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| Policy #  **Law Enforcement Canines** | Related Policies: | |
| *This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third-party civil claims against employees. A violation of this policy, if proven, can only form the basis for internal discipline and/or criminal charges.* | | |
| Applicable State Statutes: | | |
| KACP Accreditation Standard: 17.9 | | |
| Date implemented: | | Revision date: May 1, 2025 |

1. **Purpose**: The purpose of this policy is to outline mandates relating to the use of patrol canines in law enforcement operations.
2. Definitions:

**Patrol Canine**: A law enforcement canine utilized to track, search buildings, search articles, and apprehend suspects by biting when the situation is serious enough and no other means of apprehending the suspect are available.

1. **Policy:** This department recognizes the value of law enforcement canines as a part of the overall police operation. Canines are used for several purposes. In cases where the canine may bite a suspect, the use of a canine constitutes a use of force and must meet the mandates of this department’s policies on response to active resistance. The use of drug-detecting canines may be deemed unreasonable in some instances. In recognizing citizens’ rights, the policy of this department is to ensure that canine use is balanced against the rights of all persons.
2. **Certification and Training:** In all cases, the reliability of the law enforcement canine will be subject to challenge. Officers shall not rely upon a canine team that is not fully certified in order to justify a search. Officers shall not utilize a patrol canine that has not met certification standards. Patrol canines should be trained to meet a nationally recognized certification organization such as USPCA (United States Patrol Canine Association) or NAPWDA (North American Police Work Dog Association) in the following areas with continuing, regular in-service training in the following areas.

A. Obedience

B. Agility

C. Area Searches and Tracking

1. On-Leash

2. Off-Leash

D. Article Searches

E. Building Searches

1. Commercial

2. Residential

F. Criminal Apprehension

Canines utilized in other areas of law enforcement, such as drug detection, should receive specific training consistent with a nationally recognized certification organization such as USPCA or NAPWDA standards as to those specific law enforcement areas.

**Documentation:** Training records and other documentation associated with patrol canines should be retained in accordance with Kentucky Department of Libraries and Archives record retention schedules. Examples of these documents include, but are not limited to, certifications; monthly training forms/logs; canine utilization reports; and/or response to resistance reports.

