

***Please Note:** This is a working draft of Directive 0631.70 Investigation of Animal Problems. The PPB has not implemented any portion of this draft. Submit your comments using the “Provide Feedback Here” link located at the end of the directive.

A redline copy of the updated directive is included in this attachment.

0631.70 Investigation of Animal Problems

Refer:

- ORS § 498.016 Taking Crippled or Helpless Wildlife
- DIR 0640.13 Drug Lab Procedures
- DIR 0870.40 Prisoners’ Animals
- DIR 0900.00 General Reporting Guidelines
- DIR 0905.00 Non-Force After Action Reporting
- DIR 1010.00 Use of Force

Policy:

1. This directive establishes guidelines the procedure for managing animal related calls.
2. Although the Portland Police Bureau receives calls to respond to animal problems, Multnomah County Animal Control (MCAC) is responsible for the investigation of all complaints regarding domestic animals and the enforcement of animal related laws. Issues concerning animal cruelty or managing protective custody of animals belonging to people in custody should be directed to MCAC. The Oregon Department of Fish and Wildlife (ODFW) is the managing agency for situations involving wildlife animals.

Procedure:

1. Member Responsibilities.
 - 1.1. For non-emergency situations, members will refer a complaint and/or problem regarding noisy, dangerous, loose, abandoned, sick, injured, and dead animals to MCAC. Police units will not be dispatched for situations involving barking dogs, dog bites where the animal is presently contained, cats on a roof, strays, loose livestock, etc., unless the animal is creating a hazardous condition.
 - 1.2. In situations involving non-domestic animals (e.g., deer, raccoons, etc.), members may contact ODFW for assistance.
 - 1.3. In emergency situations where an aggressive animal poses a threat to public safety, members will take appropriate action to deter or prevent the animal from doing immediate harm to a person(s) and, when time and circumstances permit, notify MCAC or ODFW or advise the Bureau of Emergency Communications (BOEC) dispatcher to notify either agency.
 - 1.4. Members will take appropriate action to save the life of an animal they reasonably believe is in danger (e.g., breaking a car window to extract an animal trapped in a hot car).
 - 1.5. Members may be called to respond to traffic accidents involving animals and in situations where an animal is injured or dead and is creating a traffic hazard. Upon

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arrival of MCAC, ODFW, or Oregon Department of Transportation personnel, members should remain at the scene to assist, if requested.

- 1.6. Members have the option of calling MCAC to take an prisoner’s animal belong to a person in custody into protective custody at the scene or impounding the animal and transporting it to the Central Precinct animal holding cage in accordance with Directive 0870.40, Prisoners’ Animals.
 - 1.6.1. In situations where MCAC is requested to take an animal belonging to someone in custody, members should request from the owner a name and contact information for someone who can pick up the animal if they are unable to. Members will then ensure that MCAC personnel are provided with the name and address of either the owner or the party designated by the owner for subsequent retrieval of the animal.
- 1.7. Members will not contact privately contracted animal retrieval companies directly. These companies provide after-hour response under contract with MCAC. However, members may refer individual pet owners to MCAC or these companies (if known) for services at the individual’s own expense.
2. Response to Vicious or Aggressive or Badly Injured Animals.
 - 2.1. Members encountering vicious or aggressive animals may use a bureau issued less lethal weapon to stop an animal under the following conditions:
 - 2.1.1. When the animal presents an immediate danger to the life or personal safety of the member or other persons.
 - 2.1.2. When the animal interferes with the safety of the members or the execution of a police function or completion of a mission.
 - 2.1.3. To secure an animal when no other means are feasible.
 - 2.2. Members may use their firearm to end the suffering of a badly injured animal and no other humane disposition is available.
 - 2.2.1. Members will exhaust all other practical means of containing or capturing a vicious or aggressive animal before discharging their firearm. If time allows, members will obtain permission from a supervisor.
3. Notification and Reporting.
 - 3.1. Members who use a less lethal weapon on or discharge their firearm at an aggressive or badly injured animal will notify their supervisor as soon as feasible and will complete an appropriate police report including their justification.
 - 3.2. Supervisors will review members’ use of less lethal weapons or firearms and complete an After Action in accordance with 0905. Non-Force After Action Reporting.

