

POLICY AND PROCEDURE

NO.401



Worcester Police K-9 Guidelines

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1. PURPOSE

To establish and define the role of the Worcester Police Department Canine Unit, establish guidelines for activation and utilization of canine resources.

2. POLICY

The Worcester Police Canine Unit shall:

When requested and approved, assist members from the Worcester Police Department and those from other municipal, state and federal agencies and;

Develop under the direction of the K-9 Unit Supervisor, unit specific standard operational procedures (SOP), that shall be created, maintained and updated as directed by the Chief of Police, or his/her designee.

3. GENERAL RESPONSIBILITIES

The purpose of this policy is to establish responsibilities and procedures pertaining to the use, deployment, training, and care of the Worcester Police Canine Unit.

The primary mission of the Canine Unit is to provide trained canine teams to assist in the prevention and detection of crime, the tracking of missing persons and persons sought by the police, the search for articles to be used for evidence and the search of areas and buildings in which a suspect is being sought. All members of the department shall cooperate and assist the Canine Unit in achieving these objectives.

Members of the Canine Unit shall participate in assisting in patrol function activities in a highly visible fashion. The Canine Unit will make themselves available to assist on all calls for which the canine is trained.

4. ORGANIZATIONAL STRUCTURE AND RESPONSIBILITIES

The Canine Unit will be assigned to Special Operations.

A Police Official will be assigned as the Canine Unit supervisor and he/she will report to the Captain of Special Operations, through his/her chain of command.

The Canine Unit Supervisor will be responsible for the day-to-day supervision, record keeping of all daily activity logs, and training records. He/she will ensure that each canine team is receiving weekly in-service training of four hours per week or 16 hours per month absent extenuating circumstances.

The supervisor will be responsible for training requirements by the Worcester Police Canine Unit and will ensure that Department canines receive training and certification along the requirements of the United States Police Canine Association (USPCA), the North American Police Work Dog Association (NAPAWDA), the Boston Police Canine Academy, and/or other recognized and reputable canine association/agency prior to deployment.

The canine supervisor will be the canine liaison between the Department and outside law enforcement agencies when outside canines are needed for planned operations. In the event of an emergency any police official may request outside canines as needed.

5. HANDLERS

Persons assigned to the canine unit, in addition to complying with the policy and procedures of WPD, have the added responsibility of handling and caring for a trained police work dog.

All handlers should be aware of all criminal, and civil, actions which could result from carelessness in the event their dog bites an innocent person while off duty.

Canine handlers are responsible for making WPD journal items for all deployments and/or other noteworthy events.

All handlers are to ensure that the general health, hygiene and care of their assigned canine. Should circumstances change the canine supervisor should be notified as soon as possible.

Worcester Police Canines are the property of the City of Worcester.

Dog apprehensions, regardless of where they occur, or how minor they appear, shall be reported in accordance with WPD Policy and Procedure NO.400.

Handlers will ensure that all dog bites are photographed, regardless of the nature of the injury, by WPD CSU.

6. REQUEST FOR CANINE SERVICE

Use within the City of Worcester

Requests for the immediate utilization of canine service in accordance with the guidelines of this policy may be made by a police official or, in the absence of a police official, by any officer at the scene of an incident.

Such request will be made to the communications dispatcher who shall direct the canine assistance to the location. Upon arrival of the canine handler, he/she shall be responsible for determining whether or not the circumstances justify the use of a canine and for determining its utilization.

Special Situations

Whenever a canine is used in a special situation, the trained qualified canine handler has the right and obligation to decline orders to deploy the canine in an improper, illegal or in an excessively dangerous manner.

Use of a WPD canine outside the City of Worcester

All requests for canine assistance outside the City of Worcester shall be done in accordance with WPD Policy and Procedure NO.807 Mutual Aid.

7. GUIDELINES ON THE USE OF FORCE IN A CANINE DEPLOYMENT

This section is provided to assist canine handlers in making appropriate decisions on the deployment of their canines when the use of force is needed to effectuate a lawful arrest.

