

## Animal Control

### 806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

### 806.2 POLICY

It is the policy of the St. Mary's County Sheriff's Office to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

### 806.3 ANIMAL CONTROL

Animal control services are generally the primary responsibility of Animal Control and include the following:

- (a) Animal-related matters during periods when Animal Control is available.
- (b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that Animal Control is available for investigation and resolution.
- (c) Follow-up on animal-related calls, such as locating owners of injured animals.

### 806.4 MEMBER RESPONSIBILITIES

Members who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.

Due to the hazards of handling animals without proper training and equipment, responding members generally should not attempt to capture or pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Members may consider acting before the arrival of such assistance when:

- (a) There is a threat to public safety.
- (b) An animal has bitten someone; members should take measures to confine the animal and prevent further injury.
- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.
- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the member should find appropriate placement for the animal.
  - 1. This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.

# St. Mary's County Sheriff's Office

## LE Policy Manual

### *Animal Control*

---

2. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
3. If no person can be found or the owner does not or cannot give consent, Animal Control is to be contacted, as the animal should be taken to a designated animal care facility.

#### **806.5 ANIMAL CRUELTY COMPLAINTS**

Laws relating to cruelty to animals should be enforced, including but not limited to:

- (a) Abuse or neglect of an animal (Md. Code CR § 10-604).
- (b) Aggravated cruelty to animals (Md. Code CR § 10-606).
- (c) Dogfights (Md. Code CR § 10-607).
- (d) Cockfights (Md. Code CR § 10-608).
- (e) Poisoning a dog (Md. Code CR § 10-618).
- (f) Endangering the health or safety of a dog or cat by leaving the animal unattended in a motor vehicle (Md. Code TR § 21-1004.1).
- (g) An investigation should be conducted on all reports of animal cruelty.
- (h) Deputies may seize an animal if necessary to protect an animal that needs immediate care or protection from acts of cruelty (Md. Code CR § 10-615(b)(1)).
  1. If an animal is impounded, yarded, or confined without necessary food, water, or proper attention, or is subject to cruelty or is neglected, a deputy may enter the place where the animal is located, except if the animal is in a private dwelling, and supply the animal with necessary food, water, and attention, or seize the animal if seizure is necessary for the animal's health (Md. Code CR § 10-615(c)).
  2. The deputy shall notify the animal's owner or custodian by personal service or certified mail with 24 hours of the seizure and any administrative or judicial remedies that may be available (Md. Code CR § 10-615(d)).
  3. Seizure of livestock, poultry, or a dog actively engaged in livestock herding or guarding requires the prior recommendation of a veterinarian licensed in the state (Md. Code CR § 10-615(f)).
  4. If an animal or livestock is seized, the deputy should follow the requirements of Md. Code CR § 10-615.1 for filing a petition with the court.

##### **806.5.1 CONFIDENTIAL REPORTS**

Reports of suspected cruelty received from a veterinarian and the identity of the veterinarian shall be confidential, must be kept in a secure location, and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (COMAR 15.14.15.04).

#### **806.6 ANIMAL BITE REPORTS**

Members investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Members shall complete the Maryland Animal-

# St. Mary's County Sheriff's Office

## LE Policy Manual

### *Animal Control*

---

Bite Report and Rabies Quarantine Agreement Form and make the report available within 24 hours to the local health officers and, on request, to the Public Health Veterinarian (COMAR 10.06.02.05; Md. Code HG § 18-316).

Efforts should be made to capture or otherwise have the animal placed under quarantine in accordance with Md. Code HG § 18-320. Members should attempt to identify and notify the owner of the final disposition of the animal. If the owner or custodian of the animal refuses to sign the quarantine agreement, an Animal Control Officer shall be requested to respond to take possession of the animal. Follow up investigation is conducted by the Health Department and/or Animal Control Officer.

For procedures related to Animal Bite Reports, see the St. Mary's County Sheriff's Office LE Procedures Manual: [Reporting Procedure](#), [Prevention Vaccine](#), [Rabid Animals](#) and [Post-Exposure Rabies Treatment](#)

#### **806.7 STRAY DOGS**

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a dog is taken into custody, it shall be transported to the appropriate shelter/holding pen.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

#### **806.8 SICK, WOUNDED, OR DANGEROUS ANIMALS**

When a deputy sheriff encounters a sick, wounded, or dangerous domestic animal, he/she detours citizens from the area and attempts to locate the owner. In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, the Duty Officer or a Shift Supervisor will be contacted to determine available resources, including requesting Animal Control to respond and take possession.

If an animal is determined to have fatal injuries and at the request of the owner/custodian, the deputy sheriff may use the appropriate use of force to euthanize the animal.

#### **806.9 PUBLIC NUISANCE CALLS RELATING TO ANIMALS**

Members should diligently address calls related to nuisance animals (i.e., barking dogs), as such calls may involve significant quality of life issues.

#### **806.10 DECEASED ANIMALS**

When a member becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Deceased animals on county or state roads or property should be removed, sealed in a plastic bag, and properly disposed of. Deputies are to notify the Emergency Communications Center (ECC) when a carcass needs to be removed from county or state roads or property and they will notify

# St. Mary's County Sheriff's Office

LE Policy Manual

## *Animal Control*

---

the St. Mary's County Department of Public Works or the Maryland State Highway Administration, as applicable.

Members should not climb onto or under any privately owned structure for the purpose of removing a deceased animal.

### **806.11 INJURED ANIMALS**

When a member becomes aware of an injured domesticated animal, all reasonable attempts should be made to contact the owner or responsible handler. If an owner or responsible handler cannot be located, the animal should be taken to a designated animal care facility.

When an animal is injured in a traffic accident, the member shall notify the appropriate local organization to give such injured animal medical care (Md. Code TR § 20-106(b)).

### **806.12 DESTRUCTION OF ANIMALS**

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. [305.7.2](#)

### **INJURED ANIMALS**

### **806.13 TRAINING**

Members shall receive training as follows (COMAR 15.14.15.04):

- (a) All members handling reports of animal cruelty shall receive training on confidentiality and restrictions on dissemination of records and information relating to these reports.
- (b) All members shall receive training on the requirements of COMAR 15.14.15.04 and the consequences for releasing confidential information (Md. Code AG § 12-101 et seq.).
- (c) All members shall receive training on the requirements of the Public Information Act and how to protect confidential information.