

**IMPLEMENTATION AND EFFECTIVE MANAGEMENT OF A CANINE PROGRAM
WITHIN A POLICE DEPARTMENT**

E.M.U. SCHOOL OF POLICE STAFF AND COMMAND

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Abstract

One of the most dynamic areas currently in law enforcement is the canine and its use in police work. The use of canine units has seemed to catch on in ever major metropolitan department and now is spreading to even the smallest departments. With this increase use, canine programs and tactics are being put to the test both in the legal arena and in the public forum. Due to this it is more important than ever to research the proper development and administration of a canine program as well as the case laws that effect it.

By conducting interviews, and researching through literature and from personal experience from administering a canine program for four years, this paper reviewed current legal decisions that directly effect canine programs. It also reviewed the ground work necessary to start a canine program, such as equipment needed, and the tools necessary to effectively run the day to day operations of the canine program as well as the administration of it. There are four areas that are concentrated on and that must be addressed. They are as follows, The handler and canine selection, the development of an effective general order or standard operating procedure, the constant review of legal decisions affecting the canine unit and the time needed to be set aside for initial training and then in-service training.

The research supported the fact that the above listed four areas need to be addressed and concentrated on if a canine unit is going to be successful for the department, community and the administrator.

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Introduction

Canine programs have increased within the tri-county area of Macomb, Oakland and Wayne counties. All too often though departments start their programs without understanding the full spectrum of what it takes to start and operate an effective canine program which leads to programs failing and heavy liability costs to the city or township. Since police departments have started using canines several issues have arisen that need to be fully understood, such as training, qualification and use of force, before any department puts a canine unit on the road.

The purpose of this study is to provide the reader with a clear understanding of what it takes to get a canine program started. It then will cover the necessary policies and procedures that need to be followed to effectively keep the canine program up and running in a cost effective and liability conscious manner.

This study uses the historical method of research and addresses the following research questions:

1. What is the initial start up costs of a canine program?
2. What is the handler selection process?
3. What type of training is required?
4. What type of equipment is needed?
5. Policies and procedures needed?
6. Where to get the canine?
7. What to train the canine in?
8. Supervision of canine program required?
9. Other uses for the canine?
10. Does the canine belong on the force continuum?

Background and Significance

In the past all too often programs such as canine within a police department were started without any significant research being done. This lack of research has led to many departments incurring huge lawsuit settlements against them for lack of training and supervision of the canine program. Presently there are still many departments that have not heard what the courts are saying in regards to canine programs. They still continue to operate their programs without proper training of the officer, canine and supervisor. They also fail to have a comprehensive general order or standard operating procedure to govern the canine program and all the facets of it. This often times leads to the unit being abolished for issues that could have been addressed and controlled prior to the incident taking place. Liability is the biggest concern for many police departments. However, they fail to curtail their liability in areas with they can effectively do so, such as in the canine program. If departments do not stop and take a look at their general orders or standard operating procedures then they are sure to head down the liability road paying out monies for something that was easily avoidable. This also causes a program that is an effective tool for the road officer as well as a highly visible promotional tool to the public to be disbanded.

Literature Review

It should be noted that no one person has put out a text that deals solely with the institution and management of a canine program. Therefore information must be extracted from different sources and compiled to deal with this subject matter. It should also be noted that many of my findings have come from my personal experiences in dealing with the managing of the Sterling Heights Police Canine Unit for four years.

Having said the above, I did have several conversations with Officer Richard Heins of the Sterling Heights Police Department Canine Unit regarding the operation of a police canine unit.

He is a Master Trainer with the United States Police Canine Association and is currently the National Vice President of the organization. Ofc. Heins is known in the tri county area as one of the premier dog handlers. Many departments turn to him for the weekly training of their canines and handlers. He has also been responsible for many of the current canine programs in the area. He has been a canine handler for 10 years and was an instructor at the Oakland Police Academy for training of the canine and handler. He is currently on staff at Macomb Community College Criminal Justice Training Center as the Director of their newly formed canine training program. It should also be noted that I worked closely with Officer Heins when I was the supervisor of the Sterling Heights Canine Program.

