Legal Framework for Disaster Planning for Animals in Illinois

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I. Emergency Planning for Animals – Introduction

On August 29, 2005, as Hurricane Katrina was ravaging the Mississippi delta, Shalanda Augillard, an employee of FedEx in New Orleans, was required by her employer to stay at the New Orleans airport and supervise the delivery of emergency supplies. Augillard v. Madura, 257 S.W.3d 494 (Ct. App. Tx, 2008). She left her nearly nine year old cocker spaniel, named Jazz, with her mother. Unfortunately, however, Augillard’s mother was evacuated from her home by the National Guard, and the rescuers forbade her from bringing Jazz with them. She left Jazz on the second floor of the home with about two weeks worth of food and water. Augillard was one of the first citizens allowed to return to the city after the storm had passed, but when she arrived at her mother’s house she found the door kicked in and Jazz missing. Augillard began a search for her dog; she contacted shelters, pet registries, and recovery organizations, and finally she saw on a website called PawMatch.com a picture that Augillard recognized as Jazz.
Augillard eventually learned from cocker spaniel rescue groups that the dog shown on the website had been taken to Hays County, Texas, and adopted out to Tiffany Madura.

Augillard filed an action for conversion and injunction in Texas against Madura, who defended by claiming that the dog she had adopted was not, in fact, Jazz. Madura’s defense made it necessary for Aguillard to present substantial evidence concerning the identity of the dog. She offered expert testimony concerning two separate DNA samples, one comparing the adopted dog’s genetic material with material from Jazz’s comb and brush, and one comparing the adopted dog’s genetic makeup with the genetic material of Jazz’s dam; both revealed essentially conclusive matches. In addition, Aguillard offered the testimony of Jazz’s veterinarian, and she herself testified at length about Jazz, Jazz’s medical history, and the facts and circumstances that resulted in Jazz being taken from Aguillard’s mother’s home. Madura countered with testimony of her own veterinarian, as well as her own testimony about the dog’s condition when she first took possession, and about medical treatment given to the dog since her adoption.

Despite the strong scientific evidence, the trial court ruled in Madura’s favor, and held that Aguillard had failed to establish that she owned the adopted dog. This prompted Aguillard’s appeal, and the appellate court, after fully considering the record produced in the trial court, reversed the trial court’s judgment and, by order
dated June 20, 2008, entered judgment in Augillard’s favor. Hence, nearly three years after the storm separated them, and after untold emotional and financial cost, Augillard was again awarded possession of, and reunited with, her dog.

Jazz’s plight was not an isolated incident; by one estimate, some 50,000 or more pets were stranded and displaced by Katrina. McNabb, M., Pets in the Eye of the Storm: Hurricane Katrina Floods the Courts with Pet Custody Disputes, 14 Animal Law 71, 75 (2007). Rescue groups took custody of some 15,000 animals, while other animals suffered worse fates. Id. Bozes v. Parish of St. Bernard, 252 F.R.D. 313 (E.D. La. 2008), for instance, concerned claimed 4th Amendment violations for the wholesale killing of pets stranded after the storm; the plaintiffs alleged that the city and parish police had adopted a policy to shoot animals running at large in the aftermath of the hurricane, without making an effort to capture the animals or identify their owners.

Similarly, the legal issues faced by Aguillard in seeking to regain possession of her pet were not isolated, either. Litigation over ownership of animals rescued from the Katrina disaster zone stretched across the United States. A very thorough compilation of these cases, along with a discussion of related legal and legislative issues, can be found at McNabb, M., Pets in the Eye of the Storm: Hurricane Katrina Floods the Courts with Pet Custody Disputes, supra.
As a result of the overall lack of adequate preparedness for the disaster, of which the lack of consideration for how to manage displaced animals was only one symptom, the White House directed a review of lessons learned by the Department of Homeland Security in responding to Katrina. Along with many other assessments, that study identified a need for state and local emergency response plans to include provisions for the evacuation and management of impacted pets. In turn, Congress followed the recommendation by enacting, in 2006, the Pets Evacuation and Transportation Standards Act of 2006 (the PETS Act).

This article discusses the PETS Act, the Federal Emergency Management Agency (FEMA) and other federal policies and the Illinois legislation and regulations adopted in response to the PETS Act, and other related issues, including the legal benefits to a local Illinois emergency services agency of adopting an emergency plan for animals, and the potential legal consequences of failing to do so.

II. Government Requirements for Disaster Planning for Pets

A. Federal

Congress adopted the PETS Act as an amendment to the existing Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. §5121 et seq. Pursuant to the Stafford Act, FEMA, along with other federal agencies as designated by the President, is required to “provide assistance essential
to meeting immediate threats to life and property resulting from a major disaster,” 42 U.S.C. §5170b(a); this assistance is to include “[p]erforming on public or private lands or waters any work or services essential to saving lives and protecting and preserving property or public health and safety....” 42 U.S.C. §5170b(a)(3). The PETS Act added to the examples of such work or services the express obligation for “provision of rescue, care, shelter, and essential needs – (i) to individuals with household pets and service animals; and (ii) to such pets and animals.” 42 U.S.C. §5170b(a)(3)(J). In addition, the Stafford Act generally provides (among other things) that FEMA is to work with state and local emergency management agencies to prepare operational plans to be implemented in times of emergency; in the event a local agency adopts and then follows a plan approved by FEMA, federal money can be provided by FEMA to cover some of the allowed costs of implementing the local plan. Among other things, to be approved an operations plan must “be consistent with the Federal emergency response plans for emergency preparedness” (42 U.S.C. §5196b(a)), and must “provide for the development of State and local emergency preparedness operational plans, including a catastrophic incident annex, pursuant to standards approved by [FEMA].” 42 U.S. C. §5196b(b)(3). The requirements for approvable operations plans were amended by the PETS Act – in addition to directly requiring that federal emergency response efforts include consideration of pets and pet
owners (thereby requiring state and local plans to include such provisions as well, in order to remain consistent), the PETS Act explicitly states that, "[i]n approving standards for State and local emergency preparedness operational plans pursuant to subsection (b)(3), [FEMA] shall ensure that such plans take into account the needs of individuals with household pets and service animals prior to, during, and following a major disaster or emergency." 42 U.S.C. §5196b(g).

To implement the requirements of the PETS Act, FEMA adopted in 2007 a Disaster Assistance Policy entitled "Eligible Costs Related to Pet Evacuations and Sheltering" (hereinafter the "Policy"). Among other things, the Policy clarified that FEMA would consider "household pets" covered by the statute (and thus eligible for reimbursement) to be defined as: "[a] domesticated animal, such as a dog, cat, bird, rabbit, rodent, or turtle that is traditionally kept in the home for pleasure rather than for commercial purposes, can travel in commercial carriers, and be housed in temporary facilities. Household pets do not include reptiles (except turtles), amphibians, fish, insects/arachnids, farm animals (including horses), and animals kept for racing purposes."

The Policy also defined "service animals" subject to its terms: "Any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds,
providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.” Policy §VII.A.2.

The Policy provides that only governmental bodies are eligible for direct reimbursement for costs associated with “sheltering and rescuing household pets and service animals,” Policy §VII.B, but that private contractors or private nonprofits (PNPs) can obtain reimbursement through a governmental body, “provided a written statement from an eligible applicant is presented in which the applicant verifies that the contractor or PNP is performing or has performed sheltering or rescuing operations on the applicant’s behalf and the expenses are documented.” Policy §VII.B.2. Eligible costs include certain labor and overtime charges, transportation and equipment costs and charges, facility costs (including rent, utilities, safety/security costs, management and cleaning costs), supplies, food, medicine, emergency veterinary care, costs of carcass disposal, and costs of tracking animal ownership and reuniting animals with owners. Policy §§VII.C and VII.D.

At least one other federal agency has responded to the Katrina disaster by addressing preparedness planning for animals. The United States Department of Agriculture (USDA) considered the problems created by Katrina and similar disasters for dealers, research facilities, exhibitors, carriers and intermediate handlers, all of whom are regulated by the USDA pursuant to the Animal Welfare
Act, 7 U.S.C. §2131 et seq. The USDA determined that additional regulations were warranted requiring those facilities to develop contingency plans for all animals regulated pursuant to that statute in order to prepare for potential disasters, and so it adopted the new regulations in 2012 (77 Fed. Reg. 76815-01 (Dec. 31, 2012), 2012 WL 6728214 (F.R.)). The regulations require the creation of plans for emergencies or disasters that might be reasonably anticipated and which could be detrimental to the health and well-being of the animals in their possession. The plans must identify the potential reasonably anticipated emergency situations, outline tasks needed to address the emergency (such as animal evacuation instructions and obtaining needed provisions), identify the relevant chain-of-command, and address how response actions will be handled in terms of materials, resources and training. Facilities are required to review the plans annually and to maintain records of training concerning the plans, and the plans must be available to the USDA upon request. Id.

B. Illinois

The Illinois Emergency Management Agency Act, 20 ILCS 3305/1 et seq., identifies the Illinois Emergency Management Agency (IEMA) as the state’s lead agency in developing Illinois’ emergency management program (20 ILCS 3305/5(f)(1)), and in coordinating both with FEMA and with local emergency response agencies (20 ILCS 3305/5(f)(2)). The statute requires that “[e]ach
political subdivision within this State shall be within the jurisdiction of and served by the [IEMA] and by an emergency services and disaster agency responsible for the emergency management programs.” 20 ILCS 3305/10(a). A key component of the Illinois emergency management scheme is the requirement that each political subdivision develop an emergency operations plan – “Each emergency services and disaster agency shall prepare an emergency operations plan for its geographic boundaries that complies with the planning, review and approval standards promulgated by the [IEMA].” 20 ILCS 3305/10(g). In turn, IEMA is tasked with developing the rules for the content of those plans, and with reviewing and approving finalized submitted plans – “The [IEMA] shall: ... (5) Review and approve, in accordance with [IEMA] rules, emergency operations plans for those political subdivisions required to have an emergency services and disaster agency pursuant to this Act.” 20 ILCS 3305/5(f)(5). Finally, the statute defines what is meant by an emergency operations plan, and in fact the statute was revised following the PETS Act to specifically include consideration of emergency response affecting household pets and service animals: “‘Emergency Operations Plan’ means the written plan of the State and political subdivisions describing the organization, mission, and functions of the government and supporting services for responding to and recovering from disasters and shall include plans that take into
account the needs of those individuals with household pets and service animals following a major disaster or emergency.” 20 ILCS 3305/4.

IEMA’s regulations fleshing out the emergency operations plan requirements make clear that the local governmental agencies responsible for developing the emergency operations plans are the county emergency services and disaster agency, any consolidated or multiple-county emergency and disaster agency, any emergency and disaster agency in a municipality with a population exceeding 500,000, and any municipal emergency and disaster agency declared to be needed by the Governor. 29 Ill. Adm. Code §301.201. The regulations also detail the requirements of the emergency operations plans, and set forth the processes for submittal and review and for training exercises. See generally 29 Ill. Adm. Code Part 301. With respect to the animal planning addressed by the PETS Act, the IEMA regulations merely state that the local planning agency may also include one or more annexes to the emergency operations plan as the local agency determines to be necessary to address, among other things, animal welfare. 29 Ill. Adm. Code §301.240(m).

IEMA has drafted a number of other documents, beyond its regulations, relating both to emergency preparedness in general and to preparations relating to animals in particular. For one thing, IEMA has adopted the state’s Illinois Emergency Operating Plan, along with emergency support function annexes. The
annex Support Function 11 (hereinafter ESF 11) directly concerns “Animal Welfare;” although the annex is primarily concerned with emergencies resulting from contagious animal diseases and conditions, it also touches upon the appropriate responses in the context of animal welfare in the event of natural disasters. (See, e.g., ESF 11 §IV.A.4). Most importantly, the annex identifies the Illinois Department of Agriculture as the lead state agency with respect to animal welfare issues in emergency and disaster response. (ESF 11 §IV.A). The annex also specifically identifies a private not-for-profit organization named Noah’s Wish as one of the “Other Supporting Organizations” (ESF 11, at p. 2), and states that the Illinois Department of Agriculture’s functions includes “coordinat[ing] with Noah’s Wish, other animal welfare support organizations and the local animal control officer to assure all animal welfare issues are being addressed.” (ESF 11 §IV.A.4).

