

**STOCKTON POLICE DEPARTMENT**

**GENERAL ORDER**

**ANIMAL CALLS**  
**SUBJECT**

**DATE:** September 7, 2021

**NO:** Y-1

**FROM:** CHIEF ERIC JONES

**TO:** ALL PERSONNEL

**INDEX:** Animal Calls  
Dead Animals  
Handling Injured Animals

**I. POLICY**

Field Operations Division personnel will handle calls involving animals when Animal Services personnel and Sentinels are not on duty.

**II. LAW**

A. Officers must become familiar with the following sections and are required to take appropriate action when a violation is observed:

1. Sections 597.1 and 597f of the Penal Code describes the duties of a peace officer for the care and disposition of animals.
2. Section 370 of the Penal Code may be used where it is apparent the dog is a public nuisance disturbing the tranquility of the neighborhood but does not conform to Section 6.04.350 of the Stockton Municipal Code.
3. Section 6.04.350 of the Stockton Municipal Code, which states that annoying, barking dogs may be considered a public nuisance.
4. Section 6.04.110 of the Stockton Municipal Code, which states that dogs will be licensed by the age of four months.
5. Section 6.04.100 of the Stockton Municipal Code, which states that before dogs are licensed, they must have received a rabies vaccination and microchip.
6. Section 6.04.120 of the Stockton Municipal Code, which states that dogs may not run at large.
7. Section 6.08.130 of the Stockton Municipal Code provides guidance on owners' responsibilities for restraining vicious dogs.

**III. PROCEDURE**

A. Officers must be aware that the owner of an animal is responsible for its care, and when an owner is present or immediately available the animal, excluding dead animals, will be turned over to the owner.

B. Injured Animals.

1. Injured animals will be listed in any of three basic categories:
  - a. Minor injuries.

- (1) Whenever there are obvious signs of injuries to an animal, the law requires that animals be taken to a veterinarian for treatment.
- b. Severe injuries.
- (1) When an animal has severe injuries, and there is evidence of pain and the officer is not equipped to handle the animal, they should call for an Animal Services Officer.
  - (2) When an Animal Services Officer is not available, and injuries are severe but not critical, the officer will take the animal to a veterinarian.
    - (a) The injured cat or dog will be transported to the contracted emergency veterinarian clinic. Information can be obtained from CTC in InfoCad.
    - (b) During daytime hours, when the clinic is closed, and Animal Services are unavailable the injured animal will be taken to the nearest veterinarian for treatment.
- c. Critical/ life threatening injuries.
- (1) When an animal has critical/ life-threatening injuries, the officer will request an Animal Services Officer.
  - (2) Officers will request through the Watch Commander and the Animal Shelter Police Services Manager (PSM) that an Animal Services Officer be called out to assist if the officer believes the animal has received a critical/ life-threatening injury, is obviously in pain and should be euthanized immediately.
    - (a) The Animal Services Officer will respond to the scene and assess the condition of the animal.
    - (b) The Animal Services Officer will coordinate any emergency care or euthanasia of the injured animal.
  - (3) Only when reasonable attempts to coordinate an Animal Services Officer response have been unsuccessful may the officer, under the approval of the Watch Commander or Lieutenant, shoot the animal.
    - (a) When practical, the animal's owner should give permission before the animal is shot.
    - (b) If the owner cannot be located, a witness who can verify that the animal was critically injured should be obtained, or the animal's condition recorded on the officer's body-worn camera. The appropriate memorandum and reports will be written documenting the need to shoot the animal.
  - (4) Before a critically injured animal is shot, consideration should be given to public perception on whether the animal needs to be euthanized in this manner.
    - (a) The animal shall be placed on a soft surface to prevent any possibility of a ricochet.

- (b) Use caution when moving the animal since injury generally creates viciousness.
  - (c) Lift the animal by the nape of the neck, if possible.
- (5) Shoot the animal directly above the eye and aim down through the length of the animal, being cognizant of the expended bullets trajectory and the backdrop.
- (a) If there is any possibility that the animal might be rabid or might have bitten anyone, the animal will be shot in the heart and delivered to the Animal Shelter for follow-up.