In regards to the initial start up costs of a canine unit Ofc. Heins provided me with a breakdown of start up costs. They are as follows:

Canine

Canine Vehicle (preferred Chevrolet Tahoe)	\$30,000
Canine (Imported and Guaranteed) and Training Academy	\$9,500
Canine Vehicle Insert	\$2,000
Canine Yearly Food and Supplements	\$700
Canine Veterinary Services	\$500
Yearly Certifications (excluding travel expenses)	\$200

Canine Equipment

In Home Kennel (Crate)	\$120
Aggression Sleeve	\$140
Scratch Pants	\$200
Tracking Harness	\$80

30' Tracking Lead	\$50
Narcotics Collar and Lead	\$25
Aggression Collar	\$30
Muzzle	\$150
6' Obedience Lead	\$18
Waist Lead	\$15
First Aid Kit	\$200
Aggression Safety Line	\$50
Scratch Box	<u>\$50</u>
Total Cost:	\$44,028

In regard to handler selection there are several areas that need to be looked at. The officers patrol experience and work performance, officer and families willingness to care for and keep the canine at their residence during off duty time and a physical agility test consisting of a 2mile walk and run in 15 minutes, a 120 lb dummy drag for 50 yards and 190 lb bag lift over a standard cyclone fence and then climb over the fence a total of four times. If the candidate successfully completes this then there should be an oral and in home interview before selecting a candidate.

Ofc. Heins believes that training of the canine and handler is of utmost importance. This starts with the canine being trained by a trained dog handler prior to the handler receiving the canine, commonly referred to as pre-service training. Both the canine and the handler then receive training together at an accredited institution such as Oakland Police Academy or Macomb Community College Criminal Justice Training Center. But the training does not stop there, it continues when the dog and handler are put into service on the road. Officer Heins

believes that 25 to 40 percent of the on duty time each day should be spent on training with the canine.

The canine should be imported and guaranteed by the breeder or the institution receiving the canine from according to Officer Heins. He also believes that policies and procedures should be set in place covering all aspects of the canine and the handler. As far as what to train the canine in, he believes that you can have a dual trained canine in narcotics and tracking. However, a bomb detection canine should be trained exclusively in that area. Having said that, it is not necessarily uncommon to train a bomb detection dog in tracking also.

Officer Heins feels that the canine is an excellent public relations tool for the department. When the canine and the handler are out in the public it attracts much attention and curiosity from the public. Many times there is very positive interaction between the canine handler and the public. Also when demonstrations are put on at local schools the kids are always fascinated by what the canine can do and the obedience of it.

As far as whether the canine belongs in the force continuum. He believes that the canine is a tool and not a weapon. Therefore, the canine does not fit in the force continuum.

The Oakland Police Academy has a course titled "Administration of Police K-9 Units". A comprehensive manual was also distributed during this class, which was prepared by the instructor, retired Lieutenant Kathie Butler of the Southfield Police Department, Michigan. It is suggested that the start up costs of a canine unit is approximately \$15,385 without the cost of a vehicle factored in (Butler 2000). Handler selection is also one of the most important processes in starting up a canine unit. It is imperative that the correct handler be chosen if the program is expected to be a success. It is suggested that there be a process in selecting the handler. The process should consist of looking at the officer's work habits, home environment and there

should be an interview along with some type of physical test. As far as the selection of the canine it was recommended that canines have certain characteristics such as 18 months to 3 years old, psychological deterrent image, male and a good temperament. It is also important that the canine not have a high level of aggression, however, you also do not want a canine with no drive either. Cross trained canines are acceptable; however, this causes some difficulties in selecting a canine and obviously more difficult for the handler to handle the canine. The breed that seems to be the most popular and has become the choice of most departments is the Shepherd. This breed seems to encompass all the traits that make an excellent canine for police work.

In regards to training, Butler likewise finds that training is essential for a handler and canine to be successful. She recommends that the handler and canine attend some type of training prior to being put in service with a police department. It is also essential that the handler and canine continue to train while in service. Butler suggests that 35 to 40% of the in-service training time be spent on training in order to maintain the canine's proficiency. It is also suggested that maintenance training be scheduled and made mandatory.

Butler also covers the area of liability. This is an area which too many departments fail to concentrate on which only leads to problems such as lawsuits which could have easily been avoided with proper supervision and training. Butler is clear to point out that a properly trained and handled canine is less of a liability than the handler (Butler 2000). Butler lists eight areas that liability problems come from;

1. Poor police dog candidate
2. Improperly trained dog or handler
3. Improper application of the dog
4. Lack of control

5. Lack of continued maintenance training
6. Lack of supervision
7. Failure to follow policy
8. Inadequate records keeping

(Butler 2000)

As stated before current case law has played a significant role in the development and administration of canine programs throughout the country. The below list of court cases highlights the more important decisions that one needs to be aware of.

