

38.4 CANINE

PURPOSE

To outline mandates relating to the use of police service dogs in the law enforcement operations.

POLICY

The Isle of Palms Police Department recognizes the value of law enforcement service dogs as a part of the overall law enforcement operation as well as ensure that canine use is balanced with the rights of all persons. The Isle of Palms Police Department will not utilize apprehension trained law enforcement service dogs. In cases where a canine may bite a suspect, the use constitutes a use of force and must meet the mandates of this agency's policies on use of force.

DEFINITIONS

Canine Team: An officer/handler and their assigned police canine

Detection and/or Scent Search: The utilization of a trained and certified odor detection police canine to sniff air surrounding property where the officer has legal right to be. The canine sniff is not a search within the meaning of the Fourth Amendment (Horton v. California 496 US 128 and United States v. Place 462 696)

Tracking: The utilization of a trained and certified tracking police canine in an effort to locate missing person(s), lost person(s), or fleeing suspect(s) with the canine using individual, ecological and reinforcing scents to follow persons' path of travel on foot.

Apprehension: The intentional utilization of a trained and certified police canine governed by Graham v. Connor 490 US 386, to temporarily bite and hold a specific suspect.

PROCEDURES

A. General Operational Procedures

- a. Department canine vehicles will be equipped with a split-cage transport system. The split-cage transport system will provide a partition between the canine compartment and the prisoner. Prisoners may be restrained and belted in a specialized rear seat compartment manufactured for such a purpose and transported to the police department and or jail. In such circumstances, the partition between the canine compartment and the prisoner shall be configured in such a manner as to prohibit contact between the passenger and canine.
- b. Members who are selected for a position as a canine handler have the responsibility of caring for their assigned canine. Handling and care include:
 1. All handlers are to ensure that the general health, hygiene, and care of their assigned canine are properly maintained and that periodic veterinary exams are provided in accordance with appropriate schedules;

2. All handlers will groom their canines as needed;
3. Handlers shall conduct daily physical examinations of their canine when practical to determine any injuries, health issues, ticks, or flea infestations;
4. An agency supervisor, designated by the Chief of Police or his designee, shall make periodic visits to the canine's kennel area to inspect health, sanitation, and security conditions for the canine;
5. In cases of extended absence of the canine handler where the handler is unable to provide the basic care for the canine, the Chief of Police or his designee may assign another person and/or a kennel facility to care for the canine; and
6. Any changes in the living status of the handler which may affect the health, welfare, safety or security of the canine, or others coming into contact with the canine, shall be reported to the supervisor responsible for oversight of the canine. (CALEA 41.1.5 (g))

B. Response to Requests for Canines

- a. Upon arrival at a request for service, the canine handler shall be responsible for determining if the circumstances of the event justify the use of a canine.
- b. The handler will make the final determination on the deployment of the canine. A supervisor responsible for the overall event may direct that a canine not be deployed; however, the supervisor shall not order deployment where the handler determines that such deployment is inappropriate.
- c. A canine handler shall not knowingly deploy their canine beyond the capabilities of the canine team's (handler and dog) training and certification.

C. Canine Deployment/General Provisions

- a. In any case where the canine is used to locate an individual or object based upon scent, first responders shall set up a perimeter and ensure that no one enters the area such that there will be a scent contamination.
- b. First responders should be specifically instructed not to enter the area.
- c. First responders shall exhaust all reasonable efforts to determine if innocent persons, including officers, are within the area to be searched.
- d. Canine handlers shall give a warning anytime the canine is going to be used and the possibility exists that the canine will bite anyone.
- e. Example of an acceptable announcement (search-suspect): "Police: You are under arrest. I have a trained police dog. Make yourself known and surrender. If you do not immediately make yourself known and surrender, I will release the dog. He will find you and bite you."
- f. Canine warning announcements shall be made in a loud and clear voice, by methods deemed appropriate for the circumstances by the handler. Such warning may be made by loud voice or by PA system depending on the circumstances with which the canine team is confronted.

