

SANTA CLARA POLICE DEPARTMENT GENERAL ORDER 41.8

POLICE SERVICE DOGS

AMENDED DECEMBER 2014

41.8.1 Background

Properly utilized, police service dogs constitute a valuable resource for the Santa Clara Police Department. Their uses include searches, tracking, apprehension of suspects, control of unruly crowds, officer protection, search for narcotics/controlled substances, and explosive detection sweeps.

The decision to use a police service dog in accordance with this policy shall be deemed an act of discretion and shall be reviewed in light of the information reasonably available to the officer(s) at the time the decision is made. The ultimate disposition of any related criminal proceeding shall have no bearing on determining the reasonableness of any such decision.

41.8.2 Field Incidents

A police service dog may be used as a physical force for the protection of officers or others when their safety is immediately threatened.

Police service dogs are used in the field to supplement patrol operations primarily for the purpose of tracking, searching and apprehension of suspects.

The handler will recommend the proper use of the police service dog based on the totality of the circumstances known at the time. A supervisor shall be notified whenever a police service dog is used in the field.

41.8.3 Apprehension of Fleeing or Resisting Suspects

A police service dog may be used to locate and apprehend an individual if the police service dog handler reasonably believes that the individual has either committed or threatened to commit any serious offense and if any of the following conditions exist:

- There is reasonable belief that the individual poses an immediate threat of violence or harm to the public, any officer, or the handler.
- The individual is physically resisting or threatening to resist arrest and the use of the police service dog reasonably appears to be necessary to overcome such resistance.
- The individual(s) is believed to be concealed in an area where entry by officers without the use of a police service dog may put the officers in a greater degree of danger.

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The use of a police service dog must be reasonable, and based on the totality of the circumstance(s) known to the handler at the time, including, but not limited to:

- The nature of the suspected offense.
- Any potential danger to the public and/or other officers at the scene if the police service dog is released.
- Whether the individual is armed or has access to weapons (traditional and non-traditional) or poses and immediate threat to the safety of the officers and/or public.
- The degree of resistance or threatened resistance, if any, the individual has shown.
- The potential for escape or flight if the police service dog is not utilized.
- The potential for injury to officers or the public caused by the suspect(s) if the police service dog is not utilized.
- The individual's age or reasonable estimate thereof.

A police service dog handler may recommend to not deploy the police service dog. The handler will evaluate each situation and determine if the use of the police service dog is technically feasible and is within the guidelines of this policy. A supervisor sufficiently apprised of the situation by the handler shall have the ultimate authority not to deploy the police service dog.

41.8.4 Outside Agency Assist

The Watch Commander must approve an assistance request by an outside agency. When assistance is approved, at least one additional Santa Clara officer will accompany the police service dog handler.

Santa Clara police service dogs used in other jurisdictions will follow Santa Clara Police Department policies and procedures.

41.8.5 Injury Related to Police Service Dog Use

In the event of an injury to any person resulting from the use of a police service dog, the handler shall:

- Determine the physical condition of any injured person and render first aid.
- Request necessary emergency aid.
- The injured person shall be transported to an appropriate medical facility for evaluation, care and clearance.
- Document the incident as part of a crime report including photographs.

41.8.6 Duties and Responsibilities

Police Service Dog Handler:

- Respond to events in which the police service dog's presence will further police service objectives.
- Provide timely backup and assistance upon request from other police units.
- Maintain required standards of proficiency for assigned police service dog through continual training.
- Care for and maintain assigned police service dog's health and well being at the handler's home.
- Provide for the medical care and treatment by transporting the police service dog to a veterinarian at any time such treatment is warranted.

Police Service Dog Team:

The police service dog team shall operate as a patrol unit responsible for providing effective general and specialized law enforcement service to the community. The canine team duties will include, but not limited to:

- General beat responsibilities,
- Provide emergency call-out service,
- Conducts building searches,
- Locates and/or apprehends fleeing criminal suspects,
- Conducts area searches for suspects,
- Conducts tracks for suspects,
- Provides timely response to crimes in progress and officer assistance calls,
- Renders assistance to other jurisdictions,
- Protects officers and citizens from acts of violence,
- Provides other police services when police service dog team capabilities are not needed,

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- Provides narcotic detection when trained,
- Public demonstrations,
- Explosive Detection sweeps

Verbal Warnings:

Unless it would otherwise increase the risk of injury to a police officer or the public or enhance the possibility of escape, a verbal warning that the police service dog will be released followed by a reasonable time period for compliance shall precede the release of any police service dog.