C. Live Animals (No Injury).

1. Where an officer has reasonable grounds to believe that very prompt action is required to protect the health and safety of a stray or abandoned animal or the health and safety of others, the officer shall immediately seize the animal and take the animal to the Animal Shelter.
  - a. Emergency confiscation of stray or abandoned animals shall comply with the procedures set forth in the City of Stockton's Animal Seizure Policy.
  - b. In the event of an emergency confiscation, the officer shall cause a post-seizure notice to be placed in a conspicuous place where the animal was seized or personally deliver such notice to the owner if known.
2. Where an officer does not have reasonable grounds to believe that very prompt action is required to protect the health and safety of a stray or abandoned animal or the health and safety of others, the officer shall provide the owner with an opportunity for a hearing before any seizure or impoundment of the animal.
  - a. Nonemergency confiscation of a stray or abandoned animals shall comply with the procedures set forth in the City of Stockton's Animal Seizure Policy.
  - b. In the event of a nonemergency confiscation, the officer shall cause a pre-seizure notice to be placed in a conspicuous place where the animal was situated or personally deliver such notice to the owner if known.
3. Live animals may be turned over to an owner after proper enforcement action is taken.
4. If an officer requires a snare to handle a live animal, one may be obtained from:
  - a. The Senior Police Cadet van.
  - b. The Sergeant's Office at the Operations Facility.
5. Document the reason for impounding the animal, pick-up location, name, address, and telephone numbers of the animal's owner and/or contact person.
6. Officers impounding animals shall provide a post-seizure notice to the owner, which details the owners' rights and responsibilities.

D. Dead Animals.

1. All dead animals will be removed and taken to the Animal Shelter.
- E. Placement of animals at the Animal Shelter.
1. When an officer takes an animal to the Animal Shelter, the officer shall:
    - a. Place the live animal in a cage. Dogs will be placed in the cage marked "Dog Intake" inside the kennel. Cats will be placed in the cat cages located in the first section of the kennels. Animals will not be left in the outside holding cages.
    - b. Place dead animals in the barrels that are located inside a refrigeration unit on the north side of the Animal Services main building.
      - (1) A pin secures the door latch of the refrigerator. This pin must be replaced after the door is closed.
    - c. Complete the "Night Drop Log - In" form.
    - d. List all pertinent information on an S.I.R., routing it to " Animal Shelter."
  2. The Police Facility key will unlock the Animal Shelter fenced yard and north door. Animals should not be taken through the office area. The Animal Shelter Gate code can be obtained by contacting the Telecommunications Center. The Animal Shelter is equipped with a burglar alarm. When it is closed, the alarm will be set off each time a door is opened and will reset automatically when the door is closed. During the hours that the Center is closed to the public, the following procedures will be followed:
    - a. When an officer is going to enter or leave the Shelter, the officer will advise the Telecommunications Center.
    - b. The alarm will not reset automatically. It must be set when an officer leaves.
- F. Barking Dog/ Crowing Rooster Complaints
1. Barking dog/ crowing rooster complaints will be handled by Animal Services except in extenuating circumstances.
    - a. Initial complaints will be handled as follows:
      - (1) The location where the dog or rooster resides will be sent a letter from Shelter staff advising of the nuisance created by the animal and the need for the nuisance to stop.
      - (2) The reporting party will be sent documents to be filled out providing information on the nuisance and the need for a second complainant for a citation to be issued if the nuisance is not made in the presence of an officer.
      - (3) Animal Services Officers will respond in person to barking dog/ crowing rooster calls after the second complaint and the supplied documents have been returned. Citations will be issued as appropriate.
  2. Telecommunications Center personnel taking a barking dog/ crowing rooster complaint when Animal Services is unavailable will refer the calls to Animal Services for next-day follow-up. Police Officers will not normally be dispatched to

barking dog/ crowing rooster calls unless there are extenuating circumstances that require the presence of an officer. Those calls will be evaluated by the on-duty Watch Commander to determine if an officer should be dispatched.

- a. Calls referred for next-day follow-up by police telecommunications personnel should contain the following elements for proper follow-up by Animal.
  - (1) Name, address, zip code and telephone number of the reporting party for proper follow-up by Animal Services.
  - (2) Name, address, and zip code of the animal owner, as well as the date and time the animal is causing the disturbance.

3. If a police officer is dispatched due to extenuating circumstances, he/she will adhere to the following section:

S.M.C. SECTION 6.04.350: Keeping of animals as constituting public nuisance:

- a. It is unlawful and shall constitute a public nuisance for any person to keep within the limits of the City any animal which unreasonably disturbs the peace and comfort of the inhabitants of the neighborhood in which such animal is kept or interferes with any person in the reasonable and comfortable enjoyment of life or property, or creates a significant risk of injury to life or property.
- b. Every person who maintains, permits or allows an animal nuisance to exist upon his or her property or premises, and every person legally occupying the property or premises of another who maintains, permits or allows an animal nuisance to exist thereon, after reasonable notice in writing from the Animal Services Supervisor or designee to remove, discontinue or abate the animal nuisance shall be in violation of this section. In addition to any other remedies available under the Stockton Municipal Code a violation of this section will result in the issuance of an administrative citation, fines, penalties, and/or an administrative injunction order to abate the nuisance.