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- 3.3. Members who discharge a firearm at a vicious or aggressive animal or to end the suffering of a badly injured animal shall contact the Service Net to arrange for disposal of the animal.
 - 3.3.1. For disposal of domestic animal remains, members will request MCAC to respond.
 - 3.3.2. For disposal of wildlife animal remains, members will notify ODFW for the appropriate response and disposal in accordance with state Fish and Wildlife Commission regulations.
4. Warrant Service.
 - 4.1. Members will assist MCAC in warrant services when the animal control officer has knowledge of a potential problem and requests Bureau assistance to serve the warrant. Members will also assist if the animal control officer encounters a problem and immediate assistance is required.

[Provide Feedback Here](#)

DRAFT

0631.70 — Investigation of Animal Problems

Refer:

- [ORS § 498.016 Taking Crippled or Helpless Wildlife](#)
- DIR [0640.13 Drug Lab Procedures](#)
- DIR [0870.40 Prisoners' Animals](#)
- DIR [0904.00 ~~Field Reporting Handbook Instructions~~ General Reporting Guidelines](#)
- DIR [090540.00 ~~After Action Reports~~ Non-Force After Action Reporting](#)
- DIR 1010.00 Use of Force
- ~~ORS § 498.016 Taking Crippled or Helpless Wildlife~~

Policy:

1. ~~The purpose of t~~This directive ~~is to~~ establishes guidelines ~~for the~~ [procedure for managing handling of](#) animal related calls.
2. ~~While Although~~ the Portland Police Bureau receives calls to respond to animal problems, Multnomah County Animal Control (MCAC) is responsible for the investigation of all complaints regarding domestic animals and the enforcement of animal related laws. Issues concerning animal cruelty or managing protective custody of ~~prisoners'~~ animals [belonging to people in custody](#) should be directed to MCAC. ~~For situations involving wildlife animals,~~ [The Oregon Department of Fish and Wildlife \(ODFW\) is the managing agency for situations involving wildlife animals and will be notified to respond.](#)

Procedure:

1. Member Responsibilities.
 - 1.1. For non-emergency situations, members will refer a complaint and/or problem regarding noisy, dangerous, loose, abandoned, sick, injured, and dead animals to MCAC. Police units will not be dispatched for situations involving barking dogs, dog bites where the animal is presently contained, cats on a roof, strays, loose livestock, etc., unless the animal is creating a hazardous condition.
 - 1.2. In situations involving non-domestic animals (e.g., deer, raccoons, etc.), members may contact ODFW for assistance.
 - 1.3. In emergency situations where an aggressive animal poses a threat to public safety, members will take appropriate action to deter or prevent the animal from doing immediate harm to a person(s) and, when time and circumstances permit, notify MCAC or ODFW or advise the Bureau of Emergency Communications (BOEC) dispatcher to notify either agency.
 - 1.4. Members will take appropriate action to save the life of an animal they reasonably believe is in danger (e.g., breaking a car window to extract an animal trapped in a hot car).
 - 1.5. Members may be called to respond to traffic accidents involving animals and in situations where an animal is injured or dead and is creating a traffic hazard. -Upon

arrival of MCAC, ODFW, or ~~the~~ Oregon Department of Transportation personnel, members should remain at the scene to assist, if requested.

1.6. Members have the option of calling MCAC to take an prisoner's animal belong to a person in custody into protective custody at the scene or impounding the animal and transporting it to the Central Precinct animal holding cage in accordance with Directive 0870.40, Prisoners' Animals.

1.6.1. In situations where MCAC is requested to take an ~~prisoner's animal belonging to someone in custody into protective custody, at the scene~~, members should request from ~~the owner a prisoner~~ a name and contact information for someone who can pick up the animal if they are unable to. Members will then ensure that MCAC personnel are provided with the name and address of either the owner or the party designated by the owner for subsequent retrieval of the animal.

1.7. Members will not contact privately contracted animal retrieval companies directly. These companies provide after-hour response under contract with MCAC. However, members may refer individual pet owners to MCAC or these companies (if known) for services at the individual's own expense.

