

# Germantown Police Department

## Policies and Procedures

---

---

**Number:** 11-12  
**Effective Date:** February 14, 2005  
**Subject:** Canine Operations  
**Previous Revisions:** January 1, 2003

---

---

### I. PURPOSE

The purpose of this policy is to provide guidelines for the management of the Department's canine unit and use of police canines in field operations.

### II. POLICY

The use of the canine is an effective tool in law enforcement. Although their greatest value lies in the deterring effect of their presence, the use of canines in making an arrest is authorized when the circumstances justify such use. In this regard, all members of the Department must keep in mind that the use of canines in making an arrest may constitute the use of force or an implied threat of the use of force. Therefore, it is the policy of the Germantown Police Department that no police officer of this Department shall use force other than that which is necessary to lawfully and properly neutralize and unlawful assault, or that which is necessary to overcome resistance by a person taken into custody. The same rule of force applies to the use of the Canine Unit. The canine handler must be constantly alert to the amount of force he or she can legally use to make or maintain an arrest, and in determining the degree of force to be used, the handler must take into consideration all the circumstances known.

### III. PROCEDURE

#### A. Chain of Command

The Canine Unit shall come under the direction of the uniform patrol division. Members of the Canine Unit shall follow the established chain of command in the patrol division.

#### B. Unit Structure

The basic unit structure and strength is established by the Chief of Police as recommended by the Command Staff. Unit strength may change as a result of reassignment, attrition and resignation. The unit may be restructured only through administrative orders from the Chief of Police.

C. Unit Qualifications and Training

Applicants for the police canine unit must be:

1. A senior police officer in good standing (not on probation).
2. Willing to take dog home, have a fenced yard and meet certain residency requirements.
3. Able to provide 24-hour care for the dog.
4. Willing to work flexible shifts and/or hours.
5. Have received satisfactory performance evaluations.
6. Final acceptance will be contingent on successfully completing a prescribed training program.

Selection will be based on the officers' previous job performance, training, formal education, interest, skill and job knowledge.

D. Responsibilities

1. The mission of the Canine Unit is to provide trained canine teams to assist in the prevention and detection of crime, narcotics detection and other duties as directed by the Chief of Police. Members of the Department shall cooperate and assist in achieving these objectives.
2. The Canine Unit shall be responsible for canine training, state of readiness, organization and resources of the unit.
3. Members of the Canine Unit shall be available for emergency duty. The personnel of the Canine Unit shall perform their regular duties, except when their services are required for special details of training purposes. Their assignment to the unit shall not relieve them from conforming to and complying with other orders of this Department.

E. Canine Bites and Injuries

The use of specially trained police canines for law enforcement responsibilities constitutes a real or implied use of force. In this, as in other cases, officers may only use that degree of force that reasonably appears necessary to apprehend or secure a suspect as governed by the Department's use of force policy. In all instances where a canine is deployed in a tactical/apprehension situation, an incident report shall be

submitted. Whenever a canine bites an individual, whether or not in the line-of-duty, the handler shall:

1. Summon a supervisory officer to the scene;
2. If not within the immediate area of the City, summon a supervisor from the police jurisdiction where the bite occurred and notify a commanding officer from this Department;
3. Examine the affected area to determine the seriousness of the bite or injury;
4. Obtain medical treatment for the person. Medical personnel should examine the affected area irrespective of the perceived seriousness of the bite or injury;
5. Take color photographs of the affected area if possible prior to and following medical treatment;
6. Arrest the person bitten or injured if/when appropriate;
7. Complete a use of force report whenever it has been alleged that a canine has bitten or otherwise injured an individual. The report must detail the circumstances surrounding the incident, the identity of the individual involved and any witnesses, the extent of injuries if known, and measures taken in response to the incident. The original report should be filed in accordance with current procedures.
8. Forward copies of all reports through the chain of command to the Chief of Police prior to the end of the current tour of duty.

