

# THE RALEIGH POLICE DEPARTMENT

**1109-22**

## **ANIMAL CONTROL UNIT**

### **PURPOSE**

The Animal Control Unit is given specific responsibility to be responsive to the needs of the community regarding animal related issues. This includes enforcing local and state laws related to animals and appropriately resolving or referring animal related problems.

### **VALUES REFLECTED**

This directive reflects our values of *Service, Courage, Fairness, Integrity, and Compassion*. To serve the residents of Raleigh by educating the public, enforcing animal laws and ordinances while strengthening community bonds. To humanely enforce the City of Raleigh Ordinances and North Carolina State laws pertaining to animals and the public's health, safety and welfare.

### **UNITS AFFECTED**

All Personnel  
Special Operations Division/Animal Control  
City Finance Department

### **REFERENCES/FORMS**

City Ordinances 12-3001 to 12-3074  
G.S. 130A-185 "Rabies Vaccination"  
G.S. 14-360 "Cruelty to Animals"  
G.S. 130A-196 "Notice and Confinement of Biting Animals"  
G.S. 14-361.1 "Abandonment of Animals"  
DOI 1106-04 "Care of Equipment and Uniforms"  
DOI 1106-05 "Operation of Police Vehicles"  
DOI 1109-18 "Body Worn Camera and Mobile Video Recording"

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Effective Date: 09-25-2022  
Prepared By: Estella D. Patterson  
Chief of Police

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Approved By: M. Adams-David  
City Manager

## **GENERAL POLICIES**

Responsibility for the conduct of the Animal Control Unit is vested in the Animal Control Supervisor, who reports directly to the Special Operations Lieutenant.

Animal Control Officers are considered sworn officers for the purposes of enforcing animal-related local ordinances and state statutes. They do not possess the full powers of police officers under North Carolina statutes. They are bound by the same Departmental regulations that apply to uniformed personnel.

## **RECLASSIFICATION TO SENIOR ANIMAL CONTROL OFFICER**

Animal Control Officers who have three (3) consecutive, unbroken years of active service as a RPD Animal Control Officer and have received a "Successfully Meets Expectations" or higher on their most recent performance evaluation immediately prior to the reclassification are eligible for consideration for advancement to Senior Animal Control Officer.

## **NOTIFICATIONS AND PROCESS FOR RECLASSIFICATIONS**

### Notice of Eligibility

The Police Human Resources Sergeant will be responsible for tracking active service dates on all Animal Control Officers who may become eligible for advancement. At least forty-five (45) days prior to an employee's eligibility date, the Police Human Resources Sergeant will notify the Administrative Services Division Commander that the employee will soon become eligible for consideration for reclassification. No test is administered for reclassification to Senior Animal Control Officer.

### Evaluation for Reclassification

The Human Resources Sergeant will forward a memorandum to the affected employee's Captain at least forty (40) days prior to the employee's eligibility date requesting an evaluation of the Animal Control Officer. Each Animal Control Officer eligible for reclassification will be evaluated by their immediate supervisor. This evaluation will be reviewed by the employee's Captain or in the Captain's absence, the Captain's designee.

### Content of Reclassification Evaluation

Each Animal Control Officer eligible for reclassification to Senior Animal Control Officer will be evaluated by their immediate supervisor who will address the following areas of job performance:

- Work record and performance evaluation for one year prior to the eligibility date
- Sick leave record for the two years prior to the eligibility date
- Driving Record
- Attitude
- Wears appropriate work attire
- Job knowledge
- Disciplinary record for the two years prior to the eligibility date

- Ability to relate well with the public
- In-place performance

The Captain will review the supervisory evaluations for equity and make further recommendations to the Administrative Services Division Commander at least ten (10) days prior to the officer's eligibility date. Completed reclassification evaluations will be forwarded to the Office of Professional Standards, where the evaluation will be placed in the employee's permanent file.

#### Successful Candidates

The Administrative Services Division Commander will notify the Chief of Police of the candidates who have successfully met all the requirements for reclassification. The Chief of Police or the Chief's designee will issue a letter to the successful candidate, their Captain, and the Human Resources Sergeant to officially notify them of their reclassification.

