



ANIMAL INVESTIGATIONS

Operations Order

7.13.00

PHOENIX POLICE DEPARTMENT

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1. **DEFINITION** – For purposes of this policy “animal” is defined as any animal of a species that is susceptible to rabies, except man, and includes mammal, bird, reptile, or amphibian but excludes rodents which may be controlled as otherwise allowed by law.

2. LAW REFERENCES

A. [Phoenix City Codes](#) (PCC) 8-1 through 8-24 contains animal regulations for the City.

B. State codes may be found in [Arizona Revised Statutes \(ARS\)](#) 13-2910 through 13-2910.04.

C. The Maricopa County Animal Care and Control (MCACC) and the City share an intergovernmental agreement for animal control services to include responding to, and impounding if necessary, loose aggressive/vicious dogs, dog bites, and uninjured stray dogs.

D. The Arizona Humane Society (AHS) is under written agreement with the City to provide housing and care for animals seized by a peace officer pursuant to [PCC 8-3](#), [PCC 8-15](#), and injured stray animals.

NOTE: AHS personnel do not have the authority to seize animals.

3. ANIMAL COMPLAINTS/INCIDENTS

A. Patrol will be responsible for the initial response and investigation of abandoned or displaced animals, animal bites, blood sports, and animal cruelty investigations.

B. The Property Crimes Bureau will assume follow-up for investigations involving blood sports, felony animal crimes, and any investigation where an animal was seized for Necropsy.

C. When on scene and dealing with an animal complaint/incident, refer to the below table for the appropriate contact information and documentation/paperwork [Notice of Animal Seizure Form 80-103D or Notice of Animal Welfare Seizure Form 80-104D and a Case Report (CR) or Field Interview (FI)].

| TYPE OF INCIDENT | CONTACT | DOCUMENTATION/PAPERWORK: | |
|---|--|-------------------------------|---------------------------------------|
| | | CR OR FI | ANIMAL SEIZURE FORM ^{2 or 3} |
| (1) Abandoned or Displaced Animals | Animals left on private property: Landlord/property owner and/or animal owner for permission to enter the property. • Once permission granted: Arizona Humane Society (AHS) | CR ¹ | Yes ² |
| | Animals left in a hot vehicle: Arizona Humane Society | CR ¹ | Yes ² |
| | Animals in a car involved in an automobile crash, animal owner arrested, admitted, or deceased: AHS | FI ⁴ | Yes ³ |
| (2) Animal Bites | Dog, cat, and ferret bites: Maricopa County Animal Care & Control (MCACC) (see section 4.A for dog bites) | FI ⁴ | No |
| | Bat, skunk, fox, bobcat, coyote, or raccoon bites: Maricopa County Public Health Department at 602-747-7500 See section 5 of this order for more information on animal bites. | FI ⁴ | No |
| (3) Bees | On public property and/or attacking: Fire Department | Attacking: Officer discretion | No |
| | Not attacking on private property: Advise property owner to contact a bee removal specialist | No | No |


3. C. Appropriate forms/documentation (continued)

| TYPE OF INCIDENT | CONTACT | DOCUMENTATION/PAPERWORK: | |
|--|---|--|--|
| | | CR OR FI | ANIMAL SEIZURE FORM ^{2 or 3} |
| (4) Dead Animals | Non-cruelty cases: Public Works Department at 602-262-6791. Dead animal must be on a City street/curb for removal. | No | No |
| | Cruelty/neglect cases: AHS | CR ¹ | Yes ² |
| (5) Dogs (Barking) | Barking Dog Hotline at 602-262-6466 or Barking Dog Information Center at https://www.phoenix.gov/law/prosecutor/barking-dogs/information-for-the-complainant | No | No |
| (6) Dogs (Fighting) | Involved in organized dog fighting: AHS | CR ¹ | Yes ² |
| (7) Dogs (Loose/ Stray, Vicious/ Rabid) | Loose aggressive/vicious ⁵ or uninjured stray dogs* on public or private property: MCACC. See section 4.A for more information. NOTE: If loose on a municipal golf course/park, the dog must be contained before MCACC will respond. *See 3.J below for injured stray dogs. | Dog at large: CR ⁶ Uninjured stray dog: No | No |
| (8) Exotic Animals | Communications Bureau for a list of animal handlers who may assist in handling birds, reptiles, or other exotic animals. | No ⁷ | No ⁷ |
| (9) Feral Cats | Communications Bureau for a list of rescue agencies and referrals. | No ⁷ | No ⁷ |
| (10) Injured/Sick Animals | AHS and a Department/precinct Animal Cruelty liaison officer. | Cruelty/neglect cases: CR ¹ Non-cruelty cases: FI ⁴ | Cruelty/neglect cases: Yes ² Non-cruelty cases: Yes ³ |
| (11) Loose Livestock | The Arizona Department of Agriculture Animal Services Division at 602-542-0799. See section 9 of this order for more information. | No ⁷ | No ⁷ |
| (12) Wildlife | Arizona Game and Fish at 602-942-3000 | No ⁷ | No ⁷ |

