I. PURPOSE

The purpose of this policy is to establish rules and regulations for the Ithaca Police Department canine handlers regarding the qualifications, training, and use of an Ithaca Police Department canine.

II. POLICY

Due to their superior sense of smell and hearing, the Ithaca Police Department ("Department") utilizes trained law enforcement canines. These canines are valuable law enforcement tools. The Department trains its canines in the "bark and hold" training method. Utilization of canines requires strict adherence to procedures that properly control the canines' use of force potential and channels their specialized capabilities into legally accepted crime prevention and control activities. A use of force is only authorized when it is objectively reasonable and for a lawful purpose. The Department policy is to ensure that members of the Canine Unit adhere to the proper rules and procedures for the management of the Department's Canine Unit and utilize the canines in patrol or field operations in accordance with the Department's Use of Force Policy.

III. DEFINITIONS

Alert: Any movement by a canine that would indicate the presence of the subject, including: raising its head, sniffing, pawing, scratching, sitting, or barking.

Apprehension: The lawful arrest, capture, or taking into physical custody of a subject. When a canine is involved, or on the scene, apprehension may be described as follows:

1. With contact: where the canine physically makes contact with a subject.
2. Without contact: where articulated facts demonstrate that the presence of the canine was instrumental in the surrender of the subject.

3. Independent of canine involvement: where the arrest, capture, or custody of the subject is effected by police action without direct involvement of the canine on the scene. If, however, the canine was used for tracking or searching for a suspect, that fact should be noted.

**Area Search:** The use of an off-leash canine to locate a hidden suspect.

**Bite:** Physical contact with a subject that may result in a skin wound or puncture produced by a canine's teeth.

**Building Search:** The use of a canine to search the interior of a structure.

**Contact:** Any touching of a person by a canine, including nudging, pawing, seizing of subject's clothing, or biting, which may or may not require medical treatment (but not including playful or non-aggressive behavior.)

**Canine Handlers:** Sworn Department officers who have been certified by and completed the approved NYS Division of Criminal Justice Services and Municipal Police Training Council Police Canine Training Standard as qualified to perform all responsibilities of a canine handler.

**Canine Official:** A member of the Canine Unit who is the senior or ranking canine handler or trainer.

**Canine Team:** A canine handler and his or her assigned police canine.

**Canine Unit:** Specialty Unit comprised of those officer(s) and canine(s) assigned by the Department to perform police/K-9 functions.

**Patrol Route:** The use of an on-leash canine to conduct a search for a suspect.

**Tactical Use of Canine:** An on-leash track or off-leash search for a suspect conducted by a canine team in an effort to apprehend a suspect. Off-leash canine deployments, searches, and other instances where there is a significant risk of a canine bite to a suspect shall be limited to instances where the suspect is wanted for a serious felony or is wanted for a misdemeanor and is reasonably suspected to be armed.

**Non-Tactical Use of Canine:** The non-aggressive use of a canine to search for evidence or missing persons, to hold perimeters on buildings or areas.

**Tracking:** The use of a canine's heightened sense of smell to follow the path of a missing person or fleeing suspect.
IV. PROCEDURE

A. Canine Unit - General

1. The Canine Unit shall be assigned to the patrol division. The Operations Sergeant will have direct oversight over the Canine Unit.

2. Personnel assigned to the Canine Unit will be responsible to their respective Supervisor for administrative and training duties.

3. The Canine Unit’s duty functions, administration functions, trainings, and assignments will be coordinated by the Operations Sergeant.

B. Utilization of Canines – General

1. Department canines are trained for tracking lost persons or fleeing suspects, locating persons concealed in buildings, detecting narcotics, explosives.

2. Department canines can also be utilized to locate discarded evidence and/or articles along a fleeing suspect’s route of escape. The use of an Ithaca canine along a fleeing suspect’s route should be limited to an on-leash use.

3. Decisions to deploy a canine shall be based on the following:
   a. The severity of the crime;
   b. Whether the suspect poses an immediate threat to the safety of the officers or others; and
   c. Whether the suspect is actively resisting or attempting to evade arrest.

4. All Department police canine handlers shall be trained in the proper handling of his or her canine prior to being placed in operational status.