2. Response to Vicious or Aggressive or Badly Injured Animals.

~~2.1. Directive 1010.00, Use of Force, governs all uses of force, including force used on animals.~~

~~2.2.2.1.~~ Members encountering vicious or aggressive animals may use a bureau issued less lethal weapon- to stop an animal under the following conditions:

~~2.2.1.2.1.1.~~ When the animal presents an immediate danger to the life or personal safety of the member or other persons.

~~2.2.2.2.1.2.~~ When the animal interferes with the safety of the members or the execution of a police function or completion of a mission.

~~2.2.3.2.1.3.~~ When necessary to secure an animal. To secure an animal when no other means are feasible.

~~2.3.2.2.~~ Members may use their firearm to end the suffering of a badly injured animal and no other humane disposition is available.

~~2.4.0.2.2.1.~~ Members will exhaust all other practical means of containing or capturing a vicious or aggressive animal before discharging their firearm. If time allows, members will obtain permission from a supervisor.

3. Notification and Reporting.

~~3.1. Members who use a less lethal weapon on or discharge their firearm at an aggressive or badly injured animal will notify their supervisor as soon as feasible; and will complete an appropriate police report including their justification.~~

~~discharge their firearm at an aggressive animal or to end the suffering of a badly injured animal shall write an appropriate report, which will be reviewed by a supervisor in accordance with Directive 1010.00.~~

~~3.1.3.2. Supervisors will review members' use of less lethal weapons or firearms and complete an After Action in accordance with 0905. Non Force After Action Reporting. Members who use a less lethal weapon on an animal shall document the use of force in an appropriate police report in accordance with Directive 910.00, Field Reporting Handbook Instructions General Reporting Guidelines.~~

~~3.2.3.3. Members who discharge a firearm at a vicious or aggressive animal or to end the suffering of a badly injured animal shall contact the Service Net to arrange for disposal of the animal.~~

~~3.2.1.3.3.1. For disposal of domestic animal remains, members will request MCAC to respond.~~

~~3.2.2.3.3.2. For disposal of wildlife animal remains, members will notify ODFW for the appropriate response and disposal in accordance with state Fish and Wildlife Commission regulations.~~

4. Warrant Service.

4.1. Members will assist MCAC in warrant services when the animal control officer has knowledge of a potential problem and requests Bureau assistance to serve the warrant. Members will also assist if the animal control officer encounters a problem and immediate assistance is required.

History:

- ~~• Originating Directive Effective: 09/06/01~~
- ~~• Last Revision Effective: 06/06/17~~
- ~~• Next Review Date: 06/06/19~~

#1

COMPLETE

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Q1

Please provide feedback for this directive

Seems reasonable to me, in all respects.

Q2

Respondent skipped this question

Contact Information (optional - your name will be visible on PPB's website)

#2

COMPLETE

Collector: Web Link 1 (Web Link)
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Q1

Please provide feedback for this directive

PPB Officers and all LEO personnel need to be educated about wildlife and how they defend themselves. Not long ago, there was an instance of a Possum that had been shot and killed by an Officer because a citizen reported it was dying and had rabies. Possums do not carry rabies and are 99.9% immune to the virus. Possums "play dead" and spew a greenish liquid to ward off predators. Hence the term "playing possum". They are not sick or dying! PLEASE don't shoot Possums. We need them for cleanup of our environment in regards to rodents, slugs, etc. Most native Oregonians know this, but with all the "transplants" coming in, I believe education of our Officers and them educating the public will help save our only true North American marsupial. This may be a small thing, but I believe it's important. Thank you for reading.

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name **Teresa Colton**

#3

COMPLETE

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Started: Friday, May 27, 2022 2:27:50 PM
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Q1

Please provide feedback for this directive

COMMENTS on Police Violence Against Animals Directive, May 2022

To Chief Lovell, Inspector Buckley, Lieutenant Morgan, PPB Policy Analysts, Compliance Officer/Community Liaison Team, Community Oversight Advisory Board staff, US Dept. of Justice, Citizen Review Committee and the Portland Police Bureau:

Below are Portland Copwatch's comments on the "Investigation of Animal Problems" Directive posted for review in May . We refer to this as the "police violence against animals" policy because most of the guidelines for officers directly engaging with animals involve use of force.

