



Inside Ag *December 5, 2007*

Protecting Colorado's Animals

CDA's Bureau of Animal Protection (BAP) has the authority to enforce Colorado's animal cruelty and neglect, animal fighting, and dangerous dog statutes. The bureau currently has about 140 agents in 25 of 65 counties of the state to investigate an average of 10,000 cases per year. The BAP investigates about 7,000 cases involving dogs and approximately 1,200 equine related cases annually.

Individual departments involved in these cases have their own policies concerning the investigative process. However, the Bureau of Animal Protection generally urges their agents to educate animal owners first. When an agency receives a cruelty or neglect complaint from the public the agent tries to make contact with the animal owner and see the animal in question to verify if the complaint is indeed legitimate.

Assuming the complaint is legitimate, the owner may get a verbal or written warning indicating what needs to be done to address the issue. Owners are usually given a deadline for compliance dependant on the urgency of the situation. This time frame can range from immediately to weeks or months. The agent will then progress in increments and monitor the animal(s) progression until the case is closed. If the owner is unwilling, or somehow unable to care for the animal in accordance to state statute within a reasonable period of time, the agent can serve a summons.

If the animal's wellbeing is endangered if it remains with the owner, the BAP agent can then contact state BAP staff, obtain a search warrant and impound the animal(s) to get them the needed care or provisions. In the case of an urgent situation, a BAP agent has statutory authority to impound on the spot. Cases where this authority is utilized is exclusively reserved for situations where the animal is likely to die if immediate action is not taken.

Any BAP agent that impounds and bonds an animal is required to notify the Colorado Department of Agriculture first. After review by the Bureau, the CDA can advise the agent to proceed or advise not to impound. The purpose of this rule is to protect people, especially agricultural producers from an unreasonable seizure. Animal control officers may or may not be well versed in what is acceptable animal husbandry in a given area of farm animal production.

The following examples are situations where the Colorado Department of Agriculture may advise against impounding animals. The ultimate decision however, is up to the investigating agency:

- An outbreak of untreated strangles (equine distemper) within an equine facility.
- An infected wound or common disease treated by the owner without veterinary oversight.
- An animal who's owner wants to euthanize it himself for any given reason

The Bureau of Animal Protection gives sheriff's departments, municipal police departments, and some local nonprofit corporations the tools they need to enforce the animal cruelty laws of Colorado.

BAP agents go through an application process in order to become commissioned. Applicants must first satisfy a number of prerequisites and list their qualifications on the application. All applications are reviewed by the Bureau Chief, then by the Program Administrator. After review, copies of the applications are mailed to all members of the Agriculture Commission, which is an independent entity, that reviews the applications. Each commission member is appointed by the Governor and has agriculture interests in their respective region of the state at heart. The Agriculture Commission meets several times a year to visit about issues important to the agricultural industry as well as cast their respective up or down vote on each BAP applicant. The process is complete at that point and successful applicants thereby have the authority needed to investigate issues and enforce certain state laws. New agents receive a commission card with their personal information and commission number.

The Bureau of Animal Protection also offers their agents expertise and logistical help in the way of veterinary opinions from a full staff of state veterinarians as well as trucks, trailers, or portable corrals to assist in getting animal out of unsafe situation. These resources and authority along with impressive interagency cooperation is the backbone to making a difference in how animals in Colorado enjoy a higher standard of life as a result of over 10,000 investigations annually. A wonderful value for tax dollars without a tax increase!

Questions or comments?

Contact:
Scot Dutcher
Chief, Bureau of Animal Protection
Colorado Department of Agriculture
303-239-4163
Or
scot.dutcher@ag.state.co.us