#### **IV. PRIMARY PURPOSE AND CAPABILITIES OF CANINE UNITS**

Primarily, canines are to be assigned as preventive patrol to such areas where burglaries, robberies, assaults and other serious crimes are most prevalent. Further utilization may be as follows:

##### **A. Searchers**

A primary use of departmental canines 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:

1. Responding personnel shall secure the building perimeter.

2. When possible, the owner of the structure should be contacted to determine whether there may be tenants or others in the structure and to ascertain the layout of the structure.
3. When a canine building search is anticipated, a preliminary search by officers should not be conducted, as this will interfere with the canine's ability to discriminate scents.
4. The on scene supervisor shall also take the following steps in preparation for the canine search:
  - a. Evacuate all tenants, workers or others from the facility.
  - b. Request that all air conditioning, heating or other air blowing systems be shut off so as not to interfere with the canine's scent discrimination.
5. The canine handler will decide whether or not the canine should be unleashed during a building search.
6. Before commencing the search, the handler or other appropriate personnel shall loudly announce and repeat the statement that there are police officers on the premises and that a trained police canine will be released if the individual does not surrender. A reasonable amount of time shall be allowed for the suspect to respond.
7. When apprehending suspects in these or related circumstances, canines shall be commanded to disengage as soon as the subject is subdued or readily complies with officer direction.
8. Arrested suspects shall not be transported in the same vehicle with a police canine unless alternative transportation is not available and immediate transport is essential for safety and security reasons.

B. Drug Detection - General

1. The canine handler shall maintain records that document the use and the proficiency of the individual canines in drug detection. This documentation shall be readily available to officers and others who may need it when seeking warrants.
2. For the drug detection function to be completely successful, all areas must be open and accessible. Officers on the scene must secure the area and all suspects and weapons. The scene must be protected against contamination prior to the utilization of the canine.

3. The canine will not search areas if a previous hand search has been made, unless the handler determines it will be beneficial.
4. Use of police canines in a drug detection capacity is authorized in the following situations and under the following conditions:
  - a. Random exploratory sniffing of packages or other inanimate objects may be conducted in public facilities as authorized by the shift supervisor or other authorized command officer.
    - (1). Exploratory sniffing in these facilities shall be confined solely to those areas open to the general public and, wherever possible, with advance knowledge and consent of the appropriate facility manager.
    - (2). Exploratory sniffing shall be conducted without interference or annoyance to the public or interruption of facility operations.
  - b. Canine sniffs conducted in areas restricted to the public are considered searches and may be conducted only with reasonable suspicion or probable cause to believe that specific items contain illegal narcotics. (This paragraph may be modified to conform to current case law).
  - c. The canine will not be used to search people unless there is reasonable suspicion to believe that the individual is in possession of illegal narcotics.
  - d. The use of drug detection canines in public schools is permitted only when:
    - (1). The school's principal or designated authority requests or approves use of the canine.
    - (2). There is reasonable suspicion to believe that illegal narcotics are being distributed and/or consumed on the premises such that the interests of the school are being unacceptably compromised; and
    - (3). The search is limited to inanimate objects in public areas and the exterior of student lockers unless reasonable suspicion exists to gain admission to lockers and related areas where there is a reasonable expectation to privacy.

- e. Canine sniffs of the exterior of residences, either individual dwellings or the common areas of multiple unit dwellings, are not permitted without a search warrant.
- f. Drug sniffing canines may be used to sniff motor vehicles when:
  - (1). Reasonable suspicion exists to believe the operator or passengers are in possession of illegal narcotics; or
  - (2). During a valid vehicle stop, the canine is used to sniff the vehicle's exterior in an exploratory manner. Unless the canine alerts to the vehicle, the operator may not be detained longer than necessary to conclude the business associated with the initial stop.
  - (3). Consent is obtained.

C. Crowd Control

Canine teams shall not be used for crowd control at peaceful demonstrations. Canine teams may be used for crowd control upon approval of the shift commander to protect life or property during a riot or other major unauthorized gathering that cannot be controlled by other means. In these situations, canines shall be short leashed at all times unless no other means are available to protect an individual from serious injury and will not initiate any offensive action, unless to guard against imminent loss of life or serious bodily injury.

D. Tracking

Police canines are available with supervisory approval to track missing persons or suspects, or to locate evidence that the supervisor has reason to believe has been abandoned or hidden in a specified open area. Such searches are subject to certain conditions and limitations.

- 1. When officers are pursuing suspects and contacts with the suspect is lost, the officer, prior to summoning a canine team:
  - a. Stop and pinpoint the location where the suspect was last seen;
  - b. Establish a perimeter;
  - c. Shut off engines of vehicles in the area if possible; and

- d. Avoid vehicle or foot movement in the area where a suspect or subject was last seen.
2. Canines used for tracking persons should remain on a leash of sufficient length to provide a reasonable measure of safety to the subject of the search without compromising the canine's tracking abilities. The canine handler may decide to track "off lead" where the threat level to police officers is high.
3. On scene supervisory personnel shall:
  - a. Secure the perimeter of the area to be searched;
  - b. Secure the integrity of the area to be searched by keeping all personnel out of the area; and
  - c. Protect all items of clothing that will be used for "scent" from being handled.
  - d. Assign backup officers to the canine handler as necessary.

