

Waltham Police Department

CHAPTER 75

K-9

General Order #: GO-02 2019

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Accreditation Standard #'s: 41.1.4, 46.2.5, 84.1.4

POLICY:

It is the policy of the Waltham Police Department that the K-9 Unit operates as a unique support service which will supplement and assist primary response units. The K-9 Unit will assume routine patrol responsibilities for the purpose of integrating its operation with the overall patrol function of the department in responding to calls for service and in follow-up complaints. The K-9 Unit serves as a very important asset which may substantially reduce the danger inherent to law enforcement officers in the performance of their duties. These procedures are to ensure the effective use of K-9 teams in criminal apprehension, tracking and locating missing persons (criminal or civilian) in the wilderness, bodies of water or elsewhere [46.2.5], building searches, evidence and narcotics detection, crowd control and promoting favorable public relations through K-9 demonstrations [46.2.5]. It will be the duty and responsibility of the Patrol Division Commander to exercise overall supervision of the K-9 Unit.

1. AUTHORITY:

The K-9 Officer is the only authorized officer to use the K-9 [41.1.4-7A]. This officer shall use good judgment and their training to ensure the safety of the public and the K-9.

2. K-9 HANDLERS:

K-9 handlers, in conjunction with the Training Division, will be responsible for instructing all department personnel about appropriate behavior and conduct in the vicinity of the K9 due to safety concerns. To ensure the safety of police officers and the K-9 team, all personnel (sworn and civilian) shall adhere to the following procedures when working with or in the vicinity of the K-9 team:

- a.** Although an on-scene supervisor will maintain command, personnel will adhere to requests of the handler to ensure safe and effective use of the K-9.
- b.** Except during exigent circumstances, or with prior approval, no one except the handler will give commands to the K-9.
- c.** Department members shall not interfere with or attempt to direct the K-9 Team.

- d. Under no circumstances will any department personnel provoke, harass or tease the K-9.
- e. Department members, sworn or civilian, shall not feed the K-9 without the expressed approval and presence of the K-9 Officer.
- f. Department members, sworn or civilian, shall not pet or touch the K-9 without the expressed approval and presence of the K-9 Officer.
- g. Department members, sworn or civilian, shall not initiate any sharp noise or movement which would affect the stability of the K-9 when confined to the vehicle or working under the direction of the K-9 Officer.
- h. Only K-9 handlers and other authorized personnel will participate in training of a department owned K-9.
- i. K-9s may be controlled either on lead or off lead at the handler's discretion. At all times, the handler is responsible for the immediate control of the K-9.
- j. Department members, sworn or civilian, shall not request K-9 assistance in situations that will not allow the K-9 to perform.

Among the types of calls inappropriate and directly contrary to K-9 usage are: barking or injured animal calls and family disputes, in which case the K-9 team should be used as back-up only.

3. ADDITIONAL OFFICERS ON SCENE:

When it is determined that a K-9 Team is required, it is the responsibility of the other officers at the scene to:

- a. Secure the area until the K-9 Team arrives.
- b. If a break is in progress, do not enter the building unless ordered to do so by a supervisor at the scene.
- c. Assist the K-9 Team only as requested by the K-9 Officer.
- d. Avoid contaminating the area in any way (physical presence and use of chemicals should be minimized).

4. **DEPLOYMENT OF THE K-9:**

- a. **USE WITHIN THE CITY:** A patrol unit in need of assistance from the K-9 unit will make its request through communications to the Officer-In-Charge. If a Patrol Supervisor is present at the scene of an incident, they will make the request.
- b. **USE OUTSIDE THE CITY:** All requests for services of the K-9 Unit outside the city shall be directed to the Officer-In-Charge. At their discretion, they will direct the K-9 Unit to respond, but only for the nature of incidents in which the Unit would normally respond to within the city. The Officer-In-Charge will submit a K-9 Deployment log and CAD incident notes to the Patrol Division Commander.
- c. **OFF DUTY REQUESTS FOR SERVICE:** The K-9 Team may be called out during off duty time for K-9 related services, if available. If a call for service from an OUTSIDE AGENCY is received during off duty hours, the nature of the incident will be considered. The Officer-In-Charge will then dispatch the K-9 Unit to the outside agency, if appropriate.