41.8.7 Use of Police Service Dogs For Crowd Control

A police service dog will not be used in crowd control situations unless extraordinary conditions exist.

If a situation develops in which extraordinary conditions exist, the Watch commander may authorize use of a police service dog in a crowd control incident. These situations would be such that:

- Officers or citizens' lives are in immediate jeopardy and the police service dog is needed to move a hostile crowd.
- Normal tactics will not be sufficient to obtain control of the situation.

41.8.8 Use of Narcotic-Detection Police Service Dogs

A narcotic-detection-trained police service dog may be used in accordance with the current law to:

- Support patrol and other specialized units within the department in the location of narcotics and controlled substances.
- Assist in the search for narcotics and controlled substances during a search warrant service.
- Obtain a search warrant by using the detection police service dog in support of probable cause.
- Search vehicles, buildings, bags, and any other articles deemed necessary.
- Provide support and assistance to outside agencies upon request for the search of narcotics and controlled substances.

41.8.9 Training

Before assignment in the field, each police service dog team shall be trained and certified to meet current California P.O.S.T. standards.

Each police service dog team shall thereafter be re-certified to California P.O.S.T. standards on an annual basis. Additional training considerations are as follows:

- Police service dog handlers are encouraged to engage in additional training to keep up with the high standards set forth in this policy. Patrol supervisors are encouraged to allow police service dog teams to train during their normal shift as long as it does not impact other patrol functions or service to the public.
- In order to ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is contrary to the policies of the Santa Clara Police Department.
- All police service dog training shall be conducted on-duty unless otherwise approved by the Canine Unit Sergeant or Lieutenant.

41.8.10 Police Service Dog Narcotic Training Aid Procurement

Pursuant to Health and Safety Code section 11367.5, Police Service Dog handlers may possess controlled substances that are no longer needed as criminal evidence for training their Police Service Dogs. This requires the approval of the Chief of Police.

Procurement

Officers assigned to the task of training and maintaining a Narcotic Detection Dog need a kit with controlled substances to maintain their proficiency. The controlled substances will be obtained from closed investigations generated by the Santa Clara Police Department.

On an annual basis, the handler assigned to this task will:

- Obtain a list of controlled substances from Property and Evidence that are set for destruction.
- Arrange a meeting with a Property and Evidence Clerk where they can review substances on that list.
- Only drugs that have tested positive by the crime lab will be used as training aids. The only exception will be marijuana.
- Once viable training aids are identified, the officer will fill out the “Police Service Dog Narcotic Training Aid Procurement Form.”
- The form will be submitted for approval to:

K9 Unit Sergeant

K9 Unit Lieutenant

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Field Operations Division Commander

Chief of Police

Storing

Once the controlled substances have been issued to the Police Service Dog handler, they will be properly stored at all times.

- The controlled substances will be kept in an individually assigned carrying case.
- When not being used for on-duty training, the carrying case will be in a locked locker inside the K9 storage room.
- When being used on duty, the carrying case will be kept secured in the assigned K9 patrol vehicle.

Return

Over time, controlled substance will deteriorate in quality. The Police Service Dog handler will refresh their training kit annually. The kit will be turned back into Property and Evidence for proper destruction.

Additional

Some controlled substances may change in weight over time due to the natural deterioration of the substance. It is understood there may be *minor differences* when the kit is turned in for destruction.

During training sessions, there is also a possibility that training aids may be damaged. If that occurs, the K9 Unit Sergeant will be immediately notified of those circumstances. Those incidents will be reviewed on a case-by-case basis.

41.8.11 Use of Explosive Detection Police Service Dogs

Due to the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a trained explosive detection dog team may be warranted. Explosive detection team(s) shall respond to locate suspected explosive materials within the jurisdiction of the City of Santa Clara, or through requests for mutual aid. Explosive Detection Teams will deploy during the following situations:

- To respond to a reported bomb threat, suspicious package(s)/item(s) call for service.
- To conduct preventative searches at locations such as special events, VIP visits, official buildings or other restricted areas.
- With unusual occurrences or requests, the handler will determine the appropriate use of their canine based on the totality of the circumstances.

- Handlers shall make immediate notification to the on-duty supervisor should the explosive detection dog locate explosive material(s) or a destructive device is located. Evacuations should be initiated.
- Explosive detection dog teams shall not be deployed in order to confirm actual or suspected improvised explosive devices (IEDs), incendiary devices, or explosives found. All confirmations will be done by certified bomb technicians.
- The explosive detection dog teams will not engage in any render-safe procedures.