

Guidance on Policies and Practices for Patrol Canines



POLICE EXECUTIVE
RESEARCH FORUM

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The points of view expressed herein are the authors' and do not necessarily represent the views of all Police Executive Research Forum members.

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ACKNOWLEDGMENTS

Canine units can provide valuable services to police departments and sheriffs' offices, but a canine program must be designed carefully to ensure that the canines will perform as intended. Like any other use of force by law enforcement agencies, deployment of canines must be governed by clear policies and protocols. Canine programs also require unique elements of knowing how to obtain canines for use in the program, how to ensure that each canine is a good match for its handler, and how to train both the canines and their handlers. Many law enforcement agencies may have considered undertaking a canine program, but without guidance on how to get a program under way, the challenges may appear overwhelming.

This report is intended to provide agencies with recommended policies as well as practical guidance that will help them to consider whether a canine program is appropriate for their jurisdiction, and if so, to begin the process. This report is about the use of canines for patrol purposes only, not for detection of illegal drugs or explosives.

To study the use of canines for patrol purposes, the Police Executive Research Forum (PERF) reviewed a number of agencies' policies, interviewed experts, and assembled a group of practitioners at the Macon County Law Enforcement Training Center in Decatur, Illinois on December 5-6, 2019.

The group included experienced handlers from large and small agencies across the United States, Canada, and the United Kingdom. Participants covered a wide range of ranks, from officer and deputy to Chief and Sheriff (see list of participants, page 26). In addition, the meeting included outside experts, including kennel operators, a research analyst, and a prosecutor, who participated in the discussions.

PERF is grateful to Howard Buffett and the Howard G. Buffett Foundation for supporting this project. Howard served as Sheriff of Macon County, Illinois from September 2017 to November 2018 after serving as Undersheriff for five years in Macon County. He currently serves as Undersheriff of the Christian County, IL Sheriff's Office.

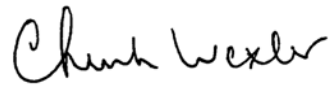
Throughout his law enforcement career, Howard has had considerable experience working with and training patrol canines, and he understands



Howard G. Buffett

that these programs require special efforts in training and other considerations that may be outside the current reach of some departments. This report is designed to close a gap by helping agencies to understand the benefits and challenges of canine programs.

PERF thanks the Macon County Law Enforcement Training Center for hosting our meeting, and especially all of the participants who contributed to our understanding of the issues and the production of this report.



Chuck Wexler
Executive Director, PERF
Washington, DC



INTRODUCTION

Canine units are valuable tools for law enforcement agencies and can assist in a wide range of situations. Canines search for and locate suspects and evidence, and conduct searches in places where it would be dangerous to send an officer or deputy.

But calling in a canine unit can also add complexity to a situation, introducing a living animal that is trained to use force, but lacks the thinking capabilities of a person. If a canine unit is not well-trained, it can make situations more difficult to resolve, rather than easier.

Uses of force by canine units can raise concerns from community members. Some canine apprehensions can appear harsh. With the proliferation of video recordings of police actions by the public as well as by officers' body-worn cameras, community members today are able to view more law enforcement actions than ever before. A questionable incident involving a canine can erode community trust.

To mitigate these risks, law enforcement agencies should institute strong policies and practices for all aspects of their canine operations. Risks can be reduced with clear policies, thorough training, and close supervisory oversight.

This guidance addresses the use of canines only for patrol purposes, meaning searching for and apprehending subjects. Agencies should seek additional guidance and should research relevant laws before using canines for narcotics detection, explosives detection, or any other purpose.

This guidance is designed both for agencies that are interested in starting a patrol canine program and those that already have a program and want to ensure that they have the best policies and practices in place.

