

## Chapter ATCP 15

### HUMANE OFFICER TRAINING AND CERTIFICATION

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**ATCP 15.01 Definitions.** In this chapter:

- (1) "Department" means the Wisconsin department of agriculture, trade and consumer protection.
- (2) "Humane officer" means a person appointed under s. 173.03, Stats., to exercise powers or carry out duties identified under s. 173.07, Stats.
- (3) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c), Stats.
- (4) "Political subdivision" has the meaning given in s. 173.01 (3), Stats.
- (5) "Veterinarian" means a person licensed under ch. 453, Stats.

**History:** Cr. Register, November, 1999, No. 527, eff. 12-1-99.

**ATCP 15.02 Initial certification.** (1) **CERTIFICATION REQUIRED.** No person may serve as a humane officer unless the department certifies that person within one year after the person is appointed or by December 1, 2000, whichever is later.

**Note:** Subsection (1) does not require a law enforcement officer to be appointed or certified as a humane officer in order to enforce laws related to animals. But if a law enforcement officer or other person is appointed as a humane officer under s. 173.03, Stats., he or she must be certified as a humane officer.

(2) **CERTIFICATION STEPS.** A person who wishes to be certified as a humane officer shall do all the following:

- (a) Complete the initial training program under s. ATCP 15.06, if required.
- (b) Pass the examination required under s. ATCP 15.08.
- (c) Submit an application as provided in sub. (3).

(3) **APPLICATION FORM.** A person applying for certification under sub. (1) shall submit an application on a form provided by the department. The application shall include all the following:

- (a) The applicant's name, address and telephone number.
- (b) The identity of the applicant's employer if the applicant is currently employed as a humane officer.
- (c) The date on which the applicant passed the examination required under s. ATCP 15.08.
- (d) A fee of \$25.

**Note:** You may obtain a certification application form from the department at the following address:

Wisconsin Department of Agriculture, Trade and Consumer Protection, Animal Health Division, P. O. Box 8911, Madison, WI 53708-8911, Phone (608) 224-4872

(4) **ACTION ON CERTIFICATION APPLICATION.** The department shall grant or deny a certification application within 30 days after the department receives a complete application under sub. (3).

**History:** Cr. Register, November, 1999, No. 527, eff. 12-1-99.

**ATCP 15.04 Continuing certification.** (1) **CERTIFICATION EXPIRATION.** A humane officer's certification expires on December 31 of each odd-numbered year. A humane officer who fails to renew his or her certification may not continue to serve as a humane officer.

(2) **CERTIFICATION RENEWAL.** A humane officer may apply to renew his or her certification using a form provided by the department. A renewal application shall include all the following:

- (a) The applicant's name, address and telephone number.

(b) The identity of the applicant's employer, if the applicant is currently employed as a humane officer.

(c) A renewal fee of \$25.

(d) Information showing that the applicant has satisfied the continuing education requirement under sub. (3). The application shall include the following information related to each continuing education program attended:

- 1. The program title and sponsor.
- 2. The program dates.
- 3. The program instructors.
- 4. The number of hours of instruction time attended.
- 5. A program description provided by the program sponsor.

Alternatively, the applicant may describe the program and explain why it is relevant to his or her duties as a humane officer.

**Note:** You may obtain a renewal application form from the department at the following address:

Wisconsin Department of Agriculture, Trade and Consumer Protection, Animal Health Division, P. O. Box 8911, Madison, WI 53708-8911, Phone (608) 224-4872

(3) **CONTINUING EDUCATION REQUIRED.** (a) A humane officer shall complete 32 hours of continuing education during each biennium for which the humane officer is certified. This requirement does not apply during the biennium for which the humane officer is initially certified.

(b) Continuing education programs need not be pre-approved by the department. The department may refuse to accept a continuing education program in fulfillment of the requirement under par. (a) if the department finds that the program is unrelated to humane officer duties.

**History:** Cr. Register, November, 1999, No. 527, eff. 12-1-99.

**ATCP 15.06 Initial training.** (1) **TRAINING REQUIRED.** Except as provided in sub. (2), a person shall complete an initial training program before taking the examination under s. ATCP 15.08.

(2) **TRAINING EXEMPTIONS.** Subsection (1) does not apply to any of the following persons, unless that person has previously failed an examination under s. ATCP 15.08:

- (a) A person employed as a humane officer in Wisconsin before December 1, 1999.
- (b) A veterinarian.
- (c) A person who has served as a humane officer in another state.

(3) **TRAINING PROGRAM: GENERAL.** The department shall sponsor the initial training program under sub. (1) or shall pre-approve that training program in accordance with sub. (6). The training program shall include animal husbandry and care training under sub. (4) and legal and investigative training under sub. (5). The department may charge a fee to cover the cost of a training program which it sponsors.