Training Issues

1. Kerr vs. City of West Palm Beach (11th Circuit – 1989)
 - Set policy when canine force can be used
 - There should be frequent mandatory in service training
 - Review of all bite situations
 - Retrain canines and / or handlers when necessary
2. City of Canton vs. Harris (6th Circuit – 1989)
 - Municipality can be held liable for reckless, intentional, or negligent failure to train its police force.

Use of Force

1. Graham vs. Connor (US Supreme Court -1989)
 - Handler must take into account three variables before deploying a canine; severity of the crime, if the suspect poses an immediate threat and if the suspect is resisting arrest or fleeing

2. All of the below listed court cases declare the police canine is not considered deadly force.

- Robinette vs. Barnes (6th Circuit -1984)
- Matthew vs. Jones (6th Circuit – 1994)
- Fikes vs. Cleghorn (9th Circuit – 1995)
- Quintanilla vs. City of Downey (9th Circuit – 1996)
- Vera Cruz vs. City of Escondido (9th Circuit – 1997)

Use in the Force Continuum

1. Scott vs. Henrich (9th Circuit – 1989)

- Questioned asked is whether the officer acted reasonably under the circumstances
- The court concluded that if officers had to choose least intrusive alternatives and only that option it would cause officers to become tentative and deter them from protecting the public

Search and Seizure

1. US vs. Place (US Supreme Court – 1983)

- A sniff by a narcotics trained police dog in a public place is not considered a search under the fourth amendment

2. US vs. Bronstein (2nd Circuit – 1976)

- A canine may sniff a legally detained article or in a place an officer is in legally

3. US vs. Johnson (2nd Circuit – 1981)

- The use of a narcotic detector canine can not be characterized as a search or seizure.

4. US vs. Ross (US Supreme Court – 1982)

- A positive indication on the exterior of a vehicle gives an officer probable cause to conduct a warrant less search of the vehicle including the trunk and any packages inside the vehicle.

5. B.C. vs. Plumas Unified School District (Ninth Circuit -1999)

- A dog sniff of a person infringes on a reasonable expectation of privacy and it constitutes a search. A random and suspicion less dog sniff search of a person is unreasonable.

6. Zamora v Pomeroy (Tenth Circuit -1981)

- A warrant less search of school lockers conducted by trained police dogs was reasonable under the Fourth Amendment, even when no reasonable suspicion existed.
- Where school had assumed joint control of student's locker and where school authorities conducted warrant less search of lockers after trained police dogs indicated the presence of drugs, there was no search under the Fourth Amendment.

7. United States v Roby (122 F. 3d 1120 (Eighth Circuit -1997)

- A warrant less canine sniff conducted in the corridor outside the defendant's hotel room was reasonable.
- Just as evidence in plain view of officers may be searched without warrant, evidence in plain smell may be detected without warrant.
- Trained dog's detection of odor in common corridor does not violate the Fourth Amendment.

- Officers can secure defendant's motel room while waiting for search warrant to issue, after a positive canine alert from corridor outside room.

Procedures

In order to prepare this paper an interview was conducted with a canine handler who has been in police work for 14 years 10 of which have been as a canine handler, trainer and policy developer for the United States Police Canine Association. I also reviewed a manual that I obtained while attending a seminar at the Oakland Police Academy titled "Administration of Police Canine Units". The internet was also used to access web sites which contained information regarding current case law which has molded the current canine programs around the country. And lastly, I drew upon my own knowledge from being an administrator of a canine program at my municipality for five years. In those five years I drafted a new general order governing all aspects of the canine program, researched and made recommendations for expenditures of monies for equipment, and reviewed and attended several training sessions that our officers had attended.

The main purpose or objective of this research paper is to provide a basic guideline for a department wishing to start a canine program or modify one that currently exists. From doing the research it is obvious that every department must develop a program that best fits their department and prosecutor's guidelines. However, it was the intention of this paper to at least give the basic standard guidelines that are important to incorporate into any policy to alleviate as much liability as possible for the city, supervisors of the program and the handler. Attached to this paper is a complete general order or standard operating procedure that I developed from my research into the canine area as well as real situations that occurred which were not originally addressed in previous general orders which had to be addressed. It

is hope that the real life issues that have been experienced by my department will assist other departments.

It should be noted that there is really no information out there that suggests that a canine program is not beneficial. The information more points to the liability issues and cost factors of the program, which I feel have been explained thoroughly in this paper which will help an individual department decide if a canine program is at first feasible for them and if so to limit their liability through appropriate management of the program.

