

**POLICY
904**

**EFFECTIVE
DATE
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**Eugene
Police Department**



Canine Program

904.1 PURPOSE AND SCOPE

The Canine Program was established to augment police services to the community. Highly skilled and trained teams of handlers and canines are used to supplement police operations to locate individuals and contraband, and to apprehend criminal offenders.

904.2 GUIDELINES FOR THE USE OF CANINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has either committed or threatened to commit a crime for which the person would normally be taken into custody and if any of the following conditions exists:

- a. There is a reasonable belief the individual poses an imminent threat of violence or serious harm to the public, any officer, or the handler.
- b. The individual is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- c. The individual is 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.

Once the individual has been located, the canine should be secured as soon as it becomes reasonably practical.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. In any such case, the handler will use a standard of objective reasonableness to determine whether or not to use the canine, and the handler's decision will be reviewed by that same standard.

Absent a reasonable belief that an individual has committed or threatened to commit a crime for which the person would normally be taken into custody, mere flight from pursuing officer(s) will not serve as good cause for the use of a canine to apprehend the individual.

904.2.1 Preparation for utilizing a canine

Prior to the use of a canine to search for or apprehend any individual, the canine handler and/or the supervisor on scene will carefully consider all pertinent information

that is reasonably available at the time. The information should include, but is not limited to, the following:

- a. The individual's age or estimate thereof.
- b. The nature of the suspected offense.
- c. Any potential danger to the public and/or other officers at the scene if the canine is released.
- d. The degree of resistance or threatened resistance, if any, the subject has shown.
- e. The potential for escape or flight if the police dog is not utilized
- f. The potential for injury to officers or the public caused by the suspect if the canine is not utilized

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved personnel to minimize the risk of unintended injury. Unless otherwise directed by a supervisor, assisting personnel should take direction from the handler in order to minimize interference with the canine.

A canine handler will have the ultimate authority not to deploy the dog. The handler will evaluate each situation and determine if the use of a canine is technically feasible. Generally, the decision to deploy the dog will remain with the handler..

904.2.2 Warnings given to announce the use of a canine

Unless it would otherwise increase the risk of injury or escape, a clearly audible warning to announce that a canine will be released if the person does not come forth will be made prior to releasing a canine. In the event of an apprehension, the handler will document in any related report whether or not a verbal warning was given and, if none was given, the reason(s) why.

904.2.3 Narcotics Detection

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- a. The sniff of vehicles, buildings, bags, and other articles.
- b. Assisting in the sniff for narcotics during a search warrant service.
- c. Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.
- d. A narcotics-detection canine will not be directed to sniff a person for narcotic odor.

904.2.4 Guidelines for non-apprehension use

Because canines have senses far superior to those of humans, they may often be effectively utilized to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention) or suspects wanted for minor criminal offenses. In such circumstances, it will be necessary for the handler to evaluate the conditions and ability of the canine to determine the feasibility of such an application.

- a. Absent a change in circumstances which presents an immediate threat to officers, the canine, or the public, such applications should be conducted on leash or under such conditions that will minimize the likelihood that the canine will bite or otherwise injure the individual.
- b. When the canine is deployed to locate persons who are not criminal suspects, the handler should consider giving periodic verbal assurances that the canine will not bite or hurt the person.

904.2.5 Reporting canine use, bites, and injuries

- a. Whenever the canine is successfully deployed, a Canine Use Report will be completed by the handler and entered in the Canine Data Base before going off duty. The report may be held until the following shift with Watch Commander or unit supervisor approval.
- b. Whenever the use of the canine results in a bite or any injury, a Use of Force Report will be completed documenting the bite and/or injury and included with any related incident report.
- c. If the Unit Supervisor is not immediately available, a patrol supervisor will respond to the scene of a canine bite. If the injury is serious, or there may be an issue as to whether the bite was an appropriate use of force (e.g., the canine bit the wrong person), the Unit Supervisor and Unit Lieutenant will be notified.
- d. Photographs will be taken of the bite or injury as soon as feasible after tending to the immediate needs of the injured party. Photographs will be retained as evidence in accordance with current department evidence procedures. If a subject alleges an injury that is not visible, a supervisor will be notified and the location of the alleged injury should be photographed, with the photographs retained as described above.
- e. If the injury requires medical attention beyond first aid the injured party should be transported to an appropriate medical facility. If the injured party is in custody, an officer should remain with the suspect until treatment has been rendered.
- f. The Unit Lieutenant will maintain liaison with the Animal Welfare Unit to ensure that information regarding on-duty canine bites is not retained by its office.