An internet search reveals that apparently Noah’s Wish, a California-based organization which was established in 2002 with the express purpose of advocating for animals impacted by disasters, ceased its nationwide emergency response efforts in or around 2014 (https://www.noahswish.org/noahs-wish-announcement/). As a result, of course, Noah’s Wish is no longer available to fulfill the mandate of the Illinois Emergency Operating Plan and ESF 11. Instead, the Illinois Department of Agriculture has entered into a Memorandum of
Understanding (MOU) with a different animal advocacy organization, the International Fund for Animal Welfare, Inc. (IFAW). The original MOU was effective until 2015, and according to the Department’s legal counsel, it has been extended through the year 2020. The MOU provides in general terms that the Illinois Department of Agriculture and IFAW will work cooperatively to provide disaster assistance and animal rescue in the event of a disaster of significant proportion. (MOU, at 2). IFAW has committed to providing the Department with a contact list allowing for 24 hour per day/7 days per week availability of responsive personnel, who will be available upon receipt of a request for assistance made by the Department. (MOU, at 2). The Department will identify an Operations Manager for any incident for which IFAW’s assistance is requested, who will be in charge of management of the incident. (MOU, at 2 – 3). The IFAW is to form teams, and the leader of each team is to report directly to the Operations Manager. (MOU, at 2). In the event that IFAW’s resources are not sufficient to adequately address the incident, then IFAW is to coordinate with other rescue groups identified through the National Animal Rescue and Sheltering Coalition (NARSC). (MOU, at 3). IFAW has also committed to providing training to Department personnel in issues relating to animal rescue and emergency care. (MOU, at 3).

Finally, one other state statute bears mention, and that is the Emergency Management Assistance Compact Act, 45 ILCS 151/1 – 151/99. That statute joins
Illinois with other compact states in mutually agreeing to offer emergency services and responses upon a request from another compact state. The compact requires cooperation and coordination between the signatory states, 45 ILCS 151/5, Article III, and among other things, provides that whenever a receiving state has requested assistance and the sending state provides licensed or certified personnel in response, those licensed or certified personnel shall be deemed to be licensed or certified in the receiving state while addressing the emergency or disaster, subject only to limitations prescribed by the receiving state’s governor. 45 ILCS 151/5, Article V. In addition, the compact provides that the officers or employees of a state rendering aid shall be considered to be agents and employees of the receiving state for purposes of tort liability and immunities; except only for willful misconduct, gross negligence and recklessness, no person rendering aid in good faith pursuant to the compact shall be liable for acts or omissions or the use of equipment or supplies in doing so. 45 ILCS 151/5, Article VI.

III. Other Relevant Considerations

A. No Private Cause of Action Under Stafford Act

Several cases have held that the Stafford Act, which the PETS Act amended, does not provide to private citizens any private right of action against non-federal government actors, such as emergency responders, including volunteers. In Bruno v. City of Schenectady, 2014 WL 689664, No. 1-12-cv-0285 (N.D.N.Y., Feb. 20,
2014), the court considered a complaint filed by a homeowner against various responders, including firemen, police officers, and EMTs, for their alleged failure to follow approved emergency response procedures and thereby to have failed to save the lives of the plaintiff's dogs from a house fire, or to allow plaintiff access to the house to save her dogs. Among other rulings, the court dismissed claims under the PETS Act by noting the lack of either any express or implied right to bring such as action expressed in the statute. Id. at *19. See also Diversified Carting, Inc. v. City of New York, 423 F. Supp. 2d 85, 94 - 96 (S.D.N.Y. 2005) (cited by Bruno, and dismissing claims for expenses incurred in responding to the 9/11 attack brought under the Stafford Act against non-federal government entities because of lack of any express or implied right to bring such an action); Duffy v. Kent County Levy Court, Inc., 2011 WL 748487, Civ. No. 09-817, at *5 (D. Del. Feb. 23, 2011) (also cited by Bruno, and dismissing suit against various defendants for failure to monitor and manage flood control, resulting in injuries to the plaintiff, on grounds including that the Stafford Act does not create a private right of action).

B. Choice of Law Issues

Animal rescue operations conducted after a natural disaster frequently include participation of volunteers from different states and even different regions of the country. Indeed, the litigation cited by McNabb, M., Pets in the Eye of the
Storm: Hurricane Katrina Floods the Courts with Pet Custody Disputes, supra, reveals the widespread and far-flung litigation resulting from the involvement of relief organizations from other states. As could be expected, this situation can create an additional complication in such litigation of determining the correct law to be applied to a particular situation. An example is found in Webb v. Amtower, 178 P.3d 80, Table (Ct. App. Kan. 2008) (unpublished opinion, text available in Westlaw), where the plaintiff lived with her dog in Gulfport, Mississippi, but after the dog was displaced by Katrina it was taken to an emergency animal shelter in Hattiesboro, Mississippi, and then transferred to a Humane Society facility in Escambia County, Alabama, from which it was adopted by persons who took it to Overland Park, Kansas. The appellate court determined that the injury supporting the plaintiff's tort actions (replevin and conversion) occurred in Kansas, which therefore provided the law governing those tort principles; however, those causes of action turn on legal determinations of ownership rights, which required consideration of the laws of either or both Mississippi or Alabama, depending upon the circumstances of the dog leaving Mississippi (including whether there was an abandonment or some other transfer of ownership as a result of occurrences in either or both states). The appellate court sent the case back to the trial court to find answers to all of those questions; the lesson is that in the absence of pre-planned
resolution, issues of ownership and rights to possession can become bogged down in incredibly complex questions of law and fact.

C. Illinois Immunities

As noted above, following the protocols identified by the PETS Act and the subsequent FEMA Policy and IEMA regulations can result in the potential to obtain reimbursement from the federal government for expenses incurred. Another important reason to consider providing emergency animal rescue and shelter under the auspices of an emergency operations plan approved by IEMA is the potential availability of tort immunity for actions performed in that capacity. Pursuant to section 15 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/15, the state and its political subdivisions are immune from liability for any acts short of gross negligence or willful misconduct “while complying with or attempting to comply with this Act or any rule or regulations promulgated pursuant to this Act,” which result in death of a person or destruction of property; however, the immunity expressed by the statute “does not ... apply to political subdivisions and principal executive officers required to maintain emergency services and disaster agencies that are not in compliance with Section 10 of this Act [i.e., 20 ILCS 3305/10], notwithstanding any other provision of law.” As discussed above, among other things section 10(g) requires that “[e]ach emergency services and disaster agency shall prepare an emergency operations plan for its geographic boundaries that
complies with planning, review and approval standards promulgated by [IEMA],” 20 ILCS 3305/10(g), and the definition of “emergency operations plan” expressly requires the planning agency to “take into account the needs of those individuals with household pets and service animals following a major disaster or emergency.” 20 ILCS 3305/4. Arguably these provisions, considered together, mean that the state and its political subdivisions are only entitled to the section 15 immunity if they are in compliance with the requirement, among others, that they plan for the needs of owners of household pets.

To be sure, the limitation on immunity pursuant to the Illinois Emergency Management Agency Act may not affect immunities which may be available pursuant to other statutes. An example of these immunities can be found in the defendants' motion for summary judgment filed in Gehm v. American Red Cross, No. 06-C-0316 (N.D.Ill.), filed on April 28, 2006 (the pleading is available on Westlaw at 2006 WL 1403243), in an action brought against the Red Cross and a local Baptist church by a woman whose home had been destroyed by the April 2004 tornado that hit Utica. The Red Cross set up a shelter in the local Baptist church, and the plaintiff had gone to and entered the church looking for the emergency services. The interior of the church was not well marked, though, and it was dark inside, and the plaintiff wandered around inside the church until she came to the altar and stage area, where she stepped off of a 16-inch step and was injured.
Both the Red Cross and the church moved for summary judgment in their favor on the basis of the effect of the Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/1-101 et seq., citing numerous cases that held that not-for-profit entities were protected entities under the statute when conducting activities which could be considered public business. Both the Red Cross and the Baptist church argued that in providing their emergency services they were acting in that "public business" capacity, and in fact were acting under the control and authority of IEEMA and local disaster relief agencies, as well. Notably, the Red Cross also argued that it was entitled to immunity pursuant to sections 21(a) and (c) of the Illinois Emergency Management Agency Act, and the Baptist church also argued that it was entitled to the immunity provided by section 21(b) of that statute, based upon their roles in providing emergency response and facilities. (Sections 21(a), (b) and (c) are discussed immediately below). Court records indicate that the case settled prior to the court entering any ruling on the motion for summary judgment, but the motion does provide a ready example of the interplay between the immunities. (See also Office of Attorney General Opinion Letter I-06-052, dated December 29, 2006, included with the attachments to this article, which includes a good discussion of immunities available to volunteers who participate in various emergency response activities, and Webb, C., "Legal Immunities for Local Governments in Public Health Emergencies," 98 Ill. B.J. 314
(June, 2010), which concerns immunities potentially available to governmental actors from sources in addition to the Illinois Emergency Management Agency Act). Whether or not other immunities may be available to a governmental agency in any given situation, at least to the extent that the immunity provided by section 15 of the Illinois Emergency Management Agency Act provides different, additional, or more specific immunity, development of and compliance with the required emergency operations plan would appear to be wise.

Section 21 of the Illinois Emergency Management Agency Act provides certain immunities in favor of non-governmental actors who provide emergency services. Subsection (a) of that section, 20 ILCS 3305/21(a), provides immunity from negligent premises liability claims to those who own or control premises which grant, without compensation, the use of the premises “for the purpose of sheltering persons during an actual or impending disaster.” Although this immunity does not appear to be available to those providing emergency shelter solely for displaced animals, it does appear to cover those who provide shelter to persons who are allowed to keep their household pets or service animals in an emergency shelter. Subsection (b) provides similar immunity for injuries caused by anyone acting pursuant to a contract with a governmental body under the provisions of the statute, except in the case of willful misconduct. 20 ILCS 3305/21(b). Finally, subsection (c) states that “[a]ny private person, firm or corporation, and any
employee or agent of such person, firm or corporation, who renders assistance or advice at the request of the State, or any political subdivision of the State under this Act during an actual or impending disaster, shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of willful misconduct.” 20 ILCS 3305/2(1)(c). This potential immunity is clearly available to volunteers, including those providing rescue and care services for animals; however, to qualify for the immunity, the volunteer must be acting at the request of the governmental actor, and the governmental actor must be acting “under this Act,” which could be construed as requiring compliance with, or at least attempted compliance with, the emergency operations plan requirements expressed in section 10 of the Act.

D. Workers Compensation Coverage

An issue similar to the availability of immunities for injuries caused while performing emergency rescue activities is whether workers compensation will be available to those providing emergency services in the event of injuries incurred during the course of providing emergency services. Section 10(k) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/10(k), and the IEMA regulations, 29 Ill. Adm. Code §301.620, provide that volunteers may be eligible for workers compensation benefits if certain requirements are met. Specifically, the volunteer must be at least 18 years old, must be an unpaid volunteer appointed and
sworn in (in accordance with section 20 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/20) to perform disaster functions by IEMA or by an authorized local emergency disaster agency (that is, one with an approved emergency operations plan), and must suffer injury during (i) a disaster recognized as such by IEMA, or (ii) in the course of undergoing training pre-approved by IEMA and consistent with the emergency operations plan, or (iii) during a search-and-rescue operation beyond the capabilities of the local response organization and which is requested by IEMA or the local agency. 29 Ill. Adm. Code §301.620.

Again, the need for and compliance with emergency operations plans that comply with both federal and state law may be key to assuring workers compensation coverage.

E. Other Resources

1. TOPOFF 2/TOPOFF 2 Legal Team Handbook

Unknown to many people, in May 2003 a series of coordinated terrorist attacks resulted in the release of toxic biological agents in Seattle and at O’Hare Airport and Union Station in Chicago; when the plague outbreak was finally resolved, some 2,287 individuals were already dead and another 4,433 were dying, and some sixty-four hospitals had become involved with the response. Fortunately the terrorist attacks were a fiction created for training purposes – the scenario was part of the Department of Homeland Security’s Top Officials Exercise Series, and
was known as TOPOFF 2. A very concise but interesting discussion of the exercise and of lessons learned can be found in Blum, J., “Too Strange to be Just Fiction: Legal Lessons From a Bioterrorist Simulation, the Case of TOPOFF 2,” 64 La. L. Rev. 905 (Summer, 2004). The article includes reference to a document created as a part of the simulation exercise by the TOPOFF 2 legal team, entitled “TOPOFF 2 Legal Team Handbook, April 2003,” which consists of a comprehensive study of legal issues associated with public health emergencies in Illinois. While the handbook does not address issues related to animal care during such emergencies (beyond touching upon issues relating to quarantines and livestock management), it is a very useful compendium of the sources and provisions of laws that impact emergency response measures. The Legal Team Handbook can be accessed at http://biotech.law.lsu.edu/manual/states/Il-Topoff2LegalTeamHandbook.pdf


3. IFAW, Inc.

Information about the International Fund for Animal Welfare, with which the Illinois Department of Agriculture has entered into a MOU for provision of
emergency and disaster assistance relating to animal welfare, can be found at IFAW’s website.

The “Home” page is: http://www.ifaw.org/united-states

The organization’s disaster response work is described here: http://www.ifaw.org/united-states/our-work/animal-rescue/disaster-response

The organization’s disaster relief network is discussed here: http://www.ifaw.org/united-states/our-work/animal-rescue/emergency-relief-networks

F. List of Attachments

The following are attached:

Attachment 1 – FEMA Disaster Assistance Policy DAP9523.19 – Eligible Costs Related to Pet Evacuations and Sheltering


Attachment 5 – IEMA flier, “Disaster Declaration Process”

Attachment 7 – draft Sangamon County Animal Emergency Operations Plan
I. **TITLE:** Eligible Costs Related to Pet Evacuations and Sheltering

II. **DATE:** October 24, 2007

III. **PURPOSE:**

The purpose of this policy is to identify the expenses related to State and local governments' emergency pet evacuation and sheltering activities that may be eligible for reimbursement following a major disaster or emergency declaration.

