



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### 060 – ANIMALS

**GENERAL ORDER:** 2023-01  
**ISSUED:** January 5, 2023

**EFFECTIVE:** January 5, 2023

**REVIEWED/APPROVED BY:**  
Inspector David Feldmeier  
**DATE:** December 2, 2022

**ACTION:** Amends General Order 2022-42 (October 7, 2022)

**WILEAG STANDARD(S):** 11.2.1

#### 060.00 PURPOSE

The purpose of this standard operating procedure is to provide instructions to department members relative to the handling of animals and animal related incidents.

#### 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)

1. The telephone number during business hours is 414-649-8640. The Milwaukee Area Domestic Animal Control Commission has established a web site at [www.madacc.org](http://www.madacc.org) that provides information and photographs of lost animals within the shelter.
2. The hours of operation can be located on the MADACC [website](#).
3. During their hours of operation, MADACC will be responsible for the handling of:
  - a. Pickup of stray and abandoned domestic and exotic animals.
  - b. Pickup of bite suspect animal for rabies quarantine observation.
  - 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.
  - f. Pickup of seized and safekeeping animals for holding.

- g. Limited stray domestic animal rescue services.
  - h. Limited trapping and capture of stray domestic animals.
  - i. 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.
5. MADACC Closed
- a. Officers will have access to the MADACC facility located at 3839 W. Burnham Street via [REDACTED] MADACC has emergency holding rooms for strays when there is no pick-up service available. The doors leading into the main facility are alarmed and there are security cameras in the room, which operate 24 hours a day.

[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

c. Drop-Off Procedure:

- 1. For strays, officers shall place the animal and a container of water into a vacant, appropriately sized, numbered kennel. There is a telephone on the north wall with an instruction sheet explaining how to leave a recorded message regarding the stray. Once completed, the officer can leave but must ensure the exit door is properly closed and secured.
- 2. For animals received due to safekeeping incidents (e.g., eviction, cruelty, or neglect), the above procedure is followed; however, a blue colored form titled *Police Request for Services* must also be completed and left in the provided repository. These forms are located near the telephone.
- 3. For animals that have bitten victims, the telephone procedure is again followed; however, a canary/goldenrod colored form titled *Bite Victim Information* must be completed and left in the repository.

[REDACTED]

[REDACTED]

C. DISTRICT STATION TEMPORARY KENNELS

1. Temporary Care

As temporary facilities, district stations may hold stray animals when MADACC is closed. Animals shall be given food and water.

2. Citizen Drop-Offs

Citizens requesting to drop off stray animals shall be advised accordingly:

DISTRICT STATION	MADACC	ACTION
Kennels available	Open	Refer citizen to MADACC
Kennels available	Closed	MPD will take the animal
No kennels available	Open	Refer citizen to MADACC
No kennels available	Closed	Call other available districts and refer citizen to take animal there
No kennels available at any district station	Closed	Refer citizen to MADACC when they open

**060.10 ABANDONED / SAFEKEEPING / UNWANTED ANIMALS**

A. ABANDONED ANIMALS

- 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.
- 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 or use the *Release of Animal Ownership* form supplied by MADACC to surrender ownership to MADACC. Government issued identification is required to surrender an animal and the owner must advise if the animal has been involved in a human bite in the last ten (10) days.

**060.15 INVENTORY REPORT (WILEAG 11.2.1)****A. REPORT REQUIRED**

When an animal is taken to a district station or brought to a district by a citizen, an inventory report shall be completed in accordance with SOP 560 Property.  
(WILEAG 11.2.1.1)

**B. ARRESTED PERSONS**

When a person arrested is in possession of an animal, arrangements shall be made to release such animal to a relative of the prisoner or other responsible person.

**C. ANIMALS TURNED OVER TO MADACC**

Animals that are not retrieved by a responsible party may be turned over to MADACC.

**D. NO INVENTORY REPORT REQUIRED**

An inventory report for animals is not required if:

1. The animal is brought directly to MADACC without going to a district.
2. MADACC responds to the location of the animal is and takes control of that animal.

#### **060.20 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.

#### **060.25 VICIOUS ANIMALS**

- A. When responding to a vicious animal complaint or observing an animal demonstrating aggressive behavior, members will take all reasonable steps to confine the animal and prevent it from attacking or biting any person or other animal.
- B. In circumstances where members encounter an animal which reasonably appears, under the circumstances, to pose an imminent threat of serious bodily harm to 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
  1. Members should consider utilizing means other than deadly force in all circumstances in which it is practical to do so and there is not an imminent threat of great bodily harm. Such alternate means may include, but not limited to, requesting the assistance of MADACC or utilizing equipment such as a capture pole, fire extinguisher, and baton, oleoresin capsicum (OC) or electronic control device (ECD).

