

 Kinston Police Department	<u>POLICY: Canine (K9) Operations</u>						<u>POLICY #:</u> 900-3
	<u>NCLEA Standards:</u>						
	<u>CALEA Standards: 41.1.5; 84.1.4</u>						
	<u>NCLM Standards: IL11;</u>						<u>Effective Date:</u>
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Approval: Chief of Police							

I. PURPOSE AND SCOPE

The Kinston Police Department Canine Unit is committed to the highest ethical standards of the law enforcement profession through professional utilization of the Police Canine to enhance the safety of officers and the quality of life for the citizens of Kinston that we serve.

II. POLICY

It shall be the policy of the Kinston Police Department to deploy the Canine Unit in a manner consistent with procedures and established deployment methods. Canine Units will be used primarily in the detection of narcotics, contraband, apprehension of suspects, evidence retrieval and in situations in the interest of officer safety. When possible, the Canine will be available to other jurisdictions.

III. ASSIGNMENT (CALEA 41.1.5 a)

The Canine Unit is part of Kinston Police Department Patrol Division. Officers will report for duty under normal conditions in the regulation canine handler uniform (black BDUs and nylon gear), or other uniform as approved by the Major of the Patrol Division. Only when authorized by their supervisor will the canine officer wear civilian clothing.

The canine team will be responsible for, but not limited to, the following duties:

- a. Foot patrol of drug zones and high crime areas;
- b. Response to possible break-ins and building searches;
- c. Response to all felony-in-progress calls;
- d. Any special duties as deemed necessary by their supervisor (Search Warrants);
- e. Assist with crime scene evidence searches or vehicle searches;
- f. Assist with tracking operations or missing persons;
- g. The canine vehicle is not to be used for animal control calls or for transportation of other animals.

The police dog is the property of the Kinston Police Department and will not be used for purposes other than official duties. The dog will not be registered with any society or organization unless that society or organization is directly related to departmental use of canines for law enforcement. The department will not use or permit the use of any dog for breeding purposes without prior approval of the Chief of Police.

IV. CANINE COORDINATOR

The Canine Coordinator shall be appointed by and is directly responsible to the Operations Major or the authorized designee.

The responsibilities of the coordinator include but are not limited to:

- a. Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- b. Maintaining a liaison with the vendor - veterinary service.
- c. Maintaining a liaison with command staff and functional supervisors.
- d. Maintaining a liaison with other agency Canine Coordinators.
- e. Maintaining accurate records to document canine activities.
- f. Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- g. Scheduling all canine-related activities.
- h. Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

V. REQUESTS FOR CANINE TEAMS

When a canine team is needed, call out authority rests with the shift supervisor. Call out shall be limited to felonies, missing persons, and life-threatening situations.

- a. A request for immediate utilization of the services of a canine team may be made by any police officer at the scene of an incident. The requesting officer shall ascertain from the Lenoir County Communications Center if a canine team is currently on duty. If a canine team is not on duty, the requesting officer's immediate supervisor shall evaluate the circumstances surrounding the incident. If the supervisor determines that the use of a canine officer is warranted, he or she shall notify a canine handler. At the time the canine team is requested, the handler should be advised of the nature and location of the incident, the nature of the canine service desired, and the name of the officer in charge at the scene. Upon arrival of the canine team, the investigating officer shall insure that the handler is fully advised of the circumstances surrounding the incident. When circumstances indicate that an unauthorized person(s) may be hiding in a building or similar structure, the supervisor shall ensure the establishment of an adequate perimeter around the building.

OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Supervisor and are subject to the following:

- a. Canine teams shall not be used for any assignment that is not consistent with this policy.
- b. The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- c. Calling out off-duty canine teams is discouraged.
- d. It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- e. It shall be the responsibility of the canine handler to complete all necessary reports.
- f. All requests for assistance out of county shall be approved by the Chief of Police or their designee.

No canine team(s) will be sent on mutual aid requests for crowd control unless so ordered by the Chief of Police or appropriate Major or their designee. The exception to this would be exigent circumstances that require immediate response. In the case of exigent circumstances, the Shift Supervisor may authorize the request. The Shift Supervisor shall notify the Major, who in turn, will notify the Chief of Police as soon as possible upon responding to this type of request.

