



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE: FEBRUARY 2, 2024	CHAPTER: 2 - Legal	PAGE: 1 of 6	NUMBER: 2.01.09
SUBJECT: ANIMAL INCIDENTS			
CHIEF: <i>Dornat A. Drummond, Chief</i>			

Substantive changes are italicized

PURPOSE: To establish guidelines for officers involved in incidents with animals and interactions with the Division of Animal Care and Control (DACC).

POLICY: **It is the policy of the Cleveland Division of Police** to address the unique set of problems officers may encounter during interactions with animals; when necessary, officers shall take appropriate measures, including enforcement actions, referrals, euthanasia of an injured animal, and/or documentation of the incident.

DEFINITIONS:

Critical Firearm Discharge - discharge of a firearm by a member including, but not limited to accidental discharges, discharges at animals, other than to euthanize, and discharges at individuals where no one is struck, as well as discharges by officers employed by an outside law enforcement agency within the jurisdiction of the Division of Police.

PROCEDURES:

- I. General Guidelines
 - A. Officers shall handle animal incidents and take appropriate actions to control the situation until DACC or other assisting agencies arrive.
 - 1. Officers encountering an injured animal shall notify the Communications Control Section (CCS).
 - 2. CCS personnel shall request the assistance of the appropriate agency.
 - B. Officers shall take all precautions to ensure the safety of the DACC personnel while they are assisting the Division of Police.
 - 1. Officers shall not leave the scene until the DACC personnel complete their duties and clear the scene.
 - 2. DACC personnel has the discretion and final authority to decide if a situation is too risky for them to proceed.
 - C. A critical firearm discharge at an animal as a defensive/enforcement action taken by an officer against an animal taking aggressive action or being used as a weapon against the officer or innocent person (e.g., an attacking dog) requires the notification of the Force Investigation Team. (Refer to 2.01.07 Force Investigation Team).

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- D. Conducted electrical weapons (CEWs) have been shown to be effective in some incidents of controlling or minimizing threats posed by animals; while it may be extremely difficult to shoot an animal accurately and effectively with a CEW, using the device on an animal is permissible to deter an attack or to prevent injury to a person.
- E. The use of oleoresin capsicum (OC) spray on a dangerous animal is permissible to deter an attack or to prevent injury to a person.
- F. Officers shall take all reasonable steps under the circumstances, before and during any use of a weapon, to avoid unnecessary risk to bystanders, and involved civilians, officers or other emergency personnel (Refer to GPO 2.1.03 Use of Force - General).

II. Contacting the Division of Animal Care and Control

- A. All requests from officers for DACC assistance shall be made through CCS.
 - 1. Officers shall not communicate directly with the DACC unless specifically ordered to do so.
 - 2. Officers shall notify CCS if DACC personnel respond to the scene of a police incident without officers' request.
 - 3. Officers shall note in their dispositions when CCS is requested to notify the DACC.
- B. The DACC will contact the Animal Protective League (APL) as needed; officers shall not contact the APL for animal-related calls.

III. Dog Incidents

- A. DACC is responsible for stray dogs, dogs posing a public safety threat, and dog owners in violation of Cleveland Codified Ordinances (CCO); officers may cite for CCO violations when DACC is unavailable.
- B. For complaints of loose or barking dogs, members of the general public may only be transferred to or advised to call:
 - 1. CCS for non-emergencies at (216) 621-1234, or 911 for emergencies.
 - 2. The DACC designated public telephone number (216) 664-3069, Monday through Friday from 0700 hours to 1530 hours; on weekends or outside of regular business hours a voicemail message may be left.
 - 3. Officers shall not transfer calls from the public to the DACC "Police Line" or disseminate the "Police Line" telephone number.
- C. The DACC is available to assist in instances of the crime of dogfighting.
 - 1. Dogfighting is a felony of the fourth degree under Ohio Revised Code Section 959.16.

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2. Persons involved in dogfighting may pose a risk to unarmed DACC personnel.
3. CCS shall dispatch a zone car before the arrival of any DACC personnel.

D. If officers are confronted with a dog that is chasing or approaching in a menacing fashion or in an apparent attitude of attack, or if the dog attempts to bite or otherwise endangers, injures or kills a person, officers shall attempt to contain the dog in a confined area and request CCS to notify the DACC.

1. If containment is not possible, DACC is not available to respond, and the officer perceives that the dog presents a threat to themselves or others, they shall take whatever action is necessary to ensure the safety of themselves and the public.
2. Destroying the dog shall be the last resort (Refer to Section VI. Humane Animal Euthanasia).

E. Dog bite victims shall be encouraged to seek professional medical attention.

1. Except in cases involving bites resulting from law enforcement canine deployment, the treating physician will generate a "Dog Bite" report which is forwarded to the DACC.
2. Based on the report, the DACC may institute quarantine.