2. Members may mitigate or defuse potential aggression from a canine by doing the following:
  - a. Assessing the canine's intentions. A loose and wiggly posture reflects friendliness, while a stiff, rigid, or frozen body stance with closed mouth, lips pushed forward, teeth bared, hackles raised or ears back strongly suggest aggressiveness.
  - b. Dropping their eyes and observing the canine using peripheral vision. Members should not stare at the canine, show aggression, or run.
  - c. Rolling their shoulders in a smooth slow motion and turning sideways to the canine.
3. If the options in subsection 2 do not appear effective, members may use the following for both canines or other animals:
  - a. Since oleoresin capsicum (OC) can be effective when used on dogs or other animals, members should consider using OC rather than deadly force as an option when confronted with a vicious animal.
  - b. An electronic control device (ECD) may be used on an animal to create a temporary incapacitation in order to restrain and control with a snare. The ECD and OC are less lethal options that can be used in situations where the animal is not deemed an imminent threat to the officer or the public.
  - 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).
  - d. If active or multiple ECD deployment proves to be ineffective against the animal, officer(s) should reassess the force options available to them and apply the appropriate level of force needed to control the animal and protect the public or officers.
  - e. Deployment of the ECD on an animal should be reported like any other use of force.
  - f. If a canine comes within arm's reach, present a target, such as a baton or flashlight held sideways, and allow the canine to bite on it while moving away.
  - g. Provide distractions such as food, which may also help by providing time to move away from the canine to a safe location.
  - h. Utilize commonly available items, such as clipboards, to block or redirect an attack.

- i. Consider the use of any position, location, or physical object that creates a barrier between the officers and the canine or other animal.
- j. Take advantage of the patrol vehicle's fire extinguisher to effectively repel an aggressive canine.

**Note: Members shall advise MADACC if they use a capture pole, baton, oleoresin capsicum (OC), electronic control device (ECD), or any other type of force on the animal so MADACC can convey this information to the person receiving or caring for the animal. Members shall include this information on the blue colored form titled *Police Request for Services* if the animal is dropped off when MADACC is closed.**

- D. When feasible, secondary officers may choose to provide deadly force cover if the alternate means fails to have the desired controlling effect and the animal becomes an imminent threat.
- 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:
  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:
    - a. Convey the animal to MADACC if the animal is only limping or otherwise not in serious condition. The animal will receive medical care when staff arrives in the morning.
    - b. Convey the animal to the VCA Milwaukee Emergency Center for Animals at 3670 S. 108<sup>th</sup> St. Greenfield, WI (phone 414-543-7387) if the animal is in serious condition that requires immediate care (such as bleeding where sutures are required, or the animal is lateral, in shock, or in need of immediate euthanasia).

### **060.30 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:
  - a. Convey the animal to MADACC if the animal is only limping or otherwise not in serious condition. The animal will receive medical care when staff arrives in the morning.

- b. Convey the animal to the VCA Milwaukee Emergency Center for Animals at 3670 S. 108<sup>th</sup> St. Greenfield, WI (phone 414-543-7387) if the animal is in serious condition that requires immediate care (such as bleeding where sutures are required, or the animal is lateral, in shock, or in need of immediate euthanasia).
  - c. 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).

## B. WILD ANIMALS

Sick or injured wild animals shall be handled by the Wildlife Rehabilitation Center of the Wisconsin Humane Society (414-431-6204). They should also be contacted whenever wild animals present a hazardous situation (e.g., trapped inside a residence). The normal business hours for the Wildlife Rehabilitation Center are Monday through Sunday 8:30 a.m. – 5:00 p.m. After business hours, callers may be referred to the Wisconsin Humane Society website ([www.wihumane.org/wildlife](http://www.wihumane.org/wildlife)), which offers tips on dealing with wildlife situations.

## C. DEER

Deer will be handled by the Department of Natural Resources [REDACTED]. Any incident involving a sick, injured, or dead deer that occurs after normal business hours should be referred to the on duty warden, who may be contacted at [REDACTED].

## D. DEAD ANIMALS

The Department of Public Works shall be notified at [REDACTED] to remove dead animals. In the case of dead deer, the Department of Natural Resources shall be notified.

## E. 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* in the AIM system unless directed otherwise by higher authority.
2. The member must notify the Department of Public Works at [REDACTED] to remove all domestic animals shot and killed by police members. The member must ensure that the dead animal is removed from the scene and properly secured before said member departs from the location where the shooting occurred.