PUBLIC DEMONSTRATION

All requests for special canine demonstrations will be screened and approved by the Operations Major or their designee. Canine personnel will not be permitted to perform before any group or organization, in or outside the City of Kinston, wherein the team is to be included in advanced publicity of any event or function for the sole purpose of stimulating a ticket-selling campaign. The degree of the demonstration will be regulated by the Major of the Patrol Division.

VI. APPREHENSION GUIDELINES (CALEA 41.1.5 a)

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

- a. There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer, or the handler.
- b. The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- c. The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Supervisor. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly remove the canine from the suspect.

PREPARATION FOR DEPLOYMENT (CALEA 41.1.5 a)

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

- a. The nature and seriousness of the suspected offense.
- b. Whether violence or weapons were used or are anticipated.
- c. The degree of resistance or threatened resistance, if any, the suspect has shown.
- d. The suspect's known or perceived age.
- e. The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
- f. Any potential danger to the public and/or other officers at the scene if the canine is released.
- g. The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

WARNINGS AND ANNOUNCEMENTS (CALEA 41.1.5 a)

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard.

- a. By utilizing a patrol vehicle public address system, bullhorn, or loud speaker, the warning shall identify the handler, instructions for surrender, notification that a trained police canine will be released if the occupants fail to surrender according to instructions and the possible consequences of failing to surrender. The warnings shall be given five minutes prior to releasing a canine into the building and again two and one-half (2½) minutes before releasing the canine into the building.
- b. In the event it is determined that an armed and dangerous subject may be hiding in a building, the canine handler will determine whether the police dog will search on a lead or be released into the building. No police dog shall be released into a building without warnings being given to possible occupants to allow a reasonable time (five minutes) to surrender before releasing the canine. Such warnings shall be given by the handler in a manner likely to be heard and understood by any persons present.
- c. If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

REPORTING DEPLOYMENTS, BITES, AND INJURIES

The canine handler shall immediately notify the on-duty supervisor when the canine bites or causes injury to any person, whether on or off duty, regardless of the location of the incident. When a person has been bitten by a police canine, the on-duty supervisor will ensure the injury receives prompt medical attention. The supervisor shall conduct a thorough investigation concerning the incident. All bites and abrasions will be photographed. Tears in the clothing of a suspect or other citizen attributed to the canine will also be photographed. The investigative file shall be forwarded in accordance with Use of Force reporting requirements. It shall be the responsibility of the patient to pay hospital costs unless otherwise approved by the Chief of Police. **(CALEA 41.1.5 i)**

The Canine Coordinator should immediately notify the local health director of bites by any office canine. The notice shall include the name and address of the person bitten and identify the Office as the owner of the animal. A canine is exempt from confinement and may perform official duties upon submission of proof that the canine has been vaccinated for rabies, in compliance with state law (N.C.G.S. § 130A-196).

VII. NON-APPREHENSION GUIDELINES (CALEA 41.1.5 a)

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

- a. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
- b. Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- c. Throughout the deployment the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- d. Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

ARTICLE DETECTION (CALEA 41.1.5 a)

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries. Request of a canine team may be made if there is a reason to believe that a suspect has discarded evidence by dropping the item in flight or attempting to hide it in a field, wooded area or other open area. The canine handler will decide if the canine will search on-lead or off-lead.

NARCOTICS DETECTION (CALEA 41.1.5 a)

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- a. The search of vehicles, buildings, bags, and other articles.
- b. Assisting in the search for narcotics during a search warrant service.
- c. Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics.

VIII. HANDLER SELECTION (CALEA 41.1.5 c)

The minimum qualifications for the assignment of canine handler include:

- a. A officer who is currently off probation.
- b. Residing in a single -family residence capable of having a fenced kennel.
- c. Living within 45 miles from the Kinston city limits.
- d. Agreeing to be assigned to the position for a minimum of four (4) years or upon promotion.