IV. **SCOPE AND AUDIENCE:**

This policy is applicable to all major disasters and emergencies declared on or after its date of issuance. It is intended to be used by FEMA personnel involved in making eligibility determinations under the Public Assistance Program.

V. **AUTHORITY:**


VI. **BACKGROUND:**

On October 6, 2006, the PETS Act was signed into law, amending Section 403 of the Stafford Act. Section 403, as amended by the PETS Act, authorizes FEMA to provide rescue, care, shelter, and essential needs for individuals with household pets and service animals, and to the household pets and animals themselves following a major disaster or emergency.

VII. **POLICY:**

A. Definitions:

1. **Household Pet.** A domesticated animal, such as a dog, cat, bird, rabbit, rodent, or turtle that is traditionally kept in the home for pleasure rather than for commercial purposes, can travel in commercial carriers, and be housed in temporary facilities. Household pets do not
include reptiles (except turtles), amphibians, fish, insects/arachnids, farm animals (including horses), and animals kept for racing purposes.

2. **Service Animal.** Any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

3. **Congregate Household Pet Shelters.** Any private or public facility that provides refuge to rescued household pets and the household pets of shelterees in response to a declared major disaster or emergency.

B. **Eligibility.** State and local governments that receive evacuees from areas declared a major disaster or an emergency may seek reimbursement for eligible pet rescue, sheltering, and evacuation-support costs.

1. State and local governments outside the designated disaster area may seek reimbursement under mutual aid protocols through the affected and supported state(s). (44 CFR § 206.223(a)(2)).

2. State and local governments are the only eligible applicants for sheltering and rescuing household pets and service animals. Contractors or private nonprofit (PNP) organizations that shelter or rescue household pets and service animals cannot be reimbursed directly as an applicant. However, contractors and PNPs can be reimbursed for sheltering and rescuing household pets and service animals through a state or local government, provided a written statement from an eligible applicant is presented in which the applicant verifies that the contractor or PNP is performing or has performed sheltering or rescuing operations on the applicant’s behalf and the expenses are documented.

C. **Household Pet Rescue.** State and local governments may conduct rescue operations for household pets directly or they may contract with other providers for such services. Eligible costs include, but are not limited to, the following:

1. Overtime for regular full-time employees.

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1 Department of Justice, Americans with Disabilities Act (ADA), 42 USC 1201 et seq, implementing regulations at 28 CFR § 36.104.
2. Regular-time and overtime for contract labor (including mutual aid agreements) specifically hired to provide additional support required as a result of the disaster.

3. The use of applicant-owned or leased equipment (such as buses or other vehicles) to provide eligible pet transportation to congregate pet shelters may be reimbursed according to 44 CFR § 206.228(1)(a) (does not include operator labor). The cost of leasing equipment for this purpose may also be eligible for reimbursement.

D. Congregate Household Pet Sheltering. State and local governments may conduct sheltering operations for pets directly, or may contract with other sheltering providers for such services. Eligible Category B congregate pet sheltering costs may include, but are not limited to, the reasonable costs for:

1. Facilities.
   - Minor modifications to buildings used for congregate household pet sheltering, if necessary to provide increased capacity for the accommodation of shelterees’ household pets.
   - Facility lease or rent.
   - Increase in utility costs, such as power, water, and telephone.
   - Generator lease and operation (but not purchase).
   - Shelter safety and security.
   - Shelter management.
   - Shelter and crate/cage cleaning.

2. Supplies and Commodities. Eligible items are those needed for, and used directly on, the declared disaster, and are reasonable in both cost and need. Examples include:
   - Food, water, and bowls.
   - Crates/Cages.
   - Pet transport carriers.
   - Animal cleaning tables and supplies.
   - Medication for animal decontamination and parasite control to ensure that the animal is not a health threat to humans or other animals.

3. Eligible Labor. If the regular employees of an eligible applicant perform duties in direct support of congregate pet sheltering operations, any overtime pay related to such duties is eligible for reimbursement. However, the straight-time pay of these employees is not eligible. Regular-time and overtime for contract labor, including mutual aid agreements,
specifically hired to provide additional support required as a result of the disaster or emergency is also eligible for reimbursement.

4. **Equipment.** The use of applicant-owned or leased equipment (such as buses, trucks, or other vehicles) to provide eligible pet evacuation or sheltering support may be reimbursed according to 44 CFR §206.228(1)(a) (does not include operator labor). The cost of leasing equipment may also be an eligible expense for reimbursement.

5. **Emergency Veterinary Services.** For the purposes of screening the health of household pets and service animals, and assessing and treating minor illnesses and injuries, congregate pet shelters may be staffed with emergency veterinary teams. The following costs related to the provision of emergency veterinary services in a congregate pet sheltering environment are eligible for reimbursement:

   - Veterinary diagnosis, triage, treatment, and stabilization.
   - Provision of first aid, including materials (bandages, etc.).
   - Medicine.
   - Supervision of paid and volunteer veterinary staff.
   - Vaccinations administered to protect the health and safety of congregate shelter and supporting emergency workers including but not limited to tetanus and hepatitis.
   - Vaccinations administered to protect the health and safety of congregate shelter pets for transmissible or contagious diseases including but not limited to bordetella/kennel cough.

6. **Transportation.** Transportation of evacuees’ household pets and service animals to congregate shelters from pre-established pickup locations is an eligible expense when the means of transportation used is the most cost-effective available.

7. **Shelter Safety and Security.** Additional reimbursable safety and security services may be provided at congregate pet shelters, based upon need.

8. **Cleaning and Restoration.** The costs (to the Applicant) to clean, maintain, and restore a facility to pre-congregate pet shelter condition are eligible.

9. **Removal and Disposal of Animal Carcasses.** The costs (to the Applicant) to remove and dispose of animal carcasses in a safe and timely manner and in compliance with applicable laws and regulations are eligible.
10. **Cataloging/Tracking System for Pets.** The reasonable costs (to the Applicant) for tracking animals at congregate pet shelters for the purposes of reuniting them with their owners are eligible.

E. **Service animals.** Service animals will be sheltered with their owners in congregate shelters.

F. **Length of Operation.** Costs of sheltering/caring for household pets will no longer be eligible for FEMA reimbursement when the pet owner transitions out of Section 403 emergency sheltering.

**VIII. ORIGINATING OFFICE:** Disaster Assistance Directorate (Public Assistance Division).

**IX. SUPERSESSION:** This policy supersedes all previous guidance on this subject.

**X. REVIEW DATE:** Three years from date of publication.

//signed//

Carlos J. Castillo
Assistant Administrator
Disaster Assistance Directorate
OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

December 29, 2006

I-06-052

TORT LIABILITY:
Liability and Immunity
for Volunteers

Mr. Mike Chamness, Chair
Illinois Terrorism Task Force
Office of Homeland Security
110 East Adams Street
Springfield, Illinois 62701

Dear Mr. Chamness:

I have your letter inquiring whether the volunteers who participate in the Citizens Corps Program, the Homeland Security volunteerism initiative created by President Bush and implemented in Illinois through the Office of Homeland Security's Illinois Terrorism Task Force, are protected from civil liability either by immunity or indemnification. For the reasons which follow, volunteers organized by and acting within the scope of the authority of a State agency or unit of local government, and serving in times of emergency or disaster, may be immune from civil liability arising from negligence depending on the particular facts and circumstances of a given situation. Likewise, indemnification may be available to those volunteers who satisfy specific statutory criteria. Because various statutes may apply in different circumstances, it is not possible to determine the precise boundaries of any potential volunteer's eligibility for immunity or indemnification. Rather, such a determination will require a case-by-case analysis based on the facts unique to each volunteer, the situation, and the surrounding circumstances.
BACKGROUND

According to information you have provided, the Illinois Terrorism Task Force's Committee on Volunteers and Donations oversees the Citizen Corps, a federally created program that encourages units of local government to develop councils to oversee volunteer initiatives and programs for citizens within their jurisdictions. One program, the Medical Reserve Corps, organizes specially trained volunteers such as doctors, nurses, and emergency medical technicians to serve in times of need. As these programs develop, issues have arisen regarding volunteer liability and immunity. You ask, therefore, whether the volunteers who participate in such programs will qualify for the protections afforded by the State Employee Indemnification Act (5 ILCS 350/1 et seq. (West 2004)), the Line of Duty Compensation Act (820 ILCS 315/1 et seq. (West 2004)), or other Illinois laws.

Before responding to your specific questions, it is helpful to review the Volunteer Protection Act of 1997 (the Volunteer Protection Act) (42 U.S.C.A. §14501 et seq. (West 2005)), a Federal statute of general applicability that provides minimum protections to volunteers:

(a) Liability protection for volunteers

Except as provided in subsections (b) and (d) of this section, no volunteer of a nonprofit organization or governmental entity shall be liable for harm caused by an act or omission of the volunteer on behalf of the organization or entity if:

(1) the volunteer was acting within the scope of the volunteer's responsibilities in the nonprofit organization or governmental entity at the time of the act or omission;

(2) if appropriate or required, the volunteer was properly licensed, certified, or authorized by the appropriate authorities for the activities or practice in the State in which the harm occurred, where the activities were or practice was undertaken within the scope of the volunteer's responsibilities in the nonprofit organization or governmental entity;

(3) the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious,

1 For purposes of the Volunteer Protection Act, "the term 'volunteer' means an individual performing services for a nonprofit organization or a governmental entity who does not receive (A) compensation (other than reasonable reimbursement or allowance for expenses actually incurred); or (B) any other thing of value in lieu of compensation, in excess of $500 per year." The term includes a volunteer serving as a director, officer, trustee, or direct service volunteer. 42 U.S.C.A. §14505(6) (West 2005).
flagrant indifference to the rights or safety of the individual harmed by the volunteer; and

(4) the harm was not caused by the volunteer operating a motor vehicle, vessel, aircraft, or other vehicle for which the State requires the operator or the owner of the vehicle, craft, or vessel to—

(A) possess an operator's license; or

(B) maintain insurance. 42 U.S.C.A. §14503(a) (West 2005).

The Volunteer Protection Act preempts inconsistent State laws, but does not preempt laws that provide more protection to any category of volunteers performing services for a nonprofit organization or governmental entity. 42 U.S.C.A. §14502 (West 2005). In instances where volunteers may be held liable, the Act limits the imposition of punitive damages (42 U.S.C.A. §14503(e) (West 2005)) and limits volunteer liability for noneconomic damage to the percentage of harm actually caused by the volunteer (42 U.S.C.A. §14504 (West 2005)).

Although the Volunteer Protection Act provides minimal levels of protection to volunteers, there is little case law nationwide, and none in Illinois, discussing the relationship between the Volunteer Protection Act and State immunity and indemnification statutes. Whether the Volunteer Protection Act provides greater protection for volunteers than Illinois law will depend on the particular Illinois statute at issue and the facts of a particular situation.

ANALYSIS

Immunity

Several Illinois laws extend immunity from liability to persons responding to an emergency or a disaster. Not all of the statutes, however, apply to volunteers. Whether a particular statute provides immunity to a qualifying volunteer will depend on the language of that statute and the facts of each case.

Tort Immunity Act

You have described the Citizens Corps as a program encouraging units of local government to develop councils to oversee volunteer initiatives or programs. Based on the apparent involvement of units of local government, the Local Governmental and Governmental
Employees Tort Immunity Act (the Tort Immunity Act) (745 ILCS 10/1-101 et seq. (West 2004)) is the most general source of immunity to cover the efforts of such volunteers. The Tort Immunity Act fully immunizes volunteers with respect to the determination of policy and the exercise of discretion (745 ILCS 10/2-201 (West 2004)) and for good faith actions taken pursuant to a law later found to be invalid or unconstitutional (745 ILCS 10/2-203 (West 2004)). Immunity is also provided with respect to the acts or omissions of another person (745 ILCS 10/2-204 (West 2004)), entry upon property (745 ILCS 10/2-209 (West 2004)), and negligent misrepresentation or provision of information (745 ILCS 10/2-210 (West 2004)). The Tort Immunity Act, however, does not immunize negligent health care treatment provided by a public employee who undertakes to prescribe or administer any individual treatment for mental or physical illness. 745 ILCS 10/6-106 (West 2004).

Consequently, the Tort Immunity Act likely would immunize the governmental function aspects of volunteer activity on behalf of a unit of local government, such as policy decisions regarding where to send medical teams and priorities for treatment, without regard to whether persons making those decisions are compensated. However, actual treatment of individual patients would not be immunized by the Tort Immunity Act. Such health care treatment would fall instead under the Good Samaritan Act (745 ILCS 49/1 et seq. (West 2004)), which generally immunizes against negligence for emergency care, if such care is provided without fee. Although there is no case law analyzing the relationship between the Good Samaritan Act and the Tort Immunity Act, when participating in the development of emergency management or disaster recovery plans, individuals who are licensed health care professionals likely will have the same immunity as other participants without regard to compensation. A determination of whether a volunteer qualifies for immunity under this Act will depend on the specific facts of each case.

