

PARKER POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL

3.26	EFFECTIVE: December 22, 2014	James Tsurapas, Chief of Police
	REVISED: September 25, 2020	
SUBJECT: ENCOUNTERS WITH DOGS – DOG PROTECTION ACT		
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3.26.1 PURPOSE

The safety of all members shall remain of utmost importance and therefore, nothing in this policy shall be intended to prohibit any member from resorting to deadly force to control a dangerous dog should nonlethal alternatives fail or are determined to become impractical.

3.26.2 POLICY

This policy will provide guidelines on line of duty encounters with dogs in order to prevent or reduce the number of dogs killed or injured by members in the performance of their duties, in accordance with C.R.S. § 29-5-112(6).

3.26.3 PROCEDURE

- A. In circumstances where a dog is encountered and where the dog reasonably appears, under the circumstances, to pose an imminent threat of bodily injury to members or others, members are authorized to use reasonable force up to and including deadly force (when lesser means fail or are determined to be impractical) to counteract the threat.
- B. In circumstances where the safety of the member and others permit, a dog owner should be given the opportunity to remove his or her dog from the immediate area unless the following circumstances are present:
 1. An animal services officer is on scene;
 2. The call is a location listed in CAD as hazard.
 3. The call is at a location where narcotics are suspected to be manufactured or trafficked;
 4. The nature of the call indicates that a person has been bitten by a dog or is in physical danger.
 5. Any exigencies that may be present, such as when the commissioned officer is responding to a call that asserts or suggests that a person has been bitten by a dog or is in physical danger.
- C. In circumstances in which commissioned officers have adequate advanced notice that a potentially dangerous dog may be encountered; such as in the serving of a search warrant, members shall develop reasonable contingency plans appropriate to the situation. Public and officer safety should be the primary concern. Whenever the owner or an animal services officer is present and it is feasible, the dog owner or animal services officer should be allowed the opportunity to control or remove a dog from the immediate area in order to permit the

commissioned officer to discharge their duties. Commissioned officers are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternate methods are not reasonably available or would likely be ineffective. Use of a firearm should always be the option of last resort.

- D. Commissioned officers should consider the following continuum of force as it relates to animals when possible:
1. Physical presence
 2. Use of commands
 3. Mechanical repellants (baton, flashlight, bite stick)
 4. Improvised dog repellants (fire extinguisher)
 5. Chemical repellants (oleoresin capsicum)
 6. Electronic repellants (Conducted Electrical Weapons (CEW))
 7. Physical capture
 8. Chemical capture
 9. Deadly force
- E. In the event that force is used against a dog and the dog is injured or there is a reasonable belief that the dog is injured, commissioned officers shall make a reasonable attempt to ensure the animal receives medical care.
1. Commissioned officers who destroy or injure an attacking dog shall notify their immediate supervisor as soon as possible and document the incident in a report.
 2. A Use of Force Report shall be completed and forwarded to OPS with a copy of the report through the chain of command.

3.26.4 COMMON CANINE BEHAVIORS/POSTURES

A. Recognizing Canine Temperament

Dogs respond to us by communicating through their own body postures, facial expressions, and vocalizations. Without staring at it, the commissioned officer or animal services officer should look at the entire dog, checking both for behaviors that show the dog is uncomfortable and feeling threatened and for behaviors that signal comfort and friendliness. Staring at the dog's face should be avoided, as this can create an eye-contact challenge.

1. Tail position and wagging are complex aspects of dog body language and should not be relied on as strong indicators of likely behavior. The only exceptions are a tail tucked tightly between the legs and under the body, which indicates a very frightened dog, and a

rapidly, loosely wagging tail when shown with the “full body wag” described above, which is a reliable indicator of friendliness without fear.

2. It is generally true that a dog whose tail, body, head, and sometimes ears are low or who is yawning or licking lips may be fearful or worried. The impression may be that the dog is leaning back away from the officer. Approaching this dog would be a further threat, but even with these dogs, a wiggly body means “wants to greet anyway.”
3. High tail, head, body, and sometimes ears as well generally mean a dog is confident; such dogs look as though they are leaning forward toward the commissioned officer or animal services officer, or standing tall. With the “high” or “forward” dog, a stiff body means “keep away,” and a wiggly or relaxed body with relaxed, open mouth means “eager to greet.”
4. Dogs who stare at the commissioned officer or animal services officer without moving or show the whites of their eyes are indicating that they are agitated, fearful, or feel threatened. Avoid an extended look or stare to determine a dog's posture or behavior. Giving distance, averting looks, or turning eyes, shoulder, or body away signal there is no challenge.

