



# Office of the Director of Police The University of Texas System POLICY AND PROCEDURE MANUAL



Subject		Policy Number	
<b>Canine Policy</b>		<b>738</b>	
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Reference Standards		Resends or Amends Policy Number	
TPCA CALEA: 41.1.4, 41.2.5, 46.2.5 IACLEA Police Executive Research Forum (PERF): Guidance on Policies and Practices for Patrol Canines IACP Scientific Working Group on Dog and Orthogonal Detector Guidelines (SWGDOG)			

## I. PURPOSE

The purpose of this policy is to provide a standard and guidelines for the management and tactical deployment of canines for a variety of law enforcement operational purposes.

## II. POLICY

The trained law enforcement canine is a valuable supplement to police staffing due to their superior sense of smell, hearing, and physical capabilities. Canines can be utilized for a variety of tasks, if properly trained. However, utilization of canines requires adherence to procedures that properly control their ability to obtain compliance from suspects and that channel their specialized capabilities into lawful and appropriate crime prevention and control activities.

## III. DEFINITIONS

- A. Canine Team: Canine handlers and their assigned working dog that train and work together as an operational unit.
- B. Canine Unit Commander/Supervisor- A ranked Officer (preferably with experience handling a canine) who oversees a Canine Unit.
- C. Canine Deployment: A law enforcement activity in which a canine team is on scene and plays an active role in a law enforcement action.
- D. Apprehension: Any law enforcement activity in which a canine is on scene and plays a role in the capture of a wanted suspect.
- E. Apprehension with Contact: Any law enforcement activity in which a canine is on scene and plays a role in the capture of a wanted suspect utilizing a bite.

- F. Bark and hold: Also known as “guard and bark”, “circle and bark”, or “revere”, this is a training method of apprehending a suspect in which the canine is released on a search, stops in the vicinity of the suspect and barks. No physical contact is made with the suspect, unless the suspect makes a furtive motion, or the canine perceives the suspect is attempting to flee; the canine may then bite the suspect at the canine’s discretion. This leaves use of force reactions up to the canine, rather than the handler.
- G. Bite and Hold: a training method in which the handler sends the dog and apprehension is made by the dog as he engages (bites) the suspect and does not release until the handler orders it. Dogs trained in this system engage the suspect under the order of the handler without provocation from the suspect.
- H. Off-leash: a tactic used while searching for a suspect. Off-leash deployment allows the canine freedom to move and search without becoming entangled with the handler or obstacles. A drawback is the canine may overlook areas such as doors or rooms.
- I. On-leash: a tactic used while searching for a suspect. On-leash deployment allows for more control and guidance of the canine, ensuring that the canine doesn’t bypass any areas and gives the handler more control when the suspect is encountered. A disadvantage to this tactic is the canine’s leash may get tangled with the handler or other obstacles in tight quarters.
- J. Explosives Detection: Use of a trained canine to search for and locate explosives.
- K. Narcotics Detection: Use of a trained canine to search for and locate narcotics.
- L. Patrol: In this context, Patrol refers to Canine Team field operations and a team’s availability for criminal apprehension, building search, person/evidence/article search/tracking, and similar service, or detection calls.
- M. Multipurpose Dog: A dog trained in more than one discipline (i.e., explosives detection/patrol/search, narcotics detection/patrol, search/patrol).

#### **IV. TEAM SELECTION**

- A. Handler requirements
  - 1. Applicants must be commissioned officers and have at least two years of uniformed experience with satisfactory service;
  - 2. A willingness, along with other family members, to care for and house the canine at the officer’s residence with a secure outdoor area for the canine that conforms to departmental requirements;
  - 3. A strong desire to work with canines and a willingness to train and care for the animal;
  - 4. New canine handlers must complete the prescribed training course and successfully meet all course requirements;
  - 5. The selection of canine handlers will be in accordance with established departmental procedures; the department’s Chief of Police shall be responsible for the final selection of canine handlers.