1. Procedure Patrol Canines:
   1. **Off-Leash Canine Deployment Limitations** (Searches and other instances where there is a significant risk of a canine bite to a suspect): These deployments are limited to searches of public and commercial buildings following an announcement in accordance with this policy. Under exigent circumstances, a canine can be used or deployed off-leash in a residence. An officer should take steps to determine that no innocent third parties are at risk.
   2. **At-Risk Individual Circumstances for Consideration:** When an officer is aware that an individual is affected by mental illness, is under the severe influence of drugs or alcohol, or has an intellectual or developmental disability, some additional caution in canine deployment should be considered where reasonably possible. Such consideration includes, but is not limited to, when a canine is used to track an at-risk, injured, or missing adult where there is a possibility that the vulnerable adult may be bitten by the canine. However, the use of a patrol canine may be allowed in situations where the risk to the adult of being bitten by the canine is outweighed by the probability of loss of life or serious injury occurring to the adult if they are not promptly located.
   3. **Supervisory Oversight:** Acanine officer decides when to deploy a canine. A supervisor may override the canine officer’s decision to deploy the canine when the facts and circumstances warrant supervisory intervention. A supervisor does not have the authority to order the handler to deploy the canine. A supervisor should be notified of the decision to deploy the canine as soon as practicable.
   4. **Announcements:** Canine handlers shall give a warning anytime the canine is going to be used and the possibility exists that the canine will bite anyone, unless giving such warning poses a risk to the officer, an innocent third party, or allows the escape of the subject.
   5. **Bites:** Canine handlers shall not intentionally allow a canine to bite a suspect, except where the suspect poses a risk of imminent danger, i.e., is armed with a weapon or other instrument capable of producing significant bodily injury to the handler and is actively resisting or escaping after committing a violent felony. Consideration should be given to the severity of the offense at issue, whether the suspect poses an immediate threat, and whether the suspect is actively resisting or trying to evade arrest by flight.
   6. **Calling off the Canine:** In all cases where a canine is permitted to bite or apprehend a suspect by biting, the handler will call off the dog at the first possible moment that it is safe to do so, taking into account that the average person will struggle if being seized or confronted by a canine. Struggling alone does not justify allowing the canine to continue to hold the suspect.
   7. **Non-Resistant Subjects:** Anofficer shall ensure that the canine does not bite a non-resistant subject.
   8. **Crowd Control:** The use of a canine for crowd or riot control will be considered only as a last resort.
   9. **Medical Treatment:** Medical treatment shall be provided when a canine-related injury occurs as soon as practical and when safe to do so. Treatment requires an EMS response or transportation to an emergency room/hospital.
      1. Summon a supervisor to the scene.
      2. Examine the affected area to determine the seriousness of the injury or bite.
      3. Photograph the injury before and after treatment.
      4. Complete an incident report when it is known or alleged that a canine has apprehended or injured an individual. This report should detail the circumstances surrounding the incident, the identity of the individual involved, any witnesses, the nature and extent of the injury, and any measures taken in response to the event.
      5. An RCAR report shall also be completed.
      6. Copies of all reports should be completed before the end of the shift and forwarded up the chain of command to the chief or his/her designee.
      7. Complete an incident report whenever it is known or alleged that a canine has apprehended or injured an individual. The report should detail the circumstances surrounding the incident, the identity of the individual involved and any witnesses, the extent of the injuries, if known, and measures taken in response to the incident. Copies of the incident report shall be forwarded to the supervisor.
   10. The canine unit supervisor shall track all canine deployments and apprehensions and calculate and track canine bite ratios on a scheduled basis to access the canine unit overall, as well as individual teams.
2. **Procedure Narcotics Detection Canines:** Drug-detecting canines sniffing an inanimate object in a public place do not constitute a search for 4th Amendment purposes.
   1. **Automobiles:** Drug-detecting canines used to sniff the exterior of a vehicle in a public place do not constitute a search.
      1. In cases where a certified canine alerts for narcotics in a vehicle, probable cause to believe that the vehicle contains narcotics has been established. When probable cause has been established, officers should refer to the agency’s policy on probable cause searches of motor vehicles.
      2. In dealing with motor vehicle stops, officers need not establish reasonable suspicion to utilize a canine. However, they may not prolong the stop beyond what is justified based upon the original purpose for the stop to await the arrival of the canine. In cases where the stop has resulted from reasonable suspicion to believe the motor vehicle contains contraband, the officer may reasonably detain the vehicle for the arrival of the canine.
   2. Schools: A drug-detecting canine’s open-air sniff of lockers in a school hallway does not constitute a search for 4th Amendment purposes. The use of a canine at a school should be limited as follows:
      1. Canine use at a school may only be conducted with the authorization of the chief working in cooperation with local school authorities.
      2. In cases where the canine alerts on a locker, the handler shall notify school authorities, who shall then be responsible for all further action.
      3. Canines shall not be utilized to sniff students.
   3. **Inanimate Objects:** In cases where drug-detecting canines are called upon to sniff inanimate objects such as luggage, packages, etc., and the canine alerts on the item in question, personnel shall seek a search warrant before opening the item unless consent can be obtained, or exigent circumstances exist.
3. **Agency:** Theagency should input its method of selection of canine handlers and agency-specific procedures, which are outside the legal issues outlined by this policy.
4. Canine Care:
5. A canine handler shall be compensated a reasonable daily amount to allow for care for the canine. A minimum of 30 minutes of compensation per day for canine care currently satisfies federal law. In those rare instances where a canine handler must spend additional time with the canine, such as a veterinary visit, the canine handler should be compensated for that time for that day.
6. A canine handler’s time sheet needs to reflect that the canine handler is being compensated daily for canine care, including days when the canine handler is not scheduled to work. On days when the canine handler is scheduled to work, there should be at least two lines on the canine handler’s time sheet; one line for regular duty and one line for canine care duty. On days when the canine handler is not scheduled to work, there should be a notation on the canine care line.