3There are specific provisions regarding immunity and liability for police and correctional activities (745 ILCS 10/4-101 et seq. (West 2004)), fire prevention and rescue services (745 ILCS 10/5-101 et seq. (West 2004)), and medical, hospital, and public health activities (745 ILCS 10/6-101 et seq. (West 2004)).

3Section 1-202 of the Tort Immunity Act (745 ILCS 10/1-202 (West 2004)) defines "employee" to include present and former officers, board members, commissions or committees, agents, volunteers, servants, or employees, whether or not compensated, but not independent contractors. Therefore, when various sections of the Tort Immunity Act immunize the local governmental entity with respect to acts of its employees, the entity is also immunized with respect to acts of volunteers working on its behalf. See 1976 Ill. Att'y Gen. Op. 324. Further, based on the definition of "employee," volunteers for units of local government supervised by paid employees are entitled to the same immunity as public employees under the Tort Immunity Act. Trotter v. School District 218, 315 Ill. App. 3d 1, 10-11 (2000), appeal denied, 191 Ill. 2d 561 (2000).
Good Samaritan Act

The Good Samaritan Act limits the liability of certain licensed medical professionals and others who respond to emergencies in Illinois. Generally, the Good Samaritan Act provides that such individuals who, in good faith, render emergency care without fee will

Specifically, section 25 of the Good Samaritan Act (745 ILCS 49/25 (West 2004)) provides immunity, except for willful or wanton misconduct, to any person licensed under the Medical Practice Act of 1987 (225 ILCS 60/1 et seq. (West 2004)) or any person licensed to practice the treatment of ailments in any other state or territory of the United States who, in good faith, provides emergency care without fee to a person.

Similar immunity for providing emergency care without fee is provided for: physician assistants (745 ILCS 49/16 (West 2004)); physical therapists (745 ILCS 49/45 (West 2004)); professional nurses and practical nurses (745 ILCS 49/35 (West 2004)); advanced practice nurses (745 ILCS 49/34 (West 2004)); and emergency medical technicians (745 ILCS 49/70 (West 2004), as amended by Public Act 94-826, effective January 1, 2007). The following professionals, however, are immunized only for providing emergency care without fee to a victim of an accident at the scene of the accident: dentists (745 ILCS 49/15 (West 2004)); optometrists (745 ILCS 49/42 (West 2004)); podiatrists (also applies in case of nuclear attack) (745 ILCS 49/50 (West 2004)); respiratory care practitioners (also applies to victims of a natural disaster) (745 ILCS 49/55 (West 2004)); and veterinarians (also applies to human victims in a catastrophe) (745 ILCS 49/60 (West 2004)).

Licensed professional nurses and practical nurses also have broad immunity from damages and from suit, except for willful or wanton misconduct, when providing nursing services without fee. 745 ILCS 49/40 (West 2004). Persons who have completed certain training courses or received specified certifications have immunity from damages and from suit, except for willful and wanton misconduct, when providing assistance without fee: persons certified in basic cardiopulmonary resuscitation (CPR) who comply with generally recognized standards when providing emergency CPR (745 ILCS 49/10 (West 2004)); persons who have successfully completed a course in basic emergency care of a person in cardiac arrest that included training in the operation and use of an automatic external defibrillator (AED) in accordance with American Heart Association standards when rendering emergency medical care involving the use of an AED (745 ILCS 49/12 (West 2004)); and persons certified in first aid by the American Red Cross or the American Heart Association when rendering assistance (Public Act 94-825, effective July 1, 2006, to be codified at 745 ILCS 49/67).

The Good Samaritan Act does not define the phrase "without fee." There are no reported cases in Illinois construing the phrase "without fee" in the context of disaster response. Illinois appellate courts, however, historically have determined that emergency care provided by a physician in hospital or clinic settings was provided without fee when a patient did not pay for the specific services provided by that physician. See Estate of Heanne v. Edgcomb, 355 Ill. App. 3d 645 (2005) (although physician benefitted financially from the medical group doing business with plaintiff patient, the physician was entitled to immunity because the financial relationship did not constitute charging a fee for services); Rivera v. Arana, 322 Ill. App. 3d 641 (2001) (the fact that the physician was never paid for his services was controlling); Villamil v. Benages, 257 Ill. App. 3d 81 (1993), appeal denied, 155 Ill. 2d 577 (1994) (although physician sent a letter to the plaintiff patient requesting her public aid number so that he could bill her, the fact that he never sent a bill was controlling); Johnson v. Martine, 176 Ill. App. 3d 907 (1988), appeal denied, 125 Ill. 2d 566 (1989) (hospital bill sent to plaintiff was for supplies and drugs used during the emergency and not for the physician defendant's services). The United States District Court for the Northern District of Illinois recently determined, however, that a fee exists when either a doctor is paid for his services or the patient pays a bill for those services. Henslee v. Provena Hospitals, 373 F. Supp. 2d 802 (N.D. Ill. 2005). The court in Henslee held that a physician who was paid for his services on a per diem basis was not immune under the Good Samaritan Act because he received a fee in rendering emergency care to the plaintiff even if plaintiff was never billed for his services. Henslee, 373 F. Supp. 2d at 814.
not be liable for civil damages unless their acts or omissions constitute willful and wanton misconduct. In the event medical personnel receive a fee for the provision of emergency care, a loss of immunity under the Good Samaritan Act may result.

While the provisions of the Good Samaritan Act will apply to protect licensed medical professionals and certain other individuals who provide emergency care in various situations without fee, as previously noted, the Tort Immunity Act may provide greater protection to persons organized and supervised by units of local government to provide planning and policy services, as that Act's provisions more broadly immunize discretionary conduct. A determination of whether a volunteer qualifies for immunity under this Act will depend on the specific facts of each case.

**Illinois Emergency Management Agency Act**

The Illinois Emergency Management Agency Act (the IEMA Act) (20 ILCS 3305/1 et seq. (West 2004)) includes two immunity provisions. Section 15 of the IEMA Act (20 ILCS 3305/15 (West 2004)) immunizes the State, any political subdivisions of the State, as well as their agents, employees, or representatives engaged in any emergency management response or recovery activities while complying with or attempting to comply with the provisions of the IEMA Act. This provision will apply to those volunteers who are agents or representatives of the State or any political subdivision of the State.

Subsection 21(a) of the IEMA Act (20 ILCS 3305/21(a) (West 2004)) additionally immunizes against negligent property owners who voluntarily and without compensation allow their property to be used for sheltering persons during an actual or impending disaster or during

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*Section 15 of the IEMA Act provides that:

Neither the State, any political subdivision of the State, nor, except in cases of gross negligence or willful misconduct, * * * the agents, employees, or representatives of any of them, engaged in any emergency management response or recovery activities, while complying with or attempting to comply with this Act or any rule or regulations promulgated pursuant to this Act is liable for the death of or any injury to persons, or damage to property, as a result of such activity. This Section does not, however, apply to political subdivisions and principal executive officers required to maintain emergency services and disaster agencies that are not in compliance with Section 10 of this Act, notwithstanding provisions of any other laws. (Emphasis added.)

Because of the placement of the phrase "except in cases of gross negligence or willful misconduct," it appears that the State and political subdivisions are fully immunized, while their agents, employees, or representatives are immunized only in the absence of gross negligence or willful misconduct.
Subsection 21(c) (20 ILCS 3305/21(c) (West 2004)) immunizes any private persons, firms, corporations, and their agents or employees, except for willful misconduct, for rendering assistance or advice at the request of the State or any political subdivision under the IEMA Act during an actual or impending disaster. Because the immunity provisions contained in the IEMA Act do not immunize individuals for gross negligence or willful misconduct, it is possible that the Tort Immunity Act may provide greater protection with respect to, for example, the exercise of policy making or discretionary functions. A determination of whether a volunteer qualifies for immunity under this Act will depend on the specific facts of each case.

Emergency Management Assistance Compact Act

The Emergency Management Assistance Compact Act (the EMAC Act) (45 ILCS 151/1 et seq. (West 2004)) governs mutual assistance between states that have adopted the EMAC Act in managing emergencies or disasters. Article VI of the EMAC Act (45 ILCS 151/5 (art. VI) (West 2004)) concerns liability, and provides:

Officers or employees of a party state rendering aid in another state pursuant to this compact shall be considered agents of the requesting state for tort liability and immunity purposes; and no party state or its officers or employees rendering aid in another

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Subsection 21(a) of the IEMA Act provides:

(a) Any person owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege, or otherwise permits the designation or use of the whole or any part or parts of such real estate or premises for the purpose of sheltering persons during an actual or impending disaster, or a exercise together with his or her successors in interest, if any, shall not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission, or for negligently causing loss of, or damage to, the property of such person.

Subsection 21(c) of the IEMA Act provides:

(c) Any private person, firm or corporation, and any employee or agent of such person, firm or corporation, who renders assistance or advice at the request of the State, or any political subdivision of the State under this Act during an actual or Impending disaster, shall not be civilly liable for causing the death of, or injury to, any person or damage to any property except in the event of willful misconduct.

The immunities provided in this subsection (c) shall not apply to any private person, firm or corporation, or to any employee or agent of such person, firm or corporation whose act or omission caused in whole or in part such actual or impending disaster and who would otherwise be liable therefor.
state pursuant to this compact shall be liable on account of any act or omission in good faith on the part of such forces while so engaged or on account of the maintenance or use of any equipment or supplies in connection therewith. Good faith in this article shall not include willful misconduct, gross negligence, or recklessness.

The EMAC Act does not define the terms "officers" and "employees." It does provide for the formulation of interstate mutual aid plans and procedures by designees of the governors of the party states. 45 ILCS 151/5 (arts. II, III) (West 2004). Therefore, the Committee on Volunteers and Donations may wish to review any existing mutual aid plans which have been developed by IEMA and neighboring states to determine whether volunteers are included and to make recommendations for amendments as necessary. However, the limitation on liability provided in the EMAC Act will apply only with respect to personnel of a party state rendering aid in another state, and not to individuals who unilaterally offer assistance in an emergency.

Oil and Hazardous Materials Spills

Volunteers who may be called on to assist at the scene of oil or chemical spills or releases should be aware of the Illinois Oil Spill Responders Liability Act (740 ILCS 113/1 et seq. (West 2004)) and the Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.A. §9601 et seq. (West 2005)). The Illinois statute applies with respect to oil spills or releases of material not designated as hazardous substances under Federal law, while the Federal law applies to those materials which are hazardous substances. Both laws provide limitations on liability for negligence for persons responding to a spill who render care, assistance, or advice consistent with the National Contingency Plan, as otherwise directed by the Federal on-scene coordinator, or by the State official with responsibility for oil spill response. Neither law immunizes conduct causing a spill or grossly negligent, reckless, willful, wanton, or intentional misconduct. The Illinois law also does not apply with respect to personal injury or wrongful death. 740 ILCS 113/10 (West 2004). Although the Federal law does not specifically state that it applies to volunteers, it applies to persons working within the scope of their authority for the State or a unit of local government (42 U.S.C.A. §§9607, 9619 (West 2005)). A determination of whether a volunteer qualifies for immunity under either of these laws will depend on the specific facts of each case.

*States may also enter into supplementary agreements which may include, but are not limited to, provisions for evacuation and reception of injured and other persons and the exchange of medical, fire, police, public utility, reconnaissance, welfare, transportation and communications personnel, and equipment and supplies. 45 ILCS 151/5 (art. VII) (West 2004).*
Indemnification

You have also asked about the applicability to volunteers of certain indemnity statutes, such as the State Employee Indemnification Act (5 ILCS 350/0.01 et seq. (West 2004)) and the Line of Duty Compensation Act (820 ILCS 315/1 et seq. (West 2004)). Indemnity will be available to volunteers who fall within the statutory provisions in some limited instances.

State Employee Indemnification Act

The State Employee Indemnification Act provides for the defense and indemnification of State employees named as defendants in civil suits arising from acts or omissions within the scope of their employment, unless an act or omission was intentional, willful, or wanton misconduct. For a volunteer to fall within the purview of the State Employee Indemnification Act, the volunteer must have a written agreement with a State agency concerning the volunteer activity in which he or she is engaged. Volunteers working under the auspices of units of local government will not be covered by this Act. Volunteers who assist in emergency management and planning activities, however, may be covered if their participation in such activities is reduced to writing in an agreement with a State agency. A determination of whether a volunteer qualifies for indemnification under this Act will depend on the specific facts of each case.