This report begins with a discussion of terminology, followed by recommendations in four categories:

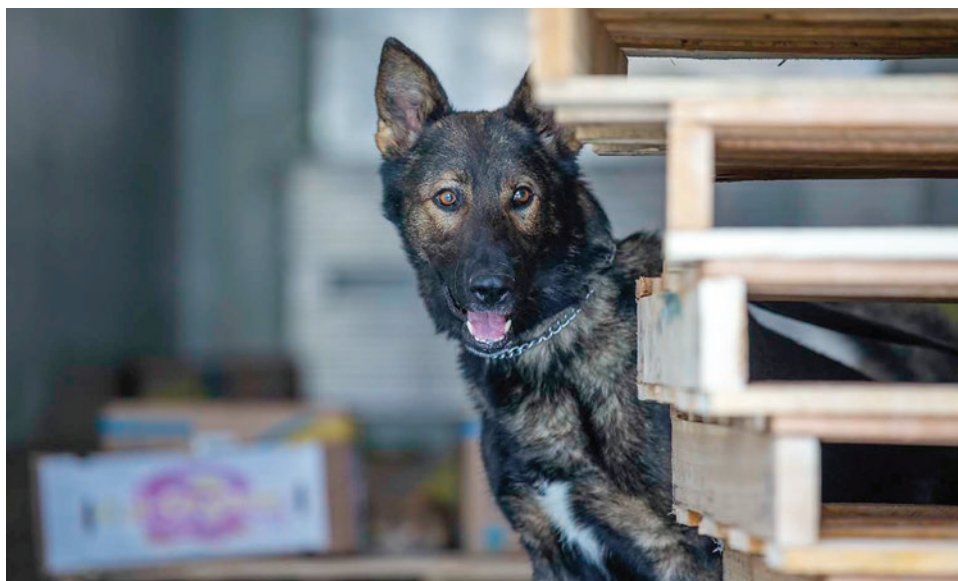
- 1 Selection of Handlers and Canines;**
- 2 Training of Handlers and Canines;**
- 3 Policy and Operations; and**
- 4 Documentation and Review.**



TERMINOLOGY

There are no universally accepted definitions for many police canine terms, so terms may mean something slightly different from agency to agency. This report uses the following definitions:

- **Deployment** – A canine is brought out of a vehicle at the scene of an active incident and has the potential to be used as trained.
- **Apprehension** – A suspect surrenders or is otherwise brought into custody as the result of a canine deployment. This may be because the canine was used as trained, or because the suspect surrendered after becoming aware that the canine might be used.
- **Apprehension with contact** – A canine makes contact with a suspect to bring the person into custody. (Some agencies may refer to this as an engaged apprehension, bite, or seizure.)



1. SELECTION OF HANDLERS AND CANINES

The success of a canine unit begins with selecting the best candidates for handler positions, and then carefully selecting canines that are compatible with those handlers. Officers and canines are generally with the canine unit for a number of years, so the selection process will impact an agency for an extended period of time.

Handler Selection

Experts at the PERF conference reported that when mistakes occur in a canine unit, it is usually because of errors made by the handlers, not by the canines. To avoid mistakes, agencies should select handlers carefully through a thoughtful, deliberate process.

1 Handler selection should include:

- A fair, uniform process open to everyone eligible in the agency
- A minimum number of years of experience with the department (generally 2-5 years)
- Review of performance evaluations
- A recommendation from a supervisor
- No history of excessive force or other disciplinary concerns
- A demonstrated history of good decision-making
- Good written and verbal communication skills for report-writing and testifying
- Comfort around dogs
- A written test of both canine-specific and general police knowledge
- An interview with the canine unit and canine supervisor(s)
- Job-specific physical fitness testing
- Scenario-based testing
- An evaluation of driving ability
- A home visit and an interview with the handler's family.

All aspects of the handler selection process should be included in an agency's policy.

Handlers should be selected based on the full range of criteria listed above before being accepted into an agency's canine unit.

The criteria for handler selection should be clearly defined, and everyone in the agency should be given an equal opportunity to be considered for any available positions. These are coveted positions, so those responsible for selecting new handlers should make their decisions based on the defined criteria.

Becoming a canine handler significantly affects an officer's home and family, so agencies should prepare officers and their families for those changes. That should include a home visit, informational meetings with current handlers, and presentations to families.

2 Agencies should consider involving prospective canine unit candidates in canine training and care to gauge interest and familiarize them with the unit.

Many agencies expose potential canine handlers to canine operations before they have an opportunity to join the unit. For example, the Vancouver Police Department in British Columbia invites potential canine handlers to observe training sessions prior to joining the canine unit. This provides candidates with an opportunity to demonstrate interest, builds the candidates' familiarity with canine operations, and introduces members of the canine unit to potential candidates.