B. Canine Requirements

1. All canines must meet recognized certification requirements.
2. It is recommended that the canine be acquired/purchased through a known and reputable vendor with a health and workability guarantee; rescue/shelter dogs have an unknown history, and the time and cost of training cannot be recouped if the dog does not work out. The dog must be of proper temperament and trainability. According to “Law Enforcement Canine Training” (US Dept Treasury, 1993), Labrador/Golden Retriever type dogs are best suited for single purpose (accelerant, explosives, and drug detection) due to their intelligence and temperament, while Shepherd types (German Shepherd, Dutch Shepherd, Belgian Malinois) are best suited dual-purpose dogs due to their size and temperament (see also *Applied Animal Behavior Science* 243 (2021) and *Forensic Science International* 237 (2014)).

V. TRAINING/CERTIFICATION/DOCUMENTATION

A. Certification

1. All canine teams will certify at least once per year; certification can be done internally or externally. If certification is conducted internally, the team must utilize a department approved certification course that is compatible with or exceeds current nationally recognized standards. In the case of multipurpose dogs, they will certify in each discipline. Canines will not be utilized for activities in which they are not certified (i.e. Explosives canines will not conduct drug searches, etc.).
2. External certifications will be conducted in one of two ways, at the discretion of the Canine Unit Commander:
  - a). External certification may be conducted by a certifying official from a nationally recognized professional canine association to the published standards of certification set by the association. Recognized certifying associations include but are not limited to; the National Narcotic Detector Dog Association; North American Police Work Dog Association; State Sponsored Peace Officer Standards and Training (P.O.S.T.) that include canine certifications (Utah, Nevada, California,); National Tactical Police Dog Association, National Police Canine Association, and United States Police Canine Association;
  - b). External certification may also be conducted by a certified police canine trainer from a full-time law enforcement agency. Certifications under this section will be conducted to the same standards as above.

3. It is the duty of the Canine /Commander to ensure that basic and in-service training and certification is conducted on a regular basis, and proper documentation maintained.
4. Failure to participate in or qualify under established training standards will result in de-certification of the team. The team may not be deployed until re-certified.
5. Certifications are awarded to a canine team; if a canine is assigned to a new handler, the new team must successfully complete a certification prior to being deployable in each discipline.

**B. Training**

1. In addition to certification, Canine Handlers are required to demonstrate acquired abilities to the Canine Commander on a periodic basis.
2. Canine Teams shall have a minimum of 16 hours a month dedicated to training. For multipurpose canines, a portion of this training should involve patrol training and response procedures.
3. Canine teams employing the "Bark and Hold" technique are required to spend 2 hours during their monthly training maintaining this skill and must demonstrate this technique prior to certification.
4. It is recommended that Canine Handlers receive additional training within their area of expertise with local law enforcement agencies (i.e., explosives recognition, drug recognition, etc.)
5. In addition to certification and training records being maintained by a Canine Commander, canine units shall document deployments (call outs, explosive/narcotic detection, area search, apprehension, etc.). If a canine is deployed in an apprehension, and a bite results from the apprehension, a Use of Force (DP 54) will be documented as the canine is considered a Less than Lethal use of force.

**VI. PROCEDURES**

- A. Canine teams should be available on an as needed basis and as such are subject to overtime provisions of the Fair Labor Standards Act (FLSA). They may be called upon to perform the following duties:
1. Conduct building searches for offenders in hiding;
  2. Assist in the arrest or prevent the escape of serious or violent offenders;
  3. Conduct area searches to locate suspects or lost or missing persons;
  4. Detection of hidden instruments or evidence of a crime;
  5. Detect the presence of explosives, if certified;
  6. Detect the presence of narcotics, if certified;
  7. Establish probable cause for a search warrant by detecting contraband (drugs, explosives, etc.);

8. Assist with the execution of a search warrant by pinpointing location of contraband or through officer presence and assisting in setting a perimeter;
9. Conduct searches for explosives using Canine Sweeps prior to special events on campus;
10. Protect officers or others from death or serious bodily injury through their presence and by responding to attacks on officers;

B. The police officers assigned to the canine teams may be used to respond to conventional patrol situations and calls for service if needed, but the canine should not be deployed. Canines will not be used for crowd control, and suspects shall not be transported in the same vehicle with a canine unless alternative transportation is not available and immediate transportation is essential for safety, health, or security reasons. Other assignments are at the discretion of the Canine Commander/Supervisor or institution Chief of Police.

