

COLCHESTER POLICE DEPARTMENT

SUBJECT: K9 Unit		
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POLICY: To maximize police resources, the Colchester Police Department shall attempt to maintain at least one K-9 team that will operate as a component of the Patrol Unit to assist in relevant aspects of police work.

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I. QUALIFICATIONS OF K-9 AND HANDLER:

- A. The Colchester Police Department will utilize Vermont Criminal Justice Training Council (VCJTC) certified K-9's. Once the K-9 has been initially certified it will maintain certification as specified by the VCJTC. K-9 teams shall only perform duties for which they are certified. Attendance at training will be coordinated through the Department's Training Officer and/or the team's supervisor.
- B. The handler will also be certified through the VCJTC and he/she will be required to maintain this certification through in-service training as directed by the VCJTC.

- C. Selection of K-9 handlers is subject to the decision of the Chief of Police in conjunction with the other supervisors.

II. OWNERSHIP OF K-9:

- A. It is understood that the animal is owned by the officer and shall remain the property of the officer. The town reserves the right to relieve the handler of his/her responsibilities for just cause. Just cause is to be determined by the Chief of Police.
 - 1. When the K-9 is retired, the K-9 is decertified by the VCJTC, or in the event that the handler is no longer employed by the town, the town is no longer responsible for the K-9 in any way.
 - 2. During the handler's tenure as such, he/she shall register the animal in the municipality in which it resides, listing the owner as the handler. The cost of the registration is to be borne by the town.
- B. Terms and conditions for compensation of the handler and maintenance of the K-9 shall be established by the Chief of Police through agreement with the handler.

III. SUPERVISION:

For the day to day operations, the K-9 team shall be under the direct supervision of the on duty shift supervisor. For all other issues related to the K-9 teams, the handler(s) shall be accountable to the Chief of Police and/or his/her designee.

IV. GUIDELINES FOR GENERAL INTERACTIONS WITH POLICE K-9'S:

The following guidelines provide all personnel with information to enhance the safety and efficiency of all interactions with K-9's.

- 1. If the K-9 handler is incapacitated, do not under any circumstances approach the K-9 or attempt to render first aid unless failure to do so is likely to result in a serious or life threatening injury. If necessary, control the K-9 by attempting to have the injured officer control his/her K-9, or get an officer who has trained with the K-9, or a family member to control the K-9. Other alternatives for controlling the K-9 are the use of O.C. or mechanical devices such as a snare.
- 2. Never feed the K-9 without the express approval of the handler.
- 3. Do not touch or pet the K-9 in any way without permission from the handler.

4. Always remember that the K-9 is trained to protect the handler. Anyone making a threatening move or gesture toward the handler risks the possibility of injury. The K-9 will react without command in such situations as an aggressive pat on the back or a boisterous greeting. Do not approach the handler in an aggressive manner and do not walk up behind the K-9 and handler or otherwise startle them.
5. Do not under any circumstances agitate the K-9. If the K-9 is alone or in a vehicle, it is normal for it to act in an aggressive manner when approached by a stranger. Police personnel are no exception.
6. If you see the K-9 acting in an unusual manner due to injury or illness, do not try to correct the problem. Locate the handler and advise him/her of your observations.

V. DEPLOYMENT OF THE K-9 TEAM:

A. Appropriate calls for the Patrol K-9 Team include:

1. Burglary in progress, and intrusion and/or robbery alarms where there is an indication the event just occurred or is in progress.
2. Felony or misdemeanor crimes wherein a suspect has fled on foot affording a **reasonable** tracking opportunity.
3. Burglary alarm, open window, and open door calls for buildings and businesses wherein the Patrol K-9 can reasonably conduct an initial building search.
4. Crowd control situations, when deemed necessary to prevent death or injury to persons or to prevent assaults upon police personnel.
5. Search for lost or missing persons.
6. Search and recovery of crime scene evidence.
7. Search for drugs.
8. Other calls for service or assistance deemed appropriate by the Handler and supervisor requesting or approving activation.
9. While on duty the K-9 unit may be deployed to any other jurisdiction upon request for mutual aid. Deployment to another community shall be with the approval of a supervisor, if on duty, or in the best judgement of the K-9 handler if a supervisor is not on duty.