Results

After conducting research into the cost factors associated with the start up of a canine program an estimated amount can be given. It appears that the most significant cost is the vehicle at about \$30,000 and the insert for the canine at \$2,000. Then comes the cost of the canine imported and guaranteed at a cost of approximately \$3,200. The cost of sending the canine and handler to an approved training facility runs approximately \$9,500. The equipment needed totals approximately \$1,200. These initial start up costs total \$45,900. Then the yearly cost is minimal. The yearly costs include canine yearly food and supplements at approximately \$700, canine veterinarian fees of approximately \$500 and yearly certification cost of \$200. These total to \$1,400 yearly.

The process of selecting a handler is one of the most crucial decisions that will be made. The qualifications should be patrol experience with satisfactory work performance, discipline records and use of sick time. The officer and family must also be willing to care for and keep the canine at his or her residence during off duty hours with a secure outdoor area. The officer should also obtain a passing grade on a physical fitness test related to the tasks of handling a canine. The test should consist of a 2mile walk and run in 15 minutes, a 120

pound dummy drag for 50 yards and a 90 pound bag lift where the officer is required to lift the bag over a standard cyclone fence then climb over the fence completing this a total of four times. If the officer passes the test then there should be an oral board and an in home interview.

The canine officer should also attend a basic training academy for both the canine and handler. The canine will receive what is called pre-service training prior to being given to the handler. This pre-service training is basically instilling the canine with the basic skills needed to perform the job. After this pre-service training then the handler is introduced to the canine and they both learn to work together. The canine develops the skills necessary to perform the job required and the canine handler learns to work with the canine and to handle him or her.

There is basic equipment that is going to be needed to get the canine and handler up and working. The equipment is as follows;

- Canine Vehicle (preferred Chevrolet Tahoe)
- Canine (Imported and Guaranteed) and Training Academy
- Canine Vehicle Insert
- Canine Yearly Food and Supplements
- Canine Veterinary Services
- Yearly Certifications (excluding travel expenses)

Canine Equipment

- In Home Kennel (Crate)
- Aggression Sleeve
- Scratch Pants

- Tracking Harness
- 30' Tracking Lead
- Narcotics Collar and Lead
- Aggression Collar
- Muzzle
- 6' Obedience Lead
- Waist Lead
- First Aid Kit
- Aggression Safety Line
- Scratch Box

The policy and procedures that are developed by the department to regulate the use and direction of the canine unit must take into account current case law. But they also must not be too restrictive of the handler and the canine. The policy and procedures should cover the following areas;

- Definition of a Canine Unit and supervisor of same
- Canine unit utilization
- Building searches for suspects in hiding
- Narcotics detection
- Bomb threats (if a bomb canine is part of the unit)
- Tracking
- Crowd control
- Bite procedure
- Responsibilities of the canine training officer

- Canine unit officer selection
- Canine unit officer responsibilities
- Qualifications and certifications
- General rules
- Retirement / transfer /promotion of the handler or retirement of the canine

A comprehensive general order or standard operating procedure is included in Appendix A.

The second most important decision that a department has to make is where to purchase the canine from. It is highly recommended that a department allow the training facility that is going to conduct the training of the officer and canine to purchase the canine for the department. Most of these facilities have a relationship with an importer of canines specifically bred for police work. They also will guarantee the canine if it is a reputable training facility.

When it comes to training of the canine it is ultimately the best to have a canine trained in one specific area, that being narcotics, tracking, explosives or cadaver. However, having said that and knowing that most municipalities want to get the biggest service to the community at a minimal cost then it is suggested that a canine be cross trained. It is suggested that a canine be crossed trained in narcotics and tracking. An explosive canine can also be trained in tracking however this requires a handler who really knows how to work his canine since he or she must be able to take a canine from a tracking mode which is a potentially aggressive situation and training them to be passive when detecting explosives.

Supervision of a canine program is crucial. It is important to remember that a department and the immediate supervisors are going to be held liable for the actions of the canine and handler. Therefore, the supervisor needs to monitor the training that the canine and handler attend. He or she also needs to be sure that the handler keeps accurate records of the in service training of the

canine. It is also imperative that the supervisor monitor the behavior of the canine through the reviewing of reports and most importantly if the canine actually does bite someone. He or she must be able to intervene and require additional training and or take the dog out of service and / or retire the dog. The handler also must be monitored to assure that he or she is following departmental guidelines and keeping up with the daily care of the canine and care of equipment.

