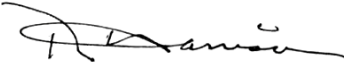


# TEXARKANA POLICE DEPARTMENT

## GENERAL ORDERS MANUAL

<b>SUBJECT</b>	<b>Use of Police Canines</b>		
<b>NUMBER</b>	<b>1108.01</b>	<b>EFFECTIVE DATE</b>	<b>September 02, 2010</b>
<b>Scheduled Review Date</b>	<b>July 01, 2016</b>	<b>ISSUE DATE</b>	<b>September 02, 2010</b>
<b>Date Reviewed</b>	<b>June 17, 2014</b>	<b>REVISION DATE</b>	
<b>APPROVED BY</b>		<b>(Reserved for Expansion)</b>	

### I. Purpose and Scope

- A. The purpose of this policy is to provide guidelines for the management, training and tactical deployment of police canines in response to a wide variety of operational purposes. Because of their superior senses of smell and hearing—coupled with a canine’s physical capabilities—a trained police canine is a valuable asset to police manpower; however, proper utilization of a police canine requires adherence to policies and procedures uniquely formulated to address their utilization during use of force events and to effectively channel the canine’s specialized capabilities.

### II. Policy

- A. It shall be the policy of the Texarkana Police Department to develop and implement procedural guidelines that serve to control and direct all activity surrounding the deployment of a Department canine team. Some of the events, circumstances or episodes suited for the deployment of a canine team include situations that call for the apprehension of wanted & escaped persons, during periods involving search operations and the seizure of contraband. To ensure the deployment of a canine team remains within legally acceptable crime prevention and control guidelines, it shall be the responsibility of all Department personnel to recognize and adhere to the guidelines set forth within this policy.

### III. Definitions

- A. **Police Canine**—A specially trained canine that performs law enforcement functions.
- B. **Canine Handler**—A sworn member of the Texarkana Police Department assigned to perform the responsibilities surrounding the police canine.
- C. **Canine team**—A handler and his/her assigned police canine
- D. **Defensive Resistance**—Physical actions, which attempt to prevent the officer’s control, but never attempt to harm the officer.
- E. **Active Aggression**—Actions indicating intent to cause harm or disregard for the officer’s safety.
- F. **Aggravated Active Aggression**—Physical assault and/or the use of deadly force.

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#### IV. Canine Handler Qualifications and Selection Process

A. The following is a list of applicant qualifications for the position of canine handler:

1. The applicant must have a minimum of two (2) years of experience as a uniform patrol officer with an outstanding work performance history further evidenced by high levels of self-motivation and moral character. Levels of work performance, self-motivation, work ethic and moral character must be supported by applicable evaluations prepared by supervisors and peer perception;
2. The applicant must remain willing to perform in this position for an extended period, accept a minimum five (5) year commitment to serve as a canine handler and otherwise remain committed to the success of the Department's Canine Program;
3. Together with other members of the applicant's immediate family, the applicant must have a willingness to care for and house the canine at the applicant's residence while integrating the animal into the applicant's family and lifestyle to the greatest extent possible;
4. The applicant must have a residence that provides a secure outdoor area for the canine. This area must conform to Departmental standards, and the applicant must remain willing to sign a contract with the City of Texarkana, Arkansas;
5. The applicant must have a strong desire to work with the canine, demonstrate a genuine willingness to care for and train the animal while remaining committed to working various shift assignments and remaining on-call as dictated by the needs of the Agency;
6. The applicant must be capable of handling the rigorous demands inherent of the canine handler position which include an elevated level of fitness and agility;
7. The applicant must be willing to participate in specialized training and education—often occurring out of town—to remain compliant with annual certifications as directed by the Canine Program's supervisor; and
8. The applicant must remain willing to participate in an assortment of public relations functions on behalf of the Agency.