Line of Duty Compensation Act

The Line of Duty Compensation Act provides death benefits and burial benefits for persons serving in covered positions who are killed in the line of duty. Volunteers are generally not included in the covered positions specifically set out in section 2 of this Act (820

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10"State" is defined to include all agencies and instrumentalities of the State, but to specifically exclude units of local government covered by the Local Governmental and Governmental Employees Tort Immunity Act. 5 ILCS 350/1(a) (West 2004).

11"Employee" is defined in the State Employee Indemnification Act to apply to only select volunteers.

1 Individuals or organizations who perform volunteer services for the State where such volunteer relationship is reduced to writing, * * * individuals or not for profit organizations who, either as volunteers, where such volunteer relationship is reduced to writing, or pursuant to contract, furnish professional advice or consultation to any agency or instrumentality of the State. 5 ILCS 350/1(b) (West 2004).
You have asked, however, whether members of a State or volunteer response team, when acting as individuals or affiliated with a group authorized under the Illinois Emergency Operations Plan or a local emergency operations plan, would be covered as "civil defense workers" and receive benefits pursuant to the Line of Duty Compensation Act.

Subsection 2(g) (820 ILCS 315/2(g) (West 2005 Supp.)) defines "civil defense worker," to mean:

*any person employed by the State or a local governmental entity as, or otherwise serving as, a member of a civil defense work force, including volunteer civil defense work forces engaged in serving the public interest during periods of disaster, whether natural or man-made. (Emphasis added.)*

This provision was intended to extend the Act's coverage to those who volunteer services in times of disaster. Remarks of Sen. Johns, March 20, 1975, Senate Debate on Senate Bill No. 58, at 26. A determination of whether a volunteer qualifies for indemnification under this Act will depend on the specific facts of each case.

**Tort Immunity Act**

In addition to granting immunity to qualifying "employees," the Tort Immunity Act also authorizes the indemnification of employees. Section 2-302 of the Tort Immunity Act (745 ILCS 10/2-302 (West 2004)) provides that if any claim or action is instituted against an "employee" (which, as discussed previously, may include a volunteer in qualifying circumstances) of a local public entity based on an injury allegedly arising out of an act or

12 Only those volunteer firemen carried on the rolls of a regularly constituted fire department are included within the definition of fireman. "Paramedic" is defined to include only those who are members of an organized body under the jurisdiction of a unit of local government; whether they volunteer in that capacity or are compensated is not a determinative factor. "State employee" is narrowly defined as those eligible for the State Employees Retirement System, excluding not only volunteers, but also elected and many appointed State officers. "Chaplains" are included only when specifically designated as such by fire and police agencies, a status not likely to be held by many emergency volunteers. A "civil air patrol member" includes volunteer members of an organization commonly known as the Civil Air Patrol.

13 The only reported case under the Act providing for compensation of a civil defense worker involved a member of the Tolona Civil Defense Corps, who was called on to participate in a training exercise conducted during a heavy snowstorm. While responding to a call from the supervisor of the exercise to aid a motorist who was stuck in a snowbank, the corps member suffered a heart attack and died. The Illinois Court of Claims authorized an award under the Act to the corps member's widow. In re Application of Woodworth, 34 Ill. Ct. Cl. 298 (1981).
omission occurring within the scope of his or her employment, the entity may elect, but is not required, to indemnify the employee. Section 2-301 of the Tort Immunity Act (745 ILCS 10/2-301 (West 2004)) specifically provides that nothing in Part 3 of the Tort Immunity Act (745 ILCS 10/2-301 et seq. (West 2004)) relieves a local public entity of its duty to indemnify or insure its employees as provided in other enumerated statutes. See, e.g., 65 ILCS 5/1-4-5, 1-4-6 (West 2004) (indemnification for injuries caused by police officer or while assisting police officer). Thus, whether a duty to indemnify extends to volunteers will depend on the statutory terms and the specific facts of each case.

CONCLUSION

Volunteers organized by and acting within the scope of the authority of a State agency or a unit of local government may potentially qualify for the protections from liability afforded by a number of Illinois laws and the Federal Volunteer Protection Act. The extent of the immunity or indemnification provided to a volunteer will depend, however, on the particular circumstances specific to each volunteer situation and the resulting applicability of particular Illinois statutes. This will require a case-by-case analysis based on the facts unique to each volunteer, the situation, and the surrounding circumstances.

This is not an official opinion of the Attorney General. If we may be of further assistance, please advise.

Very truly yours,

LYNN E. PATTON
Senior Assistant Attorney General
Chief, Opinions Bureau

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MEMORANDUM OF UNDERSTANDING

Between the International Fund for Animal Welfare, Inc. (hereinafter referred to as "IFAW")

And

Illinois Department of Agriculture (hereinafter referred to as "IDOA")

Title of Project: Disaster Assistance Program
Start Date: August 1, 2012
End Date: July 31, 2015

BACKGROUND

The International Fund for Animal Welfare (IFAW), a U.S. nonprofit organization, is part of a worldwide group of nonprofit organizations that collectively comprise the International Fund for Animal Welfare (hereinafter referred to as "IFAW"). IFAW works to improve the welfare of wild and domestic animals throughout the world by reducing commercial exploitation of animals, protecting wildlife habitats, and assisting animals in distress. We seek to motivate the public to prevent cruelty to animals and to promote animal welfare and conservation policies that advance the well being of animals and people. As one of the largest international animal welfare organizations in the world, IFAW has offices in 15 countries/regions; programs in 30 countries, and a global staff of more than 200 experienced campaigners, legal and political experts, and internationally acclaimed scientists. IFAW pursues a variety of local, national, and global campaigns around the world. In each region where we work, IFAW’s activities are formed based on local customs and culture and tailored to the particular economic and political conditions of that area. All of IFAW’s efforts are rooted in the belief that a world in which animal life can survive and thrive is fundamental to human well being.

During times of disaster the State of Illinois’ ("State") Emergency Management Agency assigns responsibility for animal and/or agriculture disaster response activities to the Illinois Department of Agriculture (IDOA), as outlined in the State’s Emergency Management Plan.

OBJECTIVE

The Purpose of this program is to identify and coordinate disaster assistance and animal rescue efforts between IFAW and IDOA in preparing for, responding to, and recovering from a major incident—such as a natural or man-made disaster of significant proportion.

The benefits to this collaboration would include additional resources being available to IDOA following an incident. These resources may include small and large animal strike teams,
“overhead” management teams, and transport support. In addition, this collaboration may lead to additional training opportunities between the two agencies to enhance response effectiveness.

**PROJECT GOALS**

Ultimately, the primary goal of this collaboration is to maximize the welfare of animals and their owners and careers before, during, and after a major incident, and to minimize the loss of life and animal suffering that might occur following such an incident through: mitigation activities; ongoing planning and exercises; and an effective and safe response. IFAW agrees to be responsible for taking necessary and appropriate action(s) to achieve the primary goal.

**AGREEMENT**

- This Memorandum Of Understanding outlines an Agreement made between the International Fund for Animal Welfare, Inc. (IFAW) and IDOA for work to be undertaken beginning 1 August 2012 through 31 July 2015. This Agreement will be reviewed and renewed by both agencies within 30 days of expiration. This agreement, if agreed to in writing by both parties, shall not exceed 10 years.

- The Agreement may be severed by either party with just cause in writing with 30 days notice; and

- Alterations and/or additions, if required, will be made to the Agreement upon mutual consideration and agreement by both parties in written form. This Agreement is signed in two identical copies each having equal legal force. Each party shall keep an original copy of the Agreement.

**PROPOSED RESPONSE LOGISTICS**

- IFAW will provide to IDOA a contact list and up-to-date contact phone numbers to ensure readiness. This contact list will be structured “three-deep” and IFAW will strive toward ensuring that resources will be available 24 hours/day, 7 days/week, 365 days/year;

- Upon receiving a request to assist, IFAW will deploy resources as needed and when available to IDOA. Those resources will be comprised of IFAW staff, partners, and volunteers and will be organized in teams with a designated Team Leader (TL). The TL will be responsible for ensuring that IFAW resources are used effectively and safely. The TL will report to the Operations Manager of IDOA. Management of the incident will rest completely with the Operations Manager and he/she may use IFAW resources to assist in the management of the incident or to provide overhead management of the response. The Operations Manager will make a determination, after consulting with IFAW’s Team Leader, as to the best way to utilize IFAW resources. The TL will have ultimate responsibility for the safety and well-being of his/her team;

- The Operations Manager for IDOA will assume Command. He/she will be responsible for assigning general and command staff roles to IFAW as needed. He/she may delegate
or transfer his/her authority to IFAW staff as needed and when appropriate. The Incident Command System (ICS) and the National Incident Management System (NIMS) will provide the structure and framework for managing the response;

- If additional resources are needed beyond what IFAW can provide, IFAW, in conjunction with Command, will coordinate the contact, activation, and deployment of the National Animal Rescue and Sheltering Coalition (NARSC).

- IFAW training staff will provide training for IDOA and their partners in ICS and NIMS if needed. IFAW will also provide technical animal rescue (water and rope) upon request and as training staff are available; and

- The incident response requests that IFAW receives from Illinois will be forwarded to the Operations Manager of IDOA.

CONFIDENTIALITY OF INFORMATION

IFAW and IDOA agree to keep, and to ensure that its employees, subcontractors, and volunteers keep, confidential all materials and information that are provided to its employees, subcontractors, and volunteers by IFAW or IDOA in connection with their performance under the Disaster Assistance Program and that are not available to the general public, including without limitation, financial information, and information and materials about IFAW's and its affiliates' operations, campaigns, strategic and tactical plans.

IFAW and IDOA shall not and shall ensure that it's employees, subcontractors, and volunteers do not, use, disclose, or publish any Information pertaining to the Disaster Assistance Program without proper written approval of IFAW and IDOA either during or subsequent to the Term of the program except that IFAW and IDOA employees, subcontractors, and volunteers may use the information during the Term to the extent (and only to the extent) necessary to perform the Goals and Objectives of the program. All Information shall at all times be and remain the exclusive property of IFAW. IFAW or IDOA shall be responsible for any breach of these provisions by its employees, subcontractors, or volunteers.

IDOA is subject to the requirements of the Freedom of Information Act 5 ILCS 140 et. seg. and will provide information when required to do so in accordance with those provisions.

ASSUMPTION OF RISK

By signing this agreement, IFAW acknowledges that the nature of the Services involves a high degree of risk of injury to person and property (including death) and on behalf of itself and its employees, subcontractors, and volunteers, voluntarily accepts and assumes such risk. These risks include, but are not limited to: strenuous physical activity; travel to, within and from rustic and/or remote areas under rugged conditions, by plane, helicopter, truck, boat and other modes of transportation; exposure to human and animal diseases; lack of adequate or immediately available medical care; animal and insect bites or scratches; risks associated with construction, loading and unloading; risk of electric shock; exposure to oil and hazardous materials; exposure to inclement weather and other natural elements; and exposure to, and lack of protection from,
criminal activity. IFAW acknowledges and agrees that it is solely responsible for determining the ability, fitness and suitability of their employees, subcontractors, or volunteers, to provide the Services and represents to Illinois that all such employees, subcontractors, and volunteers, are in good health, and are aware of no physical problem or condition that would impair their ability to perform the Services.

Neither party is responsible for the actions of the other. No partnership or agency relationship is intended, or will be erected, through the execution of this MOU between the signing parties.

Volunteers may be eligible for worker’s compensation benefits subject to the requirements set forth in the Illinois Emergency Management Agency Act 20 ILCS 3305 (k) and its accompanying regulations 29 Ill. Code 301 Subpart F. Eligibility for such benefits will be determined by IEMA.

OWNERSHIP OF INFORMATION AND OTHER ASSETS

- In the spirit of professional conduct, institutional collaboration, and national interests, both IFAW and IDOA shall include and acknowledge the other party in research studies, scientific or educational publications/signage, and/or presentations giving credit where it is due;

- IFAW will have the right from time to time to request, receive and use existing pictures and other information, or to photograph and request information on animals/communities benefiting from IFAW’s support to the Disaster Assistance Program. Such pictures and information may be used in fundraising appeals to IFAW donors around the world, the proceeds of which will be utilized by IFAW without restriction. All such photos will become the property of IFAW and IDOA agrees to assign full copyrights to IFAW;

- Results arising from joint studies or operations between IFAW and IDOA shall be jointly owned and both parties shall retain access without inhibition; and

- Equipment purchased for the purpose of implementing projects will remain the property of IFAW, unless otherwise agreed.

ASSIGNMENT / SUBCONTRACTING

IFAW will not assign or subcontract their rights or obligations under this agreement to any third party without prior written consent from the other party. In the event that a subcontract with a third party to provide any of the Services is required, the responsible party subcontracting shall require each subcontractor to make representations and covenants similar to those set forth in this agreement, including without limitation provisions with respect to Confidential Information, Ownership of Materials, Assumption of Risk and Release of IFAW and Conflicts of Interest.

The laws of the State of Illinois govern this agreement. The state and federal courts located in the State of Illinois shall have jurisdiction over all disputes and matters whatsoever arising under, in connection with, or incident to, or related in any way to this agreement.