Canine Selection

The selection of an animal for a canine unit can be a challenge for an agency that isn't familiar with the process of purchasing a canine for police purposes. Agencies that are new to canine selection should obtain advice from established vendors and from other law enforcement agencies with long-standing canine programs.

3 Canines should be purchased from established, reputable vendors. Be wary of vendors that do not offer warranties for health and workability.

When purchasing canines, agencies should look for established vendors with a reputation for providing canines capable of handling police patrol work. Established vendors generally provide a one-year warranty that covers the canines' health and workability.

If an agency is unsure about where to purchase canines, it should seek advice from neighboring agencies with established canine programs and should visit several recommended vendors to better understand the available options.



HOW MUCH TRAINING SHOULD A CANINE ALREADY HAVE AT THE TIME IT IS PURCHASED BY AN AGENCY?

The level of training that a canine should have prior to purchase will depend on state standards and agencies' training abilities. If a state requires that canines undergo extensive training after they are acquired, agencies will probably want to purchase canines with limited prior training. For example, the state of Florida requires canines to receive 480 hours of training after they are purchased,¹ so Florida agencies may want to purchase canines with little or no training.

Even in states without strict training regulations, an agency with a strong in-house training program may prefer to purchase untrained canines, so the canines will receive all instruction under the agency's training system. But if an agency has a limited ability or budget to train canines in-house, it may want to purchase a canine that has already received substantial training.

4 Canines should demonstrate:

- **Confidence**
- **Trainability**
- **Athleticism**
- **Sociability**
- **No signs of unwarranted or unpredictable aggressiveness.**

Canines should be selected for their personalities, particularly whether they are confident, comfortable around people, and lacking signs of overt, unwarranted aggression. Canines are frequently around people, during incidents or when conducting public demonstrations, so they must be capable of calmly interacting with others until they are deployed by their handler.

Agencies that are unfamiliar with how to evaluate a canine's personality or its ability to adapt socially should consult with an experienced handler or a reputable vendor.

1. "Canine Team, Instructor, and Evaluator Procedures Manual," Florida Department of Law Enforcement Criminal Justice Standards and Training Commission. <http://www.fdle.state.fl.us/CJSTC/K-9-Manual.aspx>

THE CANINE/HANDLER RELATIONSHIP

Agencies should select canines that are physically and temperamentally compatible with their handlers. Canines and handlers must have close, compatible relationships, and not all canines and handlers work well with each other. Canines should be selected with their specific handlers in mind.

If an agency has limited experience evaluating canine/handler relationships, it should ask experienced handlers or vendors for guidance.

Reputable vendors generally provide guarantees for canines' health and workability, so a canine that is incompatible with a handler can be replaced with an animal that is a better fit.



2. TRAINING OF HANDLERS AND CANINES

Canines and handlers must receive extensive training to prepare them for patrol operations. The form that training takes will depend on an agency's capabilities. Larger agencies may be able to conduct all their training in-house, while smaller agencies may need to use an outside provider for some or all of their training.

5 All canine teams should receive initial training that brings them to the point where they can operate proficiently.

Canine handlers should receive training on their agency's policies governing use of force, and especially on policies governing use of force by canine units. Policies should require that uses of force be proportional to the threat faced by the officers and appropriate given the totality of the circumstances. (See the next section, "Policy and Operations," for further discussion.)

It is imperative that canines and handlers train together, as a team. Canine/handler teams should receive initial training and should not be put into service until an agency has verified that they are proficient at patrol operations. This training can be done in-house or by an outside provider.

Agencies that use an outside training provider should ensure that each canine receives sufficient training to operate competently. There is no hard-and-fast rule for what qualifies as competent, but agencies should be wary of training providers who claim to fully train canines in just a few weeks.

When using an outside training provider, agencies should make sure that the trainer's curriculum is consistent with their own policies regarding use of force and other



operations. Agencies also should supplement outside training with necessary agency-specific training.

Many states require a minimum number of hours of training before a canine team can be deployed, but agencies should not assume that a team is proficient just because it has met that requirement.

Agencies without experienced canine trainers should seek guidance from agencies with established canine training programs.

Supervisors and command staff should not pressure canine teams to be deployed before they are proficient.

6 Canine teams should receive regular in-service training.

In-service training should occur at least monthly, if not more frequently. In-service training should include reviews of recent incidents involving canine response, scenario-based training, legal updates, and policy updates.

