



*Kern County Sheriff's Office*  
**Policies and Procedures**

<b>TITLE: POLICE SERVICE DOG DEPLOYMENT</b>		<b>NO: Q-100</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>REFERENCE:</b>			
<b>EFFECTIVE:</b> March 1, 2021	<b>REVIEWED:</b>	<b>REVISED:</b>	<b>UPDATED:</b>

**POLICY**

The Police Service Dog Program mission is to provide a reliable patrol dog capability through the deployment of trained officer-dog teams to aid in law enforcement. The primary task of the canine team is to search and locate criminal suspect(s), and at times, apprehend criminal suspect(s). The use of a Sheriff's Office canine to physically apprehend a person is a use of force and as such, is subject to the requirements and provisions of Sheriff's Office Policy and Procedure Manual Section F-100 as well as applicable state and federal law.

All field supervisors and watch commanders shall be familiar with KCSO's canine policy and use of force reporting requirements. A canine handler shall have approval from a canine supervisor, field supervisor, or watch commander (sergeant or higher) prior to deployment, unless the canine handler must react immediately in the apprehension of an escaping felon or when protecting themselves or others from assault. If the handler is unable to contact a canine-unit supervisor, the handler shall seek approval from the watch commander before the canine can be deployed. The approving supervisor shall not serve as a canine handler in the deployment.

If a canine bites any individual, the handler or an on-scene deputy shall immediately contact a KCSO dispatcher to request Emergency Medical Services response. If additional medical attention is required for a suspect who has been bitten, the individual shall be transported to a County approved medical facility for treatment. In the event a suspect is bitten while assisting another law enforcement agency, the handler will ensure the agency taking custody of the suspect, provides appropriate medical aid.

For each canine apprehension, the involved handler, as well as all other deputies who used or observed force, shall complete a use of force report before the end of shift. In addition to the information that must be included in all use of force reports, a canine handler's use of force report documenting a canine apprehension shall include the following: (1) whether there was contact between the canine and the subject, including contact with the subject's clothing; (2) documentation of the duration of the canine's contact with a subject; and (3) the approximate distance of the canine from the handler at time of apprehension.

Unless personally involved in the incident, the canine supervisor shall evaluate each canine deployment for compliance with KCSO policy, state and federal law, and provide written

documentation of this evaluation. If the canine supervisor is unavailable or was directly involved in the incident, this evaluation will be completed by a staff member of higher rank.

No handler or canine will be deployed unless the handler and canine are current on all training requirements and the canine is fully controllable during exercises.

A Sheriff's Office canine may be used to apprehend an individual if the following exist and taking into consideration the factors outlined in the Graham V. Connor decision, which defines the reasonableness of force used based on the severity of the crime, if the suspect(s) is resisting by fleeing or fighting, and if the suspect(s) poses an immediate threat to the safety of officers or others:

- The suspect(s) have either committed any offense or is about to commit any offense and there is a reasonable belief that the suspect(s) poses an immediate threat of violence or serious harm to the public, or any officer.
- The suspect(s) have either committed any offense or is about to commit any offense and the suspect(s) is/are **violently resisting** arrest and the use of the police service dog appears necessary to overcome such resistance;
- The suspect(s) is/are **actively resisting**, and the deputy has probable cause to believe the suspect is wanted for a serious or violent felony.
- The suspect(s) either committed a serious or violent crime or is about to commit a serious or violent crime, and are 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 a situation may arise which do not fall within the provisions set forth in this policy. In any such case, a standard of reasonableness shall be used to review the decision to use a police service dog in view of the totality of the circumstances;
- Absent the presence of one or more of the above conditions, mere flight from pursuing officer(s) shall not serve as good cause for a canine apprehension.
- **Passively resisting** suspect(s) wanted for and/or suspected of committing non-violent and/or non-serious offenses, are not grounds for a canine apprehension.

## **SWAT DEPLOYMENT/APPREHENSION TACTICS**

Utilization of a canine during Special Weapons and Tactics (SWAT) deployments is a beneficial tool to the Kern County Sheriff's Office. Canine handlers train in special techniques with the Kern County Sheriff's Office SWAT team in order to safely resolve situations where SWAT is needed. Canine handlers who are deploying with the SWAT team are expected to follow the canine use of force policy (Q-100) as well as all applicable Sheriff's Office policies regarding using force.

There are special deployment techniques canine handlers train their canine partners to incorporate with the SWAT team tactics. One such technique is the use of a muzzled canine for

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Hostage Rescue Team (HRT) tactics. During a deployment under these circumstances, the canine is used as an impact weapon and diversionary device when a suspect poses a threat to human life and/or is utilizing a hostage/victim as a means of escape or to prevent their capture.

Due to the unpredictable nature of SWAT incidents, there may be other extraordinary situations where a canine could be utilized, which is not outlined in the canine policy. When this occurs, the canine handler will make every attempt to get approval from the SWAT Commander prior to the deployment of the canine. If not feasible to wait for approval, the canine handler will make the decision to use the canine based on a totality of the circumstances.