Memorandum of Understanding
GENERAL

No trustee, Operations Manager, shareholder, member, officer, employee or agent of IFAW shall be personally or individually liable – and none of IFAW’s affiliates shall be in any way liable – for the observance or performance of IFAW’s covenants and obligations under this agreement.

This agreement shall constitute the entire agreement between IDOA and IFAW with respect to the Services and supersedes any and all prior understandings or agreements whether oral or written with respect to the Services.

If the above meets with IDOA’s approval, please sign and return two original copies of this agreement to IFAW Headquarters, Attn: Shannon Walajtys, 290 Summer St, Yarmouth Port, MA 02675, U.S.A., signifying IDOA’s acceptance of the terms and conditions.

SIGNED for and on behalf of the INTERNATIONAL FUND FOR ANIMAL WELFARE, INC

Signature:  
Name: Azzedine Downs  
Title: Executive Vice President  
Date:  

SIGNED for and on behalf of the ILLINOIS DEPARTMENT OF AGRICULTURE

Signature:  
Name: Robert F. Flider  
Title: Acting Director  
Date:
Animals / Pets

Pets are often full-fledged family members, so any family emergency plan must include them to be truly complete.

Additions to Your Emergency Kit and Go Bag

- A recent photo of your pets in case they get lost
- Sturdy leashes and/or carriers
- Pet food, water, and bowls
- Cat litter and box
- Pet toys
- Contact information for veterinarian
- Medical information and records
- Any necessary medication
- Plastic bags for clean-up

If You Evacuate, Take Your Pets

The single most important thing you can do to protect your pets if you must evacuate is to take them with you. Even if you think you may be gone for only a few hours, take your animals. Once you leave your home, you have no way of knowing how long you'll be kept out of the area, and you may not be able to go back for your pets. Transport your pets in carriers or on leashes during an emergency to help them feel more secure.

Do Not Forget ID

Your pets should wear up-to-date identification at all times. It is a good idea to include on the tag the phone number of a friend or relative outside your immediate area.

Find a Safe Place Ahead of Time

Because evacuation shelters generally don't accept pets except for service animals, you must plan ahead to ensure that your family and pets have a safe place to stay. Don't wait until disaster strikes to do your research.

- Contact hotels and motels outside your immediate area to check policies on accepting pets.
- Check with friends or relatives outside your immediate area. Ask if they would be able to shelter you and your animals or just your animals. Make a list of boarding facilities and veterinary offices that might be able to shelter animals in emergencies; include 24-hour telephone numbers.
- Ask your local animal shelter if it provides foster care or shelter for pets in an emergency. This should be your last resort, as shelters have limited resources and are likely to be stretched to their limits during an emergency.

If You Don't Evacuate

If your family and pets must wait out a storm or other disaster at home, identify a safe area of your home where you can all stay together. Keep dogs on leashes and cats in carriers, and make sure they are wearing identification. Have any medications and a supply of pet food and water in watertight containers, along with your other emergency supplies.

As the Disaster Approaches

Don't wait until the last minute to get ready. Bring pets into the house and confine them so you can leave with them quickly if necessary. Make sure your disaster supplies are ready to go, including your pet disaster kit.

In Case You Are Not Home

An evacuation order may come or a disaster may strike while you're at work or out of the house. Make arrangements in advance for a trusted neighbor to take your pets and their disaster kits and meet you at a specified location.

When You Return Home

Whether you have taken shelter at home or evacuated, your home may be a very different place after a disaster. Don't allow your pets to roam loose. Familiar landmarks and smells might be gone, and your pet will probably be disoriented. Pets can easily get lost in such situations.

Be patient with your pets after a disaster. Try to get them back into their normal routines as soon as possible, and be ready for behavioral problems that may result from the stress of the situation. If behavioral problems persist, or if your pet seems to be having any health problems, talk to your veterinarian.
For Additional Information

- Pets and Disasters - American Veterinary Medical Association
- Prepare Your Home and Family: Pets - American Red Cross
- Caring For Animals - Ready.gov

Emergency Preparedness Planning for Pets and Livestock brochure
Preplanning can be vital in determining how you and/or your animals survive a disaster. This brochure details various measures animal owners can take to be prepared in case of an emergency.

Premises ID & Animal ID brochure
This brochure explains the National Animal Identification System (NAIS), which is comprised of three components: Premises Identification, Animal Identification, and Animal Tracking.
Public Assistance Funding Process

Disaster occurs

Local government conducts damage assessment

Local damage assessment information provided to IEMA

IEMA determines need for FEMA/IEMA damage assessment

FEMA/IEMA conduct preliminary damage assessment with local officials

Governor may request Federal Disaster Declaration

Federal Disaster Declaration made by the President (a per capita amount of eligible costs is required)

Public assistance applicants' briefing

Project worksheets are developed, reviewed, approved, and obligated by FEMA

IEMA reimburses applicants for eligible expenses/eligible work completed

Project Closeout Inspection

Records Retention and Audit

Important Websites

Real-time disaster information and preparedness tips

www.ready.illinois.gov

The Illinois Emergency Management Agency’s Official website

http://state.il.us/icma

Bureau of Disaster Assistance and Preparedness website

http://www.iema.illinois.gov/iema/disaster/disaster.htm

IEMA’s 24-hour Emergency Telecommunications Center

(800) 782-7860

Printed by the Authority of the State of Illinois

Rockford - POE 694 - 2,500 - 8/09

Disaster Declaration Process
Local Response
All disasters begin with a local response. Local resources are used to respond to the disaster. The chief local elected official in a city or county may declare a local disaster in order to activate that jurisdiction’s emergency operations plan. Citizens should report damages to their City/County Emergency Management Agency or City/County officials.

Local Government Requests Assistance
If a city’s or a county’s response capabilities are overwhelmed or depleted, local officials may request assistance from IEMA. Cities in need of State assistance should make their request through the County Emergency Management Agency. County EMAs should submit all requests for State assistance to IEMA.

State Disaster Declaration
The Governor may proclaim a state disaster, which allows state agency resources to assist local governments. For example, the Illinois Department of Transportation or the Illinois Department of Corrections may be requested to help with debris removal.

Preliminary Damage Assessments
Damage information (private property, business losses, and public infrastructure damages) must be first collected by local officials. Based upon the information collected by local officials, IEMA may request a Federal/State Preliminary Damage Assessment (PDA). During the visit, the PDA team tours, collects and analyzes the damage information. The damage assessment team members include IEMA, FEMA, SBA, and local officials. Local officials MUST be prepared to show all damages to the PDA team(s).

NOTE: The ability to gather damage information expeditiously may be hindered due to the nature and severity of the disaster. For example, flood damage cannot be accurately assessed until water levels recede enough to allow PDA teams access to impacted buildings and homes.

Requesting a Presidential Disaster Declaration
If the Governor asks the President for a Major Disaster declaration, the request is submitted through FEMA Region V in Chicago. FEMA reviews the Governor’s request and makes a recommendation to the President. The President then makes the decision on the Governor’s request.

If the Request is Denied
The Governor may appeal the denial. The appeal must be submitted within 30 days and provide additional NEW information to the original request for re-consideration.

President Approves Disaster Request
Depending on the State’s request, the Federal disaster declaration may make assistance available to families, businesses, local governments, and/or certain private non-profit organizations located in declared counties that suffered eligible disaster related damages. The primary Federal assistance programs are Individual Assistance, Public Assistance, Hazard Mitigation Assistance, and Small Business Administration disaster loans.

Public Assistance
Helps reimburse local, county, and state governments, and certain private, non-profit organizations in declared counties for debris removal, emergency protective measures, and repair/replacement of damaged public infrastructure. Emergency Work includes debris removal and emergency protective measures. Permanent Work categories include roads and bridges, water control facilities, buildings and equipment, utilities, and parks/recreational facilities.Damages and costs incurred from a disaster are measured by a statewide and county per capita dollar threshold. These factors are considered by FEMA when determining the need for a Public Assistance major disaster declaration.

Public Assistance Disaster Briefings for Local Officials
IEMA conducts applicant briefings to explain to local officials the Public Assistance Program policies and procedures, how project work is prepared and the reimbursement processes and procedures. Local officials have 30 days from the date of the Disaster Declaration to submit a request for Public Assistance to the Illinois Emergency Management Agency.

Individual Assistance
Helps individuals and households in declared counties begin the recovery process after a disaster. Individual Assistance programs include: Individual & Household Programs. Minimum Essential Repair, Disaster Unemployment, and other programs. Homeowners, renters, and businesses may apply to the SBA for low interest economic impact disaster loans. Individuals, families, and businesses have 60 days after the declaration is issued to register for assistance either by telephone or the Internet.

Hazard Mitigation Grant Program
After a Presidential Declaration the Hazard Mitigation Grant Program (HMGP) provides federal assistance to states, local units of government and certain private non-profit organizations for long-term mitigation measures and all-hazards mitigation planning.

Applicant organizations must have a FEMA-approved mitigation plan in place prior to the submission of project applications to FEMA, with the proposed project identified in the plan. Local government applicants must belong to the National Flood Insurance Program (NFIP).
4 Stay Informed
Know about Types of Emergencies
Some of the things you can do to prepare for the unexpected, such as assembling an emergency supply kit for yourself, your family and your pets, are the same regardless of the type of emergency. However, it’s important to stay informed about what might happen and know what types of emergencies are likely to affect your region as well as emergency plans that have been established by your state and local government. Remember, disasters can be natural or man-made. For more information about how to prepare, visit www.ready.illinois.gov, call 1-800-BE-READY or contact your local Illinois American Red Cross.

Be prepared to adopt this information to your personal circumstances and follow instructions received from authorities. With these simple preparations you can be ready for the unexpected. Take the time now to get yourself and your pet ready.

Preparing for your animals makes sense.

GET READY NOW!

PREPARING ANIMALS FOR EMERGENCIES MAKES SENSE

Prepare
Pet Emergency Supply Kit

Just as you do with your family’s emergency supply kit, think first about the basics for survival, particularly food and water, and consider two kits. In one, put everything you and your pets will need to stay where you are. The other should be a lightweight, smaller version you can take with you if you and your pets have to get away. Plus, be sure to review your kits regularly to ensure that their contents, especially foods and medicines, are fresh.

FOOD & WATER: Keep at least three days of food in an airtight, waterproof container. Store at least three days of water specifically for your pets in addition to water you need for yourself and your family.

MEDICINES & VITAL RECORDS: Keep extra supplies of medicines your pet takes on a regular basis in a waterproof container. In addition, place copies of your pet’s registration information, adoption papers, vaccination documents, medical records and emergency contact information (such as animal control, Humane Society, or ASPCA and emergency vet hospitals) in a clean plastic bag or waterproof container and add these to your kit.

PET FIRST-AID KIT: Most kits should include: cotton bandage rolls, bandage tape and scissors; antibiotic ointment; flea and tick prevention; latex gloves, iodoform alcohol and saline solution. Include a pet first-aid reference book.

GET READY NOW!

COLLAR WITH ID TAG, HARNESS OR LEASH: Your pet should wear a collar with its name and identification at all times. Include a backup leash, collar and ID tag in your pet’s emergency supply kit.

TALK TO YOUR VETERINARIAN: Discuss the types of things that you should include in your pet’s emergency first-aid kit. Get names of veterinarians or veterinary hospitals in other cities where you might need to seek temporary shelter. Keep one copy of these phone numbers with you and one in your pet’s emergency supply kit. You should also consider talking with your veterinarian about permanent identification such as micro-chipping and enrollment in a recovery database. Keeping your emergency contact information current and listing with a reliable recovery database is essential to you being reunited with your pet.

CRATE OR OTHER PET CARRIER: If you need to evacuate in an emergency situation take your pets and animals with you provided that it is practical to do so. In many cases, your ability to do so will be aided by having a sturdy, safe, comfortable crate or carrier ready for transporting your pet. The carrier should be large enough for your pet to stand, turn around and lie down.

SANITATION: Include pet litter and litter box if appropriate, newspapers, paper towels, plastic trash bags and household chlorine bleach to provide for your pet’s sanitation needs. You can use bleach as a disinfectant (eight parts water to one part bleach), or in an emergency you can also use it to purify water by using 1/2 of a teaspoon or 16 drops of regular household liquid bleach per gallon of water. Do not use scented or color shift bleaches, or those with added cleaners.

Attachment 6
CREATE A PLAN TO GET AWAY: Plan how you will assemble your pets and anticipate where you will go. If you must evacuate, take your pets with you. If you go to a public shelter, keep in mind your animals may not be allowed inside. Secure appropriate lodging in advance depending on the number and type of animals in your care. Consider family or friends willing to take in you and your pets in an emergency. Other options may include: a hotel or motel that takes pets or a boarding facility, such as a kennel or veterinary hospital, that is near an evacuation facility or your family’s meeting place. Find out before an emergency happens if any of these facilities in your area might be available for you and your pets.

