. If the officer is confronted by a dog that clearly presents a threat of serious injury or death to an officer or other person and deadly force is the only option to neutralize it, the officer should use a well placed shot to the dog's head, if possible, or in the heart area of the chest. Officers having to resort to lethal force should be mindful of their surroundings and limit the shots to only what is necessary to stop the attack.

V. DOMESTIC LIVESTOCK

A. Whenever a police officer is confronted with a situation in which domestic livestock (cow, horse, etc.) are running at large, the officer will request that Communications personnel make the following notifications:

1. During the hours of 0800-1700, Monday through Friday, the Animal Control Unit will be contacted and an animal control officer will respond to the scene.
2. At all other times, an "on-call" animal control officer will be contacted and will respond to the scene.
 - a. If the "on-call" animal control officer fails to respond to the scene, the supervisor of the Animal Control Unit will be contacted, and will respond to the scene.
3. The police officer on the scene will assist the animal control officer in locating the owner of the animal if necessary.
4. If the owner of the animal is located, the owner will be responsible for taking custody of the animal.
5. In the event the owner of the animal cannot be located, the animal control officer will arrange for large animal pick-up and impoundment.

B. Whenever a police officer is confronted with a situation in which domestic livestock are killed, injured or otherwise incapacitated, the officer will request that Communications personnel make the following notifications:

1. During the hours of 0800-1700, Monday through Friday, the Animal Control Unit will be contacted and an animal control officer will respond to the scene.
2. At all other times, an "on-call" animal control officer will be contacted and will respond to the scene.
 - a. If the "on-call" animal control officer fails to respond to the scene, the supervisor of the Animal Control Unit will be contacted, and will respond to the scene.

3. The police officer on the scene will assist the animal control officer in locating the owner of the animal if necessary.
4. If the owner of the animal is located, the owner will be responsible for taking custody of the animal.
5. In the event the owner of the animal cannot be located, the animal control officer will arrange for large animal pick-up and impoundment.

VI. WILD OR EXOTIC ANIMALS

A. In the event that a police officer locates a wild or exotic animal that has been injured, killed or otherwise incapacitated, the officer will request that Communications personnel make the following notifications:

1. During the hours of 0800-1700, Monday through Friday, the Animal Control Unit will be contacted and an animal control officer will respond to the scene.
2. If the animal carcass becomes a traffic hazard, the officer should move the hazard to the side of the road for later pickup by the Animal Control Unit. If the immediate supervisor determines that moving the traffic hazard is not practical, the on-call Animal Control Officer will respond and assist.
 - a. If, upon arriving at the scene, the animal control officer determines that the injured, killed or incapacitated animal is of an exotic variety, the supervisor of the Animal Control Unit will also be contacted.
 - b. If the "on-call" animal control officer fails to respond to the scene, the supervisor of the Animal Control Unit will be contacted, and will respond to the scene.
3. If the police officer on the scene determines that the injured animal is a federally protected bird, the officer will stand by until arrival of the animal control officer, who will make the necessary notifications.
 - a. The responding animal control officer will make a determination upon arriving at the scene as to whether or not to notify the supervisor of the Animal Control Unit.

VII. EUTHANASIA

A. An officer who is called to a scene in which a large animal (i.e., deer, cow, and horse) is incapacitated or severely injured is authorized to humanely euthanize the animal, with supervisor approval.

1. Animal Control shall be notified prior to the animal being euthanized.
2. An animal control officer will be requested to respond to the scene, as he/she can assist with the euthanasia process and removal of the carcass.
 - a. The officer on the scene does not have to wait for an animal control officer to arrive before euthanizing the large animal, unless the expertise possessed by the animal control officer is needed.
 - b. Animal control officers are prohibited from euthanizing an animal with a firearm.

- c. A deer carcass cannot be recovered/released without a Kansas State issued Salvage tag, which can be issued by an animal control officer.
- B. Officers should consider the following before euthanizing the animal:
- 1. "A well placed shot to the animal's head can cause immediate insensibility and humane death." ("2000 Report of the AVMA Panel on Euthanasia," JAVMA, Vol 218, No. 5, March 1, 2001.) The target area should be selected in such a manner that the largest amount of brain tissue will be destroyed with a single gunshot.
 - a. Aim the handgun behind the ear, toward the opposite eye, so that the bullet passes through the brain. Or aim the handgun at the intersection of imaginary lines crossing from the ears to the eyes. The barrel of the gun should be inclined perpendicular to the skull front. Bullets fired at shallow angles may ricochet off the thick skull. If the animal has antlers or horns, use extreme caution. ("Guidelines for Police Officers When Responding to Emergency Animal Incidents")
 - 1) If the large animal is mobile, or thrashing about and the handgun is not feasible, the officer, under the direction and control of an on scene supervisor, may euthanize the animal utilizing the patrol rifle. The officer will use the same procedure to euthanize the animal as to that of the handgun. The officer must have adequate backstop ensuring persons or properties are not in danger. If the rifle or handgun is not feasible, the officer should consult with the animal control officer for an alternate method of euthanizing the animal.
 - 2. Consideration should be given to the type of surface the large animal is laying on in the event the officer misses or the round over penetrates the animal's head. Hard surfaces can cause a bullet to fragment or ricochet resulting in bodily injury to the officer and/or bystanders.
 - 3. Contact with the deer should be minimal in order to reduce the amount of stress the animal experiences prior to being euthanized.
 - 4. Civilians will not assist/participate in the euthanasia process.
 - 5. Euthanasia by gunshot is aesthetically unpleasing and should be done, in as much as possible, out of public view.
 - 6. If the officer does not feel that he/she can safely euthanize the large animal then the procedure should not be performed.
- C. Reporting Requirements
- 1. Officers will complete a Discharge of Firearms Report – Euthanasia of Large Animal, prior to their end of shift, which will be turned in to their immediate supervisor. The officer must write a detailed synopsis describing the euthanasia in the narrative section of the report.