Many canines, particularly those in agencies with smaller canine programs, are trained in more than one discipline (e.g., patrol and drug detection). If a canine is trained in more than one discipline, it will require more in-service training to maintain proficiency in all its skills.

7 The canine team should train the rest of the agency on the capabilities and limitations of the canine team.

The canine team should provide the rest of the agency with guidance on how the unit operates and how it can assist patrol operations. This may include presentations at roll call briefings, specific training for new officers, and presentations to recruit classes at the training academy.

During this department-wide training, the canine team should address safety considerations when working with the canine team, examples of situations when the canine team would be useful (or would not be useful), and how to avoid contaminating a scene where a canine may be tracking. Officers also should be given specific instructions on how to assist a canine team when in pursuit or searching for a subject, i.e., where to walk, what is a safe distance from the canine, and when to provide appropriate cover for the canine officer.

The canine team should also provide training to sergeants and other supervisors, so they will understand when they should and should not call the canine team to an incident, and the capabilities of the canine team once it is on-scene.

Certification

- 8 Canine teams should be certified by a third-party organization, either a nationally recognized organization or an official state certifying body. Certification should be renewed annually.**

Police command staff members, elected officials, and the public generally are not knowledgeable about canine training, so outside certification can provide assurances that canine teams are prepared and qualified to be sent into the field. Certification should be conducted annually by a reputable outside organization. This may be a state-level agency, such as the Florida Department of Law Enforcement² or the New York State Division of Criminal Justice Services, or an independent association, such as the National Police Canine Association,³ American Working Dog Association,⁴ the United States Police Canine Association,⁵ or the International Police Work Dog Association.⁶



2. "Canine Team, Instructor, and Evaluator Procedures Manual," Florida Department of Law Enforcement, Criminal Justice Standards and Training Commission. <http://www.fdle.state.fl.us/CJSTC/K-9-Manual.aspx>
3. <https://npca.net/>
4. <http://www.americanworkingdog.com/>
5. <https://www.uspcak9.com/>
6. <https://www.ipwda.org/>

3. POLICY AND OPERATIONS

Carefully written policies and procedures help canine officers to succeed by providing them with guidance about what is expected of them. Agencies should have policies that clearly establish when it is appropriate to deploy the canine team and how the unit is expected to operate when deployed.

9 Agencies should have specific written policies and procedures for canine operations, and policies should be regularly updated.

Any agency with a canine program should have clear, specific policies and procedures explaining canine operations. Handlers and other officers rely upon written policies and procedures for guidance, so policies should be practical, detailed, and written in plain language. Policies may vary from agency to agency and from state to state, but agencies should study other departments' policies to identify areas where their own policies can be improved. As with all agency policies, these should be regularly reviewed and updated as necessary.

Policies should include:

- Terminology definitions
- Training requirements
- Procedures for requesting the canine unit
- Making announcements prior to conducting a search
- Search operations, including building searches and off-lead searches
- Procedures for other officers on scene
- Apprehension procedures
- Removing the canine from the scene
- Rendering first aid to the apprehended suspect
- Reporting use of force by the canine team
- Coordinating with other agencies.

Examples of agencies with clear policies include the Metropolitan Nashville Police Department,⁷ the San Diego Police Department,⁸ and the Seattle Police Department.⁹

10 Canine policies must fit into an agency’s overall policy and philosophy on use of force.

As one of many force options available, canine policies should be consistent with an agency’s overall use-of-force policies and general philosophy on use of force. Agencies should review their policies to make sure that canine policies and general use-of-force policies are compatible with each other. If one is updated, the other should be reviewed and, if necessary, updated as well.

Agencies should pay particular attention to policies on de-escalation and requirements for the reporting and review of use-of-force incidents.

11 Agency policy should require the issuance of a warning when possible before deploying a canine and should provide ample time for a subject to surrender.

Agencies should issue at least one audible warning before deploying a canine, giving the subject an opportunity to surrender. Some agencies, such as the San Diego Police Department,¹⁰ encourage handlers to deliver two warnings if possible. Federal courts have repeatedly ruled that warnings must be issued and suspects must have the opportunity to surrender before a canine is deployed.¹¹

The following warning, which is issued by the Metropolitan Nashville Police Department¹² prior to a canine search, is an example of a typical announcement:

“METRO POLICE K-9—COME OUT NOW—OR A DOG WILL BE USED TO FIND YOU AND MAY BITE YOU.”