1. ARS 13-2910 (see [section 6](#) of this order for cruelty to animal investigation procedures)
2. Pursuant to PCC 8-3.01 (see [section 7](#) of this order for information/procedures on seizing animals)
3. Pursuant to PCC 8-15 (see [section 9](#) of this order for information/procedures on seizing displaced animals)
4. The FI should be routed to "WF Property Crimes Main Supervisors"
5. See [section 5.B](#) for information on vicious animal attacks.
6. If the dog owner/custodian is in violation of or will not comply with applicable laws or ordinances, a CR will be completed (PCC 8-14).
7. If cruelty/neglect is suspected, refer to [section 6](#) for cruelty/neglect cases.

4. **ANIMAL RESOURCE AGENCIES**

| AGENCY | BUSINESS HOURS, SPECIAL INSTRUCTIONS |
|---|---|
| A. Maricopa County Animal Care & Control (MCACC) | 2500 South 27th Avenue, Phoenix – 602-506-PETS (7387) or pets.maricopa.gov Tuesday, Thursday, and Friday, 9 a.m. to 6 p.m. (closed Wednesdays) Saturday, Sunday, and Monday, 11 a.m. to 5:30 p.m. Officers Only - Contact the Communications Bureau for the police only MCACC phone number <u>MCACC Response Times when Police is On Scene or Enroute</u> <ul style="list-style-type: none"> From 7 a.m. to 9 p.m., MCACC has up to a one (1) hour response time to any dog incident when police are on scene or enroute. From 9 p.m. to 7 a.m., MCACC will only respond to an imminent danger dog situation (stray dog bite or loose dog in process of attacking people) and has up to a three (3) hour response time. |

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4. **ANIMAL RESOURCE AGENCIES:** (continued)