- g. After giving the announcement in search cases, the handler shall wait a reasonable amount of time to allow the subject to peacefully surrender. The amount of time will vary depending on the search area as well as any articulable exigent circumstances that may exist at the time.

D. Deployment as Response to Resistance

- a. The use of a canine for purposes of apprehension is non-deadly force. Isle of Palms Police Department canines will not be certified in apprehension techniques and shall not be deployed as such.

E. Evidence Searches

- a. Canines may be utilized in an attempt to recover items related to crime which may be needed as evidence for criminal prosecution;
- b. All searches will be systematically conducted as determined by the handler; and
- c. The handler will decide if the search will be conducted on-lead or off-lead, based on the particular circumstances of the search.

F. Building Searches

- a. Building searches may be conducted when it is believed that a suspect has gained unauthorized entry into a building or has fled into a structure for the purpose of concealment when the following two criteria are met:
 - 1. The officer(s) have probable cause to arrest the subject for a criminal offense.
 - 2. The use of a canine as force must be objectively reasonable.
- b. In cases where a canine is to be utilized, first responding officers shall be instructed to immediately set up a perimeter which minimizes the ability of the subject to escape, but also keeps officers on the outside of the structure so as to avoid cross-contamination of the suspect's scent, thereby diminishing the effectiveness of the canine.
- c. Prior to use of the canine, the handler shall make an announcement in keeping with this policy.
 - 1. The handler shall wait a reasonable amount of time, determined by the size of the building, to allow innocent persons to exit and the opportunity for the suspect to peacefully surrender.
 - 2. The handler shall give additional announcements prior to commencing the search on each separate floor or unit when searching large structures such as office buildings or warehouses.
 - 3. All searches will be systematically conducted as determined by the handler.
 - 4. Searches will be conducted **On-lead** unless the safety of the canine would be jeopardized, and/or tactics would dictate otherwise as determined by the handler.

G. Open Field Searches:

- a. Open field searches may be conducted when it is believed that a suspect has fled into a field or wooded area when the following two criteria are met:

1. The handler shall give additional warnings as deemed appropriate by the handler considering the size of the area to be searched and the likelihood that a suspect would hear the prior warning.
 2. Handlers shall also consider ambient noise in the area which may limit the subject's ability to hear the warning;
- b. All searches will be systematically conducted as determined by the handler
 - c. Searches will be conducted off-lead unless the safety of the canine would be jeopardized, and/or tactics would dictate otherwise as determined by the handler.

H. Tracking

- a. Tracking is utilized in a multitude of law enforcement events including missing persons, suspects who have fled, lost children, etc.
- b. The initial responding officers shall be directed to immediately establish a perimeter.
- c. Tracking shall be conducted on lead at a sufficient length to be determined by the canine's handler. The handler will also determine whether or not a back-up officer will be utilized on the track based upon the particular circumstances of the event.
- d. Alternative announcements may be used when dealing with a lost or missing person that include calling out the person's name and advising that the canine is looking for them.

I. Scent Searches

- a. To the extent that such specialized trained canines are available, canines may be used for conducting scent searches for such items as:
 1. Explosives
 2. Cadavers
 3. Narcotics
 4. Accelerants (Fire Cases)
- b. All searches will be systematically conducted as determined by the handler.
- c. The handler will decide if the search will be conducted on-lead or off-lead, based on the particular circumstances of the search.
- d. Motor Vehicle Narcotics sniffs will be conducted in accordance with the provisions of this agency's policies, standard operating procedures, pertinent case law and the following:
 1. The handler shall determine that the area where the vehicle is located is safe for canine deployment taking into account the safety of the officers, the canine, the occupants of the vehicle and the motoring public.
 2. The handler shall ensure that the canine is controlled during the sniff so as to ensure that the dog has no ability to obtain physical access to the interior of the vehicle.

- J. Community Relations/Demonstrations:** All requests for canine demonstrations shall be directed to the supervisor in charge of the Canine Unit who shall then seek approval of the Chief of Police or their designee to conduct the demonstration.