DEVELOP A BUDGET SYSTEM: Plan with neighbors, family or relatives to make sure that someone is available to care for or evacuate your pets if you are unable to do so. Talk with your pet care buddy about your evacuation plans and show them where you keep your pet’s emergency supply kit. Also designate specific locations: one in your immediate neighborhood and another further away where you will meet in an emergency. Obtain “WEBS INSIDE” stickers and place them on your doors and windows. Include numbers and types of pets in your home to alert firefighters and rescue workers. Consider putting a phone number on the sticker for emergencies. And, if time permits, write “Evacuated with Pets” across the stickers should you flee with your pets.

Check with your veterinarian and Illinois Department of Agriculture for information about possible disease outbreaks. Illinois Department of Agriculture 866.799.5256 www.agr.state.il.us

3 Special Considerations

Horse & Livestock Owners

PRIOR TO AN EMERGENCY: Familiarize yourself with types of disasters that could occur in your area, including non-natural situations such as chemical spills near highways. Developing a written plan of action for each. Include a list of resources (suppliers, trucks and trailers), evacuation sites, emergency phone numbers and people who can help during an emergency. Develop a copy with important papers in a plastic bag or waterproof container. Review the plan regularly with everyone involved.

Survey your property for the best location for animal confinement in each type of disaster. Identify food and water sources that do not rely on electricity, which could be lost during an emergency.

Determine where to take animals if evacuation is necessary. Contact farms, other producers (especially those with empty barns and pastures), and auction markets about their policies and ability to take livestock temporarily in an emergency. Have several sites in mind in case your first choice is unavailable.

Familiarize yourself with several evacuation routes to your destination. Avoid routes likely to be traveled heavily by people unless instructed to follow official routes.

Photograph, identify (fence, ear tags, nose prints, animal ears, etc.) and inventory (by age, sex, weight, breed) your animals. Identify in a written list which animals (such as breeding stock) are of the highest priority or most valuable. Make sure others know your plans. Keep copies of important papers.

Keep vaccinations and boosters up-to-date. Record the date, dosage and type of vaccinations and hooch products the animals have received and record feeding instructions and dietary requirements. Keep this information with the emergency supply kit.

DURING AN EMERGENCY: Listen to the local radio/TV stations for emergency information. If possible, evacuate your livestock, take all vaccination and medical records, the emergency supply kit and enough hay, feed and water for a minimum of 72 hours. Call ahead to your destination to make sure the site is still available.

Don’t forget basic bio-security measures if you evacuate, especially if you know your herd is under quarantine or has a communicable disease.

If you must evacuate without your animals, leave them in an appropriate pre-selected area. Leave enough hay, feed and water for 72 hours. Do NOT rely on automatic watering systems; power may be lost.

AFTER AN EMERGENCY: Check fences—be sure they are intact. Check pastures and fences for sharp objects that could injure livestock. Beware of downed power lines. Beware of rancun, skunks and other wild animals that may have entered the area and could pose a danger to your animals.

If animals are lost, contact veterinarians, humane societies, stables, surrounding farms and other facilities. Listen to the local radio for groups that may be searching for lost animals.

FAMILIAR ITEMS: Put favorite toys, treats or bedding in your kit. Familiar items can help relieve pet stress.

OWNERSHIP: If you become separated from your pet during an emergency, a picture of you and your pet together will help you document ownership and allow others to assist you in identifying your pet. Include detailed information about species, breed, age, sex, color and distinguishing characteristics.

Plan what you will do in an Emergency

2

Be prepared to assess the situation. Use your emergency supply kit to save on hands to take care of yourself and ensure your pet’s safety during an emergency. Depending on your circumstances and the nature of the emergency, the first important decision is whether you may or get away. You should understand and plan for both possibilities. Use common sense and the information you are receiving here to determine if there is immediate danger. In any emergency, local authorities may or may not immediately be able to provide information on what is happening or what you should do. Therefore, watch TV, or listen to the radio for instructions. If you’re specifically told to evacuate, whether in place or seek medical treatment, do so immediately.
ANIMAL CONTROL CENTER
ANIMAL DISASTER & EVACUATION PLAN

This plan is designed to address companion animals, and more specifically dogs and cats, in the event of a disaster. Provisions for other pets and animals will be made wherever possible. In the event of a disaster, the following post disaster procedures shall be followed:

If the Animal Control Center is deemed suitable to continue to house animals no further action will be taken. Regular procedure and protocols will apply.

If the Animal Control Center is not deemed suitable to continue to house animals then the following relocation procedures will be followed:

TRANSFER OF CARE OF ANIMALS

Memoranda of Agreements between Sangamon County Department of Public Health Animal Control Center and other surrounding county animal control agencies, animal shelters, veterinarian clinics, and private boarding kennels will be implemented to transfer the care of animals currently residing in the Animal Control Center (ACC). These MOA’s will include the housing of stray animals, and displaced owned animals that are acquired by ACC after a disaster. The criterion of the facility to which an animal is transferred is as follows:

Newly acquired animals, displaced animals- These are animals which are new to the ACC or have been in the facility 7 days or less. These animals will be transferred to the surrounding county agencies only. The following counties are adjacent to Sangamon: Christian, Montgomery, Macoupin, Morgan, Cass, Menard, Logan, and Macon. Peoria County is not an adjacent county; however, a working relationship has been established in the past, so this county will be included as well.

ACC Owned animals- These animals may be transferred to any licensed animal shelter with adequate space to receive them for temporary housing or permanent transfer of possession.

Memoranda of Agreements for these facilities are included as attachments.

ALTERNANT HOUSING OF ANIMALS

In the event that all efforts of transferring animals have become exhausted and it becomes necessary to establish an alternate housing facility, the following protocols will be used.

Criteria for a Designated Alternate Housing (DAH)
   1. Water
   2. Electricity
   3. Waste disposal/garbage service

Designated Alternate Housing (DAH)
i. Illinois State Fairgrounds
ii. Sangamon County Fairgrounds
iii. Animal control agencies of surrounding counties
iv. Vet clinics
v. Local animal shelters
vi. Boarding facilities

Memoranda of Agreements for these facilities are included as attachments.

- The Director of Operations will oversee the set up and operation of the DAH.
- The Director of Operations will notify the Department of Professional Regulation that the agency has moved to a temporary location.
- Animals under holding periods will be transported to and maintained at the DAH facility as space is available. If no space is available they may be transferred to another licensed animal control agency.
- Stray animals will be brought to the DAH.
- Triage of injured animals will be directed by the Administrator.
- Animals with a known owner will be maintained for twice the required holding period.
- Animals with no known owner will be maintained for twice the required holding period as space allows.
- Animals that are too severely injured or diseased may be subject to euthanasia as recommended by the Administrator. Exigent circumstances exist when the Administrator or any other licensed veterinarian cannot be secured without undue delay and, in the opinion of an animal control officer or animal control staff, an animal is so severely injured, diseased, or suffering that it is unfit for any useful purpose and to delay humane euthanasia would continue to cause the animal extreme suffering.
- An animal control officer or animal control employee certified and licensed to do so may humanely euthanize severely injured, diseased, or suffering animals in exigent circumstances regardless of designated holding periods.
- Euthanasia will be performed in accordance with the Humane Euthanasia in Animal Shelters Act in an area of the DAH designated solely for euthanasia.
- Animals owned by displaced residents may be housed at the DAH or other licensed animal shelters capable and willing to provide such housing. These animals will be registered with serial numbers affixed to collars or microchip numbers and matching serial numbers or microchip numbers will be documented. Documentation will be provided to the owner and may be required to prove ownership at the time of pick-up of
the animal.

- Adoption of animals will be suspended until it is determined that the adoption process will not interfere with operations.

- Hours for reclaiming animals will be established by the Director of Operations.

- All kennel staff will be assigned to the DAH.

- Clerical staff will be assigned to the DAH, as needed.

- Animal Control Officers will be assigned to the DAH.

**DAH Supply list**

<table>
<thead>
<tr>
<th>Animal Care, Restraint, &amp; Handling</th>
<th>Equipment</th>
<th>Tools</th>
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</thead>
<tbody>
<tr>
<td>Alcohol or alcohol wipes</td>
<td>2-way radios</td>
<td>Bolt cutters</td>
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<tr>
<td>Animal Thermometer</td>
<td>Caution signs &amp; tape</td>
<td>Car jacks</td>
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<td>Animal Toys</td>
<td>Chairs</td>
<td>Chains</td>
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<tr>
<td>Band-Aids</td>
<td>Extension cords (small &amp; large)</td>
<td>Crowbars</td>
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<tr>
<td>Bedding</td>
<td>Lockable cabinet for controlled substance storage</td>
<td>Dollies</td>
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<td>Bowls</td>
<td>Power strips</td>
<td>Duct tape</td>
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<tr>
<td>Cat rescue poles</td>
<td>Radios (am/fm &amp; weather band)</td>
<td>Flashlights</td>
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<tr>
<td>Catch poles</td>
<td>Refrigerators</td>
<td>Hammer &amp; nails</td>
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<tr>
<td>Collars</td>
<td>Scales (for large &amp; small animals)</td>
<td>Knives</td>
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<tr>
<td>Containers with lids</td>
<td>Tables</td>
<td>Levels</td>
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<tr>
<td>Cotton balls</td>
<td>TVs &amp; DVD/VCR</td>
<td>Manual tee-post drivers</td>
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<tr>
<td>Disposable id collars</td>
<td>Wi-Fi capabilities</td>
<td>Other</td>
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<td>Disposable id wrist bands</td>
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<td>Portable generators</td>
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<tr>
<td>Disposable table covers</td>
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<td>Screwdrivers &amp; screws</td>
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<td>Dog runs</td>
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<td>Shovels</td>
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<td>Evac Sacs</td>
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<td>Sledgehammers &amp; mallets</td>
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<td>Food &amp; Water</td>
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<td>Tec-posts</td>
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<td>Gauze</td>
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<td>Wire cutters</td>
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<td>Halters</td>
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<td>Wrenches</td>
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<td>Identification tags</td>
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<td>Kennels &amp; carriers</td>
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<td>Leashes &amp; leads</td>
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<td>Medical supplies</td>
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<td>Muzzles</td>
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<td>Nail clippers</td>
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<td>Plastic Carcass disposal bags</td>
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<tr>
<td>Portable fencing</td>
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<tr>
<td>Ropes (varied sizes)</td>
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<tr>
<td>Spray bottles for cleaning &amp; disinfecting</td>
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<td>Water barrels for large animals</td>
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<td>Ziploc baggies (different sizes)</td>
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<td>Personnel Equipment</td>
<td>Cleaning Materials</td>
<td>Office Supplies</td>
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<td>Air purifying respirators bags</td>
<td>Bleach</td>
<td>8 1/2 x 11 paper</td>
</tr>
<tr>
<td>Bedding</td>
<td>Brooms &amp; dust pans</td>
<td>Camera</td>
</tr>
<tr>
<td>Biosecurity Suits (Hooded-two piece chemical splash suits)</td>
<td>Cleaning &amp; disinfecting solutions</td>
<td>Clipboards</td>
</tr>
<tr>
<td>Biosecurity waste</td>
<td>Disposable mops</td>
<td>Computer networking devices</td>
</tr>
<tr>
<td>Cots</td>
<td>Hoses</td>
<td>Documentation &amp; forms</td>
</tr>
<tr>
<td>Coveralls</td>
<td>Large rolls of plastic sheeting</td>
<td>Highlighters</td>
</tr>
<tr>
<td>Disposable boots</td>
<td>Paper towels and tissues</td>
<td>Laptops</td>
</tr>
<tr>
<td>Disposable plates &amp; cups</td>
<td>Rags</td>
<td>Lined paper</td>
</tr>
<tr>
<td>Eye protection (safety glasses &amp; chemical splash goggles)</td>
<td>Scrub brushes</td>
<td>Lockable cabinets for important records</td>
</tr>
<tr>
<td>Face masks</td>
<td>Trash bags</td>
<td>Pens and Pencils</td>
</tr>
<tr>
<td>First aid kits</td>
<td>Waste receptacles</td>
<td>Permanent markers</td>
</tr>
<tr>
<td>Food &amp; drinks</td>
<td></td>
<td>Printers</td>
</tr>
<tr>
<td>Gowns</td>
<td></td>
<td>Stapler staples</td>
</tr>
<tr>
<td>Hand sanitizer</td>
<td></td>
<td>Tape (scotch &amp; duct)</td>
</tr>
<tr>
<td>ID badges</td>
<td></td>
<td>Toner &amp; ink cartridges</td>
</tr>
<tr>
<td>Plastic gloves</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rain suits</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rubber boots</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tents</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water dispensers</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

ACC receives weekly shipments of animal food. This shipment will be re-directed to the DAH. If all food supplies are lost during and incident, food will be purchased locally until the next shipment arrives.

**BASE OF OPERATIONS**

If the Animal Control Center is deemed suitable to continue to operate at normal or near normal levels no further action will be taken. Regular procedure and protocols will apply.

If the Animal Control Center is not deemed suitable to continue to operate at normal or near normal levels then operations will be moved to the designated alternate location of operations.