5. Where Department policy and present circumstances justifies the tactical deployment of a canine, the tactical measures used shall be at the discretion of the canine handler and must be objectively reasonable.

6. Unless it is necessary to protect the officer or others from an immediate threat of death or serious injury, canine teams should not be used to apprehend anyone suspected to be under the influence of drugs or alcohol or who is mentally ill, if no other crime is involved.

7. Canine teams should not be used for apprehensions in schools or to apprehend youthful offenders unless it is necessary to protect the officer or others from an immediate threat of death or serious injury.

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8. Department canines are specifically trained so that only the designated handler can command the animal. Therefore, police canines shall not be handled or given commands by anyone other than the assigned handler. Under no circumstances will any officer of the Department, other than the designated handler, be required to handle a police canine. If the handler becomes disabled in such a manner that he cannot control the animal, efforts will be made to safely contain the canine and return it to the canine vehicle until other members of the canine unit can arrive and take custody of the canine.

9. In the event that a canine handler is transferred, retires, or is otherwise separated from the Department, the Department canine assigned to him or her shall be retrained and reassigned to a new handler or retired from service.

C. Detail Functions

The Canine Unit shall operate as a support tool responsible for providing effective general and specialized law enforcement service to the community by:

1. Maintaining an effective deployment program.
2. Conducting building searches.
3. Conducting searches for lost or missing persons.
4. Conducting suspect, evidence or controlled substance searches.
5. Conducting preventative burglary patrols.
6. Providing for timely response to crimes in progress and officer assistance calls.
7. Rendering assistance to outside jurisdictions.
8. Protecting police officers and citizens from acts of violence.
9. Providing police service at any time officer/dog capabilities can be effectively utilized.
11. General police work involving patrol and traffic activities in the enforcement of State and Municipal laws, regulations, and ordinances.
12. Establish and maintain good public relations in promoting public confidence and support.
13. Reduce injuries to police officers resulting from criminal attacks by timely response to incidents of high police hazard.
14. Reduce manpower and time spent in conducting searches for persons, evidence and controlled substances.

D. Authorized Uses of Canine Teams

1. Tracking

The canine may be utilized to follow the track of a person from an area in which a known starting point exists. The canine can be utilized to track fleeing
suspects, both misdemeanor and felony, as well as, lost juveniles and adults. When a canine is to be utilized for tracking, the following procedures should be followed:

a. The first responding officer should interview any possible witnesses and determine, if possible, the point the subject was last observed, and the direction of travel of the subject;
b. Determine the nature of the track, e.g.: missing person/fleeing suspects;
c. Determine what, if any, charges are pending against the subject and whether or not the charges are for a misdemeanor or felony;
d. Identification of the subject: name, description of clothing, physical description;
e. Determine whether the subject is armed or known to be dangerous;
f. Back-up officers should set up a perimeter in order to confine the suspect to one area, which increases the probability of locating the subject; and

The first responding officer shall control the scene and keep the point last the subject was seen clear of civilians and back-up personnel. If this area is contaminated by civilians or officers, it will make it difficult for the canine to distinguish between the different scents and reduce the probability of locating the subject.

2. Evidence Search

The Canine Unit may be utilized to locate any lost or discarded objects/evidence which contains human scent. Areas in which the use of a canine may be particularly effective are: wooded, grassy, and areas of overgrown vegetation. Prior to conducting the evidence search, the handler should determine the following:

a. The approximate location of the evidence to be located;
b. The size and type of evidence;
c. Whether anything in the search area presents a hazard to the canine or handler; and
d. The search area should be kept clear of civilians, back up officers, and other animals.

3. Patrol Route

Patrol routes (on leash scouts) may be used in a wide variety of situations that can take advantage of the canine’s heightened sense of smell and hearing. Tactical applications of the patrol route may include the following:

a. Searching an area for unarmed, non-violent, and misdemeanor subjects;
b. Searching an area for lost persons or children;
c. Searching for a subject in hazardous areas such as auto wrecking yards or areas with sudden drop-offs;
d. Areas where motor vehicle traffic is present; or
e. Perimeter checks on buildings, such as alarms.