E. Assisting Outside Agencies

All requests by outside agencies for use of a Department canine must follow the guidelines of the Department's operating procedures governing mutual aid. Refer to Chapter I, Section 15 of this manual.

F. Public Relations Demonstrations

1. Canine handlers may be assigned or requested to conduct canine demonstrations for the public. The demonstrations will be conducted with the prior approval of a member of the Command Staff. Requests for such demonstrations will be submitted via the chain of command.
2. Canine handlers participating in such demonstrations will conduct themselves and handle their canines in a professional manner.
3. At no time during demonstrations will advanced training techniques be demonstrated to explained to the public.
4. At no time will a member of the audience be used to demonstrate bite or protection work.
5. Canine handlers will strive to present the canine as a valuable police tool. Although bite and protection work are an obvious part of the canine's

training, it will be explained to the public that bite work only plays a small part in the total role of the canine's use.

G. Canine Use Reports

Any time a canine is deployed, the handler will be responsible for completely filling out a Dog Usage Report form. The original report shall be submitted for record keeping purposes and turned in at the end of the shift. The handler shall retain a copy for his/her training records and if necessary, submit a copy with any related reports. It will be the responsibility of each handler to record all daily deployments. The Patrol Commander will periodically review the dog usage file and generate a report to the Chief of Police.

H. Procedure for Use of Training Drugs

1. The training drugs will be secured in the outer evidence check-in room inside the wall-mounted safe.
2. Each K-9 officer will keep the keys to the safe.
3. The K-9 Officer will contact the on-duty supervisor and request to check out the drug(s) for training.
4. The drugs will be weighed when first placed into the safe. Each time the drug(s) are checked out for training, they will be weighed in the presence of the supervisor. When returning the drug(s) at the end of the training session, the drug(s) will be weighed again. Under no circumstances will the drug(s) be allowed to be left with the K-9 Officer for more than that days shift.
5. When checking out the training drug(s), it will be recorded in the logbook located inside the safe. The following information will be recorded in the log book when checking out or checking in drug(s) for training:
  - a. The K-9 Officer checking out the training drug(s).
  - b. The supervisor checking out the drug(s).
  - c. The type of drug(s) being checked out.
  - d. The date/time the drug(s) is/are checked out.
  - e. The weight of the drug(s) being checked out.
  - f. The K-9 Officer checking the drug(s) back in.
  - g. The date/time the drug(s) is/are checked back in.
  - h. The supervisor checking the drug(s) back in.
  - i. The type of drug(s) being checked back in.
  - j. The weight of the drug(s) being checked back in.



## **V. USE OF FORCE**

The use of a canine to apprehend, subdue, or control a person is a use of force. Therefore, a canine's use must adhere to the departmental policy on the use of force as outlined in Chapter 2, Section 8 of this manual.

- A. The canine will be unmuzzled and permitted to engage in situations where effectiveness dictates. Generally, the use of a canine would be authorized under the following circumstances:
  - 1. In the pursuit of a fleeing person suspected of committing a felony or a serious misdemeanor. A serious misdemeanor is defined as an incident involving physical injury, assault on a police officer or suspects armed with a weapon.
  - 2. To subdue a person who resists arrest with force.
  - 3. Against individuals inciting civil disturbances in large or unruly crowds.
- B. Each canine handler will give a verbal warning to a fleeing suspect before the canine is released. The warning must be loud and clear. The warning must inform the subject that the dog will be released if he fails to stop. Following the warning, adequate time must be allowed for the subject to react.
- C. Canine handlers will ensure that their canines do not engage criminal suspects if they are not resisting, fleeing or endangering the public's well being.
- D. Each canine will be trained to disengage from a suspect on command of his/her handler.
- E. In case of an accidental dog bite, the victim will be encouraged to seek medical attention. The shift supervisor will be notified immediately and a departmental case report will be completed.

## **VI. REVIEW PROCESS**

An annual review of this policy shall be conducted to determine if it should be revised, cancelled or continued in its present form.

This order shall remain in effect until revoked or superseded by competent authority.