B. The following shall prescribe the manner in which the Department selects an applicant for the position of Canine Handler:

1. The Services Division shall be responsible to post an Agency wide announcement that identifies an opening for the position of canine handler.
2. All interested applicants will be instructed to submit a formal request for consideration through the applicant's chain-of-command.
  - a. Each applicant will be required to list within their formal request their education level, level of experience, current CLEST certificate level and any additional qualifications the applicant feels as though further qualifies them for the position of canine handler.
3. After the expiration of the application submission deadline, the Services Division Commander, or his designee, will coordinate with the Patrol Division Commander and schedule an oral board for the purpose of interviewing each applicant for the position of canine handler.
  - a. During the interview, the members of the oral board will evaluate the applicant's suitability for the canine handler position while contrasting the applicant's relevant suitability with the needs of the Department.

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- b. Although not inclusive, items of interest during the oral board’s interview of the applicant will include the following:
  - (1) The applicant’s knowledge of statutory laws governing search and seizure;
  - (2) The applicant’s knowledge of case law that addresses issues of search and seizure and the application of force as it relates to the use of the canine; and
  - (3) The applicant’s knowledge of the Department’s policies governing the use of force as well as the canine policy.

**V. Deployment of the Police Canine**

**A. Operational handling**

- 1. The police canine may be used when appropriate and is authorized under any of the following circumstances:
  - a. Searches or apprehensions of felony suspects—or those suspects involved in violent misdemeanor offenses—and when the handler detects a reasonably apparent danger to police personnel who would otherwise conduct a search or apprehension without assistance from the police canine;
  - b. Searches for lost, missing or hidden articles that include evidence, weapons, narcotics or other types of contraband;
  - c. In those instances that call for the protection of the canine handler, the police canine or other officers or citizens when the suspect of the aggression poses a reasonably apparent threat of harm to the safety of the officers or others; and
  - d. When special circumstances occur where the canine handler, officer or supervisor deems that deployment of the canine is objectively necessary under the circumstances.

B. The deployment of the police canine to assist in locating and apprehending a suspect shall constitute the use of force, and because of the possibility of the canine engaging such persons, the deployment of the canine shall always follow the Agency’s use of force principles as they relate to the escalation and de-escalation of force.

**C. The decision to deploy the police canine shall be based upon the following:**

- 1. The severity of the crime is considered by the Agency to be critical. For purposes aligned with the functions of apprehension, arrest, control and prevention of escapes, the police canine should only be deployed to facilitate these functions when the suspect of such function has committed or is committing either a felony crime or a violent misdemeanor.
- 2. Decisions to deploy the police canine shall at all times be based upon the following sets of circumstances:
  - a. The severity of the crime in which the suspect is believed to have committed or is committing at the time the decision to deploy is made;
  - b. Whether the suspect poses an immediate threat to the safety of the officers or others;

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- c. Whether the suspect is actively resisting arrest or attempting to evade arrest at the time the decision to deploy the canine is made and the relative level of resistance an officer has encountered or is encountering;
    - (1) Defensive Resistance;
    - (2) Active Aggression; or
    - (3) Aggravated Active Aggression.
  - 3. Police canines may be deployed to apprehend fleeing suspects when it is objectively reasonable to believe:
    - a. The suspect is committing or is believed to have committed a felony or a violent misdemeanor offense(s); and
    - b. The suspect is actively resisting arrest or attempting to evade arrest by flight.
  - 4. Special care and extra attention should at all times be considered when the suspect of such use of force action is a juvenile. When considering the decision to tactically deploy the police canine in those situations that involve juveniles, alternative force options should first be considered. The police canine should not be tactically deployed upon a juvenile suspect except under the following conditions:
    - a. Juveniles—who appear to be fourteen (14) years of age or older—and who are displaying levels of resistance rising to the degree of active aggression or aggravated active aggression.
  - 5. The police canine shall not be used to apprehend those suspected to be under the influence of drugs or alcohol if no other crime is involved nor the mentally disturbed if no other crime is involved.
- D. Although not at all times inclusive, the following is a list of situations and circumstances that may necessitate the tactical deployment of the police canine:
- 1. Conducting searches within buildings for suspects who are committing or who are believed to have committed either a felony or a violent misdemeanor offense(s);
  - 2. Assisting in the arrest, apprehension or the prevention of an escape involving suspects who are committing or who are believed to have committed a felony or a violent misdemeanor offense(s);
  - 3. Protecting officers or others from serious physical injury or death;
  - 4. Deploying the Police Canine for the purposes of detecting the presence of controlled substances, articles and/or the tracking of lost or endangered persons; and
  - 5. Any additional sets of circumstances or situations not listed in this section having received approval from the immediate supervisor of the canine team.
- E. Where the tactical deployment of the police canine is supported and justified by this Agency’s policy, the tactical measures used shall at all times be at the discretion of the canine handler and must remain objectively reasonable when considering the totality of the circumstances.
- F. When responding to routine, minor complaints and other minor calls for service, the canine handler should not deploy the police canine.