4. Building Search

When it is believed that a person hiding is within a building:

a. The on-duty Canine Unit will advise the Dispatcher that he/she will respond, if needed;
b. When the Canine Unit arrives, the handler will assess the situation and determine the best way to enter the building and how to deploy the canine;
c. Prior to entering the building, the handler will give a series of verbal warnings that a dog is being released inside to search the premises. The verbal warning is intended to afford any suspects hiding within the building an opportunity to surrender. The canine handler shall wait a reasonable amount of time after issuing the last warning before sending the dog into the building;
d. When a search is being conducted of a multi-story building, each floor should be secured, after the search is completed, to prevent any suspects from doubling back and escaping. An additional set of warnings shall be issued upon searching each floor or story; if possible.
e. When an area or floor search is completed, the handler will alert back-up officers to seal avenues of escape, when possible.
f. The final decision to employ a police canine in a search shall rests with the canine handler; and
g. While conducting a building search, the canine handler shall evaluate all the facts and circumstances available to him/her at the time to determine the best tactical approach to secure the building.

5. Area Search

Utilizing a canine to locate a hidden suspect in a large area has been determined to be both effective and tactically sound. The use of a canine to conduct these searches affords a degree of safety to officers, which is not available when using any other technique. Prior to conducting an area search, the handler shall evaluate the situation and determine the following:

a. That the perimeter of the area to be searched has been controlled and that the area is free of civilians;
b. That the subject being sought is considered violent or has committed a felony.

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c. That a series of verbal warnings have been issued and the suspect has been afforded a reasonable opportunity to surrender; and

d. That conducting a search of the area without the use of the canine dog would place an undue risk to the officers.

6. Narcotic Detection

The canine has the ability to quickly and effectively locate a variety of controlled substances that may be hidden from view.

a. A narcotics canine can detect illegal narcotics concealed in automobiles, buildings, suitcases, and other areas. Officers shall call for a narcotics detection canine when, in a supervisor’s opinion, such use would expedite the search and seizure of illegal drugs. A canine may also be used to detect the odor of narcotics on confiscated money.

b. The use of narcotic detection canines in schools is limited to situations where there is a reasonable suspicion that illegal drugs are being sold, possessed, and/or consumed on the premises. The school principal or designee is legally authorized to give the “consent to search” all areas on school property. For this reason, in every situation where a narcotics canine is to be used on school property, the principal or proper authority shall be contacted prior to conducting any search.

c. Canine narcotic searches may be conducted on the exterior of a vehicle based on reasonable suspicion. Canine narcotic searches of the interior of motor vehicles may be conducted only with a search warrant or when there is probable cause to believe that the operator or passengers are in possession of illegal narcotics or consent.

d. In order to maintain the canine’s proficiency and certification in narcotic detection it will be necessary that the handler have access to real controlled substances for canine training.

e. The Ithaca Police Department shall maintain licensing from the State of New York, Department of Consumer Protection and the Drug Enforcement Administration.

f. The Ithaca Police Department shall maintain a protocol consistent with the regulations required by the DEA and Office of Consumer Protection regarding the care and handling of narcotics used for canine training.
7. Article Searches

When a suspect is apprehended, and is suspected to have possessed a weapon, money, or other articles during the commission of a crime, and it is believed that these articles may have been discarded along the escape route, a tracking canine may be used in an article search to locate the discarded property.

8. Crowd Control

Department canines are not trained for use as a crowd control method. Therefore, under no circumstances shall a member of the Department request or direct a canine team to be utilized in this capacity.

E. Two Handlers to Respond

If two handlers respond to a request for a service, the primary handler shall search with his/her canine and the secondary handler shall act as back-up without his/her canine. If a question arises as to which handler shall be primary, the operations sergeant or shift commander shall designate the primary handler.

F. Use at Demonstrations Restricted

Canine teams shall not be used to conduct demonstrations for civic, school, or community events without prior approval of the Chief of Police or his/her designee.

G. Request for Canine Services

1. The Canine Unit has specially trained canines available to Department officers on a 24-hour basis as needed.

2. An officer may contact his/her respective Sergeant to request a canine team whenever an appropriate situation arises. If a canine team is not on duty, a supervisor shall be requested to come to the scene and that supervisor shall be responsible for notifying the appropriate canine team, or the canine team with the appropriately trained dog. The Operations Sergeant shall be notified as well.