(4) **ANIMAL HUSBANDRY AND CARE TRAINING.** (a) An initial training program shall include at least 16 hours of animal husbandry and care training. This shall include all the following:

- 1. At least 10 hours of training related to farm animals. A portion of the training shall be on-site practical training at a farm location.

2. At least 4 hours of training related to domestic non-farm animals.

3. At least 2 hours of training related to exotic animals, pet stores, animal collectors or other relevant animal care issues.

(b) The training required under par. (a) shall include topics such as the following:

1. Common animal husbandry practices.
2. Nutrition and health basics, including body conditioning scoring.
3. Facilities and biosecurity.
4. Animal behavior, personal and animal safety, and animal handling and related equipment.

**(5) LEGAL AND INVESTIGATIVE TRAINING.** An initial training program shall include at least 24 hours of legal and investigative training, including all the following:

(a) At least 4 hours of training related to the legal system, the role of the animal cruelty investigator, Wisconsin laws related to animals, and other applicable laws.

(b) At least 4 hours of training related to the rules of evidence, and the collection and preservation of evidence.

(c) At least 4 hours of training related to interview and interrogation techniques, investigative stages and courtroom testimony.

(d) At least 4 hours of training related to search and seizure, and photographing, video taping or sketching the investigation scene.

(e) At least 4 hours of training related to report writing.

(f) At least 4 hours of training related to crisis intervention, humane officer safety and civil liability.

**(6) TRAINING PROGRAMS; APPROVAL.** (a) The department may approve an initial training program at the request of the program sponsor. The sponsor shall submit the request in writing and shall include all the following:

1. A detailed program outline showing the topics covered, the number of hours devoted to each topic, and the content of each topic.

2. The identity and credentials of the program instructors.

3. The training locations, including the location of any on-site farm training.

4. A copy of the certificate the sponsor will present to persons who successfully complete the course, and the name of each person authorized to sign the certificate on behalf of the sponsor.

(b) The department shall approve or disapprove an initial training program within 30 days after it receives all of the information under par. (a). The department shall disapprove a training program that fails to comply with applicable requirements under this section.

**History:** Cr. Register, November, 1999, No. 527, eff. 12-1-99.

**ATCP 15.08 Initial examination. (1) EXAM REQUIRED.** The department may not certify any person as a humane officer

unless that person passes an examination administered by the department. No examination is required for the timely renewal of an existing certification.

**(2) APPLYING TO TAKE EXAM.** A person may apply to the department to take an examination under sub. (1). The person shall apply on a form provided by the department and shall include all the following:

(a) The person's name, address and telephone number.

(b) A \$25 examination fee.

(c) The dates, if any, on which the person has previously taken the examination.

(d) Documentation required under sub. (3).

**Note:** You may obtain an exam application form from the department at the following address:

Wisconsin Department of Agriculture, Trade and Consumer Protection, Animal Health Division, P. O. Box 8911, Madison, WI 53708-8911, Phone (608) 224-4872

**(3) EXAM ELIGIBILITY.** A person applying to take an examination under sub. (2) shall document in writing one of the following:

(a) That the person has completed the initial training required under s. ATCP 15.06 (1). The person shall include the title and sponsor of the initial training program, and the dates on which the person attended the initial training program.

(b) That the person qualifies for the training exemption under s. ATCP 15.06 (2).

**(4) EXAM CONTENTS.** An examination under sub. (1) shall test knowledge in all the following areas:

(a) Animal husbandry and care practices.

(b) Applicable laws and investigative procedures.

**(5) PASSING SCORE.** To pass an examination under sub. (1), a person shall achieve a passing score on each exam portion identified in sub. (4).

**(6) RETAKING EXAMINATION.** (a) A person initially exempt from training under s. ATCP 15.06 (2) may not retake an examination under sub. (1) unless that person first completes the initial training program under s. ATCP 15.06.

(b) A person who twice fails an examination under sub. (1) may not retake it.

**History:** Cr. Register, November, 1999, No. 527, eff. 12-1-99.

**ATCP 15.10 Humane officer appointment or termination; report.** A political subdivision shall notify the department in writing whenever the political subdivision appoints or terminates a humane officer. The political subdivision shall give the notice within 30 days after the appointment or termination occurs. The notice shall include all the following:

**(1)** The identity of the political subdivision.

**(2)** The name and address of the humane officer.

**(3)** The humane officer's certification number if the humane officer is currently certified under this chapter.

**(4)** The date of the appointment or termination.

**History:** Cr. Register, November, 1999, No. 527, eff. 12-1-99.