The fact that a suspect is fleeing or hiding creates a potentially dangerous situation for pursuing officers.

Police officers are at a strategic disadvantage when pursuing a fleeing suspect or attempting to locate one that is hiding since:

It is usually unknown if the suspect is or has become armed;

It is usually unknown if the suspect plans to inflict harm on or upon the pursuing police officers and/or the public. Therefore, the use of canine assistance would usually be appropriate in the following circumstances:

- A. Protection of the canine handler.
- B. Protection of police officers or a third person.
- C. Suspects who flee after committing a crime in which potential assaultive behavior was used, or threatened to be used, and is given a lawful order to stop.
- D. When the canine is assaulted.

In determining the necessity for force and the appropriate level of force, canine handlers shall evaluate each situation in light of the known circumstances including, but not limited to:

- 1. The seriousness of the crime;
- 2. The level of threat or resistance presented by the subject and the danger to the community;
- 3. Prior knowledge of suspect(s)' criminal background.
- 4. The use of canine force must be in accordance with the guidelines of a level 4 use of force of Policy and Procedure NO. 400 Use of Force.

8. BUILDING SEARCHES

When it is believed that an unauthorized entry has been gained into a building or a suspect has fled into a building and is concealing himself in a building, and;

Where probable cause exists to believe that the suspect hiding within has committed a crime; in which potential assaultive behavior was used, or threatened to be used, and is given a lawful order to stop. The use of force is justified to affect the arrest of a suspect.

In determining the necessity for force and the appropriate level of force, officers shall evaluate each situation in light of the known circumstances including, but not limited to:

- A. The seriousness of the crime;
- B. The level of threat or resistance presented by the subject and the danger to the community;
- C. Prior knowledge of suspect(s) criminal background.
- D. The use of canine force must be in accordance with the guidelines of a level 4 use of force of Policy and Procedure NO. 400 Use of Force.

Vacant building off lead canine searches should only be conducted when the suspect sought has committed a serious crime and if delay of their apprehension would pose a serious threat to public safety.

The initial responding officers shall immediately establish a perimeter and exhaust all efforts to determine if innocent persons, including police personnel are within the building. This should be accomplished without entry to the building.

The initial responding officer shall exhaust all available efforts to avoid further contamination of the affected areas unless emergency situations dictate otherwise.

The handler shall make the following warning announcement upon entering the building and before beginning the search and again on each subsequent floor of the building, prior to deploying the canine; except in those areas where it may prove unsafe to a search team. This decision is the sole responsibility of the canine handler conducting the search. A warning will be given in a loud clear manner and shall always include the following elements:

- A. Your identity as a police officer.
- B. A warning to come out.
- C. Your intention to use a police work dog should the suspect refuse to come out.

An example of a command is as follows: “This is the Worcester Police Department Canine Unit. If you don't come out, I will send my dog and he will find and bite you.”

All subsequent reports will include all warnings issued by a handler prior to the deployment of said canine.

9. AREA SEARCHES

Area searches when it is believed that the suspect has fled into an area;

Where probable cause exists to believe that the suspect or suspects hiding and said area have committed a crime as defined by the laws of the state of Massachusetts, and;

The use of force is justified to effectuate the arrest of a suspect and or suspects.

Initial responding officers shall immediately establish a perimeter and exhaust all available efforts to determine if innocent persons including police personnel are contained within the established perimeter area without entering the area.

The initial responding officer shall exhaust all available efforts to avoid further contamination of the affected areas unless emergency situations dictate otherwise.

The handler shall make a warning with the same elements as above, unless for safety reasons he/she decides that said warnings would make the situation unsafe. The search will be conducted in a systematic manner as determined by the handler.

All searches will be conducted off lead except when, in the opinion of the handler, dog safety would be jeopardized or it is the decision of the handler to employ other officers to assist in the search.

10. TRACKING

Tracks can be conducted by the canine teams for various situations including, but not limited to; missing persons, e.g., children, elderly, etc. or suspected criminals who have fled a particular area or location.