The canine can also be used as an excellent public relations tool for the department. Many people and especially children are drawn to the canine and handler just for the mere love that people have for canines. This interaction with the public is a positive one for the public which in turn reflects positively on the department, the officer and the canine program. Many times kids in schools or other community organizations will hold fund raising drives to buy equipment for the canine. This instills a feeling of working together with the police department for the public. The canine also acts as a deterrent to many would be criminals just by the mere presence of a canine vehicle traveling the streets of your community.

The big issue surrounding canines today is whether the canine belongs on the force continuum. It is my findings that most case law and canine organizations as well as departments suggest that the canine be seen as a tool and not a weapon. Therefore the canine is not considered a use of force so it is not needed on the force continuum. Having said that, I realize that some municipalities want the canine on the force continuum. Therefore, if the canine has to be put on the force continuum then it is suggested that it be placed as follows;

- Officers Presence
- Verbal commands
- Control and restraint (canine use)
- Chemical agents

- Temporary Incapacitation
- Deadly Force

Discussion

After doing this research paper I have found that most if not all who have any knowledge of canine programs agree that it is important to base the program on current case law as well as a well developed general order. “Handler Selection along with dog selection are two of the most important facets of the canine unit” (Administration of Police K-9 Units, 2000). It is also important to keep in mind that, “25 to 40%” (Heins, 2003) of in service time should be spent on the training of the canine and handler.

It is clear to me that the canine program is something that is not just going to be put together and then run on its own without it being reviewed on a consistent basis. The reasoning for this is to keep current with the ever changing legal outcomes from cases involving the canine. However it is important to point out that for the most part, the ground work cases that most programs are based on have not changed through the years since most of those decisions are based on other case law not relating to canines specifically, however, they were interpreted to apply to canines.

The implications of this research for an organization are clear. If a canine program is going to be implemented it would behoove the organization to first obtain a canine and train the handler through an approved training school. Then to develop a general order or standard operating procedure based on current case law and operating procedures within the specific department. To spend the initial start up money to provide the handler with the equipment needed to properly control, transport and handle his canine. And lastly, to allow the canine the necessary time to train his canine in service. To many times a department wants the canine unit to perform

functions that are better handled by other units within the department. The canine unit should be allowed to perform the function it was intended for.

Recommendations

From the research that was conducted regarding canine programs it can be said that there are four areas that are instrumental in the success of a canine program. First that a comprehensive general order be developed that will cover the daily operations of the canine program as well as the administration of it. Secondly, that the handler and canine selection process is taken seriously and that the selection is made of the best candidate for the job and not based on any other factors. Thirdly, that the general order is revisited when necessary to keep it current with new legal decisions rendered by the courts that directly effect the canine program. And lastly, that the canine and handler are able to devote in-service time to training. Too often the canine is used in other areas of the department which limits training time. This in turn affects the effectiveness of the canine. The canine is not something that can just be brought out of the closet when necessary. If this is the approach one is setting the department and handler up for failure as well as possible litigation issues.

It is suggested that the basis of a successful program is the general order or standard operating procedures. Included in this paper in Appendix A is a comprehensive general order which deals with the two major issues, day to day operations of the unit and administration of it. One would also be wise to stay current with legal decisions that directly effect canine units and those that indirectly affect them. This can be done by visiting web sites such as Michigan Legislature and the United States Police Canine Association. These are the two sites that I personally have found the most helpful in my administering of the canine unit.

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Appendix A

Canine General Order

I. Policy

Because of a superior sense of smell and hearing, the trained law enforcement canine is a valuable tool to supplement the police officer. To properly use this tool adherence to these procedures is of utmost importance.

II. Purpose

It is the purpose of this policy to provide guidelines for the management and deployment of the canine unit.

III. Authority

Anytown Manual of Rules, Article I and XI.

IV. Procedures

A. K-9 Unit Definitions and Supervision

1. A K-9 Unit is a trained dog handler, sworn officer, and a trained police work dog
2. The K-9 Training Officer, one of the K-9 Unit Members, is of trainer's status through a nationally recognized organization.
3. The Operations Division Commander, or his designee, shall coordinate the overall policy decisions for the canine program. Day to day supervision of individual K-9 Units is the responsibility of the appropriate supervisor of the shift assigned to.