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- G. Unless exigent circumstances exist to forgo an officer’s ability to issue the warning, the canine handler shall verbally warn the suspect that a police trained canine will released in order to secure his/her apprehension.
  - 1. The warning issued by canine handler should be something similar to “ **POLICE, STOP OR I WILL RELEASE MY DOG. POLICE, STOP OR I WILL RELEASE MY DOG** ”.
- H. When the canine is released, the canine handler shall advise the Communications Center and other officers in the area of the fact the canine has been deployed. The handler will follow the canine until the suspect has been apprehended.
  - 1. In those instances that find the suspect has been bitten or taken-down by the police canine, the handler shall first take control of the canine as soon as the handler has evaluated the situation and deemed it safe to proceed with the arrest. Under most circumstances, the handler will direct the back-up officer to complete the arrest and take the suspect into custody.

**VIII. Police Canine Search Deployment**

- A. One of the primary functions of the police canine is for locating suspects who are hiding in buildings or other structures. The following guidelines have been established for conducting building searches in conjunction with a canine deployment:
  - 1. In conjunction with the on-duty supervisor, the canine handler should ensure the building’s perimeter is secured. In those instances where officers anticipate the deployment of a canine during a building search, a preliminary search by officers should not be conducted, as this will interfere with the canine’s ability to discriminate scents;
  - 2. For buildings or structures that are unfamiliar with officers, and whenever possible, the on-duty supervisor should attempt to contact the building’s owner or other responsible person for the purpose of inquiring about tenants and others who might legally be inside the building as well as gathering information about the general layout of the areas to be searched;
  - 3. The on-duty supervisor should also consider implementing the following actions when they are deemed necessary and/or feasible:
    - a. Consider evacuating all tenants, workers or others who are legally inside the building;
    - b. In conjunction with the canine handler, the on-duty supervisor should consider requesting all air conditioning, heating or other air-blowing/ventilation systems be shut off so as not to interfere with the canine’s ability to discriminate scents.
  - 4. Upon entrance into the building, all exits shall remain secured and communications shall be limited to tactical transmissions related to the interior search of the structure. On-duty supervisors should ensure all communications occur on a secondary tactical channel.
  - 5. Once the decision to deploy the canine into the building has been made, the canine team—along with a secondary officer tasked with backing-up the team—should position themselves at the point of entry and stop, look and listen thus allowing the canine the ability to begin scenting.
  - 6. Before releasing the canine into the building, and unless exigent circumstances exist to forgo an officer’s ability to issue the warning, the handler shall loudly and clearly shout the following warning—or something similar to this warning—twice before deploying the canine into the building:
    - a. “ **THIS IS THE TEXARKANA POLICE DEPARTMENT. WE WILL RELEASE THE DOG TO FIND YOU, AND ONCE HE FINDS YOU, YOU MAY BE BITTEN.** ”

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**IF YOU GIVE UP NOW, THE DOG WILL NOT BE USED AND YOU WILL NOT BE HARMED. ”**

- b. A reasonable amount of time shall be allowed for the suspect to respond before the canine is deployed. When dealing with buildings having multiple levels, this warning should be repeated at every level. Additional warnings should also be given when going up or down stairs, when the area of the targeted search increases in size and in those instances deemed necessary by the handler.
- c. Where there exists a reasonable belief the suspect in question speaks a language other than English, and such a person is available to assist and if the exigency of the situation permits, an attempt to summon an officer or other person fluent in that language should be considered so the warning can be given in the respective language.