Agencies should repeat their warnings when changing locations.

If possible, agencies should consider issuing the warning through an amplified speaker or may consider an automated recording. Warnings should be made in a language spoken by the suspect. The Prince George’s County, Maryland Police Department issues a recorded amplified warning in English and Spanish through

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7. “Department Manual, Metropolitan Police Department, Nashville, Davidson County, TN. August 20, 2018.” (See Policy 14.40, “Canine Unit – Policy and Procedure.”) <https://www.nashville.gov/Portals/0/SiteContent/Police/docs/Strategic%20Development/MNPDManual.pdf>
 8. “San Diego Police Department Procedure, Police Service Dogs.” November 14, 2017. https://s3.amazonaws.com/themis.datasd.org/policies_procedures/Procedures/6.0%20Patrol/616.pdf
 9. “Seattle Police Department Manual, September 15, 2019.” 8.300 – POL – 1 Use of Force – Use of Patrol Canines. <http://www.seattle.gov/police-manual/title-8---use-of-force/8300---use-of-force-tools#8.300POL1>
 10. “San Diego Police Department Procedure, Police Service Dogs.” November 14, 2017. https://s3.amazonaws.com/themis.datasd.org/policies_procedures/Procedures/6.0%20Patrol/616.pdf
 11. “K-9 announcements: Dos and don’ts.” PoliceOne.com, April 9, 2013. <https://www.policeone.com/police-products/k9/k9-training/articles/k-9-announcements-dos-and-donts-RURzIVa5FlhWeBjQ/>
 12. “Department Manual, Metropolitan Police Department, Nashville, Davidson County, TN. August 20, 2018.” <https://www.nashville.gov/Portals/0/SiteContent/Police/docs/Strategic%20Development/MNPDManual.pdf>

the squad car's public address system.¹³ And the Seattle Police Department includes the following directions in its policy on announcements:¹⁴

When feasible, the announcement shall be given by patrol car PA system or amplified by other means.

The announcement shall be clear, loud and audible to all individuals who may be affected by the operation. Where there is a reasonable belief that the subject speaks a language other than English, an officer or other individual fluent in that language shall be summoned to the scene if available and the exigency of the situation permits.

12 Handlers must consider all aspects of the situation at hand and consider non-canine options before deciding whether to deploy a canine.

When deciding whether to deploy a canine, handlers must consider the entirety of the situation before them. Relevant factors may include the severity of the offense and potential dangerousness of the suspect, the presence of bystanders and other officers at the scene, and weather conditions.

For example, the Washington, DC Metropolitan Police Department lists the following nine items for a handler to consider before deploying a canine:¹⁵

1. *Determine the nature and severity of the offense for which a suspect is sought.*
2. *Determine the age of the subject and whether the subject may be armed, if possible.*
3. *Ensure that the immediate area to be searched has been vacated by all innocent civilian and police personnel, and that a perimeter is established.*
4. *Interview the property owner or manager (if available), to determine whether there are any innocent persons or children inside the location to be searched. Additionally, the canine official shall make attempts to determine if any individual inside the location may be hearing*



13. See "Consent Decree between the United States Department of Justice and Prince George's County, Maryland -- Prince George's County Canine Section Consent Decree." January 22, 2004. Page 11. https://www.justice.gov/sites/default/files/crt/legacy/2010/12/15/pg_consent_decree.pdf

14. "Seattle Police Department Manual, September 15, 2019." 8.300 – POL – 1 Use of Force – Use of Patrol Canines. #10. <http://www.seattle.gov/police-manual/title-8---use-of-force/8300---use-of-force-tools#8.300POL1>

15. "General Order, Metropolitan Police, District of Columbia, February 18, 2005." Policy VI.E., page 8. https://go.mpdconline.com/GO/306_01re.pdf

impaired, deaf, speaks a foreign language or has a physical, emotional, or other disability.