C. Explosives Detection

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:

1. Assisting in the search of a building, structure, area, vehicle, or article where an actual or suspected device has been reported or located.
2. Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, and trains).
3. Preventative searches at special events, VIP visits, official buildings, and other restricted areas.
4. Assisting in the search of scenes where an explosion has occurred, and an explosive device or secondary explosive device is suspected.
5. At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

D. Narcotics Detection

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

1. The search of vehicles, buildings, bags, and other articles.
2. Assisting in the search for narcotics during a search warrant in drug related cases.
3. Obtaining a search warrant in drug related cases by using the narcotics-detection trained canine to locate contraband and developing probable cause.
4. A narcotics-detection trained canine will not be used to search a person for narcotics.

E. Search/Apprehension

1. The deployment of a police canine for the location and apprehension of a suspect should be considered a use of force that must be consistent with this agency's principles of escalation and de-escalation of force (see ODOP Policy 601, Use of Force). Handlers are responsible for their canines at all times and are accountable for any force that results from their use.
2. Decisions to deploy a canine to apprehend a suspect shall be based upon the following:
  - a) the severity of the crime (to be used only when the suspect may be armed, in cases of serious felonies, or in misdemeanor crimes of violence (i.e. assault-domestic violence);
  - b) whether the suspect is armed or poses an immediate threat to the safety of the officers or others; and
  - c) whether the suspect is actively resisting arrest or attempting to evade arrest at the time.
  - d) Canine teams should not be used to apprehend anyone suspected to be under the influence of drugs or alcohol if no other crime is involved, or subjects with mental health issues if no other crime is involved.

F. Canine assistance shall be requested from patrol officers through an immediate supervisor to dispatch. Dispatch shall forward pertinent information concerning the incident to the available canine team or shift commander.

G. The canine handler will evaluate each situation and determine if deployment of a canine is appropriate. A supervisor sufficiently apprised of the situation may instruct the handler to deploy or not deploy the canine.

H. UTSP canine teams may assist local law enforcement agencies at the discretion of the shift commander. The following guidelines shall be followed when dispatching a canine team off campus:

1. The shift commander shall be notified for approval.
2. Records will be kept of the times the canine unit is dispatched to assist another agency.
3. The canine handler shall document the deployment and the results.
4. Deployment of the canine shall fall within the guidelines of this policy.
5. A canine supervisor will periodically review deployment of the canine team of campus to ensure proper usage.

I. Building searches

A primary use of UTSP canines is for locating suspects hiding in buildings or related structures where a search by an officer would create an unnecessary risk. These searches should be governed by the following:

1. The building perimeter shall be secured by patrol personnel.
2. Whenever possible, the building manager should be contacted to determine whether there are any occupants in the building and to ascertain the building layout.
3. When a building search is anticipated, a preliminary search by officers should not be conducted as this may interfere with the canine's ability to discriminate scents.
4. The on-scene supervisor shall also take the following steps in preparation for the canine search:
  - a) Evacuate all occupants, workers, or others from the facility.
  - b) When practicable or if possible, request that all air conditioning, heating or other air-blowing systems be shut off so as not to interfere with the canine's sense of smell or the scent of the suspect.
  - c) Upon entering the building, all exits should be secured, and communications limited to those of a tactical nature;
  - d) The canine search may be conducted on-leash or off-leash; if conducted off leash, significant considerations should be made to eliminate the possibility that the canine may encounter persons other than the suspect during the search.
5. The canine should not be used to search facilities that contain substances potentially harmful to the animal unless overriding risk to human life is present.
6. Before commencing the search, the handler shall loudly announce that there are police officers on the premises and that a trained police canine will be released if the individual does not surrender, for example UT POLICE K-9--COME OUT NOW--OR A DOG WILL BE USED TO FIND YOU, AND MAY BITE YOU. A reasonable amount of time should be given for the suspect to respond. This warning shall be given on each level of all multilevel structures. Where there is a reasonable belief that the suspect speaks a language other than English, an officer or other individual fluent in that language may be summoned to the scene if available and the exigency of the situation permits.
7. When the canine is released during a building search, the handler shall search the building in small sections, giving the verbal warning as a new section is about to be searched.
8. When apprehending suspects in these or related circumstances, canines shall be commanded to disengage as soon as the suspect is subdued or readily complies with the officer's commands.

9. Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified, and the injuries documented in a Use of Force report (DP54). The injured person shall be promptly treated by emergency medical services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be documented in any related incident or arrest report.