**7. Residential Searches**

- a. Searches of residential structures will only be conducted under extreme circumstances after the canine handler has determined the absence of lawfully present occupants within the residence; and
- b. After obtaining approval from the on-duty supervisor.

**8. Open Area Searches**

- a. Before deploying the police canine for an open area search, the canine handler shall first contact the officer in charge of the scene and determine the following elements:
  - (1) Determine the nature of the crime;
  - (2) Obtain the suspect’s description
  - (3) Identify the location at which the suspect was last seen to include all relative directions of travel as well as the time frame in which the suspect was last seen; and
  - (4) Ensure proper actions have been taken to secure a perimeter around the affected area.
- b. When entering into the affected area to initiate the search, the canine handler should take the following actions:
  - (1) Brief the assigned back-up officer to ensure the officer is aware of search operations as well as their individual responsibility during the search;
  - (2) Adhere to the announcement and warning guidelines set forth in the above sections. After allowing a sufficient amount of time for the suspect to respond to the warning, release the canine into the open area targeted for the search;
  - (3) When the canine is released, the canine handler shall advise the Communications Center and other officers in the area of the fact the canine has been deployed;
  - (4) While engaged in open area searches, the canine handler shall made every attempt to maintain sight and/or sound of the canine; and
  - (5) In those instances that find the suspect has been bitten or taken-down by the police canine, the handler shall first take control of the canine as soon as the handler has evaluated the situation and deemed it safe to proceed with the arrest. Under most

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circumstances, the handler will direct the back-up officer to complete the arrest and take the suspect into custody.

- b. The decision to deploy the canine in such searches while on/off lead shall at all times be determined by the situation and the totality of the circumstances presented. Although not inclusive, the following elements should be considered before the determination to search on/off lead is made:
  - (1) The size and scope of the area to be searched:
    - Open field
    - Wooded area
    - Building
    - Residential area
    - Proximity to densely populated areas to include schools, churches, etc.
  - (2) The criminal offense for which the suspect is believed to have committed or is committing:
    - Felony crime—suspect armed or unarmed;
    - Misdemeanor crime—violent misdemeanor;
    - Classification of the level of resistance encountered or level of resistance likely to be encountered—defensive resistance, active aggression, aggravated active aggression.

## **B. Police Canine Searches for Drugs**

1. Without consent, canine searches (sniffs) for drugs are only authorized when there is no reasonable expectation of privacy with regard to the targeted item(s) of the search. If not specifically addressed in the following guidelines, officers shall rely on the foregoing principle, established statutory guidelines regarding search and seizure and direction from supervisors in order to determine the permissible scope of canine searches.
2. **Public Facilities and Places**
  - a. Police canines may not be used to sniff luggage, containers or other personal items found to be in the physical possession (control of or within close proximity to) of an individual in a public facility or place unless:
    - (1) There exists an objectively reasonable, independent suspicion that the targeted personal item within the person's possession contains illegal drugs other evidence related to crime; and
    - (2) The time required to conduct the canine sniff is limited in duration.
  - b. Police canines may be used to sniff luggage, containers or other personal items of an individual on either a random or selective basis if the items are not in possession of the owner.