The initial responding officer shall immediately establish a perimeter and exhaust all available efforts to determine if innocent and/or unrelated persons or persons are contained within the established perimeter area without entering same.

Initial responding officer shall exhaust all available efforts to avoid further contamination of the affected areas, especially in areas which the individual or individuals to be tracked were last seen, unless emergency situation dictates otherwise.

Tracking will be conducted on a lead at a significant length to be determined by the handler. When feasible a track should be conducted with a K-9 Team and sufficient back up.

11. CRIMINAL APPREHENSION

When probable cause exists to believe that a suspect or suspects has committed a crime in which potential assaultive behavior was used, or threatened to be used and; the use of force is justified to effectuate the arrest of a suspect or suspects.

Whenever possible, the handler shall allow the suspect or suspects to surrender by giving a warning announcement prior to the release of a canine for the purposes of apprehension. An example of the warning is:

“This is the Worcester Police Department Canine Unit. If you don't come out, I will send my dog and he will find and bite you.”

If the suspect or suspects surrender the canine apprehension will be terminated and the suspects will be handcuffed and searched.

Once a canine has effectuated an apprehension, the canine is trained to maintain the bite during any resistance provided by the suspect. The handler will immediately advise a suspect to stop fighting and/or resisting the canine and the handler will command the canine to release the suspect.

Once a suspect has complied and submitted to the arrest, the handler commands the canine to release the apprehension.

Once a suspect has been handcuffed, and searched, the handler will ensure that the suspect is provided with immediate medical attention for any injury sustained.

This section shall apply to all instances in which the canine team has successfully located and apprehended a suspect or suspects.

12. REPORTING USE OF FORCE INCIDENTS:

Any official police interaction:

Whenever a sworn member of this department uses force in the performance of his or her duties, whether that involved an actual arrest or not, and that force is at a Level Three or higher (see Section VIII, Use of Force Model), an incident report containing a detailing of that force shall be entered into the Police Server records management system (RMS). The pointing of any authorized police tool, with the purpose of compelling subject compliance constitutes a “use of force” and as such, must be reported. As with all reports entered into the RMS system, the report shall be reviewed by a police supervisor.

Arrests and Custody:

Whenever police force at any level (i.e., Level One through Level Five inclusive) is used in the course of an arrest or other lawful detainment, a reporting thereof is required. This report shall describe the force that was used on the subject.

Initial Verbal Report to Supervisor:

Whenever a sworn member of this department employs Lethal Force and/or Less-Lethal Force Weapon Techniques in the performance of his or her duties, a **verbal report** of the incident shall be made to officer’s supervisor as soon as practically feasible.

For the purposes of this section, Lethal Force and Less-Lethal Force Weapons include the following:

- A. Firearm
- B. Police Canine
- C. O.C. Aerosol Spray
- D. Baton
- E. Pepperball/40MM Gas Launcher
- F. Electronic Control Device (Taser)

- G. Less Lethal Shotgun
- H. Tools of immediate means or opportunity.
- I. Personal Weapons, i.e., hands, feet, head, elbows, knees utilized to strike

Additionally, a verbal report of any injury to an individual taken into custody that was caused by a use of force shall be made the officer's supervisor as soon as practically feasible.

Written Reporting:

Pursuant to policy NO.400 reports of the use of force must be entered into the RMS under the incident number as an arrest or supplementary report.

All use of force reports shall be reviewed and submitted prior to the end of the officer's tour of duty absent extenuating circumstances as determined by the Chief of Police or his designee. The designee shall submit a written report to the Chief of Police prior to that designee's end of tour of duty delineating the extenuating circumstances.

Pursuant to policy NO. 400 where the level of force is perceived to be lethal in nature, reports by involved officers shall be submitted to and reviewed by a police supervisor no later than 72 hours after the incident occurred unless medical reasons or other extenuating circumstances as determined by the Chief of Police or his designee. The designee shall submit a written report to the Chief of Police prior to that designee's end of tour of duty delineating the extenuating circumstances.