4. In order to issue a citation, an officer must determine the following:

- a. Name of the complainant who must be willing to testify in court, if needed.
- b. Personally, witness the continuous barking, howling, crying, baying, or other noise for a period of ten minutes, noting the exact time.
- c. Position themselves so they do not cause the dog to bark and can testify that it was not provoked.
- d. If the dog does not bark, cry, bay, or howl for ten minutes in the officer's presence, the complainant will be advised that enforcement action cannot be taken because the necessary elements of the offense are not present.
  - (1) The complainant should be advised concerning that person's rights to seek a complaint by contacting Animal Services.
- e. If a citation is issued, the officer must write a brief summary of the offense on an S.I.R., routing it "ANIMAL SHELTER."
- f. Juveniles will not be cited unless they are head of the household.

- g. All other calls of this nature that requires further investigations by the Animal Shelter shall be documented on a S.I.R, routing it to" ANIMAL SHELTER."
  - h. If the owner of the dog is not at home, the investigating officer has two options:
    - (1) If a violation is observed, the officer may return and cite the owner later during the shift, or as an alternative, the officer may obtain the name of the owner from a neighbor and forward all the necessary information to Animal Services for next day follow-up, indicating the violation observed. Animal Services will cite the owner the next day with the observance of a violation by a police officer.
      - (a) When a complaint is forwarded to Animal Services, the officer will leave a note at the residence of the dog owner informing that person of the violation and indicate a citation may be issued through Animal Services the following day.
      - (b) If the dog is disturbing the tranquility of the neighborhood to the point where public peace is being disturbed and the complaining citizen is demanding relief, the nuisance may be abated by taking the dog to the Animal Shelter and leaving a note for the owner regarding the action.
5. Section 370 PC may be used where it is apparent the dog is a public nuisance disturbing the tranquility of the neighborhood but does not conform 6.04.350 of the Stockton Municipal Code. The investigating officer must author a Crime Report and advise the citizen it will be forwarded to the District Attorney for a complaint.

G. Citations for Animal Services Violations.

- 1. Any officer investigating matters involving an animal control violation, who decides to take enforcement action, will issue a citation to a citizen in lieu of physical arrest.
  - a. The citizen has 21 days to appear at the San Joaquin County Courthouse.
- 2. If a citizen refuses to sign the "Promise to Appear" on an animal violation, the officer will not immediately arrest the violator.
  - a. The officer will advise the offender that if the citizen refuses to sign the "Promise to Appear," an arrest warrant will be issued charging the violation.
  - b. The officer will complete the citation and a Crime Report.
  - c. The Crime Report and all three copies of the citation will be turned in to the Records Section/ Technical Services Division.
  - d. The citation and report will be forwarded to the City Attorney's Office for consideration.

H. Exceptions.

1. When situations arise where Field Services Division personnel need assistance since the animal is too large, vicious, etc., an Animal Services Officer may be called in from home, if necessary.
  - a. The case should be of an emergency nature or, as previously stated and cleared through the Watch Commander.

I. Bats

1. Bats must be transported by Animal Services staff to the San Joaquin County Health Department for rabies testing. Officers and Telecommunications personnel should consider the following with regard to handling bats:
  - a. When handling dead or contained bats, the call can generally wait until an Animal Services Officer is available for pick-up.
  - b. All pertinent information should be left for next day follow-up by Animal Services (i.e., name, address, phone number, etc., of the reporting party).
  - c. If the citizen will not be present when the bat is picked up, the following information must accompany the bat to Animal Shelter:
    - (1) Name, address, and telephone number of reporting party.
    - (2) Whether or not a person or animal has come into contact with the bat.
  - d. Attempting to capture a bat is not recommended by Animal Services; however, during emergency situations, staff should adhere to the following when containing bats:
    - (1) Telecommunications should explain to citizens that handling live or dead bats is done at their own risk.
    - (2) Gloves must be worn at all times.
    - (3) Carefully place a large container on top of the bat.
    - (4) Leave the container alone until Animal Services arrives.
    - (5) Instruct citizens to keep all pets and children away from the bat/container.