B. Body Postures

1. Is the dog loose and wiggly or is it stiff? Full body wags mean the dog is friendly. The dog that solicits attention by wiggling, curving the body almost into a “C” shape, and approaching with head low and to the side is anxious for attention but a little afraid.
2. A dog that approaches slowly with legs and tail held stiffly is warning that a decision has not been made as to whether the human is safe or dangerous. The dog may be ready to escalate if the commissioned officer does anything that appears threatening.
3. Dogs that stop their approach or change direction, although probably wary, are demonstrating an inclination to retreat rather than to try to drive away a threat.
4. Dogs that show non-interactive behaviors (e.g., stopping to scratch or lick themselves) are either non-social or showing stress. They are unlikely to escalate to warning signals if they are not approached.

C. Facial Expressions – Mouth and Eyes

1. Dogs warn by tensing their lips to expose their teeth in what we commonly call a snarl. They either pucker the lips forward to show a lot of front teeth or pull the lips tightly back, exposing a larger number of teeth but not up to the gum line. The latter expression indicates more fear, but either may escalate to biting if not heeded. Friendly, comfortable dogs often have their mouths open in an expression dog professionals call “play face.” The mouth is relaxed, and the dog often pants. A dog giving a warning almost never pants.

2. Yawning or lip-licking usually means a dog is anxious or uncomfortable. As with all fear communications, these can escalate to a warning if the dog is pressured. Continuing to approach may pressure the dog.
3. Dogs often warn by holding a direct gaze, especially if doing so while also moving (or standing still) stiffly as described above. Many will also respond to direct eye contact from humans as a threat.
4. Dogs that guard their resources (e.g., sleeping spaces, food, bones, toys, and sometimes people) will often freeze extremely stiffly and show the whites of their eyes to warn people and other dogs to leave their stuff alone. This is quite different from a dog that is simply resting or standing still. It looks like a sudden freeze-frame shot in a movie. Such a dog is extremely unlikely to escalate unless pressed by the officer approaching closely or attempting to remove the possessions, in which case the dog will probably emphasize displeasure by growling.

D. Vocalizations

1. Dogs bark for many reasons: to express frustration at the squirrel up the tree, to alert the household to visitors, to solicit play or ask for goodies. Dogs even bark out of boredom. So barking by itself is not enough to constitute a warning signal. If it is accompanied by lunging, snarling (see “Facial Expressions” above), and growling, the dog is clearly trying to warn away a threat.
2. Whining indicates that the dog is requesting something or is uncomfortable.
3. Growling is one of the dog’s clearest warning signals. A growling dog should never be approached.

3.26.5 USE OF LESS THAN LETHAL FORCE

- A. Commissioned officers are encouraged to use less than lethal force against canines, if force is required. OC spray is highly effective on dogs. If the dog is still at some distance it may not be feasible to spray the dog in the face. Spraying the ground between the dog and the member can deter a mildly aggressive dog.
- B. A CEWs, although not designed for use on animals, has been shown to be effective on dogs. Commissioned officers must deploy it differently than when using it on people. Most of a dog’s body mass is horizontal, or parallel to the ground. Because of this, the CEW needs to be held sideways, so that the probes spread horizontally when fired, in line with the body mass of the dog. In addition, because a dog is smaller than a person is, a commissioned officer or animal services officer firing a CEW must be closer to a dog than to a person, preferably less than ten (10) feet, with ten (10) to twelve (12) feet serving as the practical maximum range. In field reports, the period of immobilization on dogs was shorter than for people, about twenty (20) seconds.

3.26.7 USE OF LETHAL FORCE

Commissioned officers and animal services officers are encouraged to avoid using lethal force on canines unless necessary. The use of a weapon is seldom required in dog-related incidents or encounters, however are authorized if no other less than lethal methods are effective.

3.26.8 TRAINING

All commissioned officers and animal services officers shall complete training consistent with C.R.S. 29-5-112(4) within the curricula developed by the Colorado “Dog Protection Task Force” by January 1, 2015. All commissioned officers and animal services officers hired after January 1, 2015 shall also complete this training within the member’s first year of employment.

Training requirements can be fulfilled by completing the online training course sanctioned by the state at <http://www.coloradodogprotection.com>. Certificates of completion must be printed and include a supervisor’s name who witnessed the training, participated in the training, or who is willing to otherwise authorize the certificate. Certificates shall be submitted to the Administrative assistant in charge of training files for archiving.