Copies of use of force reports relative to force levels three, four and five are to be forwarded in hard copy form or via email to the following:

- Appropriate Deputy Chief
- Bureau of Professional Standards
- Training Division

13. MISTREATMENT OF ANIMALS OWNED BY POLICE AGENCY

In addition to all other appropriate charges officers are reminded of MGL Ch. 272 § 77A Mistreatment of Animals Owned by Police Agency, which clearly establishes that:

“Whoever willfully tortures, torments, beats, kicks, strikes, mutilates, injures, disables or otherwise mistreats a dog or interferes with the lawful performance of a such dog” shall be punished by a fine of not less than \$100 and not more than \$500 or imprisonment for not more than 2 1/2 years or both. Persons violating this section may be arrested without a warrant by an officer qualified to serve criminal process provided said offense is committed in their presence.

Therefore, any person who violates this present provision of this statute will be charged accordingly by the arresting officer.

14. ARTICLE/EVIDENCE SEARCH

When it is believed that an article and/or evidence has been discarded in a particular area by a suspect or suspects involved in the incident the following actions shall take place:

- A. The initial responding officer shall immediately establish a perimeter and exhaust all available efforts to determine if innocent persons, including police personnel, are contained within the established area without entering same.
- B. Initial responding officer shall exhaust all efforts to avoid further contamination of affected areas unless emergency situations dictate otherwise.
- C. The search will be conducted in a systematic manner as determined by the handler
- D. The handler will decide if the search will be conducted on lead or off lead based on the information provided to him or her.

15. CROWD CONTROL

In Accordance with 550 CMR 6.00, Worcester Police Canines should not be utilized for crowd control, restraint, or management of peaceful demonstrations, but may be deployed for crowd control, restraint, or management of peaceful demonstrations in isolated circumstances related to bomb detection and pursuit of suspects in buildings. Utilization does not include circumstances in which the canine remains on a short lead in close proximity to the handler and is well behind the line of contact between law enforcement and civilian personnel.

A. PLANNED PROTESTS

- In circumstances of a planned protest, the canines will only be dispatched to the scene under the direction of the OIC of the event, Deputy Police Chief of Operations, Chief of Police or his/her designee.
- If a canine is used under a planned protest, the OIC of the event, Deputy Police Chief of Operations, Chief of Police or his designee will document the reason for dispatch and use of the canines.

B. NON-PLANNED PROTESTS

In circumstances of a non-planned riot or protest a K-9 unit will not self-deploy. They will need to get permission from the Sector Sergeant or above in charge of the scene. If they happen to come across a scene of a riot or protest the K-9 will remain in the cruiser unless authorized by an OIC to deploy. A K-9 Handler shall not go hands on with a subject while the K-9 is out of the cruiser unless exigent circumstances are present.

C. PROHIBITIONS

1. Under no circumstances shall a canine be used to control or for deterrent effects at the scene of a peaceful demonstration.
2. Canines will not be used as the primary tactic for controlling crowds.

16. K-9 APPREHENSIONS AND INJURIES

In the event of a K-9 apprehension or injury of an individual(s) the K-9 Handler shall:

- Obtain medical treatment for the person as soon as practical.
- Notify the K-9 Unit Supervisor or Special Operations Supervisor and summons them to the scene if appropriate.
- The on-scene Supervisor will request CSU to be notified and request color photographs be taken of the affected area(s) as well as photographs of the location of the apprehension.
- Complete all necessary reports documenting the incident.

In the event of an apprehension resulting in injury the K-9 Supervisor upon being summoned to the scene will also follow up at the hospital to interview the suspect. In circumstances where the K-9 Unit Supervisor is unavailable, the on duty, or on call Detective Bureau Official will be contacted and requested by the operations official to respond to the hospital to conduct the interview.

17. SCENT SEARCHES

When situations arise that require the special skills ability of a scent detection canine i.e., arson, explosives, firearms and narcotics to locate specific items contraband and/or evidence of a crime, their deployment is authorized as outlined in this policy.

