



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### 060 – ANIMALS

**GENERAL ORDER:** 2022-XX  
**ISSUED:** January 31, 2022

**EFFECTIVE:** January 31, 2022

**REVIEWED/APPROVED BY:**  
Assistant Chief Nicole Waldner  
**DATE:** December 13, 2021

**ACTION:** Amends General Order 2019-12 (April 26, 2019)

**WILEAG STANDARD(S):** 11.2.1

#### **ROLL CALL VERSION**

**Contains only changes to current policy.  
For complete version of SOP, see SharePoint.**

#### **060.05 ABANDONED OR STRAY ANIMALS**

A. Members shall make a reasonable effort to locate the owner of such animals.

A person other than a humane officer or a law enforcement officer may not take an animal into custody on behalf of a political subdivision unless the animal is an abandoned or stray animal. If a person other than a humane officer or a law enforcement officer takes custody of an abandoned or stray animal on behalf of a political subdivision, he or she shall deliver the animal to a person contracting under s. [173.15 \(1\)](#), to a humane officer or law enforcement officer for disposition under s. [173.23](#) or to a pound. [\(Wis. Stat. § 173.13\(1\)\(c\)\)](#)

B. MILWAUKEE AREA DOMESTIC ANIMAL CONTROL COMMISSION (MADACC)

2. The hours of operation can be located on the MADACC [website](#).

~~Monday through Friday: 8:0 a.m. to 8:00 p.m.~~

~~Saturday and Sunday: 8 a.m. to 5:00 p.m.~~

3. During their hours of operation, MADACC will be responsible for the handling of:

a. Pickup of stray and abandoned domestic and exotic animals.

c. Pickup of sick and injured stray domestic and exotic animals.

d. Pickup of animals seized for an animal related crime.

e. Pickup of animals in need of safekeeping.

fd. Pickup of seized and safekeeping animals for holding.

ge. Limited stray domestic animal rescue services.

hf. Limited trapping and capture of stray domestic animals.

ig. Limited chemical immobilization of stray domestic and exotic animals.

4. Officers shall not drop-off stray animals in the police holding area when MADACC is open for business.

54. MADACC Closed

## **060.10 ABANDONED / SAFEKEEPING / UNWANTED ANIMALS**

### **A. ABANDONED ANIMALS**

1. Officers that seize an animal for abandonment / cruelty reasons or in the case of an emergency where the animal will have no care (e.g., a fire or the owner is arrested or hospitalized and the person does not/is unable to consent to safekeeping the animal as listed in subsection B below) shall convey the animal to MADACC and complete the MADACC *Police Request for Services* form.
2. If an officer recovers an abandoned or stray animal during the normal course of their duties, they may drop the animal off at MADACC as required by law.

### **B. SAFEKEEPING ANIMALS**

Officers shall contact MADACC to pick up animals in need of safekeeping. MADACC will hold safekeeping animals for eight (8) days to allow an owner to reclaim the animal. There are fees associated to reclaim an animal held on safekeeping for the owner. These situations include, but are not limited to:

1. The person responsible for the animal is being arrested for a non-animal related crime and no one on the premises or in the vehicle claims ownership of the animal.
2. The person responsible for the animal is being transported for medical care or mental health services and no one on the premises claims ownership of the animal or no other person in the residence is willing to care for the animal in the absence of the owner.
3. The animal is residing in an occupied or abandoned residence or vehicle without proper food or water.

### **C. UNWANTED ANIMALS**

MADACC does not accept unwanted animals for surrender from the public. Members shall refer owners who wish to surrender an animal to the Wisconsin Humane Society at 414-264-2657. If an officer feels based on the totality of the circumstances that the animal may be set lose or abandoned by the owner, the officer may contact MADACC for further information.

## **060.1015 INVENTORY REPORT (WILEAG 11.2.1)**

**060.1520 ANIMAL BITES**

- A. Animal bites require investigation as to the type of animal and ownership for Health Department follow-up. Quarantine procedures as specified in [Chapter 78](#) of the city ordinances (usually for a period of 10-14 days) are necessary for observation purposes and possible medical treatment of the victim. All animal bites must be reported and information is to be documented on a *Vicious Animal Report* (form PV-1). The original shall be sent interdepartmentally to the Department of Neighborhood Services - Lake Tower (4001 S. 6<sup>th</sup> St. - 2nd floor) along with a faxed copy. A copy of the report shall be sent to the Open Records Division.
- B. Only dogs or cats who have bitten a human are required to be held on a rabies quarantine. Animal on animal bites are not required to be held for a rabies quarantine and will not be accepted by MADACC.
- C. If an animal bites a human or scratches a human to the extent that the skin has been broken, the officer shall seize the animal for rabies observation and convey it to MADACC.
1. Officers cannot authorize a home quarantine as this must be authorized by the Department of Neighborhood Services.
  2. If the owner requests a home quarantine, the officer shall advise the owner to contact the Department of Neighborhood Services. The officer must convey the animal to MADACC for observation as only the Department of Neighborhood Services can authorize a home quarantine.