#### Unsuccessful Candidates

The Chief of Police or the Chief's designee will notify candidates who received "unacceptable" ratings. These candidates will be allowed to submit appeals through the normal appeals process. Candidates who are found to be unacceptable at the conclusion of the process will be eligible for reconsideration twelve months from their original eligibility date. Upon recommendation of the unsuccessful candidate's Division Commander, the Chief of Police may reduce the time for reconsideration to six months from the original eligibility date. The Chief of Police will notify both the officer and the Police Human Resources Sergeant of the final status.

### **ORGANIZATION AND OPERATIONS**

#### Supervision

The Animal Control Supervisor is responsible for:

- Managing daily work assignments
- Scheduling work hours and leave requests
- Managing the compliance of preventative vehicle maintenance and inspections
- Maintaining performance evaluations and appropriate documentation
- Conducting inspections to ensure that personnel are adhering to Departmental requirements regarding demeanor, appearance, use and maintenance of equipment
- Ensuring the safe storage and handling of chemical immobilization drugs through inventory and audits
- Managing continuing education and career development opportunities

### Hours of Work

Animal Control Officers will work a schedule approved by the Special Operations Division Commander that complies with the Fair Labor Standards Act. The Animal Control Supervisor may temporarily alter working hours to meet specific needs but must be sure that any such modifications comply with FLSA. Permanent changes in working hours must be approved by the Division Commander.

### Patrol

Animal Control Officers will patrol an area designated by their supervisor. They will remain on patrol in their area until relieved, unless they are on authorized breaks or on official business. Animal Control Officers will respond to any complaint referred to them by proper authority.

### Uniforms

Animal Control Officers will wear uniforms issued by the Department while on duty. Pins, insignias, or accessories which are not specifically authorized are prohibited.

### Vehicles

Animal Control Officers are responsible for scheduling preventative maintenance and cleaning assigned vehicles. The exterior and interior of the vehicles shall be washed and kept clean. The vehicle boxes shall be washed and disinfected when used to transport animals. Truck beds and cabins should be free of debris. Officers should maintain adequate fuel levels in vehicles during shifts.

## **EQUIPMENT**

Animal Control Officers are responsible for the routine maintenance, repair and cleaning of authorized issued equipment. Any lost equipment must be immediately reported to the Animal Control Supervisor. All efforts must be made to recover lost items.

### Body Worn Cameras

BWCs will be assigned to uniformed personnel at the rank of Lieutenant and below and all Animal Control Officers as determined by the Chief of Police or the Chief's designee based on staffing resources, available equipment, and the needs of the Department.

BWCs will only be utilized by designated personnel who have been properly trained in their use. The BWCs issued by the Department will be the only BWCs authorized for use. Any and all use of BWCs will conform to current methods and techniques approved by the Training Staff.

All personnel assigned a BWC will wear it chest high on the front of their outermost garment in a manner that provides an unobstructed view from the officer's perspective. BWCs are not permitted to be worn on the duty belt.

The BWC shall be activated to record as soon as feasible during all contacts involving actual or potential violations of the law including, but not strictly limited to:

- Voluntary encounters of an investigative nature

- Animal related calls for service
- When told to do so by a supervisor

### Ketch-All Poles

Ketch-All Poles are assigned to every animal control vehicle and should be used whenever the safety of the officer is in question. Animal Control Officers will always use them in a reasonable and humane manner.

### Protective Duty Gloves

Animal Control Officers shall wear protective gloves when handling all animals to prevent exposure and injury.

### Trapping

Animals Control Officers are assigned traps and required to track and log trap locations in the Animal Control Trap System. Animal Control Officers may set a trap on any property after receiving written consent from the property owner. Property owners must sign a trap agreement prior to setting the trap. Property owners are responsible for checking traps and notifying Animal Control when an animal is captured.

Traps without written consent will not be left unattended overnight in problematic areas unless approved by the Supervisor or due to exigent circumstances. Traps without written consent are required to be picked up at the completion of the officer's tour of duty to prevent damage and theft.