18. DRUG DETECTION

Public facilities: random exploratory sniffing of luggage, packages, or other inanimate objects may be conducted at public facilities such as:

- Airports/transportation terminals,
- Buses, and trains
- Government vehicles
- Weigh stations
- Government buildings
- Public schools: the use of drug detection canines in public schools is permitted only when authorized by the Deputy Police Chief of Operations or his/her designee, and if: the school administrator, if applicable, requests and approves such use, A search is limited to inanimate objects and public areas and the exterior of the student lockers, unless reasonable suspicion exists to gain admission to an area.
- Motor vehicles: drug sniffing canines may be used to sniff motor vehicles during: a commercial vehicle inspection; and/or a valid vehicle stop once reasonable suspicion exists to believe that the operator or passengers are in possession of illegal narcotics.

19. COMMUNITY RELATIONS – PUBLIC DEMONSTRATIONS

Public demonstrations conducted by the Canine Unit are usually very well accepted and offered as an excellent opportunity for police personnel to relate and interact with the community on a positive note.

Since public acceptance and support of the Canine Unit is essential to maintaining the professional

integrity of the Canine Unit and the Department as a whole, all requests for same shall be made as follows;

Requests shall be directed to the Chief of Police, or his/her designee, who shall approve and coordinate requests within the Canine Unit supervisor.

All reasonable efforts shall be made by canine personnel to fulfill all demonstrations requests approved by the Deputy Police Chief of Operations.

Care should be taken by all canine handlers that their appearance and presentation reflect a respectful and professional image of on the department.

Canine handlers shall maintain complete control over their dogs to ensure the utmost safety to the public.

Civilian contact with a department dog should not be allowed.

Canine teams are encouraged as part of their tour to be highly visible at events and places of concentrated pedestrian traffic as a working public relations tool and a deterrent.

20. DEPARTMENT CANINE VEHICLES

- A. Department vehicles that are issued to canine handlers will be equipped with heat detections systems, and window tinting.
- B. Canine handlers will be issued department vehicles. Said vehicles will be authorized for use in conjunction with the deployment, training, safe handling, care, health, maintenance, and feeding of the canine.

21. GENERAL RULES FOR ALL POLICE PERSONNEL

- A. Only the amount of force that reasonably appears necessary to apprehend or secure a suspect shall be used. Handlers and their dogs are required to adhere to procedures that properly control their potential use of force and channel their specialized capabilities into legally responsible crime prevention and control activities;
- B. Canine handlers are responsible for determining whether a situation justifies canine use and the appropriate special measures that should be taken;
- C. Employees shall not pet a canine except with the permission of the canine handler;
- D. No department employee is to tease or agitate any canine unless instructed as part of a training exercise;
- E. Canines should not be handled by anyone other than their assigned handler, except in

emergency situations and when appropriate during training;

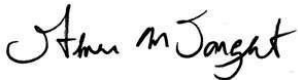
- F. No commands shall be given to a canine by anyone other than the canine handler except in emergency situations; and
- G. No employee shall enter a canine cruiser while a canine is present, except at the direction and in the presence of the canine handler and/or in an emergency.
- H. It is recognized that canine handlers cannot control a dog leash, firearm and flashlight at the same time. Accordingly, canine handlers are authorized to use gun mounted flashlights. Department firearms instructors will ensure that canine handlers are trained properly.

22. Handler Selection

The proper selection of a K-9 Handler is critical to having a successful K-9 program. Consideration should be given to the following criteria including but not limited to aptitude, work ethic, report writing capability, and fitness. The selection of K-9 Handlers require approval by the chief or his/her designee.

Potential Handlers must have single family dwelling with a yard suitable to provide safe care and protection of the canine. The K-9 Unit Supervisor will inspect said potential handlers dwelling before the canine is issued.

Per:



Steven M. Sargent
Chief of Police

Amendments:

February 18, 2022

- Section 12 Reporting of Use of Force Incidents revised to be in accordance with Pol. NO. 400
- Section 15 Crowd Control revised
- Section 16 K-9 Apprehensions and Injuries added
- Section 22 Handler Selection added