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- c. Whenever possible and practical, exploratory canine sniffing in public facilities should be conducted with the advanced knowledge of the facility manager. These operations should be conducted without unnecessarily interfering and/or annoying those within the facility while avoiding interruption of the facility's operation.
- d. Police canine searches of the exterior portions of residences, residential enclosures and respective vehicles located at the residences—whether classified as individual dwellings or the common areas of multiple dwellings—are not permitted without a search warrant or as otherwise directed by established statutory law and applicable court rulings that serve to further define the scope and limitations of permissible warrantless searches and seizures.
- e. The use of a police canine in schools to **target individualized, personal items** found to be in the possession of (control of or within close proximity to) persons/students is limited to those situations where there exists objectively reasonable, independent suspicions that the targeted personal items within the person's/student's possession contain illegal drugs or other evidence related to a crime. Any such search of individual items shall be supported by probable cause, and absent exigent circumstances, any such search within these circumstances must be supported by a search warrant or as otherwise directed by established statutory law and applicable court rulings that serve to further define the scope and limitations of permissible warrantless searches and seizures.
  - (1) The Texarkana Police Department supports the schools within our jurisdiction, and upon the request of an administrative school official, the police canine may be used to conduct open air searches (sniffs) of the lockers contained within the school. Open air searches (sniffs) are deemed permissible as long as the canine searches (sniffs) several groups of lockers. **Targeting individual, isolated lockers** for the purpose of a canine search (sniff) must be supported by a search warrant obtained byway of probable cause or as otherwise directed by established statutory law and applicable court rulings that serve to further define the scope and limitations of permissible warrantless searches and seizures.
  - (2) At all times during canine operations within a school, open air searches (sniffs) shall be limited to objects and enclosures where there exists no reasonable expectation of privacy.
- f. Canine open air searches (sniffs) of motor vehicles for the purpose of drug detection may be conducted when:
  - (1) There exists a reasonable suspicion to believe that the operator or passengers within the vehicle are in possession of illegal narcotics; or
  - (2) The canine open air search (sniff) is limited to the exterior of the vehicle.

**C. Police Canine Tracking**

- 1. Because of the police canine's training and physical capabilities, the police canine may be used to track missing persons, track criminal suspects or to locate evidence that is believed to have been abandoned or hidden within a specified open area. Such tracking operations are at the discretion of the shift supervisor and the canine handler and will be governed by the following conditions and limitations:
  - a. When officers are pursuing a suspect(s), and contact with the suspect(s) is lost, the officers should, at the discretion of the shift supervisor:
    - (1) Secure the immediate area and pinpoint the exact location at which the suspect was last seen;

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- (2) Record the suspect's description, the suspect's last known direction of travel and avoid vehicle or foot movements within the immediate area where the suspect was last seen.
- (3) The police canine 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.
- (4) In conjunction with the canine handler, the shift supervisor shall ensure the following guidelines have been accomplished:
  - (a) Ensure the perimeter of the area to be searched is secure;
  - (b) Ensure the integrity of the area to be searched is maintained by keeping all personnel out of the immediate area; and
  - (c) Protect and preserve all pieces of clothing or other items unique to the suspect that serve to assist the canine with discriminating the suspect's scent.
- (5) The manner in which the canine team deploys in a tracking function shall be governed by the guidelines contained within the open area search section listed above.

**D. Crowd Control and Riots**

- 1. The canine team may respond as a back-up unit for purposes of crowd control during peaceful demonstrations; however, the police canine may not be deployed.
- 2. The canine team is subject to deployment to protect life or property during a riot or other major unlawful assembly after an order to disperse has been properly issued. Any such deployment shall remain at the discretion of the Chief of Police or his designee. During such a deployment, the following guidelines shall be observed:
  - a. The police canine shall at all times remain short-leashed so as to protect individuals from serious injury.
  - b. The canine team shall not initiate any offensive action unless the need to guard against the imminent loss of life, serious bodily injury or significant property damage becomes immediately apparent.
  - c. In the event a hostile crowd begins closing in on officers who are attempting to make an arrest or performing some other police related function, the canine team shall take a position between the officers and the crowd in an effort to protect the officers.
  - d. During all riot operations, the canine team shall remain behind the front-line officers to assist in the overall operation as a psychological deterrence.
  - e. At all times during such an operation, the deployment of the canine team shall remain at the discretion of the incident commander.