If it is necessary to set a trap over a period when the officer is off-duty, the supervisor will assign an officer to check the trap at regular intervals. Any officer that sets a trap will record the information in the Animal Control Trap System.

## **RESPONSE TO CALLS**

The Animal Control Unit will be responsible for responding to and completing any animal related call for service, including but not limited to: enforcement of local and state laws, writing incident reports and/or impounding animals. Officers should respond to calls based on priority level and as promptly as possible.

### Animal Bites

It shall be unlawful for an animal to bite a human being who does not ordinarily reside on the premises of the animal unless the animal has been subject to provocation, or unless the victim was trespassing at or near the time of the bite. It shall be unlawful for a person to fail to report to animal control as soon as possible that an animal has bitten a person. It shall be unlawful for any person to fail to inform the animal control division of the location to which an animal that has bitten a human being has been taken if the owner has given the animal away or caused in any way the animal to be taken from the owner's premises. (City Ordinance 12-3025).

- Reports of animal bites will be documented on a police incident report, which is to be filed at the completion of the officer's tour of duty. Officers are to make every effort to locate the animal. If the animal is not located, the incident should be forwarded to NCDHHS Communicable Disease Branch
- Domesticated animals are required to be quarantined for no less than 10 days, even if it has a current rabies inoculation. Should the owner fail to provide suitable confinement, the animal control officer will place the animal under quarantine observation at the Wake County Animal Center. The owner will bear expenses for confinement. (G.S. 160-380)
- If any officer responds to an animal bite call when animal control officers are off-duty, and the animal is not secure, a supervisor will determine whether an on-call animal control officer should be contacted
- If a human is bitten by a non-domesticated animal/Rabies Vector Species (RVS), an Animal Control Officer should attempt to locate and detain the RVS. The officer will humanely euthanize the RVS, remove the head, place on ice and properly package. The specimen shall be transported to the N.C. Public Health State Lab to be tested for the presence of the rabies virus. The officer will subsequently notify NCDHHS Communicable Disease Branch of the incident
- If a domesticated animal (i.e.-cat, dog or ferret) comes in direct contact with a known Rabies Vector Species (RVS), an Animal Control Officer should attempt to locate and detain the RVS. The officer will humanely euthanize the RVS, remove the head, place on ice and properly package. The specimen shall be transported to the N.C. State Laboratory of Public Health to be tested for the presence of the rabies virus. Officers should verify rabies inoculation for the domesticated animal. Officers will adhere to the current NASPHV Rabies Compendium Postexposure Management Control Measures for dogs and cats

### Nuisance Animals

It is unlawful to own, keep or harbor a public nuisance animal within the City. Upon receipt of a public nuisance animal complaint, the Animal Control Officer should first attempt to contact the owner and issue a verbal warning. If the owner fails to take appropriate actions, the following steps shall be taken (City Ordinance 12-3021).

- The Animal Control Officer shall investigate and solicit neighborhood witnesses. The owner will be notified of the complaint and request to abate the nuisance
- If the owner does not comply within seven days, the Animal Control Supervisor will forward a report of non-compliance through the chain of command to the Special Operation Division Commander. After review, the Special Operations Division Commander will direct that a citation be issued to the owner. The Commander will direct that the citation and a letter ordering the owner to abate the nuisance within seven days be sent via registered mail
- If the nuisance is still not abated within seven days, the Animal Control Supervisor will direct that the animal or animals be impounded at the Wake County Animal Center

- The owner may appeal the findings within the seven-day period by giving written notice to the Chief of Police. The Animal Control Supervisor will suspend enforcement until a final determination is made by the City Council

## **DANGEROUS DOGS**

Animal Control Officers will respond to calls for service in reference to vicious and/or dangerous animals.