The Chief of Police reserves the right to assign lateral transfers or new employees that meet the canine training standards to the canine team upon employment.

IX. HANDLER RESPONSIBILITIES (CALEA 41.1.5 g)

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

The canine handler will be responsible for the following:

- a. Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- b. The handler shall maintain a listing of all required Office equipment under his/her control in a clean and serviceable condition. **(CALEA 41.1.5 h)**
- c. Handlers shall permit the Canine Coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
- d. Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the Canine Coordinator as soon as possible.
- e. When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- f. During the handler's extended leave, the canine can be kenneled with the department designated veterinarian. Similar use may be made of the veterinary service when the handler or dog is sick, and the handler is unable to care for his dog.
- g. Upon supervisory approval, canine officers may assist each other with daily maintenance responsibilities for short periods of time.
- h. Under no circumstances will the canine be lodged at another location unless approved by the Canine Coordinator or Operations Major.
- i. When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the Canine Coordinator or Operations Major.

CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- a. A canine shall not be left unattended in any area to which the public may have access.
- b. When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

- c. Handlers will discourage persons from attempting to pet, touch or otherwise come into physical contact with their dog, unless authorized.
- d. Canine teams may be utilized for crowd control only when authorized by the on-scene supervisor. **Under no circumstances shall department canines be unleashed for use in crowd control situations.**
- e. Handlers shall prevent their canine from soiling public or private property when possible. Handlers shall also make an effort to clean up when they do soil others' property.

X. HANDLER COMPENSATION

Canine Handlers shall be financially compensated during their assignment to the Canine Team. Refer to Kinston Police Department Policy 100-12 Career Development for guidelines on Canine Handler compensation.

XI. INJURY TO HANDLER OR CANINE AND MEDICAL CARE

If the canine handler becomes incapacitated, or the handler's injuries require immediate assistance, officers at the scene shall take the necessary action to restrain the dog. If time allows, a supervisor may call another canine handler to assist.

In the event the dog becomes ill or incapacitated for any reason and is unable to work, the handler will report for regular duty. The status of the canine will be reported to the handler direct supervisor and the Canine Coordinator.

Whenever a handler wishes to kennel the dog for any reason, they will request permission from their supervisor and the Canine Coordinator, stating the reason for the kenneling and the number of days required.

The department canine is examined periodically according to a schedule arranged by the veterinarian selected by the Kinston Police Department. All medical needs will be administered by the veterinarian and any treatment given shall be on his/her order only. The canine handler may take the animals to the nearest available veterinarian for treatment in an EXTREME EMERGENCY ONLY. In such instances, the department designated veterinarian shall be notified by telephone immediately as to the extent of the sickness or injury.

If a canine becomes of age or sustains a serious injury that will not allow the canine to return to duty, it shall be the discretion of the Chief of Police to determine what will be done with the canine.

XII. TRAINING (CALEA 41.1.5 d)

The success of an effective police canine team lies, in large part, with both handlers and dogs of the organization. Therefore, it is important that the benefits gained through the initial training period be continuously developed. In order to maintain a high standard of efficiency, both handler and dog are to be given in-service training averaging two days every month. However, much of the responsibility for maintaining the work ability and efficiency of the dog rests with the handler alone. The team must constantly apply themselves to insure maximum performance.

- a. Before assignment in the field, each canine team shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards.
- b. Canine Handler will conduct daily training sessions with the canine in obedience, narcotics detection and article searches.
- c. There shall be one designated training date per month which shall include obedience, narcotics detection, article search, building search, tracking and handler protection.

- d. The Canine Coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of office canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the Canine Coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.
- e. All canine training shall be conducted while on-duty unless otherwise approved by the Canine Coordinator or Operations Major.

FAILURE TO SUCCESSFULLY COMPLETE TRAINING (CALEA 41.1.5 b)

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved.

TRAINING RECORDS (CALEA 41.1.5 f)

All canine training records shall be maintained in the canine handler's and the canine's training file.

- a. All regular in-service training time shall be documented on a training schedule and submitted to the departmental training office.
- b. Canine handlers shall be responsible for filing and maintaining all pertinent reports and training logs, as well as certificates, health records, and all documentation with regard to their assigned canine.

TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Kinston Police Department may work with outside trainers with the applicable licenses or permits.

- a. Training aids will consist of actual controlled substances. These controlled substances will be provided by the Drug Enforcement Agency (DEA) on a yearly basis. The Chief of Police or authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Kinston Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.
- b. The controlled substances will be stored in a Ray Allen brand locking steel narcotics safe. The safe will house four individual airtight Pelican brand cases which will separate the individual substances. The safe will be secured in the controlled substance locker at the Kinston Police Department.
- c. Access to this area is secured with three locked doors and two individual security keypad systems. This area is also monitored with security cameras. Keys to this safe will only be available to current canine handlers with the approval of the DEA.
- d. When in use, the individual cases containing the training aids, will be removed from the safe and secured with a padlock. The cases can be transferred to the training area. Upon completion of the training during normal business hours, the cases and training aids will be returned to the locked safe at the Kinston Police Department. After hours these cases will be temporarily stored in the evidence lockers in the Kinston Police Department evidence processing area. These lockers are secured with a locking mechanism that will lock once the door is closed. The canine handler will report at the first opportunity the next business day and secure the controlled substances in the Ray Allen safe.

- e. Training reports will be completed subsequent to the usage of the training aids or any maintenance training. A log will be maintained with the safe, to document how the issued 28 grams of each substance have been packaged into various weights and containers for the training exercises. The assigned sergeant in the crime lab of the Kinston Police Department will annually audit the substances and verify the weights of each.

CONTROLLED SUBSTANCE PROCEDURES (CALEA 84.1.4)

It is the policy of the Kinston Police Department to have canines trained in the detection of controlled substances. Certain training aids such as marijuana, cocaine, heroin, methamphetamine and MDMA / Ecstasy are needed for this purpose. Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- a. All controlled substance training samples shall be weighed prior to utilization as a training aid by the Canine Coordinator.
- b. The weight and test results shall be recorded and maintained by this office in a logbook that records each controlled substance type.
- c. All controlled substance training samples shall be weighed prior to destruction by the Canine Coordinator.
- d. Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- e. All controlled substance training samples will be inspected and weighed quarterly. The results of the quarterly inspection shall be recorded and maintained by the Canine Coordinator with a copy forwarded to the Uniform Division Commander.
- f. All controlled substance training samples will be stored in locked, airtight, and watertight cases at all times, except during training.
- g. The locked cases shall be secured in the cargo area of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container.
- h. All controlled substance containers when not signed out for training shall be stored in a locked cabinet at the Kinston Police Department.
- i. The Canine Coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- j. Any controlled substance training samples of no further value must be destroyed pursuant to the guidelines of the issued court order. Destruction of controlled samples shall be done with coordination between the Canine Coordinator and the Evidence Section. Such destruction shall be documented on the appropriate form.
- k. All controlled substance training samples shall be returned to the Kinston Police Department upon the conclusion of the training on the same day and appropriately stored. Unless approved by the Uniform Division Commander controlled substances shall not be signed out for more than 24 hours.

- l. The following guidelines will be used for the controlled substance logs:
 1. A sign out/in logbook is to be kept on a digital google drive.
 2. All new controlled substances will be signed into the appropriate locked cabinet and digital google drive by the Canine Coordinator. The information will include the weight of the controlled substance and the date and time it was received and placed in the safe.
 3. The loss of small portions of the controlled substances during training is inevitable. Small portions of these substances will occasionally be destroyed by the canine, fall from “narco-pouches”, etc. Any discrepancy in weight from the sign out, to the return, will be documented in a comments section on the sign out/in log.
 4. Any time a controlled substance training aid is removed or returned, such shall be documented on the log. Materials should be returned by the same canine handler unless documented on the log.
 5. The controlled substance should be returned to the locked cabinet the same day it was signed out unless there is an expressed need to maintain the controlled substance due to an extended training session.
- m. These procedures apply to all controlled substances used for training whether item was procured, seized or forfeited.