IV. Wildlife/Pest Procedures

- A. Residents may call the DACC to arrange for a wildlife trapper to respond to problems with skunks, raccoons, groundhogs, or opossums.
- B. CCS shall refer deer complaints to the Ohio Department of Natural Resources (ODNR) Division of Wildlife.

V. Dead Animal Procedures

- A. Officers who encounter an animal carcass or humanely euthanize an animal in a public place shall request CCS to notify the Division of Waste Collection and Disposal - Dead Animal Pickup Unit.
- B. Notification of Dead Animal Pick-up is not required in the following circumstances:
 1. When an officer has euthanized a deer and an individual requests to take possession of the carcass, officers may allow them to take the carcass and remove it from the scene.
 - a. Before the individual takes possession, *a superior officer* shall complete an ODNR Division of Wildlife Deer Carcass Receipt.
 - b. The *yellow copy of the receipt* shall be issued to the individual.

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- c. *The superior officer shall attach the white copy of the Deer Carcass Receipt to their investigation.*
- 2. When it becomes necessary to kill a dog, and the involved dog has bitten a person, officers shall avoid striking the head of the dog.
 - a. Officers shall secure the animal carcass and contact the DACC.
 - b. The DACC shall remove the carcass for rabies testing.

VI. Humane Animal Euthanasia

- A. Officers shall exercise reasonable due care in accommodating public sensitivity in carrying out any task involving the euthanasia of an animal.
 - 1. Officers shall not allow a member of the public to euthanize a seriously sick or injured animal by a firearm or any other means.
 - 2. Euthanasia shall be the responsibility of the Cleveland Division of Police or other appropriate agency (i.e., Division of Wildlife).
- B. Officers shall not fire or deploy a weapon to kill a seriously sick or injured animal unless its euthanization is reasonable and humane.
 - 1. If an animal is so severely injured that euthanasia may be the most humane course of action, officers shall request a superior officer respond to the scene to make the determination to euthanize.
 - 2. However, an officer may euthanize a seriously injured animal before the arrival of a superior officer if there are well-articulated reasons to do so (i.e. extent of the animal's suffering, the public sensitivities involved, etc.).
 - 3. If the use of a firearm is necessary for euthanizing a seriously sick or injured animal, the most effective and humane method is a shot to the heart/lung area just behind the front shoulder of the animal.
 - a. The shotgun shall be the preferred firearm for euthanizing large animals (e.g., deer); the Patrol Rifle shall not be used to euthanize animals.
 - b. The head of the animal is not the preferred location to place a shot; the brain may be needed to test for rabies.
 - c. Even with the correct shot placement, it may not immediately expire; continue to maintain vigilance until the animal has expired.
 - d. *If the animal does not immediately expire, and there are well-articulated reasons to do so, additional rounds may be fired.*

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- e. Universal health and safety precautions shall be taken to protect officers and members of the public.
- f. Officers shall be keenly aware of the projectile paths of any fired rounds and shall exercise reasonable care that fired rounds will not endanger citizens or property.
- g. Extreme caution must be exercised when shooting at a running or fleeing dog/dangerous animal.

VII. Reporting Procedures

- A. When an animal incident causes serious injury, death, or if criminality is involved, officers shall:
 - 1. Notify a superior officer of the incident. The superior officer will determine if further notifications are required.
 - 2. Complete an incident report and forward it to a supervisor for review and approval.
 - 3. The supervisor shall ensure the appropriate investigative section/unit is notified for any follow up investigation.
- B. Officers discharging a CEW or OC Spray at an animal shall:
 - 1. Notify a superior officer of the incident; the superior officer will determine if further notifications are required.
 - 2. Complete an incident report describing the justification and circumstances of the use of a CEW or OC Spray and forward it to a supervisor for review and approval.
- C. A firearm discharge for the euthanization of a sick or injured animal requires notification of the Inspection Unit via CCS.
 - 1. *The Inspection Unit shall confer with the superior officer conveying necessary procedures and reporting.*
 - 2. *The on scene superior officer shall complete any investigation necessary for the incident, attaching all available video, to be entered into the division tracking software within three tours of duty.*
 - 3. *The completed investigation shall be forwarded through the chain of command to the District/Bureau Commander with each level completing their review within two tours of duty.*
 - 4. *District/Bureau Commanders shall forward the completed investigation to the Inspection Unit for administrative review.*

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- D. Officers shall not complete an incident report for minor dog bites; the DACC shall handle this documentation.
- E. Animal incidents involving horses require:
1. The completion of the pre-structured Horse-Related Incident Form-1 (Attachment).
 2. The completion of an incident report as needed.
 3. The Horse Related Incident Form-1 and incident report shall be forwarded to the Mounted Unit for follow up.

THIS ORDER SUPERSEDES ANY PREVIOUSLY ISSUED DIRECTIVE OR POLICY FOR THIS SUBJECT AND WILL REMAIN EFFECTIVE UNTIL RESCINDED OR SUPERSEDED.