B. Activation of K-9 Team when not scheduled for duty:

1. Any on-duty supervisor is authorized to request the K-9 respond to any incident deemed appropriate. In the event there is no on-duty supervisor any member may request the K-9 unit be contacted to respond. It shall be the K-9 handler's responsibility to make the final decision to respond or not based on the information available.
2. In the event the K-9 is off duty and a mutual aid call is received a supervisor shall make the final decision to respond or not, except in unusual circumstances where delaying the response could jeopardize human life or officer safety and immediate access to a supervisor is not possible. In such an exigent situation, the K-9 handler may make the final decision to respond or not based on the information available.

C. Summoning to a Scene:

When an officer has established reasonable suspicion concerning the presence of a controlled drug, the following deployment criteria will be considered when summoning the K-9 Team:

1. Duty Status: It is unreasonable to summon the Team into an "on-duty" status every time an officer formulates reasonable suspicion. Good judgment must balance the need for the K-9 Team in a situation with those of personal inconvenience and budgetary constraints.
2. Time and Distance:
 - a) Court rulings dictate that response time must be reasonable. The Department interprets this as meaning a matter of minutes.
 - b) Individuals may not be detained for unreasonable amounts of time based solely upon an officer's suspicion of possession of illegal substance.

D. The Decision to Search:

1. Basic rule of search procedure for the K-9 is that the K-9 may go anywhere a police officer can go. The K-9 cannot go anywhere that a police officer cannot.
2. Probable cause to search can be established through the following sequence of events:
 - a) An officer establishes reasonable suspicion.
 - b) K-9 Team comes to the officer's position.

- c) If the K-9 reacts positively (alerts), indicating the presence of a controlled drug, probable cause is established to apply for a search warrant and seize the vehicle.

E. Searching Vehicles and Buildings:

It is imperative that these guidelines be followed to ensure proper functioning and to limit distractions and interference's.

1. When a warrant or consent to search a vehicle or building has been issued and the K-9 Team is activated, the investigating officer shall inform the occupants of the area to be searched and shall **remove, have removed, or take into custody all occupants.**
2. The scene should be cleared of all animals (dogs, cats, etc.).

VI. GENERAL TRACKING GUIDELINES:

- A. During any tracking assignment, good scene security and perimeter control is essential.
 1. Patrol officers shall avoid congregating at any given point and shall make every effort to properly seal off any area where a track is being conducted.
 2. Officers assigned perimeter posts must be cognizant of roadways leaving the area. Perimeter posts must be maintained unless relieved by the handler or a supervisor.
 3. In a low-risk track, e.g., missing children, the Handler may request additional personnel to assist. Personnel may include other police agencies, Rescue Squads, Fire Department personnel, and civilians.
- B. If initially responding officers have entered an area in an attempt to locate someone prior to the K-9's arrival, it is imperative that the officers be prepared to clearly explain and define those areas in which he or she was physically present.

VII. HIGH-RISK TRACKING:

- A. High risk tracks are those undertaken to locate and apprehend any person who has demonstrated and/or threatened the use of violence, or has committed a felony.

B. Such tracks create a substantial risk to the Patrol K-9 Team and, hence, are subject to these additional guidelines and criteria, at the discretion of the Patrol K-9 Handler.

1. Request additional personnel to accompany and assist with the track.
2. Instruct personnel, with the permission of the Shift Supervisor, to maintain certain perimeter posts to ensure security of the tracking area.
3. The Handler shall wear a protective vest on all such tracks.

VIII. BUILDING SEARCHES:

A. Building searches are always potentially dangerous. If circumstances indicate that unlawful entry has been gained (open door and alarm, sign of forced entry, etc) K-9 unit may be requested even if off duty.

B. General Guidelines:

1. Officers having performed initial **searches prior to the arrival of the K-9 Unit** shall meet with the K-9 Handler as soon as possible upon the Team's arrival. Officers will explain where and how long they were in the building and provide any other information that is helpful to the handler.
2. No one shall enter the building once the K-9 has been deployed, unless directed to do so by the K-9 Handler.
3. During the building search, the perimeter shall be sealed and controlled by the police officers.
4. If possible, the owner of the building shall be contacted to ascertain if there is any possible legitimate use of the building authorized for the current date and time and to obtain a description of the building's interior and contents.

