Asheville Police Department Policy Manual

Chapter: 5 - Law Enforcement Operations
Policy: 508 - Canine Operations
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Introduction

The purpose of this directive is to establish guidelines for the management and deployment of department-owned or controlled canines for law enforcement purposes. This policy does not cover the department's therapy dog(s), which are not intended for traditional police work. Guidelines for the department's therapy dog program are located in Policy 517 - Therapy Dog Program.

Policy Statement

It is the policy of the Asheville Police Department (APD) to use police canines as a valuable supplement to police resources. The use of canines requires adherence to procedures that properly control their use of force potential and channel their specialized capabilities into legally acceptable crime-prevention and control activities.

Definitions

Canine Handler: a sworn officer specifically trained in the care, handling, and training of a canine for law enforcement purposes.

Canine Supervisor: an assigned supervisor or designee responsible for overseeing administrative duties, budgetary requests, training, and day-to-day operational needs of the department's canine teams.

Canine Team: a sworn officer/handler and their assigned police canine.

Canine Trainer: a sworn officer/handler who has at least 5 years of experience and training as a canine handler and holds a certification as a general instructor as well as a canine trainer certification.

Police Canine: a canine that has been procured and specially trained to execute specific tasks for law enforcement purposes.

Rules and Procedures

508.1 Canine Deployment Guidelines [41.1.5 a]

A. Uses for canine teams include, but may not be limited to, the following:

    1. Conducting building searches for alleged armed or otherwise dangerous suspects in hiding.
    2. Area searches for serious or violent suspects.
    3. Narcotics or explosives detection and evidence searches.
    4. Evidence searches.
    5. Tracking of suspects or lost/endangered persons.
    6. Assisting in the arrest or preventing the escape of dangerous offenders.
    7. Protecting officers or others from death or serious injury.

8. Point or area security during dignitary visits or other special operations.
9. Engaging in assignments not listed here with the approval of a supervisor.

B. Canine team assistance may be requested by any supervisor or officer at the scene of an incident via the communications center

C. After requesting a canine team response for a building search, area search, article search, or track, on-scene personnel should secure the perimeter of the area to be searched and protect items that may be used for scent from being handled.

D. Before deploying a canine team in a police operation, the ranking on-scene officer or supervisor will consult with the canine handler. Canine handlers will provide tactical input to the supervisor before deployment, where appropriate. The canine handler will make the final decision on how to deploy the canine based on training, experience, and proper deployment procedures.

E. Deploying a police canine to apprehend a suspect is a use of force that must be consistent with Policy 402 - Response to Resistance.

F. Canine teams will not be deployed for crowd control (such as containment or dispersal) unless directed by the chief of police.

G. The loaning of any police canine is strictly prohibited without the authorization of the chief of police or the Patrol Operations Division commander.

H. Mutual aid requests by other jurisdictions will be handled per Policy 400 - Authority, Jurisdiction, and Mutual Aid. Mutual-aid deployments must follow all guidelines in this policy.

508.2 Building and Area Searches [41.1.5 a]

A. The use of canine teams for building and area searches is limited to those incidents where there is articulable suspicion to believe that a felony suspect or violent misdemeanor suspect may be concealed therein.

B. Officers requesting a building or area search should establish and maintain a perimeter until the arrival of a canine team. Officers will not enter the building until directed by the canine handler.

C. Family dwellings will be searched only after every reasonable effort has been made to ensure that the dwelling is free of uninvolved persons, children, or pets.

D. Before releasing a canine, the canine handler or other appropriate personnel will make a loud, repeated announcement. A reasonable amount of time will be allowed for the suspect to respond. Officers will notify the communications center each time a warning is given.

E. Arrestees will not be transported in the same vehicle with a police canine unless alternative transportation is unavailable and immediate transport is essential for safety or security reasons, see Policy 601 - Detainee Search and Transport.

508.3 Tracking [41.1.5 a]

A. Where appropriately trained police canines are available, they may be used to track criminal suspects, missing and endangered persons, or to locate evidence.

B. If a criminal suspect is located during a search, the canine handler must give a loud and clear verbal warning and provide sufficient time for the suspect(s) to surrender. The canine warning need not be given when doing so would jeopardize the safety of the canine handler, other officers, or civilians.