**Designated Alternate Base of Operations Locations**
- Sangamon County Department of Public Health
- Illinois State Fairgrounds

Memoranda of Agreements for these facilities are included as attachments.
Staff and equipment necessary for day to day operations and the additional responsibilities resulting from a disaster may be provided by other county animal control agencies in Illinois, as deemed necessary, under the memorandum of agreement.

Animal control officers will continue to respond to calls with priority established as such:
- Bite incidents
- Injured animals
- Stray dogs
- DOA animals
- Inhumane care
- Other calls will be considered low priority and will be investigated as time permits

The Clerical Support Supervisor will maintain two sources of supplies and forms required for all aspects of day to day operation.

TRANSPORTATION

The Sangamon County Department of Public Health and ACC have some pick-up trucks that can be used for the transportation of animals. If all animals need to be moved in a short time period, then Sangamon County Highway Department would be asked to assist in moving the animals to a new location using some of their tandem dump trucks, and/or pick-up trucks, and drivers.

DEMOBILIZATION

The Director of Operations will deem when the DAH is no longer necessary for operations and it will be demobilized. The Director of Operations will oversee the demobilization of the DAH.
SECTION XX
ANIMAL SHELTERING

Statement Of Purpose

It is often necessary to provide assistance to domestic pets, livestock, and/or exotic animals, which become stranded, isolated or are in some way displaced from their homes as a result of some man made or natural disaster. This annex refers to a County wide need, where multiple areas have been affected and all local animal care agencies have been over-run with domestic pets, and/or large quantities of livestock need to be housed. The director of Sangamon County Department of Public Health will deem when these criteria are met to open a large animal shelter facility.

The director of Sangamon County Department of Public Health will ensure shelter of these animals during and after the disaster as needed. Trained animal shelter personnel, who are familiar with animal management, will be on duty to maintain the shelter and handle any problems or needs that may arise.

Definition of a Shelter

A shelter is a temporary housing facility to be utilized only through the course of an emergency. The need for shelters depends upon the severity of an emergency. Some shelters will only be needed for a few hours, while others may be needed for longer periods (maybe up to a few weeks) or until normal living conditions are restored. If necessary, pet owners will be advised about other agencies that can assist them in locating temporary housing for pets after the shelter is no longer needed to house a large group.

An animal shelter can be any facility large enough to house animals who are temporarily displaced, is close to the disaster area or main routes and is unaffected by the emergency conditions. Permission to use a building as an emergency shelter must be obtained from the building owner or the individual who is in charge of the buildings.
Opening a Shelter

In the event that it becomes necessary to open a temporary animal shelter in Sangamon County, the following procedures shall be followed:

A. The Sangamon County Department of Public Health (SCDPH) will make the decision to open an animal shelter.

B. If large numbers of livestock are affected, they will be transported to the Sangamon County Fairgrounds.

C. If exotic pets are involved in a disaster are, then the Henson Robinson Zoo will be contacted for direction and possible caretaking as needed.

D. SCDPH will notify the following individuals, agencies, and organizations of the shelter opening (as applicable):

   1. Mayor or Village President
   2. County Board Chairman
   3. Local OEM Coordinator
   4. Sangamon County Animal Control
   5. Local Law Enforcement Agencies
   6. Local Fire Departments
   7. Rescue Squad
   8. American Red Cross
   9. IL Dept. of Agriculture of Animal Health & Welfare
   10. IL State Veterinarian

E. The following are the responsibilities of the above individuals, agencies and organizations at the shelter site:

   1. Mayor or Village President
      a. May authorize expenditures for food, medical supplies if the situation necessitates.
   2. County Board Chairman
      a. May authorize expenditures for food, medical supplies if the situation necessitates.
   3. Local OEM Coordinator
      a. Shall serve as a liaison with IEMA.
4. Sangamon County Animal Control (SCAC)
   a. Coordinate transport of animals to the shelter.
   b. Coordinate animal distribution between other county and local animal shelters.
   c. Animal control for the prevention of the spread of diseases to humans.
   d. Prepare quarantine areas to isolate and prevent the spread of disease.
   e. Maintain a log of animals and a list of names and contact information of owners.

5. Local Law Enforcement Agencies
   a. Limit access of persons in the shelter area.
   b. Maintain law and order in the shelter.
   c. Report stray or injured animals to SCAC.

6. Fire Departments
   a. Advise on fire safety considerations
   b. Report stray or injured animals to SCAC

7. Rescue Squad
   a. Report stray or injured animal to SCAC

8. American Red Cross (SOP for Red Cross sheltering)
   a. Assist as needed

9. IL Department of Agriculture
   a. Will provide animal welfare expertise
   b. Will be consulted for significant mortality
   c. Will provide guidance as requested

10. IL State Veterinarian
    a. Will be consulted by Incident Commander
Shelter Selection and Staffing

When the need for a temporary animal shelter facility has been discovered, SCAC will work together with local officials to determine the best possible shelter to utilize according to specific needs, such as locations, number of and type of animals involved, type of facilities available, etc.

**Command Staff**

1. Determine the need to open the shelter
2. Direct staff and make assignments
3. Work with Local Emergency Operating Center during the event
4. Maintain communications with the shelter

**Registration Staff**

1. Prepare for shelter operations. Setting up tables, chairs, desks, phones, etc.
2. Ensure that proper forms are available to staff.
3. Ensure all animals are registered in the shelter.
4. Maintain log of all animals (and owners if known) in the shelter.
5. Assist with closing the shelter

**Logistics Staff**

1. Supervise the logistics activities.
2. Receive and record incoming supplies and equipment.
3. Maintaining an inventory of supplies and equipment.
4. Requisition supplies.
5. Work with security to guard supplies.
6. Acquire supplies, as needed, through volunteer organizations (Red Cross, Salvation Army, churches) or surplus and by requisitioning from grocery stores, pharmacies, wholesale food outlets, office suppliers, hardware stores, state agencies, etc.
7. Return unused and borrowed supplies and equipment.
8. Assist with closing the shelter.

**Communications Staff**

1. Supervise communications activities.
2. Supervise telephone and radio installation, if applicable
3. Keep a record of all telephone and radio traffic.
4. Have personnel for runner service.
5. Assist with closing of the shelter.

Animal Control Officer
1. Investigates all bites of persons of Sangamon County by dogs, cats, or other warm-blooded mammals. Obtains information from the bite victim which includes name, address, phone number, age of the bite victim, place where bitten, location that the bite incident occurred, and how the bite incident occurred. Obtains information from the owner of the bite animal which includes name, address, phone number, date of birth, species, breed, sex, color, size, and age of animal, name of animal, date of rabies vaccination, veterinarian who vaccinated the animal, tag registration number, and how and where the bite incident occurred. Provides the bite animal owner with written instructions as to the parameters of bite animal confinement.

2. Investigates all complaints of dogs straying in Sangamon County. Verifies current rabies vaccination and registration of all dogs and cats in Sangamon County. Enforces the Sangamon County ordinances. Files a written report indicating actions taken, animals picked up (species, breed, sex, size, color, and any identification on the animal), and where the animals were picked up.

3. Responsible for disposal of animal carcasses and thoroughly disinfects truck and containers following disposal.

4. Assist with containment, and transportation of livestock, and exotic pets as needed.

5. Informs the veterinarian of any animals picked up by the officer and brought into the shelter that require veterinary care.

Kennel Attendant

1. Provides general care for all animals brought to the shelter, including the daily cleaning of all cages and kennel runs using an approved disinfectant/detergent as specified by the Director of Veterinary Health; the maintaining of the cages and kennel runs in a clean, presentable condition throughout the day, feeding all animals at the times prescribed by the Director of Veterinary Health with approved feeds; moving of animals to cages or kennel runs assigned by the Director of Veterinary Health, and the appropriate disposal of animals that are euthanized during the course of the work day.

2. Assists owners looking for lost pets by insuring that viewing of all animals is accomplished.

3. Restrains animals for vaccinations, euthanasia, or medical treatment by the veterinarian when required in such a manner as to preclude the restrainer and the veterinarian from being injured, but also done in such a manner that the animal is restrained in a humane manner.

4. Performs or assists in the procedure of euthanasia as necessary.

5. Medicates animals as directed by the veterinarian.

7. Performs other duties as required or assigned.

Veterinarian
1. The Veterinarian in place at the shelter will provide a medical exam to all animals upon entrance to the shelter.
2. Inoculations will be administered to prevent spread of disease among animals.
3. Parasitic and flea treatments will be provided as needed.
4. Authorizes transfers animals to off-site animal hospitals

Animal Behaviorist

1. Behavior evaluations will be provided at intake of the animal as long as a behaviorist is available.
Closing the Shelter

A. The Shelter Manager responsibilities include:

1. Compile a list of all borrowed equipment.
2. Compile a list of lost or damaged equipment for submittal to the Public Health office.
3. Prepare a list of outstanding bills to be submitted to the Public Health Office.
4. Compile a list of all volunteers if any, and the number of hours worked to be submitted to the Public Health Office.
5. Secure all animal and owner records, and registration and provide a copy to the Public Health Office.
6. Advise the owner the shelter is closing, returning the keys to the appropriate person and submitting all records, receipts, bills, etc. to the Public Health Office.

B. The Logistics Staff is responsible for:

1. Return all borrowed equipment and supplies and all unused supplies.
2. Secure receipts on all equipment and supplies.
3. Give all receipts to the Shelter Manager.

E. Communications Staff

The Communications Staff is responsible for seeing that telephones and radios are removed and returned to their owners and for forwarding all records to the Public Health Office. Such records include lists of telephone and radio equipment and parts, logs of telephone and radio traffic, as well as logs of personnel and the hours they worked.
Appendices

1. Checklist for Shelter Managers
2. Daily Shelter Record and Report
3. Contact Numbers
4. Shelter Cage Card
The Shelter Manager is responsible for the total operation of the facility. He will ensure that the following tasks are performed by authorized personnel. The order in which these tasks will be performed will depend on actual circumstances at the time.

1. Establish and maintain contact with LEOC’s.
2. Alert basic staff and open the building for use.
3. Arrange the building for the disaster relief operation.
4. Inventory supplies and equipment.
5. Prepare rooms for receiving animals and for other purposes.
6. Arrange for identification of the shelter staff.
7. Order supplies and equipment for the shelter from EOC.
8. Keep in constant touch with the Director of Public Health, giving progress reports and daily counts of animals housed.
9. Establish and enforce safety and fire regulations in the shelter.
10. Arrange for the maintenance of records for all borrowed and purchased equipment.
11. Arrange for adequate police and guard protection.
12. Deal with the media, but only in regard to the operation of your shelter.
APPENDIX 2

DAILY SHELTER RECORD AND REPORT

Shelter ________________________________

Location ____________________________________________

Report Number ________________________________________

Date ________________________________________________

Number of Animals Sheltered:
At Start of Day ___________________ At End of Day ___________________

Number of Animals Fed: __________

Number of Animals Requiring Medical Treatment: __________

Number of Animals Requiring Euthanasia: __________

Comments: ____________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

_________________________________________________________________

SHELTER MANAGER
## Contact Numbers

Local Fire and Police, call Dispatch at 753-6666

<table>
<thead>
<tr>
<th>Contact</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Board Chairman</td>
<td>753-6650</td>
</tr>
<tr>
<td>Local OEM Coordinator – David Butt</td>
<td>747-5150</td>
</tr>
<tr>
<td>Sangamon County Animal Control</td>
<td>535-3065</td>
</tr>
<tr>
<td>American Red Cross</td>
<td>787-7602</td>
</tr>
<tr>
<td>IL Dept. of Agriculture of Animal Health &amp; Welfare</td>
<td>782-4944</td>
</tr>
<tr>
<td>IL State Veterinarian</td>
<td>782-4944</td>
</tr>
<tr>
<td>Henson Robinson Zoo</td>
<td>585-1821</td>
</tr>
<tr>
<td>Sangamon County Public Health</td>
<td>535-3100</td>
</tr>
<tr>
<td>Springfield City EOC (if activated)</td>
<td></td>
</tr>
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</table>
## EMERGENCY ANIMAL SHELTER CAGE CARD

<table>
<thead>
<tr>
<th>TYPE</th>
<th>DOG</th>
<th>CAT</th>
<th>LIVESTOCK LIST:</th>
<th>EXOTIC LIST:</th>
</tr>
</thead>
<tbody>
<tr>
<td>BREED</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COLOR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SEX</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>APPROX AGE</td>
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</tr>
</tbody>
</table>

**Date Entered Shelter** __________________________  **Time Entered Shelter** __________________________

**Location Animal Found** ____________________________________________

**Animal Injured** Y N

**Treatment Provided** ____________________________________________

**Identifiers Present?** Rabies tag # __________________ Micro Chip # __________________

**Collar Color** __________________

**Animal History, If Known** ____________________________________________

**Owner Information if Known:**

**Name** ____________________________

**Phone** __________________________

**Address** ____________________________

**Intake Staff Signature** ____________________________  **Date** __________

KENNEL# __________  CAGE# __________  STALL# __________