C. Patrol Handler Guidelines:

1. Handler shall issue a loud and clear verbal announcement into the building informing any occupant that the Police K-9 will be deployed, giving them an opportunity to exit and/or surrender. An example of this announcement is: **"This is the Colchester Police Department's K-9 Unit. Exit the building now or you will be bit!"**
2. Such warning shall be given whenever the Patrol K-9 Team enters a new floor or portion of the building where it would not have been possible for a person to have heard the initial announcement.

3. The K-9 Handler will make every effort to maintain contact with the scene supervisor during the building search.

IX. USE OF FORCE:

The Colchester Police Department recognizes that use of a specially trained K-9 constitutes a real or implied use of force. As such, officers may only use that degree of force that is reasonably necessary to achieve a lawful objective.

1. The use of the K-9 to affect a suspect's apprehension is not considered deadly force.
2. The K-9 is trained to use only the amount of force needed to affect the apprehension. Since the use of force of any kind is subject to State and Federal Laws, the Handler must be especially aware of the nature and scope of the applicable laws.
3. Under normal circumstances, the Handler will not use the K-9 in a forceful apprehension of a suspect charged or accused of any non-aggravated or non-violent crimes.
4. The Handler will not encourage the K-9 to take any unjustified action toward another person.

X. RESPONSIBILITIES OF K-9 HANDLER:

Police K-9 handlers, in addition to their regular patrol duties, shall be responsible for the following:

1. Assist outside law enforcement agencies when authorized according to Section V B 2.
2. Determine the proper tactical deployment of the K-9 in situations where use of the K-9 is requested.
3. Determine proper use of uniformed officers at the scene as it pertains to the K-9 team objective.
4. Care for the animal and any equipment assigned to the animal or handler.
 - a) The K-9 vehicle may be driven to and from work, but shall remain parked at the Handler's residence when off duty. The K-9 vehicle can be parked at the Police Department when the handler is expected to be unavailable for extended periods of time, i.e., vacations.

- b) The K-9 vehicle will be a modified, adequately equipped police vehicle designed for special duty and clearly marked as such.
- 5. Seek prior authorization when reasonably possible for any veterinary services, supplies, or equipment.
- 6. Promptly report to the Shift Supervisor and the Chief of Police any sickness, injury, or accident involving the K-9.
- 7. Promptly report, in writing, all details concerning any bite inflicted by the K-9.
- 8. Assure the K-9 is not left unattended while on duty, except in an emergency situation, or as otherwise authorized.
- 9. Handlers shall not permit anyone to pet or hug their K-9 without their immediate supervision. This includes on and off duty time. The only exceptions to this are veterinary visits, family members, and other handlers or those who have trained with the dog.

XI. PERSONNEL AUTHORIZED TO OPERATE K-9 VEHICLE:

When the K-9 is not in the vehicle, any town employee authorized to operate a fully marked police unit may operate the K-9 vehicle. If the K-9 is in the vehicle, only the handler or another officer directed by the handler may operate the K-9 vehicle.

XII. PERSONNEL AUTHORIZED TO CONTROL THE K-9:

Under normal circumstances, the K-9 handler is the only person authorized to control the K-9. In an emergency situation, another handler or officer who has trained with the K-9, or a member of the handler's family, may control the K-9.

XIII. INJURY TO THE K-9:

In any instance where the K-9 sustains an injury or becomes ill as a result of line of duty work, the handler shall determine the ability of the animal to continue with the mission. The handler shall be responsible for the health, security, and safety of the animal at all times. The handler shall be familiar with basic care for an injured dog, and will maintain a first aid kit for such emergencies.

XIV. K-9 BITES:

- A. When a K-9 bites any person, other than in training exercises, the incident shall be immediately reported to the Shift Supervisor or on call duty officer.
- B. When a K-9 bite occurs, whether or not in the line of duty:
 - 1. Medical attention shall be provided to the victim. Medical personnel should inspect the affected area irrespective of the perceived seriousness or injury.
 - 2. Photographs of the bite and the surrounding area shall be taken.
 - 3. The handler shall forward a detailed copy of the incident to the Chief of Police.
 - 4. A report shall be made to the lead K-9 instructor at the Vermont Police Academy. A K-9 Use of Force Report should also be completed.
- C. If the bite is on or off duty, the K9 handler's immediate supervisor shall conduct an administrative review to gather further information. An administrative review is a cursory investigation into the actions resulting in the bite to determine if there are potential violations of departmental rules, general rules, or laws. The handler will be notified of the administrative review, and will be interviewed by the investigating officer. Participation and truthfulness during the administrative review are required. The investigating officer will complete a brief narrative of the administrative review. After review, the Chief of Police shall determine whether the incident requires an internal investigation or can be resolved with no further investigation.

