

DAYTON POLICE DEPARTMENT
GENERAL ORDER
POLICE CANINES

RICHARD S. BIEHL – DIRECTOR AND CHIEF OF POLICE

Rev. 4/18

POLICY STATEMENT

The capabilities of properly trained canines enhance the law enforcement officer's ability to detect and prevent crime, and to identify and apprehend violators. The Dayton Police Department deploys thoroughly trained and certified police canines and deploys those canines to assist police personnel in tracking and the detection of narcotic odors. It is the policy of the Dayton Police Department that police canines will not be used in an aggressive manner to control or disperse crowds.

I. OPERATIONS DIVISION CANINES

- A. Canine units assigned to the Patrol Operations Divisions are trained to track the scent of persons. Canines are also trained in the detection of the odor of narcotics and/or explosives. On-duty Canine Handlers, when available, will be dispatched to assist on the following types of calls:
- Burglary or B&E in progress
 - Alarms
 - Suspicious persons and/or vehicles
 - Open windows/doors;
 - Special Weapons and Tactics Team call outs
 - Lost persons
 - Drug detection in vehicles or structures (See Section II.C)
 - Grand Theft Auto - recovered or in progress
 - Suspected explosives
 - Article Searches
 - Armed Robbery/Robbery
 - Building Searches
- B. The Canine Unit will respond to all routine service calls while not engaged in canine duties.
- C. Prisoners and/or suspects are **never** to be placed in the Canine Vehicle with the dog.
- D. The Canine Unit is not to be used in an aggressive manner for crowd control, or to attempt to detect the odor of narcotics on persons or their clothing.
- E. Tracking requests for On-duty Canine Handlers by DPD officers. DPD officers can request on-duty Canine Handlers via radio for other situations where a canine might be needed.
- F. Requests from other agencies for on-duty Canine Handlers will be routed through the RDC to the on-duty Canine Unit to check for availability.
- G. Off Duty call-out requests for the Patrol Operations Canine Unit.
1. Off Duty call-outs for the Canine Unit will be made through the Regional Dispatch Center (RDC). Call-outs for a tracking or narcotics canine will be directed to the canine supervisor. Call-outs for an explosive detecting canine will be directed to the bomb squad supervisor due to the bomb squad supervisor's advanced knowledge of explosives and tactics.
 2. Requests for use of the Canine Unit by other agencies within Montgomery County will be honored if a supervisor of the requesting agency makes the request and the request meets criteria outlined in this policy. A K-9 report will be completed by the handler detailing the use of the canine.
 3. Off duty call-out requests for the Canine Unit will be noted in the K-9 officer's on-duty supervisor's Incident Log under the following circumstances:



- a. An outside agency has made the request;
- b. A request involving an off-duty Canine Unit.

H. Reporting

1. When the Canine Unit responds as a backup crew and the canine is deployed without incident, the primary responding crew will complete any necessary reports.
2. When the Canine Unit is the primary responding unit, all necessary reports will be completed by the handler/officer.
3. When the Canine Unit responds as either a backup or primary crew and the canine bites someone:
 - a. An appropriate on-duty supervisor will be called to the scene to investigate the incident.
 - b. Photographs will be taken of the injury.
 - c. The bite victim will be afforded appropriate medical attention.
 - d. The canine handler will complete a special report detailing the circumstances leading to the dog bite. The investigating supervisor will review the report and initiate a Blue Team Administrative Investigation. The report, along with attached photographs and other documents pertinent to the investigation, will be forwarded through the system to the appropriate Division Commander to the Professional Standards Bureau.

