

Animal ELIX Reporting

A Resource Guide for the Veterinary Professional

Animal Cruelty Laws in Washington

Washington law prohibits the following as animal cruelty:

- Intentionally (a) inflicting substantial pain on, (b) causing physical injury to, or (c) killing an animal by a means causing undue suffering, or forcing a minor to inflict unnecessary pain, injury, or death on an animal.
- Knowingly engaging in sexual conduct or contact with an animal or activities related to such behavior (photographs/films, organizes, participates as an observer, allows on premises, etc.).
- Knowingly, recklessly, or with criminal negligence inflicting unnecessary suffering or pain upon an animal including:
 - o Failure to provide necessary shelter, rest, sanitation, space, or medical attention resulting in unnecessary or unjustifiable physical pain to the animal;
 - o Abandonment resulting in bodily harm or imminent and substantial risk of substantial bodily harm to the animal
- Animal fighting of dogs or male chickens, including spectating or other co-conspiring activities.
- Using dogs or cats as bait.
- Intentionally poisoning an animal (not including euthanasia by an animal's owner, authorized agent or public official in a humane manner or reasonable use of rodenticides, insecticides, slug bait, etc., for their intended purposes).
- Transporting or accepting delivery of non-ambulatory livestock.
- Public abandonment of old, maimed or diseased domestic animals.
- Cutting off more than half the ear of any domestic animal except as a customary husbandry practice; tail docking in horses; use of hook to pierce flesh or mouth of any bird/mammal (misdemeanors).
- Certain dog breeding and keeping practices as set forth in RCW 16.52.310.
- Transporting animals on the running board, fenders, hood, or other outside part of any vehicle unless suitable harness, cage or enclosure is provided as set forth in RCW 46.61.660.

RCW 16.52 contains current Washington laws concerning animal cruelty and may be accessed at <http://apps.leg.wa.gov/RCW/default.aspx?cite=16.52>. Local jurisdictions may have additional laws governing animal cruelty.

Responding to Animal Cruelty

- Do not compromise timely treatment of the animal. Provide at least minimal treatment to alleviate the suffering of an animal presented in the absence of the animal's owner or agent.
- Maintain independent exercise of professional judgment and skills.
- Keep daily written records of animals in accordance with Washington Administrative Code (WAC) 246-933-320(7) and include the following information under the regulation and additionally:
 - o The client's explanation of the animal's condition.
 - o To whom you reported animal cruelty and when, including their response. What you reported (documentation of your statements) in reporting animal cruelty – notes of any oral statements and copy of any written statements provided.
See below.
 - o Photographs and/or video recordings can provide useful documentation, as do radiographs and test results. Identify in medical record by photographer, date and time.
- Owner consent should be obtained prior to performing treatment or diagnostics and documented. Special consent is not required simply because you suspect animal cruelty; proceed as usual to obtain consent. If you perceive an emergency situation, you may report as below, and the law enforcement may immediately investigate. The veterinarian may provide the minimal emergency treatment reasonably necessary to alleviate the suffering of the animal in the event consent cannot be obtained from the owner or the owner's agent.
- Veterinary records may be released to authorities investigating animal cruelty.
- In an emergency: Call 911 when the safety of individuals is at risk, including yourself or your staff.
- Call local law enforcement. Ask local law enforcement to direct you if you are unclear about animal cruelty protocols in your county. You may be directed to animal control in the many counties where it exists. Ask: "To whom should I speak in your agency? Or do I need to call a different agency/number?"
- Provide a clear, concise report:

Reporting Animal Cruelty

Phone Numbers

Police _____

Animal Control _____

Humane Society _____

- o Reason you are calling;
- o Name of owner/agent (if known), description of animal;
- o Verbal account of injury;
- o Written follow up as requested; and
- o Your name and contact information. (Anonymity cannot be expected when reporting suspected abuse or neglect.)
- Currently, Washington State veterinarians are not protected from civil or criminal liability for reporting in good faith real or suspected animal abuse or neglect by either the Revised Code of Washington (RCW) or the Washington Administrative Code (WAC). Washington State law does not require veterinarians to report cases of animal cruelty (abuse or neglect).
- Veterinarians report suspected cruelty, but it is up to law enforcement and the courts to investigate and make a legal determination of animal cruelty. It's important to note, however, that law enforcement in most animal cruelty cases is not compelled to investigate and county and municipal prosecutors may not pursue cases even if there is a competent law enforcement investigation.



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