    1. If the suspect surrenders, the canine will not be released, and the suspect will be taken into custody.

    2. If the suspect does not surrender, the handler may release the canine for the apprehension of the suspect. The canine handler must evaluate the scene and situation to ensure minimal risk to citizens and other officers before releasing the canine.

    3. If the suspect sustains any injuries during apprehension, the handler must immediately call for appropriate medical attention and follow all guidelines in Policy 402 - Response to Resistance.

C. Searches for lost, missing, or endangered persons will be conducted in full cooperation with Asheville Fire and Rescue and the established incident command structure.

508.4 Drug / Explosives Detection [41.1.5 a]

A. Narcotic odor detection will be conducted in accordance with applicable laws, legal decisions, and established canine procedures.

B. If a canine alerts on a vehicle, this constitutes probable cause for a search. The officer (s) may proceed with the search of the vehicle; however, if the vehicle is

impounded and under police control, a search warrant must be secured prior to any search of the vehicle.

C. Police canines will not be utilized for narcotic odor detection directly on a suspect for any reason. No officer will make a threat of utilizing the police canine to sniff any person for any reason.

D. Narcotic odor detection sniffs involving commercial motor vehicles will be conducted according to established guidelines and as outlined in training.

E. Narcotic odor detection sniffs of residences, hotels, or commercial buildings will be conducted according to established guidelines and as outlined in training.

F. Explosive detection canines (EDCs) may be utilized to conduct odor detection to detect the presence of explosive compounds, the recovery of investigative evidence, or the recovery of post-blast material or evidence. If an explosives detection canine identifies or locates a suspected explosive device, the department's Bomb Squad will be immediately requested to respond, see Policy 1101 - Bomb Squad.

508.5 Handler Duties, Responsibilities, and Selection

A. Canine teams will be supervised by on-duty field supervisors, but when present, the canine supervisor or designee will oversee canine deployments.

B. Canine handlers are responsible for knowledge and proficiency in all department directives pertaining to, involving, or specific to using police canines.

C. Police canines will not be used for secondary employment without prior approval by the chief of police or designee.

D. Canine handlers must maintain control of their canines at all times.

E. Canine handlers will be available for emergency call-outs as per established schedules, job requirements, and other directives related to emergency call-outs.

F. All canine handlers will execute their duties as police officers in addition to their responsibilities as canine handlers.

G. The canine supervisor or designee is responsible for the following:

1. Oversight of the department's canine operations, including reviewing all reports related to canine activities and operational needs.

2. Approval of canine training and deployment logs.

3. The direction of each canine team on training matters.
4. Certification of each canine team at least annually. [41.1.5 e]
5. Planning and overseeing monthly training dates. [41.1.5 d]

H. The Organizational Support Division and canine supervisor are responsible for the selection of canine handlers in accordance with established departmental procedures; see Policy 2103 - Specialized Assignments. Officers applying to be canine handlers must have, at a minimum: [41.1.5 c]

1. Sufficient patrol experience with satisfactory work performance.
2. A willingness to remain a handler for the working life of the assigned canine.
3. A willingness and ability to house the canine at the officer's residence in a safe manner and to properly care for the health and well-being of the canine in accordance with department requirements.
4. The ability to successfully complete all required canine training course(s).

508.6 Canine Selection [41.1.5 b]

A. Police canines should be selected from a reputable vendor with experience importing or breeding working breed dogs, training dogs for police/military work, and/or experience handling police/military dogs.

B. Canines will be evaluated by the department's canine supervisor or designee before purchasing. The evaluator should have at least five (5) years of experience in training and handling canines.

C. Once the department acquires a police canine, it will be trained under the supervision of a certified police canine trainer. Training will be specific to the canine to produce a canine to perform predetermined tasks. Once the canine demonstrates proficiency in the desired tasks, it may be put into service with a properly trained handler. Examples of tasks include, but are not limited to:

1. Odor detection (explosives, narcotics, cadavers, etc.)
2. Evidence detection
3. Tracking/trailing
4. Handler protection
5. Suspect scouting
6. Apprehension

7. Obedience
8. Agility

508.7 Canine Care [41.1.5 g]

A. Officers will be compensated for care time with one (1) hour of straight-time pay for each work shift.

B. Canine handlers are personally responsible for the daily care and overall welfare of their animal, including:

1. Maintenance and cleaning of the kennel and yard area where the canine is housed.

2. Provision of food, water, and a general diet.

3. Grooming.

4. Daily exercise.

5. General medical attention and maintenance of health care records.

C. Routine veterinary attention, such as yearly shots, flea and tick preventatives, heartworm preventatives, or checkups, does not require prior approval; however, the canine supervisor must approve any extraordinary veterinary procedures.