II. DEPLOYMENTS

- A. When a canine is requested for a track after a crime has occurred, the responding units will set up a perimeter.
 1. Officers should avoid excessive foot traffic in the area which will tarnish the scent of the suspect.
 2. Responding officers should stay in their patrol cars and be visible (keep headlights, spotlights, and emergency lights activated) unless otherwise directed by the Canine Officer.
 3. On scene officers should provide as much information to the Canine Officer as possible.
 4. At their discretion, the Canine Officer may use their emergency equipment to respond to a scene. Once the Canine Officer arrives on scene, the Canine Officer will be in charge of the track/search.
 5. A minimum of one officer will accompany the Canine Unit at all times on the track or building search.
 6. If the canine is sent after a fleeing or resisting subject, the backup officer should stay behind the Canine Officer unless the Canine Officer directs him/her otherwise.
- B. Prior to the use of a canine to search for or apprehend any subject, the Canine Officer and/or the supervisor on-scene should consider all pertinent information reasonably available at the time. This information should include, but is not limited to:
 1. The nature and seriousness of the suspected offense.
 2. Whether violence or weapons were used or are anticipated.
 3. The degree of resistance or threatened resistance, if any, the suspect has shown.
 4. The suspect's known or estimated age.
 5. The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
 6. Any potential danger to the public and/or other officers at the scene if the canine is released.
 7. The potential for the suspect to escape if the canine is not utilized.



- C. It is the Canine Officer's responsibility to evaluate each situation and recommend whether the use of a canine is appropriate and reasonable. Supervisors may not deploy Canine Officers in a manner that is prohibited by policy. If unusual circumstances exist, the Canine Administrative Supervisor may be consulted.
- D. Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made. The warning should be made without the canine being present, so the suspect can hear the warning. The warning should include when the canine is released, he will bite the suspect. When the Canine Unit responds, a second warning should be given prior to releasing the canine. The canine officer should allow a reasonable time for a suspect to surrender and should quite the canine, if practicable, to listen for any verbal response to the warning.
- E. If the warning is not to be given, the Canine Officer, when practicable should first advise the on-scene officers of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in their Special Report how the warning was given and, if none was given, the reasons why.
- F. The deployment of a canine where the canine bites a suspect is considered a Response to Aggression/Resistance. Canine Officers shall follow the Response to Aggression/Resistance policy when deciding whether to deploy their canines to apprehend a suspect. These situations include but are not limited to:
 - 1. There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public or any officer.
 - 2. The suspect is physically resisting arrest or is threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
 - 3. The suspect 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.
 - 4. Where the use of a canine to apprehend the suspect decreases the risk of injury to officers and the deployment is reasonable.
- G. There are numerous situations that may arise that do not fall within any of these categories. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to utilize a canine.
- H. Canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The Canine Officer is responsible for determining the canine's suitability for such assignments based on the conditions and the particular capabilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:
 - 1. Absent a change in circumstances that present an immediate threat to officers, the canine or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
 - 2. Unless otherwise directed by a supervisor, assisting officers should take direction from the Canine Officer in order to minimize interference with the canine.
 - 3. Once the individual has been located, the handler should secure the canine as soon as reasonable practicable.
- I. Canines can be utilized in order to conduct an article search. Evidence or other items that are discarded may be located. Officers should avoid walking through this area and the search will be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

III. DRUG DETECTION CANINES

- A. Drug detection canines will not be deployed to search persons for the odor of drugs.



- B. Prior to deployment of a drug detection canine to search a structure, vehicle, or enclosed area, in which another person has an expectation of privacy, law enforcement officers must have either:
 - 1. Consent to Search signed by the appropriate person; or
 - 2. Have developed a level of probable cause that would support the issuance of a Search Warrant, or a warrantless search by an officer.
- C. Ambient Air Sniffs
 - 1. A drug detection canine may be utilized to sniff the ambient air around a vehicle on a traffic stop as long as it does not extend the duration of the stop.
 - 2. The vehicle must be turned off during the ambient air sniff.
 - 3. For the safety of the Canine Officer and the occupants, all occupants must be removed from the vehicle prior to the ambient air sniff.
- D. Personnel throughout the department are encouraged to request the services of these canines when an appropriate investigative need arises.
- E. Call-outs for Money Seizures
 - 1. Call-out Requests for drug detection canines for money seizures may be made with approval of an on-duty supervisor. Drug detection canines are not to be called out unless the amount money involved is greater than \$5000.00.
 - 2. Requests for the appropriate use of the drug detection canines by other agencies will be honored if a supervisor of the requesting agency makes the request.
 - 3. Regardless of the circumstances surrounding the deployment of the canine, the drug detection canine handler, once on the scene, will determine whether the requested deployment is appropriate.
- F. Reporting
 - 1. When the drug detection canine handler initiates the action in which the canine is involved, the handler will be considered the investigating officer, and is responsible for completing all necessary reports.
 - 2. When the drug detection canine handler is called upon to assist another officer/detective in an investigation, the primary investigating officer/detective will submit all necessary reports.