5. *If the property owner or manager is not available, the canine official shall attempt to interview surrounding neighbors to ascertain the above listed information.*
6. *Attempt to determine if there are any animals inside the premises to be searched.*
7. *Make all information known to the responding canine handler.*
8. *Advise officers on the perimeter that if they encounter a police canine unit, to stand still and not to run. Running or attempting to flee may cause the canine to key in on the officer.*
9. *Ensure that the perimeter is maintained until the canine officer has completed the search, secured his/her canine and has advised the supervisor of the results of the search.*

When possible, handlers should consider alternative tactics before deploying a canine. The canine may not always be the best tool to accomplish a goal, so handlers should consider options that may be safer for everyone involved and for the canine. For example, the Seattle Police Department policy states:¹⁶

When the location of a subject in hiding has been determined, handlers shall not command the canine to do a direct apprehension if alternative tactics are safe and feasible. Such alternatives may include: identifying as a police officer, ordering the subject to come out of hiding and warning that a police dog shall be released and they may be bitten if they do not voluntarily comply, and then waiting a reasonable amount of time for them to comply, or using a lower level of force.

13 The U.S. Supreme Court’s 1989 ruling in *Graham v. Connor* should be the basis of an agency’s policy, but guidance should be more specific than what is outlined in *Graham v. Connor*. Agencies should specify the offenses for which a canine should be used.

*Graham v. Connor*¹⁷ sets the Supreme Court’s overall baseline legal expectations for officers’ actions when using a canine as force. However, agencies should provide officers with additional guidance that goes beyond the outlines of *Graham v. Connor*.¹⁸

16. “Seattle Police Department Manual, September 15, 2019.” 8.300 – POL – 1 Use of Force – Use of Patrol Canines. #11 <http://www.seattle.gov/police-manual/title-8---use-of-force/8300---use-of-force-tools#8.300POL1>

17. <https://supreme.justia.com/cases/federal/us/490/386/>

18. For additional discussion about providing guidance beyond *Graham v. Connor*, see principle #2 in PERF’s *Guiding Principles on Use of Force*, pp. 35-38. (<https://www.policeforum.org/assets/guidingprinciples1.pdf>)

Some agencies, such as the following two examples, provide specific guidance on when a canine can be used. The Washington, DC Metropolitan Police Department's policy, excerpted below, states:¹⁹

- a. *The tactical use of canines shall be limited to the following situations:*
 - (1) *Instances in which the suspect is wanted for a serious felony, e.g., a burglary where the suspect is concealed, an armed car jacking, assault on a police officer, assault with a dangerous weapon, sexual offenses, or homicide, etc.*
 - OR
 - (2) *Instances where the suspect is wanted and is reasonably suspected of being armed.*
- b. *Canines may be used to locate, apprehend, or control suspects:*
 - (1) *Where the failure to apprehend a suspect who is fleeing and has committed a felony meets the criteria for the use of canine force, and*
 - (2) *Where the failure to quickly apprehend the suspect poses a risk of immediate danger to the officer or others.*
- c. *Canines may also be used to locate and apprehend a concealed suspect who is wanted for a misdemeanor and is reasonably suspected to be armed or is wanted for a serious felony, **except** that a canine shall not be used to apprehend known juvenile suspects who pose no immediate threat of serious injury to members on the scene.*



19. "General Order, Metropolitan Police, District of Columbia, February 18, 2005." Policy V.A.1., page 4.
https://go.mpdconline.com/GO/306_01re.pdf

Similarly, the Seattle Police Department lists nine specific felony crimes and two domestic violence-related misdemeanors for which a canine unit can be deployed:²⁰

Canine Deployments Shall Be Limited to the Following Situations:

Felony Crimes:

- *Burglary, not including trespass with non-violent secondary crime*
- *Robbery, not including thefts that are accompanied by low level assaults*
- *Homicide*
- *Serious Assault*
- *Kidnapping*
- *Arson with threat of harm to people*
- *Domestic Violence felony crimes*
- *Serious Sexual Assault*
- *Drive by Shooting, not including unlawful discharge of a firearm.*

Misdemeanor Crimes:

- *Domestic Violence Assault*
- *Domestic Violence Order Violations that are subject to mandatory arrest—violations shall involve the subject’s physical presence at the victim’s location or a threat of harm*

Agencies should provide officers with guidance on the types of crimes for which it is appropriate to deploy the police canine. Agencies should also consider providing more specific guidance on the other factors outlined in *Graham v. Connor*, such as the severity of the threat.

14 Handlers are responsible for their canines at all times and are accountable for any force that results from their use.