- 2. The OICIT Commander will determine if further investigation of the incident is warranted.

VIII. DISPOSAL OF CARCASSES

- A. An animal control officer will be responsible for the disposal of the carcass of an animal killed or destroyed.
 - 1. Exceptions will be those times in which the owner of domestic livestock desires to take custody of the animal or the Kansas Fish and Game Commission directs that a wild animal be disposed of in another manner.
- B. Under no circumstances will a police officer of the Kansas City Kansas Police Department take custody of, or provide for disposal of, any domestic livestock, exotic or wild animal that is killed or destroyed within the Department's jurisdiction.

IX. ANIMAL CONTROL RESPONSIBILITY FOR ANIMAL BITE COMPLAINTS

- A. During the hours of 0800-1700 hours on the days of Monday through Friday, persons wishing to report an animal bite can make a call-in report to Animal Control.
 - 1. An animal control officer will be dispatched to the reporting person's address to take custody of the suspect animal if it is confined, or will attempt to locate and apprehend such suspect animal or reptile if it is at large.
 - 2. If however, the person wishing to report an animal or reptile bite calls the Police Department to make the report, Communications personnel will transfer the caller to the Animal Control Unit for a call-in report.
- B. Persons wishing to report an animal bite during the hours that the Animal Control Unit is closed may contact the Communications Unit of the Police Department, at which time Communications Unit personnel will contact an "on-call" animal control officer who will respond to the reporting person's location to make the report.
 - 1. Upon arrival at the scene, the animal control officer may take custody of the suspect animal if it is confined, or will attempt to locate and apprehend such suspect animal or reptile if it is at large.

X. POLICE RESPONSE TO REPORTED ANIMAL BITES

- A. A police response to an animal bite situation is required when:
 - 1. Emergency Medical Service personnel are responding to the incident.
 - 2. The situation has escalated into a disturbance.
 - 3. A request is made by Animal Control to respond to assist.
- B. Police Officers dispatched to the scene of a reported animal bite will perform the following duties:
 - 1. Request medical assistance for the bite victim if needed or requested.
 - 2. Assist the animal control officer in locating an "at large" suspect animal if necessary to do so.

3. Advise the victim that an animal control officer will be responding to the scene to take custody of the suspect animal.
4. Assist the animal control officer in entering private property to apprehend a suspect animal if requested to do so by such animal control officer. If entry to a structure or building on private premise is refused by the rightful owner or keeper of such private premises, the animal control officer will obtain the necessary search warrant to authorize such entry.

Note: Any person keeping or harboring any animal within Unified Government jurisdiction thereby authorizes the supervisor of animal control or director of health or their representatives, or a police officer, to enter non-residential private property without a warrant to seize an animal in plain sight, for the purpose of enforcement of the animal ordinances or to abate an ordinance violation. (U.G. Ord. 7-9)

5. Upon arriving at the scene of a reported animal/reptile bite, the police officer may determine that his or her presence is no longer needed, in which instance the officer may return to service, after advising the reporting person that the animal control officer is responding to take the bite report.

XI. REPORTING RESPONSIBILITY

- A. Whenever domestic livestock, exotic or wild animals are killed or destroyed, and the situation requires police involvement, both the police officer on the scene and the Animal Control officer will be responsible for completing concise and detailed reports of all circumstances of the incident.
- B. Police officers dispatched to the scene of reported animal bites will not be required to make the "bite report," unless any of the following circumstances are evident:
 1. The owner or keeper of the suspect animal/reptile intentionally allowed or encouraged the animal to bite the victim, thereby resulting in an aggravated assault.
 2. The victim of the animal bite was in the commission of a criminal act when the bite was received, the police officer therefore must make the bite report an integral part of a criminal investigation.
 3. The suspect animal was being utilized to defend a criminal activity when the bite occurred, making the bite report an integral part of a criminal investigation (e.g., a vicious dog being used to guard a drug house bites a police officer attempting to execute a search warrant at that location).