B. Canine Unit Utilization

1. Canine units are available on a 24-hour on call basis.
 - a. The Operations Division Commander, or his designee, shall maintain an on call procedure for K-9 deployment.
 - b. An attempt shall be made to contact this Department's K-9 Units prior to contacting another

Department's K-9 unit.

2. When working, the K-9 Unit shall not be used as a primary unit on minor complaints unless all other units are busy.
 - a. K-9 Units may be used for the following responses but are not limited to just these:
 - 1a. Alarms
 - 2a. Building searches/open doors
 - 3a. Area searches for suspects or articles
 - 4a. To locate lost or missing persons
 - 5a. Narcotic and explosive detection
 - 6a. Major crimes in progress
3. The K-9 handler will coordinate unit deployment.
4. A K-9 Unit shall not be used to transport prisoners.

C. Building Searches for Suspects in Hiding

1. A primary use of the K-9 unit is for locating suspects in buildings or related structures where search by officers would create an unnecessary risk. These searches shall be governed by the following:
 - a. Secure the perimeter

- b. Ascertain legitimate occupancy and evacuate anyone on the premises that are rightfully there.
- c. Ascertain if any animals are in the building.
- d. Radio communications limited to tactical nature
- e. The canine should not be used to search facilities that contain substances potentially harmful to the canine unless overriding risk to human life is present.
- f. A verbal police canine warning shall be announced prior to canine deployment. A reasonable amount of time shall be allowed for the suspect to respond. Additional announcements may be required based on the structure size.

D. Narcotics Detection

- 1. Use of police canines in a narcotic detection capacity is authorized in the following situations and under the following conditions:
 - a. Random exploratory searches shall be confined solely to those areas open to the general public.
 - b. The use of detection canines in schools is permitted only under one of the following circumstances:
 - 1b. Principal or designee requests and approves the search
 - 2b. With a valid search warrant
 - c. Motor vehicle searches can be conducted in any of the following circumstances:

1c. Reasonable suspicion exists to believe the operator or passengers are in possession of illegal narcotics.

2c. During a valid traffic stop the canine may be used to search the vehicle's exterior in an exploratory manner.

Unless the canine alerts to the vehicle the operator may not be detained longer than is necessary to conclude the business associated with the initial stop.

3c. The vehicle driver or occupant is arrested.

4c. With the driver's written or verbal consent.

d. To detect the presence of narcotics on currency.

1d. The currency shall be kept separate from any and all narcotics. This means that the currency shall not be transported in the same vehicle with any narcotics or kept in any room where narcotics were or are currently present.

2d. Time is of the essence, so a K-9 Unit shall immediately be requested if on duty. If not on duty the request shall go through the operations officer or a supervisor on the scene for a call in of a K-9 Unit according to the on call procedure currently in place.

E. Bomb Threats

1. An explosive detector canine shall be dispatched if on duty. If not on duty then the K-9 Unit shall be called in according to the on call procedure currently in place and if deemed appropriate by the Operations Officer.
2. If a K-9 Unit is dispatched or called in then the responding officers at the scene shall do the following prior to the K-9 Unit's arrival:
 - a. Evacuate the premises according to the policy. The person in charge of the business or building shall be advised that a K-9 Unit will not be deployed in the building unless all occupants are evacuated.
 - b. Secure a perimeter
 - c. Obtain a floor plan for the K-9 Unit and any area where the general public has access to as well as any suspicious devices that were noticed and their location. Also inquire as to any hazardous substances inside the building. Obtain keys to locked areas.

F. Tracking

1. Police canines are available to track missing persons or suspects, to locate evidence that has been abandoned or hidden in a specified open area. The **officers** requesting the K-9 Unit shall do the following:

- a. Coordinate with dispatch the setting up of a perimeter as soon as it is deemed that a K-9 Unit may be needed.
- b. stop and pinpoint the location where the suspect was last seen.
- c. shut off vehicle engines in the area if possible
- d. avoid vehicle or foot movement in the area where the suspect or subject was last seen and do not follow the path or direction the suspect or subject is thought to have taken.
- e. Officers shall not touch evidence, trace materials, or other property that has likely been touched or left behind by the suspect or the person being sought unless it is necessary to do so in order to make it safe.
- f. Once a vehicle that a suspect fled from is deemed empty of occupants and is not a hazard, officers shall refrain from entering the vehicle or walking around it.