Handlers are responsible for their canine at all times, including when the canine is off-lead. Any time a handler takes a canine off the lead, the handler must be sure that they would be justified in using force on a subject.

20. “Seattle Police Department Manual, September 15, 2019.” 8.300 – POL – 1 Use of Force – Use of Patrol Canines. #3. <http://www.seattle.gov/police-manual/title-8---use-of-force/8300---use-of-force-tools#8.300POL1>

THE “BARK AND HOLD” APPROACH

The “bark and hold” method,²¹ which has been put in place by a few agencies and is required in the U.S. Department of Justice’s consent decree with the Prince George’s County, Maryland Police Department,²² weakens the accountability of the handler for the canine’s actions. Under this method, the canine stops in front of the subject and barks. If the canine perceives that the subject is attempting to flee, it bites the subject. This leaves use-of-force decisions up to the canine as it stands in front of the subject, rather than the handler deciding when to use the canine to apprehend the suspect.

Participants at the PERF conference said that very few agencies employ the “bark and hold” method, because it moves the decision-making from the handler to the canine. More research is needed to better understand the outcome of implementing “bark and hold.”²³

15 A canine should be removed from the suspect as quickly and safely as possible once the suspect no longer poses a threat to officers or anyone else on the scene.

Once a suspect is under control and no longer poses a threat, officers should remove the canine from the suspect as quickly and safely as possible. This can be done with a verbal command or by properly physically removing the canine from the suspect. The canine is a tool used to locate a suspect and bring him or her into custody, so the canine should be removed from the suspect as soon as that goal is accomplished.

Removing the canine as quickly as possible demonstrates concern for the well-being of the subject, and shows the community that the police canine is only being deployed when it is the best tool to accomplish a necessary goal.

Once the canine is removed from the suspect, it should be secured by the handler. Other officers, if available, should take responsibility for the suspect, allowing the handler to focus on securing the canine.

16 Agencies should seek appropriate medical attention for suspects who are contacted or bitten by a canine.

As with other use-of-force cases, officers should be required to provide suspects with appropriate medical attention after they come into contact with a police canine.²⁴ Depending on the severity of any injuries, this may involve the officer taking immediate action, the suspect being evaluated by an EMT, or the suspect being transported to a hospital.

21. “Bark and hold” is sometimes called “guard and bark” or “revere.”

22. “Consent Decree between the United States Department of Justice and Prince George’s County, Maryland -- Prince George’s County Canine Section Consent Decree.” January 22, 2004. https://www.justice.gov/sites/default/files/crt/legacy/2010/12/15/pg_consent_decree.pdf

23. A 2006 study by Charlie Mesloh, now a professor at Northern Michigan University, found that a bark and hold approach led to a higher bite-to-apprehension ratio than the standard “bite and hold” approach. Professor Mesloh theorized that this may have been because handlers operating under “bark and hold” were deploying their canines more freely, under the assumption that the canine would make the right decision about when to bite. For more information, see <http://www.cmesloh.com/wp-content/uploads/2018/10/Bark-vs-Bite-and-Hold-K9-Article.pdf>.

24. For additional discussion about promptly rendering first aid, see principle #7 in PERF’s *Guiding Principles on Use of Force* (<https://www.policeforum.org/assets/guidingprinciples1.pdf>)

4. DOCUMENTATION AND REVIEW

Agencies should carefully record and review all canine actions. This documentation provides supervisors and command staff with an accurate picture of what's occurring in the field and demonstrates transparency to the public. By closely reviewing canine usage data and individual cases, supervisors can commend good work and correct mistakes.

17 At a minimum, agencies should record:

- **Every time a canine is deployed (i.e., has the potential to be used as a force option)**
- **Every time a canine team conducts a search, and whether the subject is located**
- **Every time a subject surrenders as the result of a canine being present/on scene**
- **Every time a canine makes contact with a suspect other than a bite**
- **Every time a canine bites a suspect.**

Agencies should carefully track canine usage, recording the level of force used and the outcome of the incident. At a minimum, agencies should record every time a canine has the potential to be used as force and every time it is used as force. Other categories that agencies may also want to document include:

- Every time the canine comes out of the vehicle for a law enforcement purpose
- Every time the threat of the canine results in a surrender, even if the canine is still in the vehicle.

Agencies should not count public demonstrations as deployments. Doing so makes it more challenging to track a canine team's actual deployments and performance.

