

Canines

306.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services to the community including, but not limited to, locating individuals and contraband and apprehending criminal offenders.

306.2 POLICY

It is the policy of the Kalamazoo Department of Public Safety that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

306.3 ASSIGNMENT

Canine teams are assigned to the Operations Division and are responsible for calls for service within their assigned response area. In addition, Canine teams should automatically respond to major crime scenes or other incidents where a canine may be utilized.

Canine teams should generally not be assigned to handle calls for service (i.e. Traffic posts) that will take them out so service for an extended period of time and negate their response to calls for service that require a canine.

306.4 CANINE SUPERVISOR

The canine supervisor shall be appointed by and directly responsible to the Operations Division Commander or the authorized designee.

The responsibilities of the supervisor include, but are not limited to:

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor veterinarian.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine teams.
- (e) Maintaining accurate records to document canine activities and training.
- (f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- (g) Scheduling all canine-related activities.
- (h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.
- (i) Responsible for development and delivery of training to department officers on responsibilities while assisting canine teams on canine calls for service.

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306.5 REQUESTS FOR CANINE TEAMS

Operations Division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Operations Division shall be reviewed by the Shift Commander.

306.5.1 OUTSIDE AGENCY REQUEST

If an outside agency requests assistance from a KDPS canine through central dispatch, the handler receiving the request will immediately notify their Sergeant for permission. The sergeant will in turn inform the Shift Commander of the request. The Shift Commander shall consider staffing levels and pending calls for service prior and may recall the canine back to the city at anytime. All requests for Canine assistance are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- (c) Off-duty canine teams shall only be called in on overtime to assist other agencies in extremely serious situations or when the requesting agency offers cost reimbursement.
- (d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (e) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.
- (f) Canines shall not be used for any off-duty job unless authorized by the Canine Supervisor.

306.5.2 PUBLIC DEMONSTRATION

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine supervisor prior to making any resource commitment. The canine supervisor is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine supervisor.

306.5.3 COURT

Canines and canine training records shall not be taken to court without a court order or canine supervisor authorization.

306.6 APPREHENSION GUIDELINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has either committed, is committing or is threatening to commit any serious offense and if any of the following conditions exist:

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any public safety officer or the handler.

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- (b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- (c) Does the severity of the crime or reason for arrest warrant the use of the K9.

1. Generally, the use of a K9 in an apprehension involves felony suspects but it is the circumstances of an event that determines the use of the K9 and not the classification of the crime involved.

2. It is the KDPS policy that when the use of a K9 is justified in the apprehension of a suspect, the officer will give verbal warnings such as, "Police K9, Stop or I will release the dog". This warning shall be given unless it is impossible due to an emergency.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine as described in the U.S. Supreme Court case, *Graham v. Connor*.

Absent a reasonable belief that a suspect has committed, is committing or is threatening to commit a serious offense, mere flight from a pursuing public safety officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

In situations that do not meet the above requirements for a bite situation, a canine search for a suspect is appropriate if the canine is on a lead. Absent a change in circumstances that present an imminent threat to public safety officers, the canine or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

306.6.1 PREPARATION FOR DEPLOYMENT

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include, but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.

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- (e) The potential for injury to public safety officers or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other public safety officers at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

Any KDPS supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

306.6.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing: "Kalamazoo Police K-9 Unit. You are under arrest. Come out now or I will release the dog and you will be bit". The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

306.6.3 REPORTING DEPLOYMENTS, BITES AND INJURIES

Whenever a canine deployment results in a bite or causes injury to an intended suspect, the canine handler shall notify the Shift Commander immediately. The Shift Commander shall make notification to the Operations Division Captain and the Office of Professional Standards. In addition, the canine handler shall personally notify the canine supervisor who will coordinate with the Shift Commander to ensure all the aforementioned notifications have been made.

The injured person shall be promptly treated by emergency medical services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report. In addition, the Canine Utilization Report in Blue-Team shall be completed and submitted to the Office of Professional Standards

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Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine supervisor and the Operations Division Captain. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

306.6.4 INVESTIGATION OF BITES AND INJURIES TO CIVILIANS

The Officer of Professional Standards shall investigate all bites and injuries to civilians to ensure compliance with departmental policy. The canine supervisor shall have the canine handler complete a memo as to the circumstances leading up to and during the bite situation. In addition, the canine supervisor shall conduct a training evaluation of the canine team as soon as practical and attach a memo to the canine handlers memo, the Canine utilization report, and related criminal reports to the Office of Professional Standards for review.

306.7 NON-APPREHENSION GUIDELINES

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

- (a) Absent a change in circumstances that present an imminent threat to public safety officers, the canine or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- (c) Throughout the deployment the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located and secured, the handler should secure the canine as soon as reasonably practicable.

306.7.1 ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

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306.7.2 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags and any other articles within an area where the canine can legally be at.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause

306.8 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) A public safety officer who is currently off probation.
- (b) Prospective handler must have room at his or her residence to construct a 6' x 10' concrete pad for the purpose of housing the canine at the handlers residence. Such pad and fencing shall be paid for by the department.
- (c) A garage that can be secured and can accommodate a canine vehicle.
- (d) Living within 45 minutes travel time from the Kalamazoo City limits.
- (e) Should be willing to be assigned to the position for five (5) years or the work life of the dog.