| AGENCY | BUSINESS HOURS, SPECIAL INSTRUCTIONS |
|---|---|
| A. Maricopa County Animal Care & Control (MCACC) (Continued) | <p><u>Loose Aggressive/Vicious Dogs, Dog Bites, and Rabid Animals</u> – MCACC will be requested to respond and impound (if necessary) loose aggressive/vicious dogs, dogs that have bitten someone, and/or rabid animals.</p> <ul style="list-style-type: none"> • Owner information can be provided if a dog has a valid license tag or microchip. • If an owned dog has bitten someone who lives in the home, the dog should be confined to the owner's property and MCACC will be notified. • If a dog owner suspects their own dog is rabid or vicious, they must bring the dog to MCACC or a veterinarian. • When disagreements arise between MCACC officers and dog owners regarding the impounding of a dog, officers will assist in obtaining the owner's identity. • If the owner objects to the impounding, dogs will not be removed from a dwelling. <p><u>Stray Dogs or Cats</u></p> <ul style="list-style-type: none"> • From 7 a.m. to 9 p.m., officers may request MCACC to respond to the scene • Officers (or citizens) may also drop off stray dogs or cats that pose no danger to the public from 11 a.m. to 5:30 p.m. daily except Wednesdays (closed). * Officers should proceed to the main entrance of MCACC and notify an MCACC employee they have a dog/cat in their police vehicle. * The MCACC employee will either retrieve the dog/cat from the vehicle or allow the officer to drive to the back of the shelter. * There is NO after hour service for dropping off animals. <p><u>MCACC Will Not Respond For:</u></p> <ul style="list-style-type: none"> • Owned dogs confined to property in dog fight. • Stand by support on a search warrant or police investigation of a crime scene. |
| B. Arizona Humane Society (AHS) | <p>602-997-7585, extension 2073, 8 a.m. to 6 p.m., 7 days a week. Officers Only - Contact the Communications Bureau for the police only AHS phone number</p> <ul style="list-style-type: none"> • During regular business hours, AHS is contractually obligated to provide assistance and transportation for injured and/or mistreated animals (animal cruelty or neglect) • An experienced emergency animal medical technician (EAMT) is available for assistance with transportation and expert advice in animal cruelty/neglect investigations. |
| <p>NOTE: The below clinics are alternate providers that may be utilized in after-hour situations. These clinics do not transport animals but will care for seized animals. AHS is contractually obligated to arrange pick up of animals from alternate providers on the next available business day.</p> | |
| C. Blue Pearl Emergency Vet | <p>Open 24 hours 3110 East Indian School Road, Phoenix – 602-910-3816 9875 West Peoria Avenue, Peoria – 623-499-9045 22595 North Scottsdale Road, Scottsdale – 480-887-4109 13034 West Rancho Santa Fe Boulevard, Avondale – 623-499-9046</p> |
| D. McCormick Ranch VCA | <p>Open 24 hours 10380 North Hayden Road, Scottsdale - 602-777-3597</p> |
| E. Phoenix Vet Referral and Emergency | <p>Open 24 hours 4015 East Cactus Road, Phoenix - 602-765-3700</p> |
| F. VetMed Emergency | <p>Open 24 hours 20610 North Cave Creek Road, Phoenix - 602-697-4694</p> |
| G. Veterinary Emergency Group | <p>Open 24 hours 7210 West Ray Road, Chandler - 480-847-2570</p> |



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4. ANIMAL RESOURCE AGENCIES: (continued)

| AGENCY | BUSINESS HOURS, SPECIAL INSTRUCTIONS |
|---|--|
| H. Veterinary Emergency Group | Open 24 hours 2196 East Camelback Road, Phoenix - 602-671-0331 |
| I. 1st Pet Veterinary Centers-North Valley | Open 0700-2300 hours 18453 North 7th Avenue, Phoenix – 623-849-0700 |

5. ANIMAL BITES

A. A physician should be consulted immediately in the case of any animal bite that breaks the skin.

- (1) The bite area should be washed thoroughly with running water and soap for at least 20 minutes.
- (2) Anyone bitten by a bat, skunk, fox, bobcat, coyote, or raccoon is considered to have been exposed to rabies and should receive immediate medical treatment because rabies is considered a potentially fatal disease.
 - Bats should never be picked up with bare hands, but may be captured by dropping a wet towel or other heavy cloth over the bat and wrapping it securely
- (3) All dog, cat, and ferret bites will be reported to MCACC.
 - (a) An MCACC officer may impound unlicensed biting dogs for observation as authorized by [PCC 8-16](#).
 - (b) If a dog with a current license bites a person, the MCACC officer has the option of leaving the dog with the owner and requiring the owner to secure the dog for a ten (10) day period from the date of the bite.

B. Vicious Animal Attack

- (1) A CR will be completed on any vicious animal attack as defined in [ARS 13-1208](#).
 - Select “ARS 13-1208 – Assault By Vicious Animal” as the “Statute” in the Offense section
- (2) In situations where the animal has severely injured and/or caused hospitalization of the victim/s, contact the Violent Crimes Bureau (VCB) Assaults Detail for assistance.

6. ANIMAL CRUELTY INVESTIGATION PROCEDURES

- A. Responding patrol officers will complete a criminal investigation any time animal cruelty, such as neglect, abandonment, or mistreatment/poisoning, as defined in [ARS 13-2910](#), is suspected.
- (1) An on duty supervisor will be contacted if there are questions regarding the need for an investigation.