5. **BULIDING SEARCHES (OFFICERS ON SCENE): [41.1.4-7C]**

When a suspected building break has been determined, the officer at the scene may request the use of the K-9 Team. Officers at the scene shall:

- a. Secure or otherwise seal the area, requesting assistance as necessary, to prevent possible escape from the building.
- b. Not enter the building or allow others to contaminate the area unless told to do so by a supervisor.
- c. If possible, and time permitting, make attempts to contact the building owner to ascertain the interior layout of the building and any hazards that officers may encounter (i.e., hazardous materials).
- d. If there are uninvolved individuals located within the building or structure, they should be removed from the facility beyond the established police perimeter.
- e. Upon arrival of the K-9 Team, the Patrol Supervisor will brief the team on all aspects of the situation, paying particular attention to the identification of the subject (criminal or missing person), perimeters of the search area and concealed hazards. A course of action should be agreed upon which identifies search priorities, landscape and securities of boundaries. This will assist the K-9 Team in performing the search. The Patrol Supervisor will make the final decision relative to committing the dog.

- f. The K-9 Officer will advise the Patrol Supervisor how the dog may best be deployed. The final decision relative to committing the dog will be that of the Patrol Supervisor however, they shall give serious consideration to the advice of the K9 Officer.
- g. The K-9 Team will enter the building and allow the dog to search the area. Whenever possible, and prior to entering, an announcement should be made by the K-9 handler by speaker, amplified device or shouting that the K-9 is to be deployed and will use force if necessary. **[41.1.4-7H]**
- h. The officers on the outside of the building will not enter the site while the K-9 Team is working unless specifically requested by the K-9 Officer. Other officers should secure all possible avenues of escape and eliminate as much noise as possible, thereby reducing the distractions for the K-9 Team.
- i. If a suspect is apprehended by the K-9 Team, the K-9 Officer will request assistance from the other officers at the scene, if necessary. All apprehended persons will be turned over to the reporting officer for prosecution and medical treatment, unless otherwise ordered by the Patrol Supervisor.

6. FIELD SEARCHES: [41.1.4-7C]

A K-9 Team may be called when the need for a field search arises. While waiting for the K-9 Team to arrive, officers shall:

- a. Take all precautions necessary to protect evidence at the scene, ensuring materials which may be used later by the K-9 Team during the search are not to be handled. The evidence becomes contaminated with the scent of the officer and may confuse the dog and render the team inoperative. THE DOG WILL PICK UP THE FRESHEST SCENT AVAILABLE.
- b. Upon arrival of the K-9 Team, the Patrol Supervisor shall brief the team on all aspects of the situation, paying particular attention to the identification of the subject (criminal or missing person), perimeters of the search area and concealed hazards.
- c. A course of action should be agreed upon which identifies search priorities, landscape and securities of boundaries which will assist the K-9 Team in performing the search. The Patrol Supervisor will make the final decision relative to committing the dog.
- d. The K-9 Team will enter the field in accordance with established procedures and allow the dog to search the area. Where the search involves locating a criminal suspect, the suspect should be advised, if possible and without compromising

officer safety, by speaker, amplified device or shouting, that a K-9 is being deployed and will use force if necessary.

- e. In the event of a stolen or abandoned vehicle, the officers should remain at least ten feet from the vehicle to preserve a point of origin for tracking. [46.2.5]

7. **SEARCH AND RESCUE ASSIGNMENTS FOR LOST, CRITICALLY MISSING OR AT-RISK PERSONS:**

Prompt location of Alzheimer's patients, children or emotionally disturbed persons is a high priority. Obtaining an item of clothing (to identify a scent) and determining the last known location of these individuals are key tasks to assist the K-9 unit.

8. **SEARCHES FOR EVIDENCE AND INSTRUMENTALITIES OF A CRIME:**

A K-9 unit may be able to locate evidence of a crime at a scene by associating the scent of a subject on a particular item. Maintaining a safe distance from the area to be searched will increase the K-9's likelihood of success.

9. **CROWD CONTROL:**

The use of less lethal options, including use of a K-9 involving crowd control situations, to control or influence a person's behavior are only authorized when: [46.1.12-5]

- a. De-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances. [46.1.12-5]
- b. The measures used are necessary to prevent imminent harm and the foreseeable harm inflicted by the police canine is proportionate to the threat of imminent harm. [46.1.12-5]

Force or control devices, including oleoresin capicum (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd. Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report (G.L. c. 6E, § 14; 550 CMR § 6.08; 555 CMR § 6.08).