A dangerous dog is defined as any dog that the animal control division has determined: has killed or inflicted serious injury on a person without provocation; is owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting; has inflicted a bite on a person that resulted in broken bones or disfiguring lacerations or required cosmetic surgery or hospitalization; has killed or inflicted severe injury upon a domestic animal when not on the owner's real property ; or has approached a person when not on the owner's property in a vicious or terrorizing manner in an apparent attitude of attack. This definition shall not apply to a dog that has been subject to provocation nor shall it apply to any dog responding to a trespass upon the animal owner's premises, if the victim is the trespasser. Provocation must be clearly established. (City Ordinance 12-3004)

- Dangerous dog incidents will be documented on a police incident report, which is to be filed at the completion of the officer's tour of duty. Officers are to make every effort to locate the animal(s) involved and verify rabies inoculation(s). Officers are required to document the severity of injury or property damage by photograph. All other supplemental documentation should be maintained and submitted with the incident report
- The Animal Control Unit may request to deem a dog dangerous by submitting documentation that supports City Ordinance 12-3004. Documentation is initially submitted to the Animal Control Supervisor for review. The Animal Control Supervisor will forward the documentation to the Special Operations Police Lieutenant and police attorney for review. The Special Operations Division Commander will conduct a final review and determination. If a determination is made, the Special Operations Division Commander will send a letter by certified mail to the animal owner officially deeming the animal dangerous. Pursuant to Raleigh City Code 12-3023, an owner may appeal the decision. Appeals must be received within five (5) business days of letter receipt

## **OLEORESIN CAPSICUM (OC), COLLAPSIBLE BATONS, AND GUIDELINES FOR CONTROL SUBSTANCES**

Animal Control Officers are issued OC gel and collapsible batons. The use of these tools is strictly limited to their duties in controlling and apprehending dangerous and/or violent animals. Under no circumstances shall either be used against a person without Departmental training.

### Chemical Immobilization and Humane Euthanasia

#### Guidelines for Use of Chemical Immobilization

It shall be the policy of the Raleigh Police Department to utilize chemical immobilization agents on animals as a last resort to all other animal control measures. The Special Operations Division

Command Staff or their designee shall approve chemical immobilization efforts prior to use. The officer shall provide the following information when requesting approval:

- Chemical immobilization shall be considered only after all other efforts have failed. Only animal control officers who are trained and certified in the use of chemical immobilizers are authorized to administer
- Documentation should reflect a trap has been set for the animal and has failed to capture the animal. This requirement may be bypassed if the animal being sought is too large to be trapped with the Department's existing equipment or if trapping is not a viable option
- Evidence that indicates there is no known ownership of the animal or evidence that the known owner refuses or is unable to restrain the animal
- Documentation that illustrates the failure of all other efforts to capture the animal
- Any domesticated or wild animal posing imminent danger to the health or safety of the general public

#### Guidelines for Humane Euthanasia of Sick/Injured Wildlife

It shall be the policy of the Raleigh Police Department to utilize chemical euthanasia on any wildlife that is injured, requires relief from suffering or has presented itself at risk of having rabies. Fowl, reptiles and amphibians are excluded. The Special Operations Division Commander or their designee shall approve chemical euthanasia prior to use.

- Only Animal Control Officers who have received training approved by the Chief of Police or the Chief's designee are authorized to utilize chemical euthanasia on wildlife animals
- Chemical euthanasia is not authorized for use on any type of domesticated animal. If a domesticated animal is injured and requires relief from suffering, the Animal Control Officer will transport the animal to the Wake County Animal Center or other designated veterinarian facility
- Officers shall attempt to maintain privacy from the public when performing humane euthanasia on a sick/injured animal
- The sick/injured animal will be restrained by use of department issued equipment and properly secured in a transfer or squeeze cage to reduce exposure
- The sick/injured animal may be chemically immobilized if fractious or for stress reduction
- Animal Control Officers will wear protective gloves when performing humane euthanasia
- Once the animal is confirmed deceased, the Animal Control Officer will immediately remove the carcass and transport it to the Wake County Animal Center for proper disposal
- Anytime chemical deployment drugs are utilized, an incident report will be filed for tracking and auditing purposes



## Security and Handling of Controlled Substances

All controlled substances will be kept in a secured locker. Only the assigned officer and Animal Control Supervisor will have access to the locker. When controlled substances are in an animal control vehicle, the controlled substances will likewise be secured in the lock boxes in the vehicle, and the vehicle itself will be locked if unattended.

