



**Policy Number: 802 – Animal Control**  
**Effective Date: February 4, 2021**  
**Revision Date: February 4, 2021**  
**Approved By: Brandon Gatlin, Interim Chief of Police**

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## **802.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish guidelines for the Montana State University Billings Police Department (Department) when interacting with animals and responding to calls for service that involve animals.

## **802.2 POLICY**

It is the policy of this Department 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.

## **802.3 MEMBER RESPONSIBILITIES**

Officers 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. Assistance with animal-related calls for service can be attained from the City of Billings Animal Control Office through City/County Dispatch.

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

1. There is a threat to public safety.
2. An animal has bitten someone. Officers should take measures to confine the animal and prevent further injury.
3. An animal is creating a traffic hazard.
4. An animal is seriously injured.
5. The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the officer should find appropriate placement for the animal.
  - a. 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 care for the animal.
  - b. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
  - c. If no person can be found, or the owner does not or cannot give consent, the animal should be taken to an appropriate animal care facility.

## **802.4 ANIMAL CRUELTY COMPLAINTS**

Laws related to cruelty to animals should be enforced, including but not limited to, animal cruelty and aggravated animal cruelty (§ 45-8-211, MCA; § 45-8-217, MCA), and causing animals to fight (§ 45-8-210, MCA).

The following actions should be taken when officers respond to these complaints:

1. An investigation should be conducted on all reports of animal cruelty.
2. Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.

## **802.5 ANIMAL BITE REPORTS**

Officers investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Officers should attempt to identify and notify the owner of the final disposition of the animal.

## **802.6 STRAY DOGS**

If the dog has a license or can otherwise be identified, the owner should be contacted. 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 an appropriate animal care facility.

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

## **802.7 DANGEROUS ANIMALS**

In the event responding officers cannot fulfill a request for service because an animal is difficult to handle or dangerous, the officer will contact the appropriate resources, including requesting the assistance of City of Billings Animal Control Officers or Fish Wildlife and Parks.

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

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

## **802.9 DECEASED ANIMALS**

When an officer becomes aware of a deceased animal, all reasonable attempts should be made to determine if the death is related to criminal activity. Deceased animals on public property should be removed and properly disposed of by the responding officer.

### **802.10 INJURED ANIMALS**

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

### **802.11 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 incident will be properly documented in the Department's Automated Records Management System (ARMS).