- a. Handlers conducting demonstrations shall ensure that their appearance, as well as that of the canine and the equipment utilized, reflects professionally upon the agency
- b. Handlers shall maintain control of the canine at all times.
- c. Audience participation shall be restricted, and any contact with the canine shall be at the discretion of the handler who is in the best position to know the canine's reaction to others. The audience shall be instructed that law enforcement canines are working dogs and due to their specialized training, they should be approached cautiously
- d. Handlers shall not roughhouse, tease, or agitate the canine unless such conduct has been expressly authorized by the Chief of Police or their designee for purposes of the demonstration.

G. Emergency Circumstances

- a. In a circumstance where the canine handler suffers a personal injury while on duty, the handler shall, if physically capable, request emergency medical assistance as needed, as well as the presence of necessary support officers and a supervisor. If physically able to do so, the handler shall ensure that his or her canine is properly attended and secured. An officer or supervisor who is most familiar with the particular canine shall be called to the scene to assist in securing the canine.
- b. In the event that a handler sustains an incapacitating injury, the supervisor, or other available officer, shall ensure by all means necessary that the handler safely receives emergency medical treatment and transport to an appropriate medical facility. The supervisor, or where no supervisor is available, an officer will then take necessary steps to secure the handler's canine.

H. Medical Care Following a Canine Use of Force:

- a. A canine has the potential to injure persons in a number of ways. The injury may occur when the canine bites an individual. Injury may also occur when a canine knocks a person to the ground. These contacts may be intentional or unintentional.
- b. When an in-custody suspect has been bitten by a canine, the handler or another officer on scene shall render aid. In the case of a bite wound, the subject shall be transported to the nearest hospital for medical evaluation and treatment. If the in-custody suspect refuses treatment that refusal shall be documented in the police report.
- c. When a canine injures any person, who is not in custody, the handler will render aid and request a medical response by the Isle of Palms Fire Department of an EMT. If the injured person refuses medical treatment it shall be documented in the police report.
- d. A supervisor will be notified when an injury occurs and will respond to the scene. Photographs of the injuries will be taken and preserved. An investigation shall be initiated by the supervisor.
- e. Isle of Palms Police Department canines will not be trained for apprehension, but a bite may still occur without intention. If an injury is the result of use of force (intentional or unintentional), a Response to Resistance form/packet will be completed and an after-action review conducted in accordance with the agency's Response to Resistance policy

I. Prohibited Uses

- a. The police canine team and designated equipment shall not be put to the following uses
 - i. If an activity or request is outside of the dog's capability, the police canine will not be used.
 - ii. Police canines shall not be used to threaten an arrested person. This does not prevent the use of police canines to guard someone or to prevent an escape.
 1. Police canines shall be leashed when guarding someone in a back-up situation.
 - iii. Police canines shall not be present during questioning or interrogation of suspects.
 - iv. Canines shall not be retired or destroyed without authorization of the Chief of Police.
 - v. Canines shall not be used for breeding purposes without written authorization from the Chief of Police. (CALEA 41.1.5 (a))

J. Veterinary Care:

- a. All non-emergency veterinary care shall be coordinated by the supervisor responsible for the canine unit through a pre-approved veterinary facility. In an emergency, an effort shall be made to bring the canine to the pre-approved facility; however, where such an effort will jeopardize the life of the canine, the handler shall take steps necessary to get the canine to the most urgent facility.
- b. All records of medical treatment shall be maintained by the canine handler and filed within an agency file, stored at the agency for such records.
- c. In the event that a canine is deemed unsafe, the team will be immediately taken out of service. As soon as operationally feasible, the canine shall be evaluated by the pre-approved veterinary facility. If the canine is deemed no longer suitable for service, the canine shall be retired.
- d. The Chief of Police or their designee shall be notified when a canine is taken out of service for medical reasons, as well as when the canine is returned to duty following documentation of the reasons by the treating veterinarian. (CALEA 41.1.5 (g))

K. Certification and Training

- a. Applicants for police canine handler will be announced when a vacancy occurs on the canine team. The process will include a letter of intent, an interview panel, a written test on the canine policy and a physical agility test. All applicants for police canine teams must have:
 - i. A minimum of one year of uniformed patrol experience with satisfactory work performance, disciplinary and medical leave records.
 - ii. A willingness to remain in the role of canine handler for a minimum of three years.