D. Canine handlers will immediately notify the canine supervisor of any changes that would affect the care and housing conditions of their dogs. Where the handler is unable to perform these and related duties due to illness, injury, or leave, another canine handler may be assigned to care for the canine temporarily.

E. Pursuant to N.C. Gen. Stat. § 160A-266, a canine handler may apply to take possession of the dog at a fair market value where:

1. The dog is retired from duty or relieved due to injury, or

2. The handler is transferred, promoted, or retires, and a decision is made not to retrain the dog for another handler.

508.8 Training and Equipment

A. A certified canine trainer is required to certify initial training on all canines and handlers. [41.1.5 b,d]

B. Failure to participate in or qualify under established training standards will result in the de-certification of the canine team. The canine team may not be deployed unless re-certified.

C. It is the duty of the canine supervisor and the Training and Career Development Section to ensure that in-service training is conducted for canine teams at least monthly. [41.1.5 d]

D. The canine trainer, in coordination with the Training and Career Development Section, will maintain documentation of all canine training. [41.1.5 f]

    1. This documentation will include the use and the proficiency of individual canines in drug and explosives detection. This documentation will be readily available to canine handlers and others who may need it when seeking warrants.

E. Canine teams will patrol in modified, specially equipped vehicles designated for such duty and which are clearly marked as canine vehicles. [41.1.5 h]

F. Equipment utilized by canine handlers must be approved by the Patrol Operations Division commander before use.

G. Canine handlers are responsible for maintaining all equipment that is issued to them in clean, functional condition and having the equipment available during working hours.

H. Each canine team must be issued or have access to specific equipment as requested by the canine supervisor. Examples of required specialized equipment items include, but are not limited to: [41.1.5 h]

    1. Leashes/food pouches.
    2. Tracking harnesses.
    3. Collar(s) and muzzle.
    4. Kennels and feeding supplies.

508.9 Drug and Explosives Training Aids [84.1.4]

A. Drugs utilized as canine training aids may be acquired through the following processes:

1. Via the Drug Enforcement Administration (DEA), utilizing the department license.

2. Via the Property and Evidence Section, with approval from the Evidence Manager. Drugs listed as found contraband or those that no longer hold evidentiary value for criminal court proceedings may be tested and used for canine training.

B. Explosives for explosive detection canine (EDC) training will be acquired through the department's Bomb Squad with approval from the Bomb Squad commander.

C. All authorized and tested drugs and explosives must be properly inventoried and documented when the canine handler takes possession and again upon return.

D. Drugs and explosives used for canine training must be properly secured until needed. During transport, drugs and explosive training aids must be secured in lockable containers inside department vehicles. Training explosives must be secured in accordance with all Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATF&E) guidelines.

E. At least quarterly, the canine supervisor or designee, in coordination with the Evidence Unit, will conduct and document an inspection and inventory of all drugs being used for canine training.

F. At least quarterly, at least one inspection and inventory on any explosives being used for EDC training must be conducted in accordance with BATF&E guidelines.

G. Any discovered discrepancies in canine drug or explosive inventories must be immediately reported to the canine supervisor and Patrol Operations Division commander.

508.10 Documentation and Reports [41.1.5 i]

A. When a police canine is deployed in an official capacity, the handler will complete a canine use report.

B. Handlers will immediately notify an on-duty supervisor and canine supervisor when their canine bites any person, regardless of the location or circumstances. Canine bites require the same supervisor reporting and response as a use of force resulting in injury, as outlined in SOP 3002 - Blue Team Reports.

1. Bites occurring outside APD's jurisdiction will also be reported to the local law enforcement agency. The responding agency's response and any

report information will be documented in the handler or supervisor's internal incident report.

By order of:

David Zack
Chief of Police