3. When time and circumstances allow, IPD canines shall be utilized for K9 needs within the City of Ithaca, regardless if a canine from another agency is currently working.

4. When using canines for tracking, time is extremely important. Therefore, canines should be called to the scene as soon as possible. Care should be taken not to contaminate the trail or any area that has been occupied by a suspect.
5. On scene officers must advise dispatch of their exact location and secure a perimeter to avoid contaminating the search area with their scent.

H. Warning Announcements

1. Prior to all canine deployments (both tactical and non-tactical), the canine handler shall execute the following procedures, when practical:

   a. Will request dispatch to hold the air for canine announcements and deployment.

   b. Record the warning announcements by utilizing the body worn camera (BWC) system. If no BWC is available, the handlers will document the time and exact verbiage given and have it witnessed by a third party. A supervisor should also be advised that no BWC was being worn by the handler at the time of the deployment.

   c. Issue a loud and clear announcement prior to deploying the assigned canine.

   d. Repeat the command at least three times before commencing the search.

   e. Provide a reasonable amount of time for innocent civilians, other Department members, and the suspect to come out before commencing with the search; and

   f. After a reasonable time has been given, advise the dispatcher that he/she is going to begin the search.

2. Where there is reason to believe that a suspect may speak a foreign language, the handlers shall announce the warning in English and, when practicable, in any other language that may be spoken by the suspect or other persons in the area to be searched.

3. Warnings should be repeated on each level of multi-level structures or dwellings when practical. Subsequent or repeated announcements shall be given during the course of a search when, in the discretion of the handler, such a warning will not jeopardize his or her safety.

4. The warning announcement may be omitted from a search in those exigent circumstances where specifically articulated facts demonstrate the need for complete surprise, or where the announcement may place the handler in imminent danger. When such circumstances exist, the on-scene supervisor must approve the omission.

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I. Considerations Before Canines May Be Tactically Deployed

1. In those circumstances where the tactical deployment of a canine is considered, the canine handler shall deploy the canine based on his training, experience, and the nature of the case. Consultation with a supervisor should be done when feasible. The canine handler shall attempt to gather the following:

   a. Determine the nature and severity of the offense for which a suspect is sought;

   b. Determine the age of the subject, and whether the subject may be armed, if possible;

   c. Ensure that the immediate area to be searched has been vacated by all innocent civilians and police personnel, and that a perimeter is established;

   d. Interview the property owner or manager (if available), to determine whether there are any innocent persons or children inside the location to be searched. Additionally, the canine handler shall make attempts to determine if any individual inside the location may be hearing-impaired, deaf, speak a foreign language, or have a physical, emotional, or other disability;

   e. If the property owner or manager is not available, the canine official shall attempt to interview surrounding neighbors to ascertain the above listed information;

   f. Attempt to determine if there are any animals inside the premises to be searched;

   g. Advise officers on the perimeter that if they encounter a police canine unit, to stand still and not to run. Running or attempting to flee may cause the canine to key in on the officer; and

   i. Ensure that the perimeter is maintained until the canine officer has completed the search, secured his/her canine, and has advised the supervisor of the results of the search.

J. Tactical Use of Canines

1. Canine handlers shall be responsible for the following when the use of a canine is necessary:
a. For Tactical use of a canine, the handler shall deploy the canine based on his training, experience and the nature of the case. Consultation with a supervisor shall be done when feasible;

b. Providing a warning announcement in accordance with subsection H ("Warning Announcements");

c. Allowing sufficient time for other officers, innocent civilians, and the suspect to come out before deploying the canine; and

d. Using a canine to locate a known juvenile suspect ONLY where the juvenile poses a threat of serious bodily injury to the officer or others.