The type of report required may depend on the nature of the incident. If an officer of the Waltham Police Department utilizes a police canine against a crowd, a report shall be filed with the POST Commission detailing all measures that were taken in advance of the event to reduce the probability of disorder and all de-escalation tactics and other measures that were taken at the time of the event to de-escalate tensions and avoid the necessity of utilizing the police canine. [46.1.12-6]

10. DEMONSTRATIONS:

Requests for demonstrations shall be made through the Division Commander and given to the K-9 Officer. K-9 handlers shall ensure that appropriate distances between the K-9 and public are maintained and other safeguards are implemented during all K-9 demonstrations. K-9 Officers shall ensure that the demonstration content is appropriate for the age of the audience.

11. INJURIES TO THE K-9 OFFICER:

When a K-9 Officer is injured, all personnel will take the following precautions:

- a. Request medical attention for the K-9 Officer immediately.
- b. DO NOT, under any circumstances, approach the dog or attempt to render immediate first aid unless a fatality will result from a delay.
- c. Attempt to get the K-9 Officer to control the dog and/or move the K-9 cruiser close to the injured officer and open the door.
- d. If possible, contact another K-9 Officer to come to the scene and control the dog.
- e. Most importantly, if a fatality will occur because of a delay, officers should take all steps necessary to aid the injured officer.

12. INJURIES TO THE K-9:

In instances where the dog sustains an injury as a result of line-of-duty work, the K-9 Officer will determine the ability of the animal to continue the mission. The K-9 Officer will be responsible for the health, security and safety of the dog at all times. If injury does occur, the K-9 Officer must submit a report through the chain of command to the Patrol Division Commander. In the event of an off-duty injury or illness, the K-9 Officer may seek the services of a department approved veterinarian. The K-9 Officer will report all veterinarian visits in writing on their next scheduled workday.

13. INJURIES TO THE PERSON:

Whenever a K-9 physically apprehends any person, the following procedures will be followed:

- a. Any person regardless of injury:
 - 1. Shall be examined by EMS personnel and transported to the hospital if requested by EMS personnel or the patient.

2. A copy of the dog's health and vaccination reports are on file at the Weston Veterinary Clinic and accessible in the WPD share drive under Patrol Division.
 3. Shall be carefully documented in the K-9 officer's report, as well as in a use of force report. **[41.1.4-7H]**
 4. A copy of the report will be reviewed by the Officer-In-Charge and forwarded to the Division Commander.
- b.** Whenever there is a use of force involving the K-9 the Patrol Supervisor shall:
1. Photograph to adequately display the nature and severity of the injury. Photos shall be uploaded into the digital photolog.

14. EQUIPMENT:

The K-9 Officer will be issued equipment for handling and caring for the K-9. The K-9 Officer will be responsible for the maintenance and proper use of all K-9 equipment **[41.1.3], [41.1.4-7G]**.

The following equipment is required for care and control of the K-9:

- a.** 6' lead.
- b.** 36" waist lead.
- c.** 15' tracking line.
- d.** 30' tracking line.
- e.** Tracking harness.
- f.** Muzzle (leather).
- g.** Fur Saver choker 22" to 24".
- h.** Prong or pinch collar 24" 3.0mm.
- i.** (2) 9" tugs.
- j.** Nylon scratch pants.

- k.** E-Collar and holster for remote.
- l.** Food pouch.
- m.** Comb.
- n.** Undercoat rake.
- o.** Shedding blade.
- p.** First aid kit.
- q.** Shampoo and disinfectant.
- r.** Two water bowls and two dog bowls.

This equipment list is subject to change upon product availability or other factors, including requirements of specific training academies.

In addition to all equipment normally maintained in fully marked police vehicles, the following items shall be kept in the K-9 vehicle at all times:

- a.** Tracking Lead.
- b.** Tracking Harness.
- c.** Patrol Leash.
- d.** Muzzle.
- e.** Bite Sleeve.

K-9 handlers assigned to narcotic detection will be issued appropriate equipment as needed. The department will be responsible for costs associated with proper housing of the K-9 at the handler's residence.

The following additional items will be required:

- a.** Dog house.
- b.** Large Vari kennel.
- c.** 6' x 12' #9-gauge steel kennel with roof.