**060.35 DEER KILLED BY VEHICLES**

A. The State Department of Natural Resources (DNR) directs that a vehicle-killed deer may be disposed of pursuant to [Wis. Stat. § 29.349](#).

1. [Wis. Stat. § 29.349\(2\)\(a\)](#)

“Any person who while operating a motor vehicle on a highway accidentally collides with and kills a bear, deer, or wild turkey may take possession of the carcass. Subject to [Wis. Stat. § 29.347\(6\)](#), if the motor vehicle operator does not want to take the carcass, the carcass may be taken by any other person who is present at the scene of the accident at the time the collision occurs or at any time after the collision occurs.”

2. [Wis. Stat. § 29.349\(2\)\(bm\)](#)

“No person may take possession of the carcass of a deer killed in the manner specified in [Wis. Stat. § 29.349\(2\)\(a\)](#) and remove the carcass from the scene of the accident unless the person has complied with rules promulgated by the department under [Wis. Stat. § 29.063\(3\)](#) and has, prior to taking possession of the carcass, notified the department in a manner prescribed by the department of the name and address of the person taking possession of the carcass and the location of the carcass.”

B. If there is a person on the scene, whether or not they were involved in the collision and if such person makes a request to the officer that he/she would like to take possession of the vehicle-killed deer, the investigating officer shall advise the person taking possession of the vehicle-killed deer that they must first notify the DNR by calling 608-267-7691 prior to taking possession or removing the deer from the scene.

C. If no person on the scene has requested possession of the deer, and if the department has knowledge of person(s) who would come to the scene and request possession of the deer, the deer may be turned over to such person. The investigating officer shall advise the person taking possession of the carcass to contact the DNR pursuant to subsection B. In all cases, a citizen on the scene who requests possession of a vehicle-killed deer shall have priority right to possession over the on-duty officer.

D. If a department member is unable to locate a person to take possession of the deer, or should a deer be disposed of for any other valid reason, such as being killed in a building or in a residential neighborhood, the respective area warden shall be contacted. Such deer carcasses may be moved or transported as need be by department personnel. DNR personnel will take responsibility for the carcass.

**060.40 INJURED HORSES OR SURREY ANIMALS**

A. Whenever a horse and/or surrey animal is injured in an accident so severely that an officer believes euthanasia may be necessary, they shall immediately contact the horse and surrey livery permittee, inform the permittee of the situation and, in consultation with the permittee, determine whether euthanasia is required.

## B. EUTHANASIA BY VETERINARIAN

If the officer and the permittee agree that euthanasia is required and determine that the licensed veterinarian on call is able to come to the accident site in a period of time that will not prolong excessive suffering by the animal, the permittee shall immediately summon the veterinarian to the accident site. Euthanasia shall then be permitted only when both of the following conditions are met:

1. The euthanasia is performed by a veterinarian licensed by the state of Wisconsin who concurs with the determination of the police department and the permittee that euthanasia is necessary.
2. The euthanasia is administered by painless lethal injection.

## C. EUTHANASIA BY OFFICER

An officer may euthanize a horse and surrey animal with close-range gunfire directed at the animal's brain under any of the following circumstances:

1. The officer and the permittee agree that euthanasia is required, but determine that the veterinarian cannot come to the accident site in a period of time that will not prolong excessive suffering by the animal.
2. The officer is unable to make contact with the permittee, and determines that, in order to prevent excessive suffering by the animal, the animal must be euthanized immediately.
3. The officer determines that the animal poses an immediate and serious threat to public safety.

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

- A. Members shall investigate all reported incidents of animal cruelty and instigating fights between animals as defined by [Wis. Stat. § 951](#) and [Milwaukee City Ordinance \(MCO\) 78](#).
- B. Members shall notify their shift commander regarding any felony investigation related to [Wis. Stat. § 951](#). Shift commanders shall then notify the Sensitive Crimes Division in accordance with SOP 700 Case Management.
- 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).
- D. Members shall complete the *Animal Cruelty / Fighting Supplementary Incident Report* (form PO-15AA) in all animal cruelty and instigating fights between animal investigations that result in a violation of [Wis. Stat. § 951](#) or [MCO 78](#).

**Note: If a member issues a citation, the member shall scan and PDF the *Animal Cruelty / Fighting Supplementary Incident Report* (form PO-15AA) and attach the form as a PDF attachment in the applicable TraCS citation. If the member issues a non TraCS municipal citation, the member shall attach a copy of the *Animal Cruelty / Fighting Supplementary Incident Report* to the citation.**

- 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.



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