

## **2.422 CANINE PROGRAM**

- A. The agency uses a canine (K9) team of an officer and dog trained in detecting controlled dangerous substances (CDS) to overtly, proactively, and reactively detect and apprehend criminal offenders and to enhance the safety of police officers and the public.
- B. This directive and corresponding standard operating procedures (SOPs) remain in place regardless if the agency currently has a K9 team.

### **2.422.02 Program Structure**

*(16.2.1)*

- A. The commander responsible for the patrol function is designated as the K9 program coordinator and is responsible for:
  - 1. K9 handler:
    - a. Scheduling duty hours and days off;
    - b. Leave and timekeeping approval and functions;
    - c. Performance evaluations and other related personnel matters; and
    - d. Authorizing and scheduling any special details, special assignments, or demonstrations;
  - 2. Ensuring K9 team initial, on-going, and in-service training requirements are met;
  - 3. Ensuring dogs are licensed consistent with Public Safety (PS) § 2-313;
  - 4. Ensuring permits are acquired and maintained to use CDS training aids;
  - 5. Ensuring a documented review is conducted annually to determine if the K9 program should be continued; and
  - 6. Ensuring other appropriate and required records are maintained.
- B. The on-duty patrol supervisor will provide:
  - 1. Immediate supervision to an on-duty K9 team that is consistent with patrol and K9 operational requirements; and
  - 2. Feedback to the K9 program coordinator for employee performance and evaluation purposes.

### **2.422.04 General Operations**

*(41.1.4.a)*

- A. A K9 team will be a conspicuous law enforcement tool, engaging in foot and vehicle patrol of their assigned post; self initiating calls for service for any witnessed crimes or incidents, and responding to calls for service when not actively involved in CDS scanning activities.
- B. K9 teams:
  - 1. Are supplemental to patrol staffing and will not be prescheduled to count toward patrol's minimum mandatory staffing;
  - 2. May be regularly assigned as secondary units in all calls for service involving the possible detection of CDS; and
  - 3. That are involved in calls not related to CDS detection will be redirected if needed to conduct CDS scans.
- C. Areas of potential deployment of a CDS K9 team include, but are not limited to:
  - 1. Scanning motor vehicle exteriors during traffic stops;
  - 2. Scanning spaces or locations generally open to or accessible by, the public;
  - 3. Scanning vehicles or locations to develop probable cause after officers have developed reasonable suspicion for CDS violations;
  - 4. Scanning vehicles or locations to facilitate serving drug related search warrants;
  - 5. Mutual aid to allied agencies;
  - 6. Other scans based on circumstances of calls; and
  - 6. Public demonstrations that have been approved in writing by the K9 program coordinator.
- D. A K9 handler:
  - 1. Will advise Communications and the on-duty patrol supervisor when the K9 team is on-duty and available for calls;

2. Has exclusive control over the use of the canine on any scene where the K9 team may be deployed;
  3. Will assess a situation as it pertains to the capabilities of the canine and determine how, or if, the canine is to be used;
  4. Will coordinate the team's activities with the on-duty patrol supervisor;
  5. Will accept other assignments that do not involve using the K9;
  6. Will record activities by writing:
    - a. Supplement reports when they provide K9 assistance to this agency; and
    - b. Initial reports when they provide K9 assistance to allied agencies or self-initiate K9 or other police activities unrelated to retraining;
  7. Will not transport prisoners when the K9 is in the vehicle except in exigent circumstances as approved by the on-duty patrol supervisor; and
  8. Will not take a K9 to court unless an appropriate subpoena has been issued for the animal's appearance and the K9 program coordinator has been notified of the subpoena on a timely basis.
- E. Employees will not:
1. Provoke, tease, agitate, or harass the K9;
  2. Approach the K9 without the handler's permission or presence;
  3. Feed the K9 without the handler's permission; or
  4. Interfere with the K9 team while CDS scans are being conducted.

#### **2.422.06 Selecting Canine Handlers**

*(16.2.2, 41.1.4.b)*

- A. The position of canine officer is a specialized assignment that is filled through a selection process that is announced through the agency.
- B. Selection process notifications must contain information that includes, but is not limited to:
  1. Descriptions of candidate minimum qualifications;
  2. Examples of essential duties; and
  3. Descriptions of selection process elements.

#### **2.422.08 Selecting Dogs**

- A. The K9 program coordinator will preliminarily select dogs.
- B. Prior to final selection, dogs will be evaluated:
  1. For appropriate temperament;
  2. For drives essential to drug related K9 training; and
  3. By an approved veterinarian.

#### **2.422.10 K9 Team Training**

*(33.6.1, 41.1.4.b)*

- A. A K9 team must successfully complete:
  1. Initial training before being assigned to K9 duties; and
  2. Subsequently complete monthly and biannual retraining to continue K9 activities.
- B. Initial training must be through an approved K9 basic scent for narcotics training program that culminates with the team demonstrating proficiency as determined by the staff of the training program.
- C. Retraining and recertification will be conducted to ensure a K9 team can continue to demonstrate basic scent class proficiency skills.
- D. The schedule, frequency, and duration of retraining sessions will be determined by the K9 program coordinator and K9 handlers in consultation with officials from an approved K9 basic scent for narcotics training program.