IV. BOMB/EXPLOSIVE DETECTING CANINES

- A. Due to the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine trained in explosive detection may be utilized. An explosive detecting canine may be utilized under certain circumstances, including:
 - 1. Assisting in the search of a building, structure, area, vehicle or article where a suspected explosive device has been reported.
 - 2. Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).
 - 3. Preventive searches at special events, VIP visits, official buildings and other restricted areas.
 - 4. Assisting in the search of scenes where an explosion has occurred and attempting to locate a secondary device.
- B. An explosive detecting canine will **NOT** be utilized on actual explosive devices found or certain suspicious packages that potentially contain an explosive.



- C. The Canine Officer has the authority to decline to utilize their canine on packages they deem to be too hazardous.
- D. The Canine Officer may confer with a Bomb Squad member in order to determine if the canine will be utilized or if the Bomb Squad will respond.

V. COMPENSATION FOR OFF DUTY CARE

Canine handlers will be given twelve (12) hours of compensatory time each month for off duty care of their canines.

VI. NARCOTIC/EXPLOSIVE TRAINING AIDS

The Canine Unit sergeant is responsible for controlled substances and explosive material used as training aids by the Canine Unit. Training aids will be stored in a secured Dayton Police Department facility in a secure locker or safe. Individual training aids will be clearly marked, stored and used in a container to prevent accidental loss or destruction. A log will be maintained which indicates the date, time and name of the officer removing and returning the training aids. The training aid log and training aids must be audited on an annual basis each January.

- A. Only the Canine Unit sergeant or an officer assigned to the Canine Unit will be permitted to access and sign out narcotic/explosive training aids.
- B. Training Aids will be returned to the designated storage location at the end of their use. Under no circumstances will a canine handler keep possession of narcotic/explosive training aids past their tour of duty without written permission from the Canine Unit Supervisor.
- C. Explosive training aids may be stored in the explosive detecting canine officer's cruiser in accordance with ATF regulations (less than 2 pounds of product, day box and alarmed vehicle).
- D. A yearly inspection of explosive training aids will be conducted by the Bomb Squad supervisor or his/her designee.
- E. Property Room Personnel or the Canine Unit sergeant will obtain a court order to use seized or released narcotics for training aids. Explosive training aids are obtained from the Bomb Squad.
- F. Once narcotic training aids have been obtained from the Property Room, they will be sent to the Miami Valley Regional Crime Lab to confirm purity, weight and type of controlled substance.
 - 1. Reports confirming purity, weight and type of controlled substance will be maintained with the training aid log.
 - 2. When narcotics are no longer used as training aids, they will be returned to the Property Room and marked and tagged. A lab request will be completed and the narcotics will again be sent to the Miami Valley Regional Crime Lab to confirm purity, weight and type of controlled substance.
 - 3. Training aids are not to be removed from their packaging to ensure security and accountability.
- G. If a specific training aid cannot be obtained from the Property Room, a request will be made to the State Crime Lab or through the Office of the D.E.A.
- H. The following controlled substances will be used by the Canine Unit as training aids:
 - Cocaine
 - Crack Cocaine
 - Heroin (may include "Tar" Heroin)
 - Methamphetamine
 - Marijuana
 - Ecstasy



- Explosive material
- I. If a training aid becomes damaged or spillage occurs during canine training, the canine handler will immediately notify the Canine Unit sergeant. If the Canine Unit sergeant is unavailable, an on-duty supervisor will be notified.
 - J. A Canine Handler will attempt to retrieve and clean up spillage. Photographs of the incident will be taken if possible.
 - K. The Canine Handler will submit a Special Report to the Canine Unit sergeant detailing the circumstances of the training aids being damaged or spilled.
 - L. Any training aids that are spilled will be immediately weighed and repackaged. Damaged or spilled training aids will be sent to the Miami Valley Regional Crime Lab to confirm purity, weight and type of controlled substance.
 - M. The Canine Unit sergeant will complete an investigation of the damage or spillage and forward it through the chain of command to the Chief of Police.