904.2.6 Reporting canine injuries

If a canine is injured, medical care will be obtained as outlined in 904.6. The injury will be immediately reported to the Watch Commander and Unit Supervisor as well as documented on a Use of Force Report if applicable.

904.2.7 Assignment of canines

The canine teams will be assigned to the Patrol Division to supplement and assist Patrol.

Canine teams should function primarily as cover units however; they may be assigned by the Watch Commander to other functions based on the needs of the watch at the time.

Canine teams should not be assigned to handle matters that will take them out of service for extended periods of time unless absolutely necessary and only with the approval of the Watch Commander.

904.2.8 Interaction with canines by other personnel

- a. Employees should get the handler's permission before interacting with a police canine. Employees should not tease or harass the canine, or engage in activity which the canine may construe as hostile.
- b. Employees should not give commands to a police canine without permission of the handler, except in an emergency.
- c. In the event a canine handler becomes unable to give their canine necessary commands, call for an immediate response (in the order listed) from:
 - another EPD canine handler
 - a canine handler from another agency
 - a member of the handler's family or other person who has been in close contact with the canine
- d. In an emergency situation, an attempt may be made to encourage the dog to get into the canine vehicle (or another police vehicle) pending the arrival of one of the individuals listed above. If no other reasonable options are available, officers or animal control personnel will attempt to confine the canine using standard animal control procedures and equipment.

904.3 REQUEST FOR USE OF CANINE TEAMS

Personnel within the Department are encouraged to freely solicit the use of the canines. Requests for a canine team from outside of Patrol will go through the Unit Supervisor, Unit Lieutenant, or the Watch Commander.

904.3.1 Utilization

- a. On-duty canine teams should be dispatched to assist officers on calls where they could help locate an individual (e.g., intrusion alarms, foot or vehicle pursuits, or crimes in progress or crimes from which suspects have recently fled on foot). Canine teams may respond if not dispatched if their response does not take them from other necessary duties.
- b. If a canine team is to be used, officers on the scene should:
 - not conduct a search, but set up a perimeter for containment
 - avoid or minimize contamination of the scene
 - be prepared to provide the responding canine handler(s) with relevant information (e.g., suspect description, nature of crime, suspect's last known location, where officers or other non-suspects have been)
- c. Cover officer(s) should generally stay several yards behind the handler, scan the areas to the sides and adjacent to the canine team, and avoid backlighting the handler. Since searches vary significantly, the handler's instructions should be followed. Cover officers should be utilized unless the handler deems it unnecessary.

904.3.2 Call-out of off-duty canine teams

- a. In determining whether to call out an off-duty canine team, consider the seriousness of the offense and the likelihood that the canine would be effective, given the conditions and response time of the team. Factors to consider include the weather and other environmental conditions, the likelihood that the suspect is contained in an area or can successfully be tracked, and the size of the area/building to be searched. If needed, the Unit Supervisor can assist in this evaluation.
- b. Request an on-duty team from another agency (e.g., Springfield, Junction City, and Lane County Sheriff's Office) before calling out an off-duty EPD team, unless circumstances dictate otherwise.
- c. Call-out should be done through the Unit Supervisor. If they cannot be reached, use the call-out sequence in the computerized call-out file.
- d. In all cases, the canine handler has the authority, based on their assessment of the situation and the present capabilities of their canine, to decide whether to respond or not, unless directed to respond by their supervisor. If a handler declines to respond, the next handler in the call-out sequence can then be called.

904.3.3 Request for assistance from other agencies

The Watch Commander or the Unit Supervisor must approve all requests for canine assistance from outside agencies subject to the provisions below. When feasible, the department will attempt to honor such requests.

