

<b>Anchorage Police Department</b> Regulations and Procedures Manual	<b>Operational Procedures</b> <b>3.01.000-005</b>	
<b>Policy and Procedure Title</b> Call for Service Animal Problems	<b>Effective Date</b> May 4, 2021	Page 1 of 4
<b>Replaces Prior Policy:</b> December 2, 2020	<b>Approved by:</b> Acting Chief Ken McCoy	

**This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.**

### **3.01.000 Call for Service**

### **3.01.005 Animal Problems**

## **PURPOSE**

To advise all personnel of their responsibilities in calls for service involving animals.

## **POLICY**

The Anchorage Police Department, when resources permit, resolve complaints and situations involving animals with the objective of restoration of public peace and safety, while being mindful of humane treatment of animals.

## **DISCUSSION**

Officers may be exposed to a remarkably wide range of calls involving animals, be it barking dogs, wandering moose and bear, a hostile animal keeping medics at bay, animal abuse and/or neglect or an actual death from an animal attack. Citizens understandably want protection and assistance with these incidents, but want that service delivered humanely.

## **DEFINITIONS**

**Domestic Animals and Exotic Pets:** Those animals generally regarded as pets and not indigenous to the area. This would include dogs, cats, various birds, snakes, and similar animals.

**Farm Animals:** Those animals generally regarded as having commercial value other than sale as pets.

**Wildlife:** Animals indigenous to the state, whether in the wild or in captivity.

## **PROCEDURE**

### **I. AGENCIES AND THEIR ASSOCIATED RESPONSIBILITIES**

A. **State and Municipal Agencies.** In nearly all events, patrol officers will work in conjunction with either of the following two agencies:

1. Alaska Department of Public Safety, Division of Fish and Wildlife Protection, which has the primary responsibility for enforcing the various laws governing fishing, hunting, trapping and other such activities as it pertains to wildlife. Alaska Division of Fish and Game will be considered the primary contact agency for all wildlife questions and concerns. Contact can be made with the appropriate personnel through APD dispatch.
2. Anchorage Animal Care and Control Center, which has fundamental responsibility for non-criminal animal situations within the Municipality of Anchorage when the subject animal(s) is (are) domestic, exotic, or farm. The Anchorage Police Department will, when resources permit, process criminally prosecutable cases.

### **II. ANCHORAGE POLICE DEPARTMENT RESPONSIBILITIES**

A. **Primary Responsibility.** The fundamental role of the Anchorage Police Department is to preserve the peace and to protect the public. Situations involving animals require independent evaluation, but the following is offered to assist in the most common situations:

1. Anchorage Police may be dispatched as an initial responder: Officers routinely find themselves as the first unit at a scene, even when resolution of the complaint may not be a police responsibility. Public expectation, however, is that the officer will take action. The following is offered to help guide officers in these situations.
  - a. **Non-Urgent problems.** If public safety is not urgently imperiled, officers shall not be dispatched. Notification may be made to the appropriate agency. In the event an officer happens upon such a non-urgent situation, discretion should be used prior to taking action.
  - b. **Urgent problems.** When public safety is significantly compromised, officers must take action. This action can only be based on the immediate circumstance.

2. **Outside Agency Assist.** The Department will, when resources permit, provide outside agencies with whatever reasonable assistance is requested. This may include:
  - a. Providing traffic control when appropriate.
  - b. Accompanying an Animal Control Officer to contact an owner/defendant in an animal complaint (as in a Civil Standby) if requested.

**B. Dispatch of Animals.** Occasionally, officers are confronted with situations where humane treatment and/or public safety require the dispatch of an animal. The following guidelines shall apply:

1. **Standards.** Dispatch of an animal is a last resort response, and will not be considered unless the following conditions are met:
  - a. There is an urgent and immediate threat to public safety; or
  - b. The animal is suffering extreme pain and/or injury; and, in either event:
    - 1) There is no person (e.g. owner) or agency (i.e. Fish and Wildlife Protection if wildlife is involved, or the Municipal Animal Control Officer for other animals) willing or able to respond in a timely fashion; and
    - 2) The method of dispatch will not create a significant hazard to any person or property. If dispatch is required, the following procedure will apply:
      - i. Notify the Field Supervisor to confirm authority.
      - ii. A handgun will not be used on any animal larger than a small dog, except in extreme circumstances.

**C. Disposal of Remains.** Officers are reminded that Federal and State laws govern the disposition of certain animal carcasses and the appropriate agency should be contacted for guidance in the disposal process. Samplings of these laws include:

1. Not retaining pelts of furbearing animals since it could be construed as benefiting from office.
2. Not possessing any part of an eagle.

3. Notification of the proper person(s) through APD Dispatch from the Charitable Organization list maintained by the Alaska State Troopers for moose kills.

D. **Notification of Owner.** Whenever possible, officers shall make a reasonable attempt to notify the owner of an animal, if known, that the animal has been injured, killed, or disposed of.

E. **Impoundment of Animal.** During some situations it may become necessary to seize or impound an animal while performing normal police duties. Every effort shall be made to contact the animal's owner or other responsible party to take custody of the animal. If these efforts fail, APD Dispatch will contact the Anchorage Animal Care and Control Center to respond and take custody of the animal. If Anchorage Animal Care and Control is not available officers shall make reasonable efforts to gain control of the animal and transport the animal to Anchorage Animal Care and Control. Officers shall complete an afterhours drop form to include owner and contact information if available. If circumstances exist where an officer is not able to take custody of the animal Anchorage Animal Care and Control shall be notified as soon as practical.

**F. Enforcement**

1. Criminal charges such as animal cruelty are the responsibility of the Anchorage Police Department. These calls are generally handled by an APD Officer with assistance from an Animal Care and Control Officer. Under the current contract, Animal Care and Control Officers cannot enforce Animal Cruelty laws, AMC 8.55, AS 11.61.140, and 11.61.145, but are able to assist APD Officers in the investigation of complaints.
2. APD officers shall, when resources permit, investigate and enforce animal related offenses under AMC 8.55, AS 11.61.140, and AS 11.61.145. These include but are not limited to animal abuse, neglect or fighting.
3. Animal Care and Control Officers generally have the primary responsibility to enforce AMC 17.

**\*\*\*END OF DOCUMENT\*\*\***