

Canines

310.1 PURPOSE AND SCOPE

Best Practice NY_CALEA6.13 - 41.1.5 (a)

This policy establishes guidelines for the use of canines to augment law enforcement services in the community, including but not limited to locating individuals and contraband and apprehending criminal offenders.

310.2 POLICY

Best Practice NYSLEAP- 8.7 - 43.6

It is the policy of the Syracuse Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

310.3 ASSIGNMENT

Best Practice MODIFIED NY_CALEA6.13 - 41.1.5 (a)

Canine teams are intended to supplement members of the department to function primarily in assist or cover assignments. However, they may be assigned by the Commanding Officer of the Patrol Services Division to other functions, such as routine calls for service, based on the current operational needs.

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time. If such assignment is necessary, it should only be made with the approval of the Patrol Lieutenant or Commanding Officer of the Patrol Services Division.

310.4 CANINE SUPERVISOR

Best Practice MODIFIED NY_CALEA6.13 - 41.1.5 (h)

The canine supervisor shall be appointed by and directly responsible to the Commanding Officer of the Patrol Services Division or the authorized designee.

The responsibilities of the canine supervisor include but are not limited to:

- (a) Reviewing all reports pertaining to canine use to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine supervisors and the head trainer.
- (e) Maintaining training programs and accurate records to document canine activities.
- (f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- (g) Scheduling all canine-related activities.

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- (h) Establish performance measures and prepare statistical reports.
- (i) Assign canine teams and demonstrations.
- (j) Conduct inspections twice a year of personnel, dogs, kennels, vehicles, and equipment.
- (k) Determine when a canine should be reassigned or retired from police service.
- (l) Oversee the selection process for handlers and canines.

310.5 HANDLER RESPONSIBILITIES

Best Practice MODIFIED NY_CALEA6.13 - 41.1.5 (g)

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

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all department equipment under their control in a clean and serviceable condition.
- (c) When not in service, the handler should maintain the canine vehicle in a locked garage, away from public view.
- (d) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Syracuse Police Department facility.
- (e) Handlers shall permit the canine supervisor to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
- (f) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine supervisor as soon as possible.
- (g) When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (h) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (i) Under no circumstances will the canine be lodged at another location unless approved by the canine supervisor or Commanding Officer of the Patrol Services Division.
- (j) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine supervisor or Commanding Officer of the Patrol Services Division.

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- (k) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine supervisor so that appropriate arrangements can be made.
- (l) Canine vehicles are not to be used in the transport of suspects, witnesses, or injured persons.
- (m) Handlers will deploy the dogs only in the performance of their duties, or in a training situation.
- (n) No dog owned by the Syracuse Police Department shall be used for breeding without prior approval of the Chief of Police or First Deputy Chief of Police.
- (o) No agitation work will be conducted with personnel other than dog handlers in the training group, unless otherwise approved by the canine supervisor.
- (p) Canine Units shall not be used in controlling any civil demonstrations without the prior approval of the Chief of Police or a Deputy Chief of Police.

310.5.1 CANINE IN PUBLIC AREAS

Best Practice **MODIFIED**

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- (a) A canine shall 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 shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains habitable for the canine.

310.5.2 EQUIPMENT

Agency Content

Handlers shall ensure that their vehicle has the following equipment:

- (a) Leash – long lead and short lead
- (b) Muzzle
- (c) Water bucket
- (d) Bite sleeve
- (e) Canine first aid kit
- (f) Brush

310.6 REQUESTS FOR CANINE TEAMS

Best Practice **MODIFIED** **NY_CALEA6.13 - 41.1.5 (a)**

Members of the department are encouraged to request the use of a canine. Preplanned requests for a canine team from department units outside of the Uniform Bureau shall be reviewed by the canine supervisor.

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See procedure for NON-CANINE PERSONNEL

310.6.1 OUTSIDE AGENCY REQUEST

Best Practice MODIFIED NY_CALEA6.13 - 41.1.5 (a)

All requests for canine assistance from outside agencies must be approved by the canine supervisor and are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that the canine handler deems unsuitable.
- (c) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (d) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

310.6.2 PUBLIC DEMONSTRATION

Best Practice MODIFIED NY_CALEA6.13 - 41.1.5 (a) NYSLEAP- 8.7 - 43.6 (C)

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine supervisor prior to making any resource commitment. The canine supervisor is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine supervisor.

