

12.140 CANINE OPERATIONS

Reference:

Procedure 12.141 - Narcotic Detection Canines
Procedure 12.545 - Use of Force
Procedure 12.905 - Fingerprinting and Photographing of Juveniles
Procedure 19.105 - Sick/Injured With Pay & Special Leaves

Definitions:

Original documents – photographs, MVR/DVR tapes, and any documents that are handwritten or contain an original signature.

Purpose:

To familiarize Department personnel with canine operating procedure and policy that incorporate the handler-controlled alert curriculum and to ensure the best use of canine teams. This curriculum is implemented to prevent, through canine training and handler control over the canines, any bite except for those occurring under the circumstances specified in section A.3.e. below.

Educate supervisors on the appropriate uses of canine teams to ensure effective utilization and management in deployment situations.

Policy:

The primary use for Department canine teams is as a finding tool. Once a suspect is located, with limited exceptions, the handler will restrain the canine and summon sufficient personnel and equipment to make the apprehension. Force, including a canine, is never to be used against a compliant subject who is submitting to arrest.

Off-leash deployments, searches, and other instances where there is a significant risk of a canine bite to a suspect shall be limited to searches of commercial buildings or instances where the suspect is wanted for an offense of violence or is reasonably believed to have a weapon.

Patrol canine teams are normally assigned to such tasks and areas as directed by the Special Services Section Commander. Handlers will maintain control of the canine and be diligent to ensure the safety of the general public.

Except for training purposes, no teasing, petting, or feeding of the canines by police or civilian personnel is permitted without the handler's consent.

Information:

The Cincinnati Police Department utilizes three types of canine teams:

- Patrol
- Explosives Detection
- Narcotic (Drug) Detection

Police canines are not infallible. Their effectiveness depends largely upon the intelligent application of their capabilities. Police canines react instinctively to situations. Anyone making a sudden or threatening move toward the canine or handler risks the chance of the canine engaging and causing injury.

Do not enter a search area before the canine team arrives. Police canines can pick up the scent of a suspect for a reasonable time after he has fled provided there is no contamination of the scene.

Canine teams will normally respond to all major crimes where their presence would aid in an arrest.

Canine teams are assigned to the Park Unit and are normally available 24 hours a day. In cases of emergency, when no canine teams are on-duty, a canine team may be recalled through Police Communications Section (PCS). PCS will recall canine teams using a specific rotation schedule.

District commanders may request canine teams for special or extended assignments through the Special Services Section Commander.

Procedure:**A. Use of the Patrol Canine:**

1. An on-duty Canine Squad supervisor must authorize a canine deployment (canine released from the car or announcement made that canine will soon be released). The supervisor in charge of the scene will make the decision to deploy a canine team if an on-duty Canine Squad supervisor is unavailable.
 - a. The supervisor must respond to the scene.
 - b. The supervisor must consider all three of the following criteria, and ensure at least one of them is met, before authorizing an off-leash canine deployment:
 - 1) Search of a commercial building;
 - 2) Suspect is wanted for a crime of violence; or
 - 3) Supervisor reasonably believes that suspect has a weapon.

