OFFICE OF THE CHIEF OF POLICE

NOTICE
1.14

April 26, 2023

TO: All Department Personnel

FROM: Chief of Police

SUBJECT: ANIMAL CRUELTY INVESTIGATIONS; CARE OF ANIMALS, OWNER ARRESTED; AND, FOUND ANIMALS – REMINDER

The purpose of this Notice is to remind Department personnel of the responsibilities and procedures when conducting animal cruelty investigations and when seizing animals.

Animal Cruelty – Defined. Animal cruelty is defined as, "Any malicious and intentional maiming, mutilating, torturing, wounding or malicious killing of an animal." Examples include shooting, stabbing, poisoning, torture, severe blunt force trauma resulting in injury/death and blood sport (e.g., cock and dog fighting).

Geographic Area detectives will investigate all felony and misdemeanor cases involving injury or death of animals. The crime of animal cruelty is injury specific. For animal cruelty to occur (felony or misdemeanor), the injury must be verified by a licensed veterinarian.

Crimes involving cruelty to animals fall under the legal category of crimes against property. Cruelty to animals is covered by Penal Code Section 597, which generally makes such conduct a misdemeanor. However, it can be a felony to maliciously maim, wound, torture, or mutilate a living animal. Department personnel shall contact the Los Angeles Animal Services (LAAS) for any animal in need of immediate medical treatment and be guided by their advice. The LAAS may, at their direction, authorize an approved veterinarian to provide medical care during off-hours. The Bureau of Sanitation, Refuse Collection, can be contacted through the Department Operations Center (DOC) for dead animal pick up in cases where there is no evidence that a crime occurred.

Procedures. When conducting an investigation involving injury or death to a domesticated privately-owned animal, Department personnel shall:

- Refer to the Animal Cruelty Investigation – Field Notebook Divider, Form 18.48.00, for assistance in conducting a thorough animal cruelty investigation;
- Conduct the preliminary investigation;
- Determine if the elements of the crime have been established;
- Protect the scene and locate items which could identify the suspect or show how the crime was committed;
- Locate and identify witnesses;
- Secure evidence (e.g., instruments of the crime);

- Document the crime scene [(i.e., photographs – to be taken of the crime scene by Area personnel, or by a Forensic Science Division (FSD) photographer, as appropriate)];

  Note: In accordance with existing procedures for processing crime scene photographs taken by FSD Photographic Section, the reporting officer shall enter the photographer's name and serial number in the "Notifications" box, and the FSD Photographic Section Control Number (i.e., "D" number) in the "Connected Reports" box of the Investigative Report. Once a DR number has been obtained, the reporting officer shall advise FSD Photographic Section of the DR number so that it may be referenced on the D form.

- Complete an Investigative Report (IR), Form 03.01.00 [enter the applicable titles (e.g., Animal Cruelty, Animal Neglect, Bestiality, Cock Fighting, Dog Fighting, or Animal Sacrifice)];
- Notify LAAS through the DOC to seize live/dead animal evidence;
- Advise the LAAS Animal Control Officer if the animal will be held for evidence and/or will need medical treatment, and request LAAS to provide the medical reports for the criminal investigation; and,

  Note: Department personnel should not direct the LAAS Animal Control Officer/Staff to refrain from making contact with a seized live or dead animal.

- Ensure that the crime scene photographs are attached to the IR and submitted to the concerned Area Records Unit.

Care of Animals; Owner Arrested. When a person, having an animal in their possession is arrested, the arresting officer shall, if unable to make any other arrangements for its care:

- Deliver the animal to the nearest LAAS shelter and obtain completed copies of the Animal Relinquishment and Impound Record, Form 30, from the shelter employee; and,

  Note: When an animal is to be held as evidence, the shelter employee shall be notified and a "Hold for Evidence" entry shall be made on the Form 30 by the shelter employee.

- Place one copy of the Animal Relinquishment and Impound Record, Form 30, with the arrestee's personal property, and attach the remaining copy to the Arrest Report.

Found Animals. Department personnel receiving information regarding a found and/or abandoned animal shall, without delay, notify the LAAS to take possession of the animal. Department personnel shall not maintain or assume ownership of a found and/or abandoned animal, nor shall they solicit or otherwise compel the owner and/or custodian to surrender their animal rights to the Department.

> **Note:** Department personnel shall provide LAAS a specific reason for the impoundment or seizure of the animal. If the animal was involved in an officer-involved shooting by Department personnel and there is no animal owner, specific instructions shall be given by Force Investigation Division to LAAS regarding the disposition of the body and/or evidence recovered, such as a spent round(s) removed by LAAS.

Department personnel shall not request/cause any rescue group and/or any private party to assume care and control of a found animal. The LAAS has sole responsibility and authority to accept and assume care and control of a found and/or abandoned animal and shall be contacted in those instances.

Found and/or abandoned animals shall be treated as found property and released to the custody of LAAS. The LAAS has primary responsibility to take custody of the animal, locate the legal owner, and seek the relinquishment of ownership, if appropriate. Many animals are microchipped with the legal owner's contact information. The LAAS has the equipment to obtain ownership information from microchips. Department personnel shall not, under any circumstances, maintain personal custody of a found animal beyond the time needed for LAAS response.

Various reference materials regarding Animal Cruelty Investigations (such as guides, exemplars, intake checklist, and notebook dividers, Form 18.48.00) are located in the "Misc" folder of the "Notices & Directives" tab in the Virtual Library of the Local Area Network (LAN).

If you have any further questions or require additional information, please contact your Geographic Area, Detective Burglary Section.

MICHEL R. MOORE
Chief of Police

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