## **DEFINITIONS**

### **PASSIVELY RESISTING**

Not submitting to arrest by not following commands with no physically evasive acts.

### **ACTIVELY RESISTING**

Not submitting to arrest by not following commands **AND** running, jogging, fleeing from a deputy or hiding and/or lying in wait. Resisting the application of handcuffs by moving or manipulating the body in a way that will not allow the handcuffs to be applied.

\*\*\*Suspect(s) who have committed a serious or violent crime (i.e. a P.C. 664/187 or a PC 245) and are refusing verbal commands to surrender, are verbally non-compliant, refusing to take their hands out of their pockets or refusing to surrender to deputies are considered to be **Actively Resisting** for purpose of this section, even if they are not running, jogging, fleeing, hiding and/or lying in wait.

### **VIOLENTLY RESISTING**

1. Not submitting to arrest by not following commands **AND** violent acts such as punching, striking, kicking, biting or any other act that is likely to produce bodily injury.
2. The suspect(s) are threatening violence coupled with the ability to carry out said act.
3. Deputy has probable cause to believe the suspect is wanted for a serious or violent felony and meets the criteria for “**Actively Resisting.**”

### **DIRECT APPREHENSIONS**

A direct apprehension, for the purposes of this policy, is defined as the act of the handler physically placing a Sheriff’s canine on a suspect with the intention to have the canine bite the suspect **OR** the handler commanding the Sheriff’s canine to apprehend the suspect(s) by releasing the canine, as the suspect(s) are in close proximity and the canine handler believes the suspect(s) are visible to the canine.

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Sheriff's Office Canine Handlers shall not deploy a direct apprehension unless the suspect(s) actions meet the criteria of **Violently Resisting** (as defined above).

### **DIRECTIVE 1. DEPLOYMENT FACTORS**

Prior to the use of a police service dog to search for, or to apprehend any individual, the canine handler shall carefully consider all pertinent information reasonably available at the time. This information shall include, but is not limited to:

- The seriousness of the crime;
- The suspect(s) age or estimate thereof;
- Any potential danger to any other officer(s) who may attempt to intervene or assist with the apprehension;
- Other use of force options available in compliance with Sheriff's Office policy;
- Any potential danger to the public, which may result from the deployment of the police service dog.

### **DIRECTIVE 2. CANINE DEPLOYMENT ANNOUNCEMENTS**

Prior to canine deployment, canine handlers shall issue three, loud and clear warnings that a canine will be deployed and advise the suspect to surrender, unless such warnings impose an imminent threat of danger to other deputies on scene, the canine handler, or a member of the public. The canine handler shall ensure the warnings are capable of being heard throughout the area of the deployment and will allow a sufficient period of time between each warning to provide a suspect an opportunity to surrender. These warnings shall be given in Spanish and English if the suspect is reasonably believed to be a Spanish-speaking Limited English Proficient (LEP) individual. If a canine handler deploys his canine without making an announcement, the factors justifying this decision will be thoroughly outlined in the incident report.

The announcement may consist of the following, depending on the type of deployment:

#### **Area/Building searches:**

- The initial announcement shall at a minimum include;
  1. Identification: "Kern County Sheriff's Office"
  2. Canine: "I have a police dog"
  3. Instruction: "Identify yourself now"
  4. Direction: "Walk to the (front, side, rear, etc.) of the (building, vehicle, park, etc.) now!"
  5. Warning: "If my dog finds you, he may bite you!"

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- After giving a reasonable amount of time, the initial announcement may be repeated. At a minimum the second announcement should include;
  1. Identification: “Kern County Sheriff’s Office”;
  2. Warning: “If you do not identify yourself, I will send in my police dog”
- Again, give a reasonable amount of time for person(s) to comply with the warning. If still no response, the canine may then be deployed by the handler

**Fleeing/escaping or resisting suspect(s):**

- The initial announcement shall at a minimum include:
  1. Identification: “Kern County Sheriff’s Office”;
  2. Canine: “I have a police dog”;
  3. Instruction: “Stop (running, fighting, resisting, etc.)”;
  4. Warning: “My dog will bite you”
- After giving a reasonable amount of time for the suspect(s) to comply, the initial announcement may be repeated, if it does not increase the risk to officer(s) or allow the suspect(s) time to escape. If, after the second announcement is given (if given) and the suspect(s) does not comply, the handler may then deploy the canine.

**DIRECTIVE 3. NOTIFICATION**

After any police service dog apprehension, the canine handler will notify the Canine Section Coordinator and the on-duty command/ranking officer, as soon as practicable.

**DIRECTIVE 4. REPORTING**

Prior to going off duty, the canine handler shall complete all necessary reports associated with the use of their police service dog in an apprehension.

**DIRECTIVE 5. REVIEW**

After each canine apprehension, as soon as practical the Canine Unit Manager and the Metropolitan Patrol Commander will meet to review the facts of the incident. The purpose of this review is to determine whether the use of the Sheriff’s canine was appropriate and within policy.

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