#### 2.422.12 K9 Vehicles

(41.1.3)

- A. An on-duty K9 team will use only a vehicle specially equipped for K9 use unless it is not available, in which case another departmental fleet emergency vehicle can be used. A K9 equipped vehicle may be routinely operated by other officers when the vehicle is not needed by a K9 team.
- B. K9 handlers will:
  - 1. Transfer required, portable K9 supplies into and out of K9 vehicles at the beginning and end of their tours of duty;
  - 2. Vacuum, clean, and disinfect the interior of K9 vehicles if needed at the end of their tours of duty; and
  - 3. Use privately owned vehicles, equipped with agency supplied dog crates, for transporting K9s to and from work.

#### 2.422.14 K9 Scans - Generally

- A. K9 scans can be conducted:
  - 1. If there are no reasonable expectations of privacy concerns;
  - 2. Any time officers develop reasonable articulable suspicion indicating possible drug related criminal activities;
  - 3. Any time officers obtain consent to search, develop probable cause, or serve drug related search warrants;
  - 4. As otherwise permitted by law.
- B. Officers:
  - 1. Who believe that K9 scans may be appropriate should request K9 assistance as soon as possible to give K9 teams an opportunity to arrive on a timely basis;
  - 2. Will cancel their requests for K9 assistance if they subsequently believe that scans are not needed;
  - 3. Will establish control of the situation to maximize the safety of the K9 team and any other officers; and
  - 4. Will tell K9 handlers about any items that have already been seized or areas of particular concern that should be scanned.
- C. K9 handlers will:
  - 1. Tell requesting officers of areas identified or items located based on K9 alerts; and
  - 2. Allow requesting officers to recover any items to be seized and make any arrests.
- D. The vehicle exteriors can be scanned so long as drivers are not detained longer than reasonably necessary to conclude the initial business of the traffic stop.
  - 1. Officers will situate and control the vehicle's location and occupants in a manner that will not jeopardize the K9 team's safety during the scan. This includes having occupants exit vehicles and stand away from the traveled portion of the roadway and under the observation of at least one other officer.
  - 2. Scans will not be conducted of occupied vehicles.

#### 2.422.16 Mutual Aid

- A. A K9 team may be deployed to assist allied agencies based on K9 availability, distance to the call, and local demands for patrol and K9 assistance.
  - 1. Requests to assist these agencies may be approved by the on-duty patrol supervisor:
    - a. Maryland State Police;
    - b. Baltimore County Police;
    - c. Baltimore County Sheriff's Office;
    - d. Maryland Transportation Authority Police (MdTA); and
    - e. Maryland Transit Administration Police Force (MTA).

2. Requests to assist other agencies must be promptly routed to the K9 program coordinator or to the duty officer during non-business hours.
- B. When a K9 team has been preliminarily approved to assist an allied agency, the K9 handler will:
  1. Promptly respond with the K9 to the scene of the request;
  2. Determine the facts and circumstances of the case from the allied agency's ranking on-scene officer;
  3. Proceed with the requested scan only if the request is consistent with K9 team controlling directives and training;
  4. Promptly return to campus; and
  5. Complete an "Assist Other Jurisdiction" report that describes the request and what, if any, K9 services were provided.
- C. The on-duty patrol supervisor may authorize requesting a K9 team from an allied agency if this agency's CDS K9 team is not available or the agency needs a K9 team for other than CDS detection reasons. K9 teams from allied agencies operate under their controlling directives and training.

#### **2.422.18 Canine Bites, Injuries, etc.**

- A. All bites or injuries caused by a K9 owned by this agency will be reported and administratively reviewed.
- B. The handler will:
  1. Ensure that any appropriate medical treatment is offered and provided to injured persons as soon as practical;
  2. Ensure that any appropriate veterinarian services are provided to an injured K9 as soon as practical;
  3. Ensure the on-duty patrol supervisor is notified;
  4. Ensure the incident is reported to the health department of the county in which the incident occurred. See also **2.403.04 Animal Bites**, etc.;
  5. Ensure a **Spleen Advisory (UPO.074.D)** is completed by each person that was bitten;
  6. Complete a police report or supplement detailing the facts and circumstances surrounding the incident.
- C. The on-duty patrol supervisor will:
  1. Ensure the K9 program coordinator is notified if the incident occurred during normal business hours or the Duty Officer is notified if the incident occurred during non-business hours;
  2. Ensure the handler has completed all required tasks;
  3. Ensure photographs are taken of any injuries;
  4. Attempt to obtain written statements from civilian victims and witnesses, including whether or not any injured parties accept or refuse medical treatment;
  5. Attempt to obtain copies of any medical treatment records;
  6. Ensure all departmental witnesses complete written statements or report supplements; and
  7. Submit a packet of all related documents to the K9 program coordinator within 24 hours of the incident.
- D. The K9 program coordinator is responsible for completing a documented, timely review and submitting it to the commander responsible for the IA function.
  1. Routine reviews should be completed in 10 days or less, and will determine:
    - a. If bites or injuries resulted from events that were consistent or inconsistent with agency directives, training; and
    - b. If there are implications for changes to training, equipment, or directives.
  2. Incidents involving no apparent chargeable conduct will be submitted through the chain of command to the Chief and recommended for closure.
  3. Incidents involving apparent chargeable conduct will be referred to the commander responsible for the IA function for assignment and follow-up.

#### **2.422.20 K9 Ownership & Retirement**

A K9 may be retired and its ownership transferred from the agency by approval of the Chief when:

- A. Its handler leaves the K9 program, the agency decides to retire the animal, and the handler requests to accept ownership of the dog;
- B. The dog must be retired and the handler requests to accept ownership of the dog;
- C. The dog is being retired and its handler does not want to accept ownership of the dog. In which case ownership can be transferred to a citizen not directly affiliated with the agency.