310.7 APPREHENSION GUIDELINES

Best Practice MODIFIED NY_CALEA6.13 - 41.1.5 (a)

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit a burglary or violent felony as defined by the NYS Penal Code § 70.02 or if any of the following conditions exist:

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer, or the handler.
- (b) The suspect 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 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.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a burglary or violent felony as defined by the NYS Penal Code § 70.02, mere flight from a pursuing

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officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the canine supervisor or the shift commander. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such canine use should be conducted on-leash and equipped in muzzle.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler shall promptly command the canine to release the suspect.

310.7.1 PREPARATION FOR DEPLOYMENT

Best Practice MODIFIED NY_CALEA6.13 - 41.1.5 (a)

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.
- (e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other officers at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever the handler deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

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310.7.2 WARNINGS AND ANNOUNCEMENTS

Best Practice MODIFIED NY_CALEA6.13 - 41.1.5 (a)

Unless it would increase the risk of injury or escape, at least one clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of their decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

310.7.3 REPORTING DEPLOYMENTS, BITES, AND INJURIES

State MODIFIED NY_CALEA6.13 - 41.1.5 (i), 41.1.5 (a)

Handlers shall document canine deployments in a canine use report. Whenever a canine deployment results in a bite or causes injury to an intended suspect, the canine supervisor and road sergeant should be promptly notified and the injuries documented in a use of force report. The injured person shall be promptly treated by Emergency Medical Services personnel in accordance with the department's Medical Aid and Response policy. The deployment and injuries shall also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine supervisor. Unintended bites or injuries caused by a canine shall be documented in a canine use report and sent to the canine supervisor.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

Whenever a canine injures any person through physical contact, it is the responsibility of the handler to report the incident to the Health Officer at the Onondaga County Animal Disease Control. As soon as possible after the injury, the dog shall be re-evaluated by a qualified trainer. Such evaluation will note aggressiveness and emotional state, compliance to commands, etc.

310.8 NON-APPREHENSION GUIDELINES

Best Practice MODIFIED NY_CALEA6.13 - 41.1.5 (a)

Properly trained 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 handler is responsible for determining the canine's suitability for such assignments based on the conditions

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and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

- (a) Absent a change in circumstances that presents an imminent 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.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- (c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

Canine teams may respond as backup when appropriate, but should not be deployed for crowd control (containment or dispersal). Canines should remain in patrol vehicles or other secure locations and, whenever reasonably possible, out of the view of the crowd. Canines may be deployed in appropriate circumstances related to bomb detection, pursuit of suspects in buildings, and in other authorized circumstances.

310.8.1 ARTICLE DETECTION

Best Practice NY_CALEA6.13 - 41.1.5 (a) NYSLEAP- 8.7 - 43.6 (C)

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

310.8.2 NARCOTICS DETECTION

Best Practice **MODIFIED** NY_CALEA6.13 - 41.1.5 (a)

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including but not limited to:

- (a) The search of vehicles, buildings, bags, and other articles.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

310.8.3 BOMB/EXPLOSIVE DETECTION

Best Practice **MODIFIED** NY_CALEA6.13 - 41.1.5 (a)

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Because of the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including but not limited to:

- (a) Assisting in the search of a building, structure, area, vehicle, or article where an actual or suspected explosive device has been reported or located.
- (b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).
- (c) Preventive searches at special events, VIP visits, official buildings, and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.
- (d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

310.9 HANDLER AND CANINE SELECTION

Best Practice **MODIFIED** NY_CALEA6.13 - 41.1.5 (c)

Considerations for selection for the assignment of canine handler include:

- (a) Officers shall have three (3) years with the department or one (1) year with the department and three (3) years total law enforcement experience.
- (b) Residing in an adequately fenced single-family residence.
- (c) A garage that can be secured and can accommodate a canine vehicle.
- (d) Living within 30 minutes travel time from the Syracuse City limits.
- (e) Agreeing to be assigned to the position for the life of the dog.
- (f) Ability to be on-call and work flexible hours.
- (g) Ability to complete in-service and formalized training requirements.
- (h) Evaluation during a day of apprehension work under the guidance of a certified trainer and a home interview.
- (i) Recommendations from supervisors.
- (j) No history of excessive force or other disciplinary concerns.
- (k) Demonstrated history of good decision making.
- (l) Good written and verbal communication skills for report writing and testifying.
- (m) Formal interview with Canine Supervisor and other members of the Unit.
- (n) Job specific physical fitness test.
- (o) Comfort around dogs.

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310.9.1 CANINE SELECTION

Agency Content

Canines should be purchased from established, reputable vendors. Canines should not be purchased from vendors that do not offer warranties for health and workability. Considerations for selection for canines include:

- (a) Confidence.
- (b) Comfortability around people.
- (c) Absence of overt, unwarranted aggression.

310.10 HANDLER COMPENSATION

Federal MODIFIED

The canine handler shall be available for call-out under conditions specified by the canine supervisor.

The canine handler shall be compensated for time spent in the care, feeding, grooming, and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the collective bargaining agreement (29 USC § 207).

310.11 CANINE INJURY AND MEDICAL CARE

Best Practice MODIFIED

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine supervisor or Commanding Officer of the Patrol Services Division as soon as practicable and documented on a Report of Injury or Illness to Police Dog form (26.03).

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler's personnel file.

310.12 TRAINING

Best Practice MODIFIED NY_CALEA6.13 - 41.1.5 (b), 41.1.5 (d)

Before assignment in the field, each canine team must successfully complete and pass a NYS Division of Criminal Justice Services (DCJS) approved certified canine school. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills.

The canine supervisor shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the canine supervisor should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

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All canine training shall be conducted while on-duty unless otherwise approved by the canine supervisor or Commanding Officer of the Patrol Services Division.

310.12.1 CONTINUED TRAINING

Best Practice MODIFIED NY_CALEA6.13 - 41.1.5 (d), 41.1.5 (e)

Each canine team shall thereafter undergo and complete the Department's maintenance training program. The program shall be consistent with the standards of the DCJS. Additional training considerations are as follows:

- (a) Canine teams should receive training as defined in this policy.
- (b) Canine handlers are encouraged to engage in additional training with approval of the canine supervisor.
- (c) To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is not reviewed and approved by the Department.

310.12.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Best Practice NY_CALEA6.13 - 41.1.5 (e)

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

310.12.3 TRAINING RECORDS

Best Practice NY_CALEA6.13 - 41.1.5 (f)

All canine training records shall be maintained in the canine handler's and the canine's training file.

310.12.4 TRAINING AIDS

Federal

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using, or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Syracuse Police Department may work with outside trainers with the applicable licenses or permits.

310.12.5 CONTROLLED SUBSTANCE TRAINING AIDS

Federal

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 § 823(f); Public Health Law § 3305).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Syracuse Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this

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department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

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

310.12.6 CONTROLLED SUBSTANCE PROCEDURES

Federal MODIFIED NY_CALEA6.13 - 84.1.4

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) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed, and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine supervisor with a copy forwarded to the dispensing agency.
- (e) 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.
- (f) The canine supervisor shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- (g) Any unusable controlled substance training samples shall be returned to the Property Division or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

310.12.7 EXPLOSIVE TRAINING AIDS

Federal MODIFIED NY_CALEA6.13 - 84.1.4

Officers may possess, transport, store, or use explosives or destructive devices in compliance with state and federal laws (18 USC § 842; 27 CFR 555.41; Labor Law § 458).

Explosive training aids designed specifically for canine teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or non-hazardous

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training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids by canine teams is subject to the following:

- (a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials.
- (b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.
- (c) The canine supervisor shall be responsible for verifying the explosive training aids on hand against the inventory ledger once each quarter.
- (d) Only members of the canine team shall have access to the explosive training aids storage facility.
- (e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.
- (f) Any lost or damaged explosive training aids shall be promptly reported to the canine supervisor, who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).