The smaller agency dilemma for use of force K-9’s

by

Dr. David “Lou” Ferland, Chief of Police (Ret.)

This article is part of a series building upon the USPCA’s Best Practices in Canine Policing series already featuring Scott Sargent’s, Gene Ramirez and Steve White started in the Winter/Spring of 2021. These articles and webinars which will also include pieces from Capt. John Kerwick emphasize that K9’s future hinges upon well-crafted policies, Unit culture, sound tactics, scent work as significant majority of work, use of body-worn video, proper training based upon operational needs and tactics, more on-going mindfulness, improvement based upon honest examination of failures, and on-going self-critical analysis. Sounds like a lot doesn’t it???? How can the small agency work this all in to their K-9 Unit with limited resources and time?

First, break down your K-9 Unit managerially into three parts for review for now:

Part I: Training

Part II: Testing

Part III: Deployment

**Part I Training:**

In my time I find that K-9 Units are best when training is done by;

* Professional;
* Experienced;
* Police Trained;
* Dog Trainers;
* Using Positive Reinforcement.

This often means the smaller agency does not have all or even some of these to be able to train their own dog(s). Often lacking is some traits such as police trained dog trainers or experienced with police training dogs. Many departments have wonderful dog handlers but this is not the same as trainer. Knowing how to maintain the training of one kind of dog does not equate to being skilled at training other dog teams that might possess completely different abilities or shortcomings.

You need to find the dog trainer/academy, which has credentials training many police dogs. Look for certifications, references, reputations, accolades, and ability to train dogs to an independent level of certification (not just their own in-house certification).

Usually this leaves smaller agency Chiefs with three choices:

* The larger city training academy.
* A State Police training academy.
* A private vendor academy.

Choose wisely and select the training that is NOT just dog training, but actually the training of a dog team (handler included) that you want employed in your agency. Scenario-based training AND in line with your expected deployments. Demand to see other teams that have been trained there and how they perform after several years of training with this academy. Look at the various teams certifications: does the same known people judge them all in-house? Does the training day overemphasis bite training? Does the training include scenario based training AND upon civilian police tactics (not just military tactics)? Does your training meet a minimum of 8 hours per month for use of force K-9’s in addition to another 8 hours per month of obedience, scent work, agility, and so on?

Visit some training days. See what the culture is like. See who the influencers are and what they are preaching. Make sure what is being promoted is what you expect your team to emulate. Does the training have lessons plans that coincide with the training? Are these lesson plans in line with your policy? Are training logs kept and reviewed by your agency?

**Part II Testing:**

You will want testing that is based upon YOUR real world. Testing that evaluates your expectations and needs. Also require a SEPARATE and NEUTRAL certification and NOT just the vendors or internal in-house certification.

Testing such as that provided by state standards and training or neutral tests such as the USPCA will help to provide that independent and by the rules test. Best to have multiple neutral and independent certifications. Testing that is internal such as those provided by the same training academy that trained the dog or paid vendors that sold the dog is OK but know that those tests have a conflict of interest built-in because they are the same people who have also trained/sold the dog. Find a neutral certification that removes the trainers or those with self-serving interests to test the team. It is fine to have these vendors or academies test the team BUT also add a separate and neutral certification at least once a year to better insure your team performs to that standard.

Be sure to read and evaluate the testing requirements (rules). Do they represent the environment that you want the dog to perform? Are the rules based upon your policy? Do the rules test the dog to perform according to this policy? For example, if you want your patrol dog team to be able to recall by voice or release a bite upon verbal commands, does the test/certification test the team for this? Another example might be the detection dog test requires the dog to show clear indication that it located the source of drug or explosive type odor. Many times there are certification testing that does NOT test a verbal recall or verbal bite release. Some do not require clear source indication. Is that your situation? Look at your high liability deployment areas (apprehension work) and make sure these areas are being evaluated within the dog certification.