XV. PRISONER TRANSPORTS:

The K-9 Team may transport subjects only in the secure back seat transport area of the K-9 vehicle.

XVI. EQUIPMENT TO BE MAINTAINED IN K-9 UNITS:

In addition to all the equipment normally maintained in fully marked police vehicles, the following items shall be kept in K-9 vehicles at all times:

- 1. Tracking lead
- 2. Tracking harness
- 3. Patrol leash

4. Bite sleeve

XVII. MAINTENANCE OF TRAINING/USE RECORDS:

- A. The K-9 handler shall be responsible for maintaining a records management system for the K-9 which shall include the following sections:
 1. Copies of relevant medical documents, if any
 2. Copies of current certifications/training documents
 3. Copies of all incident reports
 4. All training records
- B. Originals of all the above shall be maintained by the handler. Annually, a summary of K-9 activity shall be forwarded to the Chief of Police or his/her designee.
- C. Each time the K-9 is used, the handler shall document the deployment in the K-9 records management system as well as in the incident.
- D. A K-9 Training Report shall be completed at the conclusion of each training session. A copy of this report shall be forwarded to the K-9 handler's supervisor.

XVIII. USE OF DRUGS FOR TRAINING PURPOSES:

- A. The use of controlled drugs and other contraband may be authorized to assist in the drug detection training of K-9's. All requests for controlled drugs and/or contraband shall be made through the Chief of Police.
 1. All drugs shall be weighed upon sign-out to the handler. No more than four ounces of each type of drug may be signed out to the handler at once. All drugs shall be dispensed in a sealed container and shall be returned with the seal intact. If the seal is broken, the handler and any other witnesses to the incident must write a supplemental report explaining the circumstances. A copy of this report shall be forwarded to the Chief of Police.
- B. All controlled substances and other contraband utilized for training shall be stored in a secure location, and it shall be the responsibility of the handler to properly care for the contraband.

- C. The Drug Enforcement Administration (DEA) Registration unit shall license the department as a training facility to handle Controlled Substances in Schedules 1-5.
- D. Training will include detection of marijuana, hashish, cocaine, crack, methamphetamine, heroin, and MDMA (ecstasy). These are commonly abused drugs within the State of Vermont. Training will consist of initial and in-service training, and will be attended continuously. Drug detection teams will attend training as specified by the Vermont Criminal Justice Training Council, with certification on a yearly basis.
- E. All substances will be weighed upon acquisition by the K-9 Unit. Each substance will be double packaged (or alternate appropriate method) to assure zero spillage. All controlled substance packages will be kept in a secure container (safe or similar container), and will meet all requirements of the DEA.
- F. A log (see attached) will be maintained by the K-9 handler. Log entries will be made and verified each time entry to the secured container is made. This log will show the amount of any substance removed (weighed upon removal), who removed it with a witnessing signature, the purpose for the removal, the participating K-9 team/trainer, the time, date and location of the said training. The log will also include the amount of the substance returned (weighed upon return). Any discrepancies will be noted. Discrepancies will be reported by an incident report with a copy of said report and investigation forwarded to the Chief of Police. Upon completion of such training, the controlled substance will be immediately returned to the storage area. Responsibility for auditing the inventory of the controlled substances shall lie with the Colchester Police Department evidence custodian.
- G. Any discrepancies unresolved after 24 hours will be reported to the DEA on DEA form 106 within 72 hours of the discovery of the discrepancy. Any evidence of criminal activity will be reported to the DEA and the Chief of Police.
- H. The combination of the safe will be possessed by the handler, the Bureau of Criminal Investigation evidence custodian, and the supervisor of BCI. All required records will be maintained and readily available for inspection for a minimum of three years. All logs and records will be maintained by the handler with copies forwarded to the BCI evidence custodian on an annual basis.

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