- iii. A willingness (together with other family members) to care for and house the canine at the officer's residence, with a secure outdoor area for the canine that conforms with departmental requirements.
 1. Police canine handlers will have the duty to provide 24 hour care and maintenance for the police canine. (CALEA 41.1.5 (g))
 2. Police canine handlers will receive a minimum of 30 minutes of work time for canine duties on days when the handler is not scheduled to work.
 - iv. A strong desire to work with and train the canine.
 - v. The ability to pass the Physical Agility Test.
 - vi. Be able to pass a written test on the canine policy. (CALEA 41.1.5 (c))
- b.** All police canine eligible to provide service to the Isle of Palms Police Department will meet the following criteria (CALEA 41.1.5 (b)):
1. German or Belgian Shepherds, Labrador Retriever, Short Hair Pointers or like breeds
 2. Have proportionate lines harmonious with a straight solid back and shoulders.
 3. Be a minimum of 11 months of age.
 4. Teeth must pass a veterinarian exam.
 5. Shepherds should be x-rayed for hip dysphasia with a rating of good, normal or "fass" normal.
 6. Canines must be tested and evaluated as to its fitness for service. This is done to determine if the canine has any undesirable temperament characteristics that would adversely affect its serviceability. Pre-testing shall look at the following qualities:
 - a. Temperament
 - b. Alertness
 - c. Play and retrieving drives
 - d. Prey and defense drives
- c.** All canines and handlers assigned by this agency shall, at a minimum, meet all certification requirements as required by the South Carolina Criminal Justice Academy.
- d.** Training:
- i. All canines and handlers assigned by this agency shall, at a minimum, be trained in accordance with the training approved by a South Carolina Criminal Justice Academy approved certifying body.
 - ii. Untrained canines will not be used for canine duty.

- iii. All canine teams will train for at least 16 hours each month. The handler must submit training documentation to the Training Sergeant for proper tracking in the agency's RMS. (CALEA 41.1.5 (d))
- e. Certification: All canine teams must be certified and maintain certification through an approved police K9 certifying organization. The organization/company that the canine is purchased from shall ensure that the canine has been trained and certified. The canine team may initially be certified by that organization/company by an approved national certifying organization. The Chief of Police must approve the organization/company prior to purchasing/receiving a canine from that organization/company. The Isle of Palms Police Department will utilize the SC Police K9 Association unless approved by the Chief of Police to seek certification through a different national certifying police K9 association. Canine teams will complete an annual certification test through the approved certifying association/organization. (CALEA 41.1.5 (e) (d))
 - i. The initial training for the canine team shall be based on the approved company's canine handler course and will typically be a minimum of four weeks of training.
- f. The Isle of Palms Police Department will maintain authorization by the appropriate administrative agency (Drug Enforcement Administration (DEA), Department of Health and Environmental Control (DHEC) to possess, store and utilize various substances as part of the training protocol.
 - i. Any substances used in training (narcotics) will be stored in a locked, limited access office at the Isle of Palms Police Department, 30 JC Long Blvd. Isle of Palms, SC 29451.
 - ii. The substances will always be secure and under a controlled area, even during training.
 - iii. The supervisor assigned oversight of the canine team will be responsible for maintaining the records of the narcotics. Each time the narcotics are used for training, the narcotics will be signed out and signed in when returned. A physical inventory will be conducted annually per guidance of DHEC. The annual controlled substance will be due on or about May 1st of each year. The Operations Captain is responsible for inspecting the narcotics and records. If there is a significant loss or theft, the DEA will be notified and DEA form 106 will be completed.