**060.2025 VICIOUS ANIMALS**

- B. In circumstances where members encounter an animal which reasonably appears, under the circumstances, to pose an imminent threat of serious bodily harm to ~~a person~~ an officer, another person, or persons, members are authorized to use reasonable force, up to and including deadly force, to neutralize the threat.
- C. CONTROLLING AN ANIMAL WITH LESS THAN DEADLY FORCE
3. If the options in subsection 2 do not appear effective, members may use the following for both canines or other animals:
    - c. During active deployment of the ECD, the target area for use on an animal is the profile of the body which appears to provide the most muscle mass. If an ECD is used on a stray animal and the probe becomes firmly embedded in a sensitive or potentially deadly part of the animal and the member is unable to effectively remove it, members shall follow the procedures in SOP 060.25(E).
- E. In the event that force is used by a member and the animal is injured or there is a reasonable belief the animal was injured, regardless of whether visible injuries exist, members shall make reasonable attempts to ensure the animal receives care for its injuries. This may include, but is not limited to: ~~contacting the owner to arrange private treatment, contact MADACC to have the animal collected and treated, or arranging~~

transport to an animal veterinary facility.

1. If the owner is on scene or if the officer makes contact with the owner, private treatment or transport to an animal veterinary facility should be arranged.
2. If the officer is unable to contact the owner and MADACC is open, the animal may be conveyed to MADACC or the officer may contact MADACC to have the animal collected and treated. If MADACC is closed, the officer shall contact MADACC at [REDACTED] for further information or pickup of the injured animal.

### **060.2530 SICK, INJURED, OR DEAD ANIMALS**

#### **A. DOMESTIC ANIMALS**

1. MADACC shall be responsible for handling stray sick or injured domestic animals and making decisions on their care. If MADACC is closed, the officer shall contact MADACC at [REDACTED] for further information or pickup of the injured animal. MADACC does not pick up deceased animals.
2. Sick and injured animals that are owned cannot be accepted for treatment at MADACC, and the officer shall refer the owner to contact a veterinarian. If an owned sick or injured animal is in such condition that euthanasia is the only option for the animal, the officer may refer the owner to take the animal to MADACC during normal business hours. If MADACC is closed, the officer may refer the owner to Mayfair Animal Hospital at 11619 W. North Av. Wauwatosa, WI (phone 414-897-8840) or VCA Milwaukee Emergency Center for Animals at 3670 S. 108<sup>th</sup> St. Greenfield, WI (phone 414-543-7387).

#### **E. ANIMALS SHOT BY POLICE MEMBERS SHOOTING OF ANIMALS**

1. Whenever a police member shoots an animal, the member must immediately call for a field supervisor of higher rank to respond to the scene. In accordance with the guidelines established in SOP 460 Use of Force, the field supervisor shall conduct a use of force investigation and file a *Use of Force Report* according to the guidelines in SOP 460.15 in the AIM system unless directed otherwise by higher authority.

### **060.3035 DEER KILLED BY VEHICLES**

### **060.3540 INJURED HORSES OR SURREY ANIMALS**

### **060.4045 ANIMAL CRUELTY / INSTIGATING FIGHTS BETWEEN ANIMALS INVESTIGATIONS**

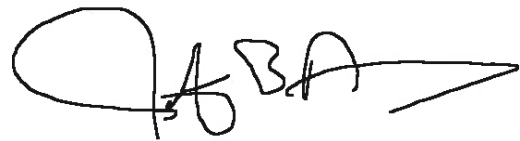
- C. Members shall properly document crime scenes involving animal cruelty and instigating fights between animal investigations by calling for a crime scene trained officer (CST) or forensic investigator to photograph all evidence relevant to the investigation (e.g., photographs of the animal, living conditions of the animal, food and water available to the animal, any outdoor structures if present).

- E. Officers shall contact MADACC prior to seizing an animal for an animal related crime or ordinance violation. If the officer seizes the animal after contacting MADACC, he/she shall complete the MADACC *Police Request for Services* form. The officer shall provide their department email address and work location phone number so MADACC can contact the officer if necessary.

#### **060.50 ANIMAL REFERRAL CASES TO MADACC**

If an officer comes across an animal living in poor conditions, living in a dirty yard, or not having insufficient shelter or husbandry that does not necessarily rise to the level of a violation of [Wis. Stat. 951](#) or [MCO 78](#), they may refer the case to MADACC by filling out a referral form at <http://madacc.org/madacc-referral-form/>.

1. This form should be used in cases where the animal is not in imminent danger or conditions are not extreme and seizure may not be in the best interest of the animal as MADACC may be able to provide education and resources to the owner to better care for their animal.
2. MADACC may refer the case to the Department of Neighborhood Services, if appropriate, for additional follow up.
3. MADACC will keep the referring officer apprised of the investigation.

A handwritten signature in black ink, appearing to read 'J.B.N.' with a long horizontal stroke extending to the right.

JEFFREY B. NORMAN  
CHIEF OF POLICE