- a. Canine teams will not be used beyond the boundaries of Eugene to perform any assignment that is not consistent with this policy.
- b. Canine teams will not be called out while off duty or used outside the boundaries of the City of Eugene unless authorized by the Unit Supervisor, or the Unit Lieutenant.
- c. It is the responsibility of the canine handler to coordinate with outside agency personnel in order to minimize the risk of unintended injury.
- d. Upon arrival at the scene, the handler has the ultimate decision as to whether the canine is to be used for a specific assignment.

904.3.4 Request for public demonstrations

All public requests for a canine team will be approved by the Unit Supervisor prior to making any commitment.

Handlers will not demonstrate any apprehension work to the public unless authorized to do so by the Unit Supervisor.

904.4 SELECTION OF CANINE HANDLERS

The following are the minimum qualifications for the assignment of canine handler:

- a. Eugene Police Department officer (currently off probation)
- b. Reside in an adequately fenced, single-family residence.
- c. Live within 30 minutes travel time from the Eugene City limits
- d. Agree to be assigned to the position for the working life of the canine.

904.5 CANINE HANDLER RESPONSIBILITIES

904.5.1 Availability

The handler will be available for callout under conditions specified by the Unit Supervisor. The handler will have the canine with them while on duty unless performing an assignment where the dog will not be used (e.g., court appearance, training), the dog is too ill for duty, or as otherwise authorized by the Unit Supervisor.

904.5.2 Care for the canine and equipment

The handler will ultimately be responsible for the health and welfare of the canine and will ensure that the canine receives proper nutrition, grooming, training, medical care, attention, and living conditions. The handler will be responsible for the following:

- a. Unless required by a particular application, the handler will not expose the canine to any foreseeable and unreasonable risk of harm.

- b. The handler will maintain all department equipment under their control in a clean and serviceable condition and when not on duty will maintain the canine vehicle.
- c. A handler will permit the Unit Supervisor to conduct on-site inspections of affected areas of their residence as well as the canine vehicle, to verify that conditions and equipment conform to this policy.
- d. Any changes in the living status of the handler that may affect the lodging or environment of the canine will be reported to the Unit Supervisor as soon as possible.
- e. When off duty, canines will be maintained at the homes of their handlers. When a canine is kenneled at the handler's home, the gate will be secured. When off duty, canines may be let out of their kennels for proper exercise and breaks.
- f. Under no circumstances will the canine be lodged at another location unless approved by the Unit Supervisor or Unit Lieutenant.
- g. When off duty, handlers will not involve their canines in any activity or conduct unless approved in advance by the Unit Supervisor or Unit Lieutenant.
- h. Whenever a canine handler anticipates taking a vacation or an extended number of days off, it may be necessary to temporarily relocate the canine. In those situations, the handler will give reasonable notice to the Unit Supervisor so that appropriate arrangements can be made.

904.5.3 Canines in public areas

All canines will be kept on a leash when in areas that allow access to the public. Exceptions would include specific police operations; such as public demonstrations, for which the canines are trained.

- a. Canines will not be left unattended in any area to which the public may have access.
- b. When the canine vehicle is left unattended, all windows and doors will be secured in such a manner as to prevent unauthorized access to the dog. The handler will also insure that the unattended vehicle remains habitable for the canine.

904.5.4 Handler compensation

The canine handler will be compensated for time spent in the care, feeding, grooming, and caring for other needs of the dog as provided in the EPEA contract.

904.6 MEDICAL CARE OF THE CANINE

All medical attention will be rendered by the designated canine veterinarian, except during an emergency as provided in 904.6.2. If the handler and dog are out of the area, the handler may use the nearest available veterinarian. All records of medical treatment will be maintained in the canine database.

904.6.1 Non-emergency medical care

Non-emergency medical care will be coordinated through the Unit Supervisor.

Any indication that a canine is not in good physical condition will be reported to the Unit Supervisor or the Unit Lieutenant as soon as practical.

904.6.2 Emergency medical care

The designated emergency medical treatment center or canine veterinarian will render emergency medical treatment. The handler will notify the Unit Supervisor as soon as practicable when emergency medical care is required.