- d. Kennel floor that will consist of an 8' x 14' Trex decking on 4x4 framed pressure treated wood.
- e. Bed of crushed stone beneath the decking will be required for adequate drainage.

15. INITIAL TRAINING: [41.1.4-7D]

The K-9 handler and K-9 training will be conducted by a qualified trainer who is selected by the Chief of Police at a MPTC approved training facility.

16. RECURRING TRAINING: [41.1.4-7D]

- a. In-service training will be approved by the Chief of Police and will be facilitated by Assignments/Training Divisions.
- b. In-service training will be conducted 8 hours per month to ensure that proper training is done/certified.
- c. Narcotics training will be 8 hours per month to ensure that proper training is done/certified.
- d. Proficiency training will be tracking, scent detection, obedience, protection and aggression and shall be documented.

Under no circumstances will a K-9 team be utilized until such time as they have successfully completed the initial training program and certified by an MPTC approved training facility/academy.

17. ON-DUTY TRAINING: [41.1.4-7E]

The K-9 Handler is allowed one hour per working shift to conduct training with the K-9.

18. RECORD MAINTENANCE: [41.1.4-7F]

The K-9 handler shall be responsible for maintaining a K-9 file which shall include the following sections:

- a. Copies of all K-9 medical documents/vaccinations.
- b. Copies of all certifications/training documents.
- c. K-9 Demonstration records.
- d. Copies of all incident reports.

- e. All training records.

The handler shall ensure that originals of all of the above shall be forwarded to the Training Division on a monthly basis. The handler shall maintain their own log with copies of the originals.

Each time the K-9 is used, the handler shall complete a QED K-9 Deployment report or supplemental report. A copy of the deployment report or supplemental report shall be forwarded to the Patrol Division Commander. The K-9 handler shall maintain a copy.

A K-9 Training Report shall be completed at the conclusion of each training session. A copy of this report shall be forwarded to the Training Division and the handler shall keep a copy.

In addition to the officer's bi-annual evaluations, the Patrol Division Commander will provide an annual summary of the K-9 Unit to the Chief of Police. The review shall outline the general assignment activity of the K-9 Unit, its statement of purpose for each general activity and the outcomes.

19. CARE AND MAINTENANCE: [41.1.4-7F]

The K-9 handler shall be responsible for the following:

- a. Cleaning – Kennel and yard where the dog is housed.
- b. Food – Provision of food, water and general dietary maintenance as prescribed by a department approved veterinarian.
- c. Grooming & exercise – On a daily basis or as necessary.
- d. Medical – Attention and maintenance of health care records is required.
- e. Kenneled – The K-9 shall be kenneled on the property of the K-9 officer to whom the dog is assigned.
- f. K-9 Officer – Shall exercise good judgement at all times and not expose the K-9 or public to unnecessary danger. [41.1.4-7B]
- g. K-9 – Shall be trained and treated in a humane manner.
- h. Handler – If the handler is unable to perform these and related duties due to illness, injury or leave, the following may occur:

1. Another K-9 handler may be assigned to temporarily care for the dog.
2. The K-9 may be housed in a department approved kennel when the handler is unavailable.
3. **NOTE:** The K-9 will not share a kennel with other animals.

20. TRANSPORTATION OF K-9:

While transporting the K-9 to the Veterinarian, the officer shall leave the dog secured in the vehicle and enter the office to inquire which entrance to use. Under no circumstances shall a sick or injured animal, other than the K-9, be transported in the K-9 vehicle. The K9 shall further be muzzled unless the veterinarian requests its removal for treatment.

21. K-9 VEHICLE:

K-9 handlers will be assigned a marked department vehicle which has been specifically equipped and modified for use as a K-9 vehicle. Handlers will be responsible for ensuring the vehicle is properly serviced, maintained and clean at all times.

Handlers will be assigned a marked department vehicle to take to their residence. They will be responsible for securing the vehicle, all equipment and gas key assigned to the vehicle. The use of this assigned vehicle is limited to official police business.

Handlers shall remove any weapons from the vehicle prior to having any service work performed on the assigned vehicle.

When unattended, the assigned K-9 vehicle will be locked at all times and all windows should be closed completely.

22. OPERATION OF K-9 VEHICLE:

The K-9 vehicle shall be operated by the K-9 Officer only, unless exigent circumstances exist.

In an emergency, when the K-9 is out of the vehicle or for fleet maintenance, other department personnel may operate the vehicle.