

DEALING WITH STRAYS AND DOG WARDENS

Dogs are property, and the law imposes rather strict rules regarding ownership and possession of property. A stray dog, therefore, is not "up for grabs" but is subject, in most states, to some quite specific laws. Rescue groups should be aware of the laws in their area and be careful to comply with them.

Any stray that is brought to your attention should be reported to the appropriate authority: variously called the Dog Control Officer, Dog Warden, Dog Catcher, or something similar. We'll use Dog Warden here. Sometimes, the law requires you to also report to the local shelter, to take an ad in the paper or some other step.

In some jurisdictions, the Dog Warden has the ****obligation**** to take in all strays. If that is the case, don't try to dispute this duty but understand that it is a duty. In other jurisdictions, they will have the ****responsibility**** for strays but may not be required (or able) to physically take them in. In these areas, if the stray is a Golden your group would like to take in, you may be able to hold the dog during the mandatory waiting period.

In most, quite possibly all, jurisdictions, there is a mandatory waiting period (ranging from 24 hours to 2 weeks) before a dog is legally declared abandoned and can be "disposed of" in some fashion. Know what that period is in your community and -- no matter what, even if the Dog Warden says you can -- do not adopt out the dog until that time period has passed. This saves everyone a lot of headache, and sometimes heartache, in the rare instances when an owner belatedly appears. In most states, the dog should not be spayed or neutered during this waiting period, except for serious medical reasons.

Once the waiting period has expired, it is again the law of your jurisdiction that determines what can happen. In some places, the authorities have the obligation to destroy any unclaimed dogs but ****may**** adopt them out or turn them over to rescue. In others, they may have the obligation to adopt out or transfer ownership unless they establish that the dog cannot be adopted or should not be adopted (serious aggression, serious illness, etc.) Again, learn what the law requires in your jurisdiction.

How do you find out?

****** There are statutes and regulations that a lawyer, hopefully a volunteer one, can research and explain to you.

****** There are probably publications put out by your locality, your state Dept. of Agriculture, or your local shelter.

Certainly you should get what information you can from sources such as these, but consider also simply making person-to-person contact your local Dog Warden. Tell him (or her) that you want to learn what the local law is, that you want to know how best to comply with it, and that you want him to know about your organization so that perhaps you can work together. Let him know that sometimes rescue is the first one to learn about a stray dog and ask him how your group can responsibly respond to such a report. Does he want you to stay "hands off" and just tell the person they have to report the dog to him? Does he want you to

get certain information and call him yourself to make sure he learns of it? If it's a dog your group would take in, does he want you to take it and then work with him during the mandatory waiting period?

The Dog Warden may not be able to do things the way you would like them done, but knowledge about what he must, or will, do will put you in a better position ... and respect for what his duties and obligations are will go a long way toward establishing a credible relationship with him, thereby helping you best serve the Goldens (and other dogs) who become strays in your community.

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