Our comments are updated from the previous review of this Directive in June 2016, almost six years ago.

It is difficult to know why this policy has come up for review at this time. As noted before, we believe the Bureau should indicate the reason for review and any changes it is considering making, particularly because the First Universal Review only applies to an existing Directive. The short windows given to review Directives was commented on by the Chair of the Citizen Review Committee at the May 23 meeting of the Police Accountability Commission and we once again urge the PPB to think about how to genuinely engage its advisory boards in crafting policy.

While there are no Definitions in this Directive, PCW continues to urge the Bureau to put letters or numbers on the major sections ("Refer," "Policy," "Procedure") to make it easier to understand what people are referring to when commenting, filing a complaint or investigating police activity. Our comments are on the Procedure section unless otherwise noted.

DIRECTIVE 631.70 INVESTIGATION OF ANIMAL PROBLEMS

In June, 2017, the PPB released a version of this Directive which included substantial rewrites to the 2016 draft. Portland Copwatch (PCW) has noted that the Bureau removed references to "destruction" of animals as per our suggestion; we thank the Bureau for that change. We also appreciate that a reference to animals who destroy property has been removed.

As we wrote in 2016: "In general, this Directive guides the police to defer to Multnomah County Animal Control for most concerns about domestic animals. Since that agency is not one that we study, we have no direct comment on that concept at this time."

The police are directed to respond if there is an "aggressive animal" posing a threat to people (1.3), if an animal is in danger (such as locked in a hot car--1.4), if there has been a traffic accident (1.5) or when a person who has an animal is taken into custody (3.1--here such a person is called a "prisoner"; perhaps "detainee" or "arrestee" is more appropriate as the PPB generally doesn't take people directly to prison).

Lack of Oversight: We previously complimented the Bureau for a section in this Directive requiring a Supervisor to write an After Action Report, recognizing that using force/deadly force on a non-human animal is a serious matter. That requirement-- and a reference to the After Action Report Directive-- has been removed. After Action Reports should be required and forwarded to Professional Standards, the Independent Police Review, and if appropriate the Police Review Board.

De-Escalation Should Come First: While the policy has added the ability for officers to use "less lethal" weapons before considering using firearms, the caution to "exhaust all other practical means of containing or capturing the animal" (Section 2.4) should be the first item under the section titled "Response to Vicious or Aggressive or Badly Injured Animals" in order to emphasize de-escalation. Directive 1010.00, which is referenced in Section 2.1, begins with de-escalation.

Specific De-Escalation Ideas: We repeat our previous comment urging the Bureau to list actions officers can take other than using force, such as retreat, containment, and allowing an animal's owner who's not posing a threat to officers to calm the animal down.

0631.70 Directive Feedback (1UR)

Emphasize Caution on "Less Lethals": The term "less lethal" is used because these weapons are capable of causing death in some circumstances. We wrote in our previous comments about a dog who was hit by a Taser in 2005 and died of "circulatory collapse" after an officer zapped it multiple times (Willamette Week, July 13, 2005). Possible harm by these electroshock weapons, as well as areas of the body to aim for unlikely to cause serious injury or death, should be added.

Clarify Who Gets to Call: We wrote about what is now Section 1.7: "It should be made clear whether section [1.7] which tells officers to refer pet owners to privately contracted retrieval companies if Animal Control is not open for business is about community members in general, prisoners, or both."

Remembering Chief O'Dea: Finally, this reference is now dated, but what's now Section 1.2 directs officers to contact the Oregon Department of Fish and Wildlife for non-domestic animals. We asked for the Bureau to add a restriction against officers using firearms to shoot at ground squirrels or at their hunting buddies, especially if members have consumed alcohol.

CONCLUSION

We're glad to have the opportunity to offer our comments to the Bureau. As we have said before, receiving feedback on why certain suggestions are or are not incorporated will help build community trust, particularly if such feedback is presented to public bodies such as the Portland Committee on Community Engaged Policing. Communication is key to building trust.

--dan handelman and other members of
--Portland Copwatch

Q2

Contact Information (optional - your name will be visible on PPB's website)

Name

Portland Copwatch