G. Crowd Control

1. K-9 Units shall not be used for crowd control at peaceful demonstrations.

H. Bite Procedure (Does not apply to bites sustained by officers/trainers during training exercises)

1. This Department recognizes that the canine is a tool which is used by the K-9 Handler. The Department also recognizes that the K-9 Handler is extensively trained in the proper uses of the canine and the deployment of it. The canine likewise also undergoes extensive training

with the handler. This Department also recognizes that at times the canine might bite and hold a suspect according to the training it has received. The Department also maintains that the use of a police canine does not constitute the use of deadly force (Robinette VS. Barnes-6th Circuit 1984, Matthew VS Jones-6th Circuit 1994, Fikes VS Cleghorn-9th Circuit 1995, Quintanilla VS City of Downey-9th Circuit 1996, Vera Cruz VS City of Escondido-9th Circuit 1997).

2. The K-9 handler must take into account three variables before deploying the canine (Graham VS Connor-US Supreme Court 1989)

- a. Severity of the crime
- b. If the suspect poses an immediate threat
- c. Suspect resisting arrest and/or fleeing

3. Should a K-9 bite an individual the following procedures shall be followed.

- a. K-9 Officer
 - 1a. Summon any immediate medical personnel that may be required to treat the injured area.
 - 2a. Summon the K-9 Supervisor to the scene if working or another supervisor if not working.

- 3a. Request an evidence technician and have photos taken of the injury as soon as possible.
- 4a. If the person bit is an arrested subject have them transported to a medical facility and treated according to Department Policy and have the doctor or his designee complete the department Medical Release form.
- 5a. If the person bit is not under arrest strongly suggest that they seek medical attention and have another unit provide transportation if requested. Should they refuse medical attention document same.
- 6a. Prepare a K-9 Incident Report documenting the circumstances surrounding the bite under a separate case number.
- 7a. Obtain witness statements from any and all witnesses as well as supplemental reports from any officers who witnessed the incident.
- 8a. Forward all copies of all reports and witness statements regarding the incident to the K-9 Sergeant, Lieutenant and the Operations Division Commander.
- 9a. Since the canine is considered a tool no Use of Non-Lethal Force form is required.

b. Responding Supervisor

1b. Shall assure that all of the items listed in 6.33 IV 3a are carried out.

2b. Notify the operations officer, who shall notify the K-9 Unit Lieutenant, who shall in turn notify the Operations Division Commander.

4. Bite review procedure (Does not apply to bites sustained by an officer/trainer during training exercises.)

a. The Operations Division Commander shall review all Canine bites that occur as a result of an attempted crime or a crime using the following criteria:

1a. Severity of the crime

2a. Did the suspect pose an immediate threat

3a. Was the suspect resisting arrest and/or fleeing

b. The Operations Division Commander shall review all other canine bites that occur keeping in mind the totality of the circumstances surrounding the time before the actual bite and the actual bite itself.

- c. The Operations Division Commander may consult with the K-9 Training Officer for guidance in regards to the actions of the K-9 Unit and if they were in accordance with training procedures.
- d. Based on the findings of the Operations Division Commander the K-9 Unit may be removed from service for re-training with the K-9 Training Officer or removed from service completely.

I. K-9 Training Officer

1. The K-9 Training Officer shall be designated by the Operations Division Commander.
2. The K-9 Training Officer shall be responsible for the coordination of the training days and the direction of the K-9 Units in regards to their training. The K-9 Training Officer shall notify the K-9 Supervisor of any of the following:
 - a. Any problems perceived with the canine.
 - b. Any problems perceived with the handler.
 - c. Failure of a K-9 Unit to show up for training.
 - d. Failure of a K-9 Unit to participate in the training.
 - e. Any other matters which the K-9 Training Officer feels will be a future problem or negative impact on the K-9 Unit and/or the Department.

3. The K-9 Training Officer shall be responsible for maintaining and filing on a weekly basis with the K-9 Supervisor evaluations of the K-9 Units.
4. The K-9 Training Officer shall be responsible for submitting for approval all outside training required for annual certification in the areas of detection and patrol.
5. The K-9 Training Officer shall be responsible for coordinating the physical agility test for new applicants to the unit.

J. K-9 Unit Officer Selection

1. Qualifications for application to the unit
 - a. Patrol experience with satisfactory work performance, disciplinary records and use of sick time.
 - b. Officer and family willingness to care for and keep the canine at the residence during off duty hours with a secure outdoor area.
 - c. A passing grade on the physical fitness test related to the tasks of handling a canine. The K-9 Training Officer will be responsible for administering and scoring the following physical test:
 - 1c. A 2 mile walk and run in 15 minutes
 - 2c. A 120 lb dummy drag for 50 yards
 - 3c. A 90 lb bag lift where the officer is required to lift the

bag over a standard cyclone fence then climb over the fence completing this a total of four times.

