




DESCHUTES COUNTY SHERIFF'S OFFICE

Policy Title: Law Enforcement Canine	Effective Date: September 4, 2024	Policy Number: 5.50
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Attachments:	 L. Shane Nelson, Sheriff	

I. PURPOSE

The purpose of this policy is to provide guidelines for the management of the Deschutes County Sheriff's Office canine unit and use of Sheriff's Office canines in field operations.

II. POLICY

With a superior sense of smell and hearing and the use of force potential, the trained law enforcement canine is a valuable supplement to law enforcement manpower. Utilization of canines requires adherence to procedures that properly control their use of force potential and specialized capabilities into legally acceptable crime prevention and control activities.

III. DEFINITIONS

Canine team is a deputy handler and their assigned canine.

Patrol canine handler is a deputy who has successfully completed a course of instruction and training that meets or exceeds standards set by the Oregon Police Canine Association for patrol dog teams and is currently assigned as part of a canine team.

Detection canine handler is a deputy who has successfully completed a course of instruction and training that meets or exceeds standards set by the Oregon Police Canine Association for substance detection canine teams and is currently assigned as part of a canine team.

On line is when the patrol canine is on leash in any manner.

Off line is when the patrol canine is under the control of the handler by voice or hand signals.

Sheriff's Office patrol canine is a canine assigned to a patrol dog handler that meets or exceeds standards set by the Oregon Police Canine Association for patrol dog teams.

Sheriff's Office substance detection canine is a canine assigned to a substance detection dog handler that meets or exceeds standards set by the Oregon Police Canine Association for substances detection dog teams.

Canine supervisor is a sergeant or lieutenant assigned to oversee the canine program.

IV. PROCEDURES

A. Organization

Canine teams are a function of the patrol and detective divisions of the Sheriff's Office. Canine teams are distributed throughout the patrol division at the discretion of the patrol captain.

1. The canine supervisor is responsible for establishing performance standards, on-going training, annual evaluations, materials and equipment, budget, and planning for the canine teams. Canine teams must be certified annually through the Oregon Police Canine Association (OPCA).
2. Canine handlers are responsible for documenting training and deployments and maintaining the team proficiency at an acceptable level.
3. Canine deputies are assigned for the working life of their respective canines or as determined by the Sheriff.
4. Patrol canine deployment can be a use of force. When canines are used as force, it shall be documented in a case report with a copy directed to the patrol captain.

B. Unit Qualifications and Training

1. Applicants for the Sheriff's Office canine unit shall have:
 - a. at least three years of uniform patrol experience with satisfactory work performance and disciplinary records;
 - b. a willingness to remain with the unit for at least five years or the duty life of the canine, whichever is longer;
 - c. a willingness (together with other family members) to care for and house the canine at the deputy's residence with a secure outdoor area that conforms with agency requirements;
 - d. a strong desire to work with canines and willingness to care for and train the animal; and
 - e. the ability to pass designated physical fitness and agility tests related to the tasks of canine handling.
2. Command staff shall be responsible for selection of canine handlers in accordance with established Sheriff's Office procedures.
3. All Sheriff's Office canines shall meet established agency certification requirements. Untrained canines shall not be used for canine duty.
4. New canine handlers shall complete the prescribed canine training course and successfully meet all course requirements.
5. Canine handlers are required to demonstrate acquired abilities to their respective supervisors on an annual basis.
6. Upon the retirement or death of an active duty canine, the current canine handler may apply for one extension of their assignment as canine handler. The extension will be reviewed by the Canine Supervisor and the Patrol Captain. The decision to extend the canine handler's assignment shall be at the discretion of the Patrol Captain and based upon their overall performance as a canine handler and as a Patrol Deputy.

C. Canine Team Utilization

1. In every circumstance where the canine is deployed, a primary consideration for the handler is to minimize the use of force by the canine, and particularly the use of force on people who are not suspected of being involved in criminal activity.
2. Canine teams are available on a 24-hour, on-call basis to:
 - a. assist in the arrest or prevent the escape of serious or violent offenders;
 - b. protect deputies or others from death or serious injury;
 - c. track suspects;
 - d. locate lost or missing persons;
 - e. locate hidden instrumentalities or evidence of a crime; and

- f. detect the presence of concealed narcotics.

Canine teams should not be used to respond to minor complaints but may engage in assignments not listed here with the approval of their supervisor or the watch commander.

Canine team assistance shall be requested through an immediate supervisor. The supervisor or 9-1-1 Dispatch shall forward requisite information concerning the incident to the canine team's supervisor or an available canine handler.

3. Canine handlers are responsible for determining whether a situation justifies canine use and the appropriate tactical measures that should be taken. Factors they should consider are:
 - a. The nature and seriousness of the suspected offense.
 - b. Whether violence or weapons were used or are anticipated.
 - c. The degree of resistance of threatened resistance, if any, the suspect has shown.
 - d. The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
 - e. Any potential danger to the