18 At a minimum, every canine contact or bite should be critically reviewed by a supervisor familiar with canine operations.

Agencies should require that all contacts and bites be reviewed by a supervisor. This ensures that all uses of force by the canine unit are closely reviewed, and supervisors can provide individual feedback on performance, identify training needs, and share any lessons learned from critical incidents with the rest of the canine unit. Some agencies also require supervisory review for deployments, meaning every time a canine is on-scene and has the potential to be used as force.

Canine contacts and bites also should go through an agency's general force review process. For example, if an agency has a force review board that analyzes serious force incidents to identify any equipment, training, or policy issues,²⁵ canine contacts and bites should be reviewed through that process.

19 Agencies should review canine usage data regularly, and any outliers, significant increases in uses of force, or significant decreases in the rate at which subjects are found should prompt a closer review.

Agencies should review their canine teams' usage figures regularly and should investigate outlying numbers or significant increases to determine what caused the change. If appropriate, the supervisor should recommend additional training for the canine team.

Many agencies track canine teams' bite-to-deployment ratios. When an agency notices that a higher percentage of a canine team's deployments result in bites, they should follow up to investigate factors that may have led to the change. Bite-to-deployment ratios can be compared within an agency, but because different agencies may define "bites" and "deployments" differently, they should not be compared across multiple agencies.

20 Canine usage data should be published annually, at a minimum. This may be part of an agency's annual use-of-force report.

Agencies should be transparent with the public by publishing their canine unit's usage statistics. This should include all the statistics listed in Recommendation #17 above. At a minimum, agencies should publish these statistics annually on their websites.²⁶

See the Los Angeles Police Department's 2018 Use of Force Year-End Review²⁷ for an example of canine unit statistics in an annual use-of-force report.

25. For an example of a force review board, see the Baltimore Police Department's Performance Review Board (<https://www.baltimorepolice.org/724-performance-review-board>)

26. For additional discussion about publicly reporting use-of-force data, see principle #11 in PERF's *Guiding Principles on Use of Force* (<https://www.policeforum.org/assets/guidingprinciples1.pdf>)

27. Los Angeles Police Department, *Use of Force Year-End Review*, 2018. Pages 76-79 and 313-323. <http://assets.lapdonline.org/assets/2018-uof-yr-end-rpt.pdf>

CONCLUSION

Patrol canines are an invaluable resource for many law enforcement agencies.

Participants at the PERF meeting presented a range of scenarios in which canines assist police officers and sheriffs' deputies safely and effectively resolve situations that would have been much more difficult and potentially dangerous if highly trained teams of handlers and canines had not been available.

Because canines are a use-of-force option, law enforcement agencies need to view their canine operations within the larger context of police use of force in the United States. Today, the public is paying more attention than ever to how and when police use force, and agencies are facing increased expectations about using force appropriately and showing greater transparency when force is used.

Any police use of force, including the deployment of canines, must meet the test of **proportionality**. Proportionality considers whether a particular use of force is proportional to the threat faced by the officers and is appropriate given the circumstances. Proportionality requires officers to consider if they are using only the level of force necessary to mitigate the threat, and whether there is another, less injurious option available that will safely and effectively achieve the same objective.

In developing policies, agencies need to consider community interests, expectations, and overall standards on use of force. How will the deployment of a canine be viewed by the public (as well as internally, within their own agency), given the circumstances in which the canine was used? With the prevalence of video today – both community members' cell-phone cameras and officers' body-worn cameras – agencies will face additional pressure to defend their decisions on use of force. A law enforcement agency and its canine unit can spend years building up goodwill in the community, only to see that work undone by one incident, caught on camera, in which a use of force appears to be unnecessary or excessive.

To advance the overall effectiveness of their canine operations, agencies should consider the guidance provided in this report. They should carefully select handlers and canines, provide them with thorough and ongoing training, establish clear and specific policies and procedures, and diligently document and review all canine activity.

By constantly holding canine teams to a high standard, law enforcement agencies can ensure that this valuable tool will remain effective and supported by the community.

PERF is grateful to our working group of canine experts for providing expertise, the Macon County Law Enforcement Training Center for hosting the working group, and the Howard G. Buffett Foundation for supporting this work.

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In Memoriam

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Macon County, IL Sheriff's Office

November 4, 2019



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