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6. A. (2) Officers will contact AHS at 602-997-7585, extension 2073, for assistance 8 a.m. to 6 p.m., 7 days a week, in all suspected cases of animal cruelty or neglect (for the law enforcement only number, contact the Communications Bureau).
- In the event animal cruelty or neglect results in death or injury to the animal, the animal will be seized and, during business hours, AHS will be requested to take disposition of the animal (after business hours, officers should transport the animal to any EAC and request deceased animals to be refrigerated).
 - * AHS will conduct veterinary examinations and necropsies to determine the extent of injury or cause of death to the animal
 - * AHS will also provide expert witnesses if needed at court.
- B. Photographs will be taken using the Axon Capture application on a City duty phone in all animal cruelty investigations.
- C. Enforcement
- (1) When officers have probable cause and know the extent of the injury to the animal, officers may issue an Arizona Traffic Ticket and Complaint (ATTC) in lieu of detention or book on misdemeanor charges, or book on felony charges.
- (a) Officers should keep in mind that animals are very resilient and severe injuries such as broken bones or internal bleeding may not be detected until a veterinary examination is conducted.
- (b) Felony charges pursuant to [ARS 13-2910](#) may be appropriate when death is due to cruelty or obvious severe injury such as broken bones or gunshot wounds.
- (2) When uncertain about the extent of injury, officers should:
- (a) Complete the initial investigation to be documented in a CR which will be assigned to the Property Crimes Bureau.
- The Property Crimes Bureau will evaluate the veterinary reports and photographs to determine the need for misdemeanor or felony charges
- (b) Seize the animal (see procedures outlined in section 7 of this order) and turn it over to AHS.
7. **SEIZING ANIMALS FOR CRUELTY OR NEGLECT UNDER EXIGENT CIRCUMSTANCES**
- A. In the event prompt action is required to protect the health and safety of an animal, or the health and safety of other animals, officers will immediately seize the animal in accordance with [PCC 8-3.01](#).
- (1) Only peace officers have the authority to seize or impound animals.
- (a) The seizing officer will request AHS to take disposition of the animal/s.
- (b) The only other role of AHS personnel in animal neglect/abuse cases is to make recommendations to the Department/officers.
- B. Officers will complete a CR on all animal seizures for cruelty or neglect. When completing the CR, officers will ensure the seized animal is listed in the property section.
- The detailed description of the property item should indicate disposition of the animal: for example, Yellow male dog photographed and released to the Arizona Humane Society.



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7. C. A [Notice of Animal Seizure Form 80-103D](#) will also be completed by officers with the below distribution (**do not impound** any copies).

- Original – Owner/keeper of the animal
 - Copy – Add the completed form as an “Attachment” to the Case Folder
 - Copy – AHS or other animal welfare organization
- (1) If the owner/keeper is not present, the original copy of the form will be affixed to a conspicuous place where the animal was located.
- Officers will document in the CR where the Notice of Animal Seizure form was posted.
- (2) If the owner/keeper is present, officers will ensure the owner/keeper of the animal is informed of their right to request a post-seizure hearing within 10 days (including weekends and City holidays) from the date of the notice to determine the validity of the seizure/impoundment.

NOTE: Officers **will not** have the owner/keeper sign the seizure form; this will be completed at the City Court when the owner/keeper requests a hearing.


- (a) If the animal owner requests a post-seizure hearing within the 10-day period, City Court will conduct the hearing within 48 hours of the Court’s receipt of the request (excluding weekends and City holidays).
- (b) The animal owner’s failure to request or attend a scheduled hearing will result in a forfeiture of the right to a post-seizure hearing and forfeiture of the animal to the City.
- (3) The animal owner must post a bond with the City Court in the amount of \$500 per animal seized.
- If the animal owner fails to post bond within 10 days of the seizure or five days after conclusion of the post-seizure hearing, whichever is later (excluding weekends and City holidays), the animal will be deemed abandoned and disposed of by the City.
- (4) Once a post-seizure hearing is scheduled by City Court, the seizing officer will be notified through the Court Services Detail. It is the responsibility of the seizing officer to attend the scheduled post-seizure hearing to determine the validity of the seizure.
- (5) If the seizure is upheld during the post-seizure hearing, the seizing officer may request a disposition/forfeiture hearing before the City magistrate to determine whether the animal has suffered cruel mistreatment or cruel neglect and should be forfeited to the City ([PCC 8-3.03](#)).