2. For all tactical uses of a canine to locate a suspect, the handler shall take control of the canine when the suspect no longer poses a threat.

a. The canine handler shall, when feasible, attempt to maintain a visual of the canine once deployed and, at all times, maintain auditory range during deployments. Any obstruction that interferes with the handler’s visual of the canine shall be cleared as safely and quickly as possible, without jeopardizing the handler’s safety.

b. The handler shall ensure that he/she moves to the canine’s position as quickly and safely as possible using appropriate tactics.

c. In situations where a canine finds and bites a suspect, the canine handler shall determine if the suspect is armed. If the suspect is not armed, the handler shall cause the canine to release the bite.

d. When deciding to remove the canine, particular attention must be given to the perceived threat or actual resistance of the suspect.

e. When making the decision to remove the canine, handlers will factor in the instinct of the average person to struggle if being seized or confronted by a canine. This struggling alone will not be cause for not calling off the canine. A reference to the duration of the canine’s contact with a suspect shall be included in the handler’s report of the incident.

3. The Operations Sergeant and the Patrol Supervisor shall be immediately notified when a canine bites or causes serious injury, or there are allegations of the same. The Operations Sergeant shall be notified as well. Notification shall be made whether the officer is on- or off-duty regardless of the location of the incident.
4. All notifications and reports shall be made in accordance with Section K below.

5. Whenever a canine-related injury occurs, the canine handler shall seek immediate medical treatment for the suspect, either by ambulance, transportation to an emergency room, or admission to a hospital.

6. When the apprehension of a subject occurs without a bite, canine handlers shall:
   
   a. Notify the Patrol Supervisor of the apprehension; and
   
   b. Complete the Use of Force Report Form prior to the end of the tour of duty, which shall include the disposition each time a suspect is apprehended.

K. Reporting the Tactical Use of a Canine

1. Handler Responsibilities

   a. After the tactical use of a canine, the officer shall notify a supervisor as soon as it is practical to do so.

   b. The Department handler’s tactical use of a canine shall comply with all reporting and investigation requirements outlined in the Ithaca Use of Force Policy, and the handler shall complete Use of Force Report Form if applicable.

2. Supervisor Responsibilities

   a. Ensure canine handlers comply with this policy while working.

   b. Immediately respond to any scene in which the canine has been deployed.

   c. Comply with all reporting and investigation requirements outlined in the Department Reporting and Investigating Force Policy.

L. Investigating the Tactical Use of a Canine

1. Officers shall be guided by the Use of Force Policy as to investigative responsibilities when a tactical use of canine occurs.
a. The shift commander, shall be responsible for investigating all incidents involving the deployment of a canine that results in a canine bite or causes serious injury.

b. The handler shall be responsible for reporting and documenting all use of canine incidents not involving a serious use of force.

2. In the event that authorization for the use of canine has been given, and the use of the canine has resulted in the apprehension of a person without a canine bite, the following steps shall be taken:

   a. The handler shall immediately notify the on-duty supervisor who authorized the deployment through the dispatcher or is on the scene; and

   b. The Supervisor shall ensure that all applicable information is recorded on the Use of Force Report form.

M. Use of Canines in Another Jurisdiction

Canine teams may be dispatched to another jurisdiction, provided the following has occurred:

1. An official from the law enforcement agency within that jurisdiction must request the use of the Department Canine; and

2. The Police Chief or his designee has given approval.

N. Canine Handler Responsibilities

The Handler responsibilities shall include but are not limited to the following:

1. Respond to all radio calls when and where the Canine Unit’s presence will further police service objectives.
2. Provide timely back up and assistance to other police units.
4. Care for and maintain assigned canine in their home at City expense, consistent with current practice as of effective date.
5. Provide for medical care and treatment by transporting assigned canine to the veterinarian at any time such care and treatment is required.
6. Maintain his service and training equipment in a clean and orderly manner, and in a manner that conforms to Departmental specifications.
7. Prepare and file all appropriate reports and logs pertinent to his daily, weekly, and monthly activities and submit them to the Operations Sergeant.

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O. Canine Equipment

Canine Handlers will be furnished the following:

1. Leash
2. Fur saver collar
3. Fifteen-foot tracking line
4. Water/food bowl
5. Dog Food
6. Other equipment as needed/or specified in the labor contract

P. Canine Vehicles

A vehicle equipped with a canine containment system and remote door release will be assigned to the canine officer(s) and shall be used by them only in the performance of their duties or other police related functions, such as training, public relations programs, transportation to the veterinarian, and 24-hour call-outs.

