



# Investigation, Seizure & Surrender Policy

Effective Date: 1/1/2011  
Last Modified: 03/20/2014

## POLICY

Gentle Spirit Horses Rescue & Sanctuary, Inc.'s (GSH) policy is to work with law enforcement agencies to seize (remove) horses and other equines from neglectful or abusive owners.

It is the policy of GSH to provide respectful and compassionate communication with owners during any investigation of neglect, and to allow law enforcement to handle the legal aspect. GSH's role in a neglect/abuse investigation, seizure or surrender is to provide care for the equines, and to encourage owners to surrender the equine to GSH to avoid a long period of uncertainty for the equines, and to allow placement into suitable homes on an expedited timeline.

## PROCEDURE

GSH has no legal standing to investigate or seize horses from owners. However, GSH will assist individuals in the proper procedures for reporting abuse or neglect to the legal authorities. All suspected abuse or neglect should be reported to the local authorities by an eyewitness to the abuse or neglect.

Upon request of law enforcement, GSH volunteers will assist in the investigation, seizure of neglected or abused equines pending trial as needed. This assistance includes, but is not limited to:

- Physically visiting the property with law enforcement to assess the situation and provide expertise;
- Agreeing to supervise and educate the owners so they can improve the condition of the equines;
- Assisting during seizure, including but not limited to catching/penning horses, cataloging and documenting the condition of the horses on seizure, loading and trailering the equines, working with vets and farriers on site, and public relations
- Assist in taking possession and caring for the equines until the court date. Law Enforcement and GSH will work together to find a short-term holding area if space is not available at a GSH location or in the foster home network.

- Assisting with fundraising efforts to provide care for the seized equines
- Provide medical care and assist in providing veterinary services as needed
- Maintain written documentation of care provided and changes in the condition of the equine
- Providing testimony through affidavits or attendance in court of the circumstances and conditions leading up to seizure, and the care of the equines post-seizure

GSH will maintain an itemized account of all costs incurred and donations received while assisting with the investigation of a neglect or abuse report, during the seizure, while holding the equines, and while preparing for court.

Minimum costs for seizure:

- Catching/loading/trailering: \$50 per equine
- Board: \$10/day or actual cost incurred if paid to a third party
- Fuel or mileage at \$.56/mile
- Halter & Lead Rope: \$25/horse
- Farrier: \$40/trim or actual cost incurred

All other cost such as supplies for seizure, medical supplies, parasite control, professional services (veterinarians, expert testimony), shall be documented and reimbursed at the actual cost incurred.

If the court remands custody of the equines to GSH or if custody is remanded to animal control authorities who turn custody of the equines over to GSH or if the equines' owners surrender the equines to GSH, then GSH agrees to:

- Waive all fees incurred by GSH on behalf of the equines to date unless the courts decide to order the horses' owners to pay restitution as provided by the law.
- Assume all financial support of the equines from that date forward
- Rehabilitate the equines and/or place the equines into approved adoptive homes that are capable of providing rehabilitation.
- Place the equines in approved adoptive home.
- Provide follow up to insure that the equines have been placed into homes that provide proper care.

If the equines are awarded to another non-profit organization, sent to auction, given back to the owners, or ordered euthanized, the county will pay all costs associated with the seizure and care of the horses within 60 days of the final disposition of the equines.