NOTE: The City magistrate will set the hearing within 15 business days after the request; however, to avoid having to come back to City Court within the 15 business days, the seizing officer should request the disposition/forfeiture hearing be conducted immediately following the conclusion of the post-seizure hearing.

8. **ANIMAL PRE-SEIZURE FOR SUSPECTED CRUELTY OR NEGLECT**

A. In the event a responding patrol officer feels animal cruelty or neglect may exist, but is not sure if there is enough reason to immediately seize the animal, the following procedures should be followed:

- (1) Contact AHS for assistance in determining if a pre-seizure notice is appropriate.
- (2) Complete an [Animal Pre-Seizure Form 80-102D](#), leave the original copy with the owner, and distribute copies as indicated in [section 7.C](#) of this order.
- This gives the owner the opportunity to contact City Court to have a hearing scheduled.
 - At this hearing, the final decision to seize the animal/s will be made by the court.

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8. A. (3) Officers will complete a CR on all animal pre-seizures.
- (4) The officer who completed the original CR will be responsible for attending scheduled hearings when properly notified.
- If the decision made by the court is to seize the animal/s, the officer will seize the animal/s following the procedures in [section 7.C](#) of this order

9. **SEIZING DISPLACED OR INJURED STRAY ANIMALS**

A. A displaced animal is any animal seized under circumstances not amounting to animal cruelty pursuant to [PCC 8-3](#), and where no person is immediately available, capable, and willing to provide shelter and care for the animal.

EXAMPLE: Animal owner arrested, admitted to the hospital, or deceased.

B. In the event no person is immediately available, capable, and willing to provide shelter and care for the animal/s, officers will seize the animal in accordance with [PCC 8-15](#).

- (1) Only peace officers have the authority to seize or impound animals.
- (2) The seizing officer will request AHS to take disposition of the animal/s.

C. Officers **will** document the seizing of the displaced/injured animal in a CR or FI.

(1) If a CR is to be completed regarding the arrest, death, etc. of the animal owner, the seizing of the displaced/injured animal will be included in the Narrative section of the CR; otherwise an FI will be completed.

(2) Officers will ensure the seized animal is listed in the **property** section.

- The detailed description of the property item should indicate disposition of the animal; for example, Yellow male dog photographed and released to the Arizona Humane Society.

D. A [Notice of Animal Welfare Seizure Form 80-104D](#) will also be completed by officers with the below distribution (**do not impound** any copies).

- Original – Owner/keeper of the animal (if known)
- Copy – Add (or scan and add if the owner/keeper’s signature has been obtained) the completed form as an “Attachment” to the Case Folder
- Copy – AHS or other animal welfare organization

(1) If the owner/keeper is unknown, there is no duty to find or contact the owner prior to seizing the animal/s. Officers will document this in the FI.

(2) If the owner/keeper is known, officers will ensure the owner/keeper of the animal is informed that if they fail to contact the sheltering entity within three days (72 hours) of the service of the notice, the animal/s may be placed for adoption through an animal welfare organization or disposed of according to law.

10. **LOOSE LIVESTOCK**

A. Loose livestock will be corralled and tied, whenever practical.

B. If the owner is unavailable to take possession of the animals, the Arizona Department of Agriculture Animal Services Division will be notified at 602-542-0799.