2. Canine teams may be requested to the scene by any unit believing canine assistance will be helpful. A supervisor (as defined above in A.1.) must authorize the actual deployment of the canine. The approving supervisor shall not serve as a canine handler in the deployment.
3. The canine handler will:
 - a. Ensure the canine is secure in the police vehicle except when directly involved in a police function or the handler anticipates imminent use.
 - b. Canines will be kept on lead in areas where the public has access and contact is a probability, unless the animal is being used for a police purpose (see section A.1.b. above for off leash deployment requirements).
 - c. Recommend to the on-scene supervisor the best tactical application and deployment of the canine.
 - d. If the handler's Standard Operating Procedures (SOPs) and the on-scene supervisor's interpretation of the best tactical application and deployment of the canine conflict, the on-scene supervisor will contact the Canine Squad supervisor. If the Canine Squad supervisor is not available, contact the following personnel in order:
 - 1) Park Unit supervisor.
 - 2) Park Unit Commander.
 - 3) Special Services Section Commander.
 - e. Canine handlers will only allow their canines to engage a suspect by biting if the suspect poses a risk of imminent danger to the handler or others or is actively resisting or escaping. In the case of concealment, consistent with the use of force policy, handlers will not allow their canine to engage a suspect by biting if a lower level of force could reasonably be expected to control the suspect or allow for the apprehension. Imminent danger means a suspect is armed with a weapon or other instrument capable of producing significant bodily injury.
 - f. In instances where a canine apprehends a suspect by biting, the handler will call the canine off at the first moment the canine can be safely released, taking into account that the average person will struggle if seized or confronted by a canine. Struggling alone will not preclude the release of the canine.

4. Tracking:

- a. All tracking is done with the canine on leash. A canine team may be used to conduct a track if the suspect is wanted for a felony, a crime of violence, or is reasonably believed to be armed. Whenever a canine team is deployed for the purpose of performing a track, the handler will announce loudly and clearly that a canine will be deployed and that anyone approached by the canine should surrender and remain still. The announcement will be made unless the supervisor authorizing the deployment reasonably believes that the suspect is armed and the verbal warnings will cause unnecessary danger to the officer or others. If an announcement is made, the canine handler shall wait a sufficient period of time between the announcement and the canine deployment to allow the suspect to surrender.

B. Tracking Guidelines

1. No one will follow the canine team on the track unless directed by a supervisor.
2. Canines will not search for other animals.
3. In extreme cases, canine teams may search for lost or missing persons. Before authorizing the use of a canine team, the supervisor must weigh the urgency of locating the person with the risk of the person being engaged by the canine.

C. Building Searches

1. A canine team may be used to conduct a search of a commercial building. Whenever a canine team is deployed for the purpose of performing a commercial building search, the handler will announce loudly and clearly that a canine will be deployed and that anyone approached by the canine should surrender and remain still. The canine handler issuing the announcement shall wait a sufficient period of time between the announcement and the canine deployment to allow the suspect to surrender. If the building is large, the handler will repeat the announcement loudly and clearly as the search proceeds onto different floors or parts of the building where the initial announcement may not have been heard.
 - a. If a breaking & entering offense is discovered at a school, officers will investigate the nature and extent of the offense before requesting a canine unit. Many breaking & entering offenses at schools involve juveniles who engage in petty theft and/or vandalism. Conversely, some breaking & entering offenses occurring at schools are committed by adults intent on significant theft, such as computers and other valuable equipment.

- 1) Officers at the scene of a school-related breaking & entering offense will investigate to determine if the offense appears to be primarily theft-related or primarily vandalism-related.
 - 2) Canine units will not be used to conduct a building search for vandalism-based breaking & entering offenses at schools. If reasonable suspicion exists that the offense is primarily theft-related, the canine unit may be used to conduct a building search, under the building search guidelines above.
 - 3) If no reasonable suspicion exists to indicate whether a breaking & entering offense at a school is primarily theft-related or primarily vandalism-related, then canine units will not be used to conduct a building search.
- b. Canine units will not be used to search a residence except in extraordinary circumstances.
 - 1) The risk of innocent persons and pets being mistakenly engaged in a residence by the canine is too great.
 - c. Canine units will not be used to conduct a building search on a Place Found Open (PFO) unless reasonable suspicion of a breaking & entering offense is present. If so, a canine team may be used under the building search guidelines above.

D. Article Searches

1. Canine teams can locate articles by alerting to the residual human scent adhering to the article.
2. Canine teams dispatched for evidence or property searches at a crime scene or incident will:
 - a. Meet with the on-scene supervisor regarding the property sought.
 - b. Announce loudly and clearly that a canine will be deployed and that anyone approached by the canine should surrender and remain still. The canine handler shall wait a sufficient period of time between the announcement and the canine deployment to allow anyone on the scene to surrender.
 - c. Refrain from using the canine to search for evidence in areas that present a danger to the team, including drug searches when chances of the canine ingesting or inhaling narcotics are high.