## **VII. CANINE USE, HOUSING, AND CARE**

### **A. Canine Use**

1. Canines shall not be used for breeding, participation in shows, field trials, exhibitions, or other demonstrations, or for off duty assignments unless authorized by the department's Chief of Police.
2. Any unintended bite or injury caused by a canine, whether on or off duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not a canine use report.
3. If an individual alleges an injury from a canine encounter, 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.

### **B. Canine Housing**

1. The canine handler must have at a minimum the following facilities at their residence to house the canine:
  - a) A fenced yard at least 10 feet by 10 feet with a six-foot tall fence in good condition or some type of enclosure that will prevent escape through digging or climbing over, including a locked gate;
  - b) A shelter within the enclosure that will protect the canine from the elements; at the discretion of the institution Chief of Police, a sign stating "Police K9-Stay Back" may be placed on the structure
  - c) The facilities will be inspected and approved by a canine supervisor prior to housing the canine.
  - d) Any deviation from the above requirements must be accompanied by written permission from the department's Chief of Police.
  - e) Alternatively, the canine may be housed at a UTSP facility in a similarly described structure.



C. Canine Care

Canine handlers are personally responsible for the daily care and feeding of their animal to include;

1. Maintenance and cleaning of the kennel and yard area where the canine is housed;
2. Provision of food, water and general diet maintenance as prescribed by the departmentally approved veterinarian who has a working knowledge of police service canines;
3. It is suggested that approved veterinarians be available 24/7, have experience with police working dogs, x-ray and surgical capabilities, and be recommended by other local and/or federal law enforcement agencies utilizing canines for police work. Depending on the age and activity of the canine, a minimum annual check-up is recommended;
4. Grooming on a daily basis, or more often as required by weather, working conditions or other factors;
5. Daily exercise (due to their high drive, police canines are not permitted to run at large, even in backyards, to reduce their risk of escaping);
6. General medical attention and maintenance of health care records;
7. As such, canine handlers may be compensated for the care of the canine. A handler may be compensated for 1/2 hour per day, each day the handler is responsible for the care of the dog.
8. Teasing, agitating, or roughhousing with a police canine is strictly prohibited unless performed as part of a training exercise. Handlers shall not allow anyone to pet or hug their canine without their prior permission and immediate supervision. Should a civilian express a desire to do so, they should be informed that police canines are serious working dogs and that they can be dangerous if improperly approached.

D. Disposition of Canines

Although a police canine is considered state property, common practice in law enforcement has allowed a canine officer to take possession of the dog when it is relieved of duty. A single purpose canine can be expected to work up to 12 years, barring any incident/accident; dual purpose canines can work 7-10 years. A canine handler may apply to take possession of his/her dog when:

1. The dog is retired from duty or relieved due to injury;
2. The handler is transferred, promoted, or retires and a decision is made not to retrain the dog for another handler; and
3. The application shall be in writing and forwarded to the institution Chief of Police who shall approve or disapprove the request and determine the value of the canine for disposition purposes if approved
4. Approved applications shall include a release of liability for the canine from the department and an acceptance of responsibility for the care and activities of the canine by the handler.

E. Separation of Handler and Canine

Upon resignation, separation, transfer, promotion, reassignment or termination of the handler, the canine shall be returned to the department for appropriate disposition as determined by the institution Chief of Police; all related equipment shall be returned to the department.

**VIII. CANINE EQUIPMENT**

A. Training aids

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.

B. Explosive Training Aids and Procedures

1. 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; Tex. Local Gov't Code 235.001 et seq.)
2. Explosive training aids designed specifically for canine teams should be used whenever possible. Due to the safety concerns in the handling and transportation of explosives, inert (non-functioning) or non-hazardous 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, in a BATF approved storage magazine (see 27 CFR 555, Subpart K).
  - b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored; the removal and return of explosive training aids shall be logged.
  - c) The canine supervisor shall be responsible to verify 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) Canine handlers shall forward an inventory of the explosive training aids to the canine supervisor every 30 days

- f) Any lost or damaged explosive training aids shall be promptly reported to the canine coordinator, 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 (BATF).