- The Animal Control Supervisor will maintain a log which will include the date, time, animal involved, amount used, waste and case report number. The log will be submitted to the Office of Professional Standards/Inspections Unit as part of the monthly inspection report, regardless of whether any controlled substance was used. The Supervisor will complete a State mandated biennial inventory and maintain it for a minimum of two years
- Every three months, the Office of Professional Standards/Inspections Unit shall conduct an inspection of the storage locker used to store the controlled substances and forward a copy of findings to the Office of Professional Standards Commander
- The Animal Control Supervisor will destroy outdated controlled substances in the presence of a representative from the Raleigh Police Department Internal Affairs Unit, North Carolina Department of Health and Human Services or the United States Drug Enforcement Administration. The supervisor will note each destruction incident on the usage log
- The Animal Control Supervisor will immediately report loss or theft of any controlled substance to the Internal Affairs Unit and the Drug Regulatory Branch of the North Carolina Department of Health and Human Services

## **IMPOUNDING ANIMALS**

Animal Control Officers should make every effort to locate owners prior to impounding animals. If the animal bears visible (rabies inoculation tag) or embedded identification (microchip), the officer should check for ownership validation through the appropriate resources. If the officer can determine ownership validation, the animal should be transported home. If the owner is not at home, the officer should leave a contact notice indicating the animal was transported to the Wake County Animal Center or approved veterinary facility.

### Transportation of Animals

Animal Control Officers will maintain chain of custody when handling and transporting all animals. If the owner is unknown or if the animal is found running at large and cannot be secured on its property, the animal must be transported to the Wake County Animal Center.

The Animal Control Officer must completely fill out an Animal Information Ticket indicating the date, location where animal was found, Animal ID # and which kennel the animal was placed in at the Wake County Animal Center.

The Department copy of an Animal Information Ticket must be retained and used as verification for City reimbursement to the Wake County Animal Center or designated After Hours Animal facility. The Animal Control Supervisor will retain the Animal Information Tickets for a period of three (3) years.

## Sick or Injured Animals

Upon locating a sick or injured domesticated animal, officers should first attempt to locate the owner and let the owner assume responsibility for the animal. The owner may relinquish ownership to the Wake County Animal Center for disposition by reading the Statement of Surrender and signing the Animal Information Ticket. After normal business hours (9 am -5 pm weekdays) sick or injured animals will be transported to the After-Hours Animal Emergency Hospital on Glenwood Ave. The Wake County Animal Center Director should be notified prior to transport to After Hours facilities.

## Animals Located After Hours

Domesticated animals picked up by RPD officers after Animal Control Officers are off duty will be placed in the overnight kennels located in the warehouse at Special Operations. RPD Officers are to contact the Watch Commander to make entry into the Special Operations building. RPD officers are required to fill out an Animal Information Ticket located on the overnight kennels. RPD officers must contact ECC and advise to generate a call for Animal Control to pick up when on duty. ECC must pre-alert an Animal Control Officer if there is an animal in the overnight kennel at the beginning of the shift.

Paperwork regarding the stored animal will be attached to the overnight kennels and must be filled out and left with the animal on the kennel. This paperwork is necessary for the Animal Control Officer to process the animal. If questions arise regarding the use of the overnight kennels, the on-call Animal Control Officer should be contacted through Non-Emergency Communications. Animals are not to be placed in animal control trucks, cages, boxes or containers overnight.

The overnight kennel is not to be used for injured, sick, or wild animal. Domesticated animals (i.e.- cats and dogs) are the only animals to be placed in the boxes. In the event RPD Officers respond to an injured or sick animal call after hours, the on-call Animal Control Officer should be contacted through Non-Emergency Communications for guidance or call-out. Animal Control Officers will be responsible for the daily maintenance of the overnight kennels. The kennel will be kept clean, sanitized, and free of any debris or clutter. It is the responsibility of the Animal Control Officer who removed the animal to clean the overnight kennel before the end of their shift to prevent and control the spread of disease.