**Part III Deployment:**

Good policy leads to better deployments. Spending time creating policy that is compliant with law, industry standards, anticipated use and great tactics will generally lead to ***greater deployment success***. Does the policy describe deployment goals? Does the policy describe deployment options? You should also **LIMIT** the handler to following the policy and not allow use of the K-9 when it would NOT be directly covered by your policy. For example, the handler is trained to deploy the dog off-leash during building searches during training at an outside training agency. If the handler is faced with this situation on-duty and NOT covered by your policy (because your policy requires on-lead searches in buildings), the handler should be directed to seek out supervisory approval BEFORE K-9 deployment if circumstances allow. Make sure training in line with expected deployment. Make sure your policy ENABLES but also CONTAINS officer/K9 action.

**Part IV Review:**

Deployment first begins with **you** (the leader) creating policy that can better allow the handler to respond to real-world threats/needs. YOUR real-world threats or needs, not that of the host training agency or paid vendor and their assumptions. Are you providing a policy that addresses YOUR expected K-9 use and have you provided guidance on where to get more direction in cases that might not be specifically addressed?

Does your deployment encourage de-escalation or just a response to threat? Does your deployment constantly revisit use of force laws to determine if a policy permitting K-9 use is the best option?

Lastly, what are your internal checks and balances? Who provides the reviews for the K-9 deployments? Do you have a process that examines all K-9 use? Are you checking the data? Ensure the team(s) is being evaluated objectively and not subjectively. Finally, ask yourself from time to time “do I even need this type of dog”. For example, if you don't reasonably expect or want the dog to act as a use of force option but exclusively as a search dog, then why are you training, testing, and allowing the dog to be used as a use of force option. Perhaps you need a dog team that is better aligned with your community needs.

Here is a check-off list the better manage your K-9 Unit. You should use this AND add pieces for K-9 Unit review at least annually.

I have a K-9 policy. Yes/No

This policy includes ALL and only desired K-9 use. Yes/No

This policy LIMITS the use of the K-9 to just what

is allowed by policy. Yes/No

This policy directs handler what to do if faced with a

K-9 situation NOT covered by this policy. Yes/No

The K-9 is also covered in your Use of Force

policy as a defined level of force. Yes/No

Has the K-9 Policy been reviewed by a K-9 legal expert? Yes/No

Is the dog team receiving skilled and humane training

at ALL times? Yes/No

Does the team have a neutral and independent certification? Yes/No

Am I comfortable with the training culture of the team? Yes/No

Does the K-9 Academy use lesson plans to document training? Yes/No

Are these lesson plans within your department policy? Do

they properly reflect the K-9 uses you expect on the street? Yes/No

Am I comfortable with the working K-9 culture within

the Department? Yes/No

Does the dog team complete the missions you desire? Yes/No

Is the K-9 Team testing in line with department

policy expectations? Yes/No

Do you have an internal review of K-9 ALL deployments? Yes/No

Do I even need the type of trained dog in the department? Yes/No

Does this dog team fill my community need? Yes/No

If you answer NO to any OR can’t answer one, you NEED to review your K-9 Unit. Can you add more questions to your review?

Next articles: How to create a K-9 Lesson Plan and K-9 at home policy.

About the Author:

Dr. David “Lou” Ferland - Portsmouth, N.H. Chief of Police (Ret.)

Adjunct Professor – Southern NH University, Endicott College

Dr. David J. Ferland, or “Lou” to some, was a police officer with the 110-person Portsmouth, N.H. Police Department for 30 years finishing his career as Chief of Police. He acquired his Doctoral Degree from Franklin Pierce University with his dissertation being on Crime, Punishment and the History of the Portsmouth, N.H. Police Department.

Professor Ferland consults and presents college level criminal justice courses, was the National Executive Director of the United States Police Canine Association; is a nationally certified Police K-9 Trainer/Judge; dog handler for 15 years, and previous Head Trainer of the N.H. Police K-9 Academy for ten years.

Dr. Ferland is a highly rated public speaker, police K-9 subject matter expert, published author and teacher on leadership issues, criminal justice, public policy, and police history. He has trained dogs internationally, received many awards, and presents at national events. He can be reached by e-mail at [DavidFerlandK9@gmail.com](mailto:DavidFerlandK9@gmail.com)

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