904.7 TRAINING

Before assignment in the field, each canine handler must have completed at least 240 hours of training for new handlers or at least 160 hours of training for experienced handlers in the care and use of the law enforcement animal, or must have passed the demonstration of minimum standards established by the Oregon Police Canine Association (OPCA) or other accredited and recognized animal handling organization (*ORS 167.310.*) Cross-trained dog teams or those dog teams trained exclusively for the detection of narcotics and/or explosives will be trained and certified to meet the standards established for such detection dogs.

904.7.1 Continued training

Each canine team will thereafter be recertified to current OPCA standards (as applicable), or the standards of another accredited and recognized animal handling organization, on an annual basis. Additional training considerations are as follows:

- a. Canine teams will receive training as defined in the current contract with the Department's canine training provider.
- b. Canine handlers are encouraged to engage in additional training with approval of the Unit Supervisor.
- c. To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train any EPD dog or handler to a standard that is contrary to the policies of the Eugene Police Department without prior approval from the unit supervisor.
- d. All canine training will be conducted while on duty unless otherwise approved by the Unit Supervisor or Unit Lieutenant. Canine teams are expected to conduct on-duty training exercises as call load permits. When doing so, they must attempt to remain available for calls, and must advise dispatch if the training would preclude their immediate response to a call.

904.7.2 Failure to successfully meet standards

Any dog team failing the OPCA canine certification standards or other accredited or recognized animal handling organization standards (as applicable) will not be deployed

in the field until certification is achieved. When practical, pending successful certification, the canine handler will be temporarily reassigned to regular patrol duties.

904.7.3 Training Records

All canine training records will be maintained in the canine handler's training database.

904.8 CONTROLLED SUBSTANCE PROCEDURES

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (21 USC § 8230; ORS 475.135).

The Chief of Police, or designee, may authorize an employee to seek controlled substance evidence and/or related paraphernalia related to an adjudicated case from the Eugene Police Evidence Control Unit and allow the controlled substances and/or related paraphernalia to be possessed by the employee or a narcotics detection canine handler/trainer who is working under the direction of this department for training purposes.

As an alternative, the Chief of Police or designee may request narcotics training aids from the Drug Enforcement Agency (DEA), Oregon State Police (OSP), or the Portland Police Bureau (PPB).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled substances.

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- a. Controlled substances may be obtained from the Eugene Police Evidence Control Unit.
- b. All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- c. The weight and test results shall be recorded and maintained by this department.
- d. Any person possessing controlled substance training samples shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- e. On an annual basis all controlled substance training samples will be replaced.
- f. All controlled substance training samples will be inspected for damage or tampering and weighed MONTHLY by the unit coordinator. Inspections will be documented within the handler's maintenance and training log by the unit coordinator.
- g. All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.

- h. Any unusable controlled substance training samples shall be returned to the Property and Evidence Division or to the dispensing agency. Returned training samples will be weighed.
- i. The Eugene Police Quality Assurance Analyst shall assist the Special Operations Lieutenant with completing a quarterly audit of the controlled substance training samples.

904.9 CANINE UNIT SUPERVISOR RESPONSIBILITIES

The Unit Supervisor will be appointed by the Unit Lieutenant and will supervise the Canine Program. The Unit Supervisor is directly responsible to the Unit Lieutenant. The Unit Supervisor's responsibilities include, but are not limited to, the following:

- a. Review all Canine Use of Force Reports to ensure completeness and accuracy of the reports and compliance with policy.
- b. Identify training issues and other needs of the canine team or the program.
- c. Ensure the canine teams are scheduled for continuous training to maximize the capabilities of the teams.
- d. Recommend policy and set performance standards for canine teams.
- e. Maintain liaison with the vendor kennel.
- f. Maintain liaison with administrative staff and functional supervisors.
- g. Maintain liaison with other agency canine coordinators.
- h. Maintain accurate records to document canine activities.
- i. Recommend and oversee the procurement of needed equipment and services for the unit.
- j. Schedule all canine related activities.
- k. Ensure proper documentation of all canine training.

904.10 DISPOSITION OF CANINE

- a. If a handler leaves their canine handler assignment and the police service dog is fit for further service, it will be assigned to another handler.
- b. If a police service dog becomes unfit for further service due to age, injury, or other factors and must be retired from service, the City will normally allow the current handler the option to keep the retired dog, in accordance with established policies.

Chris Skinner
Chief of Police