## **WILDLIFE**

Animal Control Officers will respond to call for service in reference to sick, injured or aggressive wildlife. Officers have the authority to capture and humanely euthanize wildlife for population control and to protect the general public. Residents may obtain a depredation permit through North Carolina Wildlife Resource Commission to have unwanted wildlife removed from private property. It is unlawful to remove wildlife from its natural habitat without a permit.

## **DECEASED ANIMALS**

Animal Control does not remove dead animals from public or private property. Solid Waste Services will collect a dead animal that has been placed at curbside. Residents may put the animal in a bag or box if desired. Residents shall be instructed to contact Solid Waste Services to schedule the removal. Animal Control Officers may submit a Dead Animal Removal request online through a Sanitation Department Request Form.

## **ENFORCEMENT**

Officers should familiarize themselves with all applicable City Ordinances and General Statutes related to Animals. Officers must be professional and use good judgement by utilizing objective discretion in the evaluation of violations.

### Citations

Animal Control Officers will be required to fully account for all citations dispensed to them. At no time will officers receive money for payment of penalties. The Animal Control Supervisor is responsible for retaining a citation log for a period of three (3) years from the date of the last audit. All copies of voided citations must be returned to the Animal Control Supervisor.

### Issuing Citations

An Animal Control Officer will issue a citation to any person known by the officer to have committed a definite violation of the City of Raleigh Ordinance pertaining to Animals (Chapter 12).

Officers shall be impartial and reasonable. If there is a question as to whether a citation should be given, no citation should be issued. This does not preclude the officer from conferring with a supervisor for advice. However, such officer-supervisor conferences should be done as quickly as possible to avoid subjecting the person involved to undue delay.

### Voiding Citations

Officers may void citations at the time of issuance if the citation contains a clerical error that would make it invalid on its face. All copies of the citation must be returned.

The Animal Control Supervisor may void a citation for enough cause, if a complaint is received within 72 hours of issuance. The Animal Control Supervisor will maintain a log of all voided citations from the date of the last audit plus three years.

### Clearing Citations

The Animal Control Supervisor will receive Departmental copies of animal control citations and maintain a log of unpaid citations. The City Revenue Services will forward, directly to the supervisor, a list of paid citations. Animal Control Officers will seek court summonses for unpaid citations.

### Records of Citations

The Animal Control Supervisor is responsible for seeing that adequate records regarding the control of citations are maintained. Departmental copies of citations, citation logs, and records of paid and unpaid citations must be maintained in accordance with the Municipal Records Retention and Distribution Schedule issued by the NC Department of Cultural Resources.

## Animal Control Senior Officer Re-Classification Evaluation

<b>Officer Name and Code #:</b>	Click here to enter text.
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<b>Animal Control Senior Officer Eligibility Date:</b>	Click here to enter text.
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*\*Note-Eligibility date will be indicated on Reclassification Notification Letter*

### Job Performance Areas

- 1) Work Record and performance evaluations for the two years prior to the eligibility date.

Click here to enter text.

Evaluation Date and Rating	
Evaluation Date and Rating	

- 2) Sick Leave record for the two years prior to the eligibility date.

Click here to enter text.

- 3) Driving Record

Click here to enter text.

- 4) Chemical Capture and Immobilization Proficiency

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- 5) Attitude

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6) Wears appropriate work attire

Click here to enter text.

7) Job Knowledge

Click here to enter text.

8) Disciplinary Record for the two years prior to the eligibility date.  
Click here to enter text.

9) Ability to relate well with the public

Click here to enter text.

10) In place performance

Click here to enter text.

11) Courtroom demeanor and ability to properly present evidence.

Click here to enter text.

**I recommend that Officer** Click here to enter text.

**be considered/allowed**

**or**

**not be considered/allowed**

**to participate in the Animal Control Senior Officer Selection Process.**

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Click here to enter text.

Click here to enter text.

**Supervisor Name**

**Date**

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**Signature**