**VII. Police Canine Bites and Related Injuries**

- A. The deployment of the trained police canine during all police operations constitutes either a real or implied use of force. As in other aspects of the Agency's use of force policy, officers may only use that degree of force that reasonably appears necessary to apprehend or secure a suspect during the deployment of the police canine.

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- B. Those instances wherein the police canine bites, grabs or pinches any person—except during training functions—whether or not an injury occurs, are considered to be reportable canine bite incidents; however, the completion of a Use of Force Report is only necessary in those instances wherein the police canine was actively and intentionally deployed as a means of force. In these instances, the canine handler—or another officer so ordered or arranged—shall notify the on-duty supervisor and perform the following:
  - 1. If no arrest is made, every effort by the canine handler or other officer shall be made to the individual so as to secure medical care and treatment by medical professionals;
  - 2. If an arrest is made, the suspect shall be provided medical attention in accordance with Departmental guidelines that govern such action; and
  - 3. The supervisor on-duty shall ensure photographs of the individual’s injuries are captured and placed on the Department’s server.
- C. Whenever the police canine is deployed and a person is injured, an offense report that serves to document the incident shall be completed. The report shall document all of the relative circumstances surrounding the incident, the identity of the person so injured, the extent of the injuries and the measures taken in response to the incident.

**VIII. Police Canine Use and Care**

- A. The police canine shall not be used for breeding, participation in shows, field trials, exhibitions or other demonstrations unless permission is granted by the Chief of Police.
- B. Canine handlers shall maintain their assigned canine both on and off-duty in a safe and controlled manner. The police canine shall never be allowed to run loose unless engaged in training, exercises or some other official activity authorized by Agency protocol.
- C. The Texarkana Police Department will provide the canine handler with the proper and appropriate accessories for the care and housing of the canine. Periodic inspections shall be conducted to ensure compliance with Departmental canine guidelines.
- D. The canine handler shall remain personally responsible for the daily care and feeding of the canine so assigned. These maintenance duties shall include:
  - 1. Provide for the maintenance and cleaning of the canine’s kennel and yard area;
  - 2. The provision of food, water and general diet maintenance as prescribed by the Agency of authorized veterinarian;
  - 3. Grooming on a daily basis or more often as dictated by the climate, working conditions or other relative factors; and
  - 4. Daily exercise and the general medical attention and maintenance of the canine’s health records.
- E. Canine handlers shall immediately notify the canine supervisor of any changes that would affect the housing conditions of their issued canine.
- F. Teasing, agitating or roughhousing with the police canine is prohibited unless such activity is performed as part of the canine’s training.

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- G. Canine handlers shall not permit anyone to approach, pet or hug their issued canine without their prior permission and immediate supervision.

**IX. Injured Canine Handler—Procedures**

- A. The following course of action shall be considered by all officers in the event a canine handler is injured and unable to command his/her assigned canine. If the canine handler is downed, the canine in all probability will stand guard and prevent anyone from approaching.
1. Officers should not rush in on the handler or the canine. Attempts should begin to contact a secondary canine handler to respond to the scene and offer assistance with control of the canine.
  2. Attempt to instruct the handler to call off the canine.
  3. Should the handler not respond, position the canine's unit near the canine. Open the rear door of the unit and attempt to coax the canine into the unit. If the canine loads into the unit, secure the canine in the unit and remove the canine from the affected area.
  4. If necessary, the canine unit is equipped with protective bites sleeves and additional leads. If the canine cannot be called off, the canine can be secured by allowing him to engage the bite sleeve. Once the canine assumes a good grasp of the sleeve, an attempt to lead the canine towards the unit should be made.
  5. Non-handlers should only command the canine in an emergency situation while relying on the proper commands. Keep in mind the canine and his handler work, live and train together. The canine's attitude will change if the handler is hurt or in danger.

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