306.9 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine supervisor or shift commander.
- (c) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (d) When not in service, the handler shall maintain the canine vehicle in a locked garage, away from public view.
- (e) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Kalamazoo Department of Public Safety facility.
- (f) Handlers shall permit the canine supervisor to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles, to verify that conditions and equipment conform to this policy.
- (g) Outside of working hours, the department canine must be quartered in a suitable

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outdoor kennel that provides adequate shelter from the outside elements. The kennel will be required to be surrounded by a gate and secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler. The canine shall not live in the house. During inclement weather, the canine may briefly stay in a portable metal or plastic crate inside the house or garage. If the canine makes noise during the night that causes a disturbance or should other special circumstances arise, the canine may stay in a portable crate inside the handler's garage with the canine unit supervisor's approval.

- (h) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine supervisor as soon as possible.
- (i) The canine should be permitted to socialize with the handler's family for short periods of time and under the direct supervision of the handler.
- (j) Under no circumstances will the canine be lodged at another location unless approved by the canine supervisor.
- (k) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine supervisor so that appropriate arrangements can be made.
- (l) A canine shall not be taken out of the State of Michigan unless on approved canine training or permission from the Canine Unit Supervisor.
- (m) When a handler transports the canine in anything other than a Patrol vehicle, the canine shall be transported in a plastic or metal portable crate (a wire crate is not acceptable).
- (n) Extra portable canine crates will be stored in the detached garage at station 3. These crates are only for canine handlers use. After use, handlers are responsible for disinfecting and cleaning of these crates.

306.9.1 Station Canine Kennel

Department canines may be stored at the station 3 kennel during vacations and extended leave.

- (a) The station 3 kennel shall only be used to house KDPS canines. No other animals shall be placed inside the kennel
- (b) The kennel gate and outer fence gate shall be locked with a department issued lock
- (c) When a KDPS canine is being housed at the station kennel, current canine handlers will be used to feed / water the canine. If a current canine team member is not available for care, of the canine, a person approved by the Canine Unit Supervisor may be used.
- (d) Unless approved by the Canine Unit Supervisor, no officer shall enter the kennel to feed / water the canine. Feeding / watering should take place from the outside of the kennel. Entry may be made for emergency purposes.
- (e) Each handler is responsible for cleaning up after their canine has used the kennel. The kennel pad, the dog house and bowls shall be disinfected and sprayed down with water.

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306.9.2 CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- (a) A canine shall not be left unattended in any area to which the public may have access.
- (b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains habitable for the canine.

306.10 HANDLER COMPENSATION

The canine handler shall be available for call-out under conditions specified by the canine supervisor.

The canine handler shall be compensated for time spent in the care, feeding, grooming and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the collective bargaining agreement (29 USC § 207).

306.11 CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine supervisor or Shift Commander as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained by the canine supervisor.

306.12 TRAINING

Before assignment in the field, each canine team should be trained and certified to the standards promulgated by a state accrediting body, if any, and/or the certification organization selected by the agency. Organizations with national credibility generally include, but are not limited to, North American Police Work Dog Association (NAPWDA) and National Association of Professional Canine Handlers (NAPCH). The canine supervisor shall evaluate all new canine teams and release them for assignment based on their ability to meet the above standards. New canine teams shall obtain certification from an accrediting body as soon as reasonably possible.

The canine supervisor shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines.

All canine training shall be conducted while on-duty unless otherwise approved by the canine supervisor.

306.12.2 CONTINUED TRAINING

Each canine team shall thereafter be recertified to a current nationally recognized standard or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) Canine teams should receive training as directed by the canine supervisor.

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- (b) Canine handlers are encouraged to engage in additional training with approval of the canine supervisor.
- (c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by the canine supervisor.
- (d) Training equipment is for KDPS use only.
- (e) Handlers shall keep the canine supervisor informed of any training problems.
- (f) Ultrasonic devices and electronic shock collars shall not be placed on any KDPS canine without the authorization of the canine supervisor.
- (g) KDPS canines shall not be agitated without the handler present. Only persons authorized by the canine supervisor shall be allowed to agitate KDPS canines. Canines are not to be struck with leashes, hands, or feet by handlers.

306.12.3 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

306.12.4 TRAINING RECORDS

All canine training records shall be maintained in the canine handler's and the canine's training file.

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306.12.5 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Public Safety Officers possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Kalamazoo Department of Public Safety may work with outside trainers with the applicable licenses or permits.

306.12.6 CONTROLLED SUBSTANCE TRAINING AIDS

Public Safety Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws and in compliance with applicable state requirements (21 USC § 823(f); MCL 333.7304).

The Chief of Public Safety or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Kalamazoo Department of Public Safety to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Public Safety or the authorized designee may request narcotics training aids from the Drug Enforcement Agency (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

306.12.7 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- (a) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (b) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the crime lab and the canine supervisor with a copy forwarded to the Office of Professional Standards.
- (c) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (d) The canine supervisor shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action. Should damage or tampering be found, the canine supervisor shall immediately notify the Office of Professional Standards.

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- (e) Any unusable controlled substance training samples shall be returned to the Evidence Room or to the dispensing agency.
- (f) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

306.12.8 PROCEDURE FOR CHECKING OUT NARCOTIC TRAINING AIDS

[See attachment: K9 Training Narcotics Checkout Procedure.pdf](#)

306.13 SALE OF KDPS CANINES

The canine assigned to a handler is the property of KDPS. KDPS has sole responsibility for the placement of the canine and the placement is a position of appointment and may be changed at the Department's discretion. The sale of canines to their handlers shall follow the procedures outlined in the attached document. ([See attachment: Procedure for the Sale of KDPS Canines.pdf](#))