L. Documentation of Canine Usage and Training

- a. All canine deployments shall be documented in agency reports of events. This shall include events where a suspect submits upon warning of the canine's presence.
- b. Canine handlers shall maintain a monthly statistic that include (CALEA 41.1.5 (i)):
 - i. Any deployment of canine for work and the outcome of the work
 - ii. Call outs for canine assistance with Isle of Palms Police Department or any other local jurisdiction with an active MOU.
 - iii. Felony arrests where the canine team played a role in the arrest.

- iv. These reports will be forwarded to the sergeant assigned as the supervisor for the canine team and will be forwarded to the records clerk to be included with he monthly report.
- c. All canine usage related to response to resistance shall be the subject of a response to resistance report which includes all required documentation. (CALEA 41.1.5 (i))
- d. All training must be documented in a training log and forwarded to the canine's administrative file through the Training Sergeant. The log will document the trainings session and performance. Any areas of deficiency will be reported to the Sergeant supervising the canine unit. (CALEA 41.1.5 (f))
- e. The supervisor assigned oversight of the canine team will be responsible for maintaining the records of the narcotics. Each time the narcotics are used for training, the narcotics will be signed out and signed in when returned. A physical inventory will be conducted annually per guidance of DHEC. The annual controlled substance will be due on or about May 1st of each year. The Operations Captain is responsible for inspecting the narcotics and records. If there is a significant loss or theft, the DEA will be notified and DEA form 106 will be completed.

M. Conduct in the Presence of Police Canine(s)

- a. The following rules apply to all Isle of Palms Police Department personnel for their safety.
 - i. Treat the canine as you would a dog owned by a friend, Be friendly but not familiar, never pet the dog without permission from the canine handler;
 - ii. Respect the handler's wishes in regard to the dog;
 - iii. Stay away from the dog during searches unless otherwise instructed;
 - iv. Stand still if you think you are about to be bitten;
 - v. Avoid furtive or sudden movements in the presence of the dog;
 - vi. Do not tease or agitate the dog;
 - vii. Do not try to entice the dog to break away or disobey commands;
 - viii. Do not use any command that you have heard the handler use;
 - ix. Do not feed the dog;
 - x. Do not engage in violent or simulated violent behavior with the handler in the dogs presence;
 - xi. Do not point a weapon at the dog or the handler;
 - xii. Do not stare intensely at the dog;
 - xiii. Do not hug the dog or lean down closely to the dog's head.

N. Equipment

- a. The following equipment shall be issued to and maintained by the canine team (CALEA 41.1.5 (h)):
 - i. One cloth or leather collar

- ii. One choke collar
 - iii. One 6 foot leather leash
 - iv. One Kong or ball
 - v. One K-9 crate
 - vi. One k-9 kennel
 - vii. One brush
 - viii. One feed pan
 - ix. One water bowl
- b. The following equipment will be issued to and maintained by any canine team certified in tracking:
- i. One reflective tracking harness
 - ii. One 30 foot tracking leash
 - iii. One 15 foot tracking leash
- c. The following equipment shall be installed in departmental patrol vehicles assigned to police canine:
- i. Aluminum K-9 insert
 - ii. Heat alarm
 - 1. The heat alarm must be tested and functioning properly at the beginning of every tour of duty in which the canine will be present. When the heat alarms is triggered, it must properly activate the following
 - a. Lights and audible alert
 - b. Pager
 - c. Interior fan
 - d. Lowering of the rear windows adjacent to the K-9 insert.
 - 2. The heat alarm must be turned on and properly functioning any time a canine is in the vehicle. The heat alarm must be set for a high temperature between 90 – 94 degree Fahrenheit. The handler must also wear the heat alarm pager at all times.
 - 3. Disabling the heat alarm is strictly prohibited.
 - 4. A canine that is left unattended in a vehicle must be checked on at least once every hour, barring extenuating circumstances.

A handwritten signature in black ink, appearing to read 'K. Cornett', with a long horizontal flourish extending to the right.

Kevin Cornett
Chief of Police

CALEA Standard: 41.1.5