J. Bees

1. When a problem with bees occurs, and an Animal Services Officer is not available, the officer will contact the Telecommunications Center and request a beekeeper.
  - a. The Telecommunications Center has a list of citizens who handle bees and will answer a call to assist.

K. Impounding Mistreated Animals (Owner Not Present).

1. When an officer receives a report of an animal being cruelly treated or neglected, the report must be confirmed by the officer's observation.

- a. When the animal is being neglected, but its condition does not appear critical, the information will be noted on an S.I.R. and routed to the Animal Shelter for follow-up investigation.
- b. When the animal's condition appears critical, it can be impounded for treatment.
- c. The impoundment of any animal shall comply with the procedures set forth in the City of Stockton's Animal Seizure Policy.

L. Animal Bite Cases.

1. San Joaquin County is officially declared a rabies area. Therefore, all animal bites to humans must be reported to the County Health Officer (Reference: California Administrative Code 2606). In accordance with prevailing law, mandatory quarantine of animals suspected of biting humans is required under any of the following methods:
  - a. Quarantine in a veterinary hospital.
  - b. Home confinement (the animal must be strictly confined within the residence or on the enclosed premises of the owner).
  - c. Quarantine at the Animal Shelter.
2. Confinement period shall be ten days for dogs and cats and fourteen days for other animals. In cases handled by the Stockton Police Department, the biting animal will normally be quarantined in the Animal Shelter facility or at the home of the owner of the dog. Preferably, the owner will assume the responsibility. If the animal is confined at the Animal Shelter, the owner will assume the responsibility for paying any applicable fees. The officer handling the call will advise the owner of the quarantine requirement.
3. All reports of any human being bitten will be carried on an S.I.R. with the notation, "Attention: Animal Shelter." The Animal Shelter will follow-up and notify the County Health Officer.

M. Calls for Service Investigation

1. Calls for service that are received by the Telecommunications Center will generally be routed to the Stockton Animal Shelter during business hours for handling. The exceptions to this direction are emergency calls that necessitate the immediate response of a police officer due to safety, an emergency situation, a significant incident that will likely lead to a criminal investigation, or a call for service that occurs outside of the normal business hours of the Animal Shelter.
  - a. Non-emergency calls for service received during Shelter business hours shall be forwarded to the Animal Shelter for handling. Animal Services Officers may request the assistance of a patrol officer if they believe the investigation may result in an arrest or if the call poses a possible safety risk to the Animal Services Officer.
  - b. Emergency Calls for service during Shelter business hours should generally be addressed as follows.
    - (1) A call for service will be made by CTC, and an officer dispatched.



- (2) A patrol Sergeant will be advised of the call.
  - (3) The call will also be forwarded to the Animal Shelter for a priority call to be made and the next available Animal Services Officer dispatched.
  - (4) An Animal Shelter Supervisor or the Police Services Manager will be made aware of the call.
  - (5) Calls that result in a crime report will be documented in both ARS (Field Operations) and Chameleon (Animal Shelter).
    - (a) Crime reports will be routed to the Animal Services Police Services Manager (PSM).
    - (b) The PSM will review the report and confer with the General Crimes Sergeant whether to forward the complaint to the District Attorney's Office, route to a detective/ animal services officer for follow-up, or suspend the investigation.
    - (c) The PSM will be responsible for making sure the report is entered into the Chameleon database regardless of whether the case is suspended or referred to the DA.
  - (6) Calls that do not result in a crime report will be documented by an Animal Services Officer in Chameleon.
- c. After hours calls that are emergencies will be investigated by Field Operations/ Patrol.
- (1) If the Officer conducting the initial investigation feels that the call meets the Penal Code Definition of animal cruelty, then they will seek approval from the Watch Commander to contact the Animal Shelter PSM to discuss the case.
  - (2) The officer will provide details on the call that will allow the PSM to:
    - (a) Determine what Shelter resources need to be called in
    - (b) Decide where to take the animal(s)
    - (c) Advise what forms to provide the owner
    - (d) Any required paperwork to be signed by individuals present at the property.
  - (3) The Police Officer will complete the investigation on an ARS report and route it to the PSM.
  - (4) The PSM will review the report and confer with the General Crimes Sergeant regarding the complaint to the District Attorney's Office, routing to a detective/ animal services officer for follow up, or to suspend the investigation.
  - (5) The PSM will be responsible for making sure the report is entered into the Chameleon database regardless of whether the case is suspended or referred to the DA.
- d. After hours calls that are not an emergency but still require Animal Shelter follow-up will be forwarded to the Animal Shelter by CTC via fax or email for the next business day.