E. Canine Bites

1. Whenever a canine-related injury occurs, immediately render first aid to the injured person and summon medical assistance from the Cincinnati Fire Department (CFD). Further medical attention will be handled by being transported to a hospital.
 - a. The handler will complete a Form 316, Minor Accident/Aided Case/Mental Health Response Report, in all cases of injury from canines.
2. In the following order, the supervisor who authorized the deployment will notify one of the following supervisors, who will assume responsibility for the investigation:
 - a. The on-duty Canine Squad supervisor (if not involved in the deployment order);
 - b. The on-duty Park Unit supervisor; or
 - c. If the Canine Squad or Park Unit supervisor is not available, the on-scene supervisor will then become the investigating supervisor. If the on-scene supervisor ordered the deployment, then another on duty supervisor will be responsible for the investigation.
3. The investigating supervisor will thoroughly investigate and document the incident.
 - a. While still on the scene, notify a command officer using the following order:
 - 1) Special Services Section Commander.
 - 2) District Commander.
 - 3) Night Chief, if during the night hours.
 - 4) Duty officer.
 - b. Photograph the injuries.
 - 1) If photographs of juveniles are taken, the supervisor will follow Procedure 12.905, Fingerprinting and Photographing of Juveniles.
 - 2) Ensure a full body photograph of the arrested is taken along with pictures of the injury.

- c. Tape record statements from:
 - 1) Arrestee.
 - 2) Handler.
 - 3) All witnesses who observed the apprehension.
- d. Complete a Form 652, Release of Medical Record Information.
 - 1) If the arrested refuses to sign the release, write "Refused" in the signature block.
 - 2) The original is to be retained by the investigating supervisor and is to be forwarded through channels in the Use of Force case jacket in case there is a future need to obtain medical records.
- e. Interview the treating physician about the extent of the injuries.
 - 1) If the physician approves, tape record the interview.
 - 2) If the arrested is not treated before the end of the investigating supervisor's tour of duty, note "arrested still undergoing treatment" on the Form 18C.
- f. Prepare a Form 18C according to Procedure 12.545, Use of Force.
- g. A separate Form 18C should be completed when two or more persons are bitten during the same incident. Each Form 18C should be documented with sequential ETS case numbers. Example 2008-102767.1 and 2008-102767.2
- h. The investigating supervisor will work-flow the completed Form 18C and all computer attachments, as well as forward all original forms, photos, and tapes, to the Special Services Section Commander for review.
 - 1) When work-flowing the Form 18C and attachments "Add Notification" to the following units:
 - a) Patrol Bureau.
 - b) Inspections Section.
- i. If the Form 18C is not complete and the investigating supervisor needs to retain the document to complete their investigation, they should work-flow the document to themselves while still notifying the above listed units by the "Add Notification" function. **Do not** use the "Add Recipient" function.

F. Use of Canine Teams Outside City Limits

1. The intended use of the canine team must adhere to Cincinnati Police Department guidelines.
2. Approval must be by a CPD captain or higher.
 - a. If a captain or higher is not available, a Special Services Section supervisor may give authorization.
 - b. If a captain or higher or a Special Services Section supervisor is not available, obtain approval from the OIC of the nearest district.
3. The OIC, before giving approval, will check with PCS to ensure the requesting agency is on the mutual-aid agreement list.
4. Statutory limitations prohibit out of state requests for service.

G. Reporting

1. In addition to maintaining a complete list of canine bites, the Canine Squad will also document canine deployments and canine apprehensions (whenever a canine is deployed and plays a clear and documented role in the capture of a person).
2. On a monthly basis, the Canine Squad will calculate bite ratios (the number of bites divided by apprehensions) by Squad and by individual canine teams.