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10. C. If a large animal cannot be corralled or tied, officers will attempt to keep the animal in an area where it will not create a hazard.
- (1) Most large animals can be controlled or contained in an area if officers remain calm, keep noise to a minimum, and avoid sudden movements.
 - (2) Red lights and sirens should not be used in the presence of large animals.
 - (3) Communications should be notified of the type and number of animals.
 - Communications personnel will call the Department of Agriculture Animal Services Division which has the necessary equipment and personnel to capture and remove animals.
11. **DISPATCHING ANIMALS**
- A. Officers will only dispatch animals (including cats and dogs) when they are posing an immediate danger to the public.
- B. Cattle
- (1) Whenever possible, officers should contain the animals until the arrival of Department of Agriculture Animal Services Division officers, who will normally be the only ones to dispatch livestock.
 - (2) Cattle should not be shot any further back on the body than the front shoulder kill area (see [7.13.A](#) for diagram).
 - (3) Handgun
 - Only Department authorized handguns will be used for a dispatch shot to the head
 - * Frontal Dispatch Shot (1) - Line of fire should be perpendicular to the animal's forehead or a ricochet may occur.
 - * Behind the Ear Shot (2) - Line of fire should be from left ear in the direction of the right eye; or right ear to left eye.
 - (4) Shotgun or Rifle
 - (a) Heart shots will be made with slugs (no 00 buck) when using a shotgun and Department issued rifle ammunition when using a rifle. The area in the line of fire must be clear in the event the bullet exits the animal's body.
 - (b) Head shots and ear shots will be made as described for handguns.
- C. Horses
- (1) Horses should not be shot; even when the owner gives permission to dispatch the animal and the horse is not presenting a danger to the public.
 - Many horses are insured, and the insurance policy becomes void if the animal is destroyed without consent of an on-scene veterinarian.
 - (2) A private person, or someone contracted by a private person, is generally not privileged to dispatch an injured horse within City limits to end its suffering.
 - The proper course of action is for the private person to call a veterinarian to the scene to make the determination to euthanize the horse in the most humane way possible by using lethal doses of medication.
 - (3) If shooting is necessary, the procedures for shooting cattle will be followed.

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12. **SEIZURE OF HORSES IN POOR PHYSICAL CONDITION, [ARS 3-1721](#)** – Any person or peace officer who believes a horse is in poor physical condition because of willful neglect or cruel treatment may petition, upon affidavit, a justice of the peace or a city magistrate of the city in which the horse is found, an order authorizing the Department of Agriculture Animal Services Division to take possession of and provide care for such horse for a 15-day period.
13. **VICIOUS DOG ORDERS**
- A. Officers serving vicious dog orders are not permitted, based exclusively on the order or over the objections of the respondent, to enter a residential structure, residential yard, or commercial business for the sole purpose of taking custody of the animal.
- B. If the respondent refuses to release custody of the animal after being served the order, officers will take no further enforcement action and will notify a supervisor immediately.
- C. A CR will be completed with [ARS 13-2810.A.2, Interference with Judicial Proceedings](#), being selected as the offense, which will be assigned to the Assaults Detail as well as the Judicial Process Detail (JPD).
14. **NOTICE OF HEARINGS FOR VICIOUS ANIMAL COMPLAINTS**
- A. Officers will serve the defendant a Phoenix Municipal Court Notice of Hearing for a Vicious Animal complaint when the plaintiff supplies a certified copy of the notice.
- (1) The Notice of Hearing informs the defendant of the date, time, and courtroom assignment of the hearing.
- (2) Notice of Hearings issued out of any court other than the Phoenix Municipal Court will not be served and the plaintiff will be advised to return to the court of issuance for further instructions.
- (3) If the defendant cannot be served, the notice will be returned to the plaintiff.
- (4) The Declaration of Service, included with the Notice of Hearing, will be completed and forwarded to the JPD.
15. **SERVICE ANIMALS; RIGHTS OF INDIVIDUALS WITH DISABILITIES**
- A. In accordance with [ARS 11-1024](#), it is unlawful for persons who operate a public place to discriminate against people with disabilities that require service animals, such as a Seeing Eye dog.
- (1) The City does not have jurisdiction over this statute and officers do not have the authority to enforce this code.
- (2) If officers believe there is a violation of this statute, they will contact or advise the victim to contact MCACC.
- No further police action is necessary.

Last Organizational Review:

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