2. Selection Process

a. Oral Board

- 1a. Operations Division Commander
- 2a. Lieutenant Coordinator of the K-9 Unit
- 3a. Sergeant Coordinator of the K-9 Unit
- 4a. K-9 Training Officer

b. In Home Interview

- 1b. Conducted by the unit Sergeant and the K-9 Training Officer

- c. The selected officer shall complete the prescribed canine training course and successfully meet all course requirements

K. K-9 Unit Officer Responsibilities

1. Daily care and feeding of the canine.
 - a. Maintenance of kennel or yard
 - b. Grooming
 - c. Medical attention
 - d. Health records including but not limited to all shots kept current

2. Maintaining a daily training log and keeping the original copy while the dog is in service and for 7 years after it is removed from service or turning them over to the Department if the officer will no longer be employed by the Department within the 7 years.
3. Making arrangements with the K-9 Training Officer to complete the necessary paperwork for the two required qualifications in detection and patrol.
4. Keeping all training certificates and medical records up to date and on file with the Department in a timely manner.
5. Keeping their assigned vehicle and equipment clean and in proper repair. Should the replacement of it become necessary the Unit Supervisor shall be notified in writing of what needs to be replaced with a suggested source and the price.
6. Reporting to the assigned training day in a timely manner and participating completely. The K-9 Officer shall also follow the directions of The K-9 Training Officer in regards to the training of the canine.
7. Reporting any perceived or diagnosed problems with the canine to the K-9 supervisor.

8. Report **any condition** which would affect the K-9 Handler in a way which would prohibit his effectiveness with the canine.
9. Prepare a K-9 Incident Report anytime the K-9 Unit is requested and used under a separate case number and turn the report into the K-9 Supervisor.

L. Qualification/Certification

1. It shall be the policy of this Department to have the K-9 Units certified once a year per discipline by a nationally recognized organization, U.S.P.C.A.
 - a. Detection
 - b. Patrol

M. General Rules

1. Teasing, agitating or roughhousing with a police canine is strictly prohibited unless performed as part of a training exercise.
2. Handlers shall not permit anyone to pet or hug their canine unless they are under their direct supervision. The civilian should also be advised that police canines are serious working dogs and that they can be dangerous if improperly approached.
3. Should a handler need to be separated from the canine due to leaving town on vacation, family emergency or any other reason that would take

them away for an extended period of time, the K-9 Supervisor shall be notified of the specific dates and given a contact number if possible. Arrangements shall be made with another department handler to take care of the dog and if one cannot it shall be boarded at a departmentally approved establishment. Any variance from this requires the approval of the Operations Division Commander.

4. Should a handler become injured then another K-9 officer shall be called in to handle the canine. It is imperative to remember that the canine is extremely protective of the handler and an injury to an untrained officer could result in any attempt to restrain the canine or attend to the handler.
5. The proper handling and deployment of a K-9 takes training and knowledge in the area of K-9. Therefore, the K-9 handler shall have ultimate authority as to the use or non-use of a K-9. In the event that the K-9 handler's opinion differs from the on scene supervisor's, the K-9 handler's course of action shall prevail. However the K-9 handler shall be prepared to justify his action or inaction.

N. Retirement/Transfer/Promotion of Handler or Retirement of the Canine

1. Should it be decided that the canine is no longer fit for duty or is medically retired, then the K-9 handler may request that the dog be turned over to him.

- a. If the handler requests the dog, all liability for the canine rests upon him and he shall sign paperwork drawn up by the City stating this. The city will no longer be responsible for any payment regarding the canine.
2. Should the handler request a transfer, be promoted or retire within two years of being placed in-service as a K-9 Unit, the following shall apply:
 - a. The K-9 Training officer shall evaluate if the canine can be given to another handler and be effective for use. If the K-9 Training Officer is the one being transferred, promoted or retiring then an outside K-9 Trainer shall be contacted to assess the canine.
 - 1a. If it is decided that the canine can be reassigned to another handler than it shall be done.
 - 2a. If it is decided that the canine can not be reassigned to another handler then the current handler may apply to have the canine turned over to him as if it is being retired.
3. Should the handler request a transfer, be promoted or retire after being in-service for a period of two years or more, then the handler shall keep possession of the canine and the canine shall be treated as if it were retired.