Q. Injured or Ill Canines

1. If a Department canine is unfit for duty because of injury or illness, the Canine Handler will inform the Operations Sergeant in a timely manner. Unless otherwise directed, the officer will report to his respective Shift Supervisor for assignment to notify of the canine’s condition.

2. In the event that a Department canine becomes sick or injured to the extent that professional medical attention is required, it shall be the responsibility of the handler to transport the canine to the veterinarian.

3. The officer will notify in writing the Operations Sergeant indicating all the circumstances surrounding the need for medical attention and the treatment received.

R. Canine Handler Injured

1. In the event the Canine Handler is injured and unable to take control of his/her canine, the first responding officer should take control of the animal by placing him on a leash and confining him in the rear of the caged patrol vehicle. Leashes and collars are available in the K-9 vehicle. The use of a bite sleeve may also be a valuable tool in this situation.

2. If available, another Canine Handler can be called to assist.

3. After the canine is secured, arrangements shall be made to transport him to the injured officer’s home.
4. In the event the canine is also injured, the shift supervisor or designee shall be assigned to contact the veterinarian and advise him of the emergency. Arrangements should be made to transport the canine to the veterinary facility.

S. Handler Qualification and Training

Applicants for police canine teams must:

1. Have a minimum of twenty-four (24) months law-enforcement experience, twelve (12) of which are as a member of the Department;

2. Have the willingness (together with other family members) and responsibility to care for, and house, the canine at the officer’s residence, and provide a secure outdoor area for the canine;

3. Be physically fit (sick time, injury on duty time, and past physical record will be considered as selection criteria);

4. Be able to work an overlapping or specialty shift and assume “on-call” assignments; and

5. Have a strong desire to work with canines and a willingness to care for, and train, the animal.

6. The handler shall also pass a yearly Physical Agility test. If he/she fails this test, there will be a re-test given in thirty (30) days. If this re-test is failed, the handler will be unable to deploy his/her canine and there will be an additional PT test given in sixty (60) days. If this second retest is failed, then the Chief will decide how to proceed.

Canine Team Supervisor (Operation’s Sergeant) is responsible for:

1. Observing the canine under his or her command to ensure that the canine is properly cared for (i.e., properly groomed and free from open sores, etc.);

2. The selection of canine handlers in accordance with Department SOP and collective bargaining agreements; and

3. Ensure Handlers are maintaining records that document the use and the proficiency of individual canines, as well as canine trainer certification. This documentation shall be readily available to canine officers and other police personnel who may require it when seeking warrants and/or testifying in court;
T. Canine Certification and Annual Evaluation

1. The Department shall ensure that all canine handler teams meet, pass, and maintain the minimum standards certification set by New York State Division of Criminal Justice Services (NYS DCJS), including certification within the canine handler teams’ perspective specialty; (Explosive Detection, Narcotics Detection, Gun Detection, Cadaver Detection).

   a. The canine handler team shall pass a NYS DCJS certification; and

   b. The Handler shall maintain a minimum sixteen (16) hour twice per month scheduled training; document the training and maintain a record of all training.

2. All Department canines must meet established Department certification requirements. Untrained canines may not be used for canine duty.

3. New canine handlers must successfully complete a prescribed course on canine training.

4. It is the duty of the Operations Sergeant to ensure that basic in-service training and certification is conducted on a regular basis. All documentation of Canine Unit or handler training shall be kept on file at the Canine Unit.

5. Canine handlers are required to demonstrate acquired abilities to the canine supervisor on a periodic basis.

6. If, during certification, the canine team is found to be performing at less than a proficient level in any skill area, the canine shall not be utilized in that skill area until being re-evaluated and found to be working at a proficient level.

7. If the canine team is evaluated and found to be performing at less than proficient levels in the areas of obedience or apprehension work, the canine team shall not be utilized in any skill area until receiving proficient rating in those skill areas.

U. Rules for Department Personnel

1. Department personnel shall not tease, provoke, or make threatening gestures towards the canine or canine handler at any time.

2. Department personnel shall not approach the canine without the consent of the canine handler.

3. Department personnel shall not attempt to feed the canine, issue the canine commands, or attempt to show the canine to a member of the public without
the permission of the canine handler.