C. Controlled Substances Training Aids and Procedures

1. 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); Tex. Health and Safety Code 481.062).
2. The institution Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the police department to be possessed by the member or a narcotic-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.
3. As an alternative, the institution Chief of Police or the authorized designee may request from the Drug Enforcement Administration (DEA) narcotic training aids.
4. These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled substances.
5. Due to the responsibilities and liabilities involved with possessing readily useable 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 observed;
  - 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 the institution police department.
  - c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substance and shall keep records regarding any loss of, or damage to, those controlled substances.
  - d) All controlled substances training samples will be inspected, weighed, and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.
  - e) All controlled substance training samples will be stored in a 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 coordinator shall periodically inspect every controlled substance training sample for damage, tampering, and effectiveness. If there are any issues, the coordinator will take the appropriate action.
- g) Any useable controlled substance training samples shall be returned to the Property and Evidence Division or to the dispensing agency, upon completion of training.

D. Canine Vehicle

- 1. Per ODOP Policy 734 (Unmarked and Marked Police Fleet Vehicle Operations), all vehicles regularly used for law enforcement canine operations (transportation, shelter, protection, security, and deployment of police canines) shall be modified and equipped appropriately, relying on standards established by such organizations as the United States Police Canine Association, the American Police Canine Association, and the National Police Canine Association.
- 2. Canine vehicles will be equipped with:
  - a) Emergency front and rear lights and a siren;
  - b) Alley lights;
  - c) Public address system;
  - d) Tinted windows;
  - e) Temperature monitoring system that includes safety devices to prevent the overheating and possible injury/death of the canine;
  - f) Markings to warn of the canine inside;
- 3. All such vehicles shall be equipped with a canine vehicle heat alert system that includes, at a minimum, the following features:
  - a) Rear window roll down,
  - b) Window fan turns on,
  - c) An audible alert/alarm sounds.
- 4. Strongest consideration should be given to the adoption of enhanced canine vehicle heat alert system features to include:
  - a) Pager to notify handler.
  - b) Cellular service to notify handler.
  - c) Activation of emergency light bar.
  - d) Activation of emergency siren.
  - e) Engine fire detection.
  - f) Engine stall detection.
  - g) Battery condition monitoring.
  - h) Smoke/carbon monoxide detection.
  - i) Radiotronic messaging to handler.
  - j) A "bail-out" system which allows the handler to remotely release the canine from the vehicle.
  - k) If the vehicle to be used is an SUV, it should be equipped with rear air conditioning;

- 1) A high amp alternator and an energy management system that maintains the canine's safety equipment in the event of a vehicle and/or electronic failure.
5. Canine vehicles assigned to canine officers will be used for transporting the canine, responding to calls for service, training, or any other assignment as determined by the canine officer's supervisor. These vehicles will also be utilized in transporting the canine to and from the officer's private residence and/or transportation of the animal in emergency and non-emergency situations to designated animal clinics. Canine handlers are responsible for the operation and maintenance of canine vehicles in accordance with departmental policy.
6. Canine vehicles will be conspicuously marked per ODOP Policy 734, Unmarked and Marked Police Fleet Vehicle Operations.
7. Canine officers should be familiar with the owner's manual for safe operation.
8. Canine vehicles will not be used for "off-road" driving except in an emergency.
9. Canine vehicles will be operated by assigned canine officers unless approved by the canine officer's supervisor or for vehicle maintenance.
10. Canine officers will strictly adhere to their department's pursuit policy.
11. Because of the unique nature of the canine vehicles and the fact that they must be self-contained, canine officers will;
  - a) Fuel vehicles before ending their tour of duty;
  - b) Replace forms and equipment as needed before ending their tour of duty;
  - c) Lock their vehicles at all times when they are away from the unit and equipment.

## **IX. Personal Uniform**

- A. Canine Personnel will adhere to ODOP Policy 213, Personal Grooming and Uniform Regulation for daily uniform wear; in unusual circumstances the uniform can be based on assignment at the discretion of the Chief of Police.

B. Canine handlers will be issued necessary equipment to perform their duties as deemed appropriate by their Department's Canine Supervisor. Equipment will consist of, but not be limited to:

1. Collars: flat leather, choke, and pinch;
2. Leashes of various types, materials, and lengths;
3. Harnesses; leather and nylon;
4. Bite sleeves of various types;
5. A muzzle;
6. Bowls: two types, 1 stainless steel and 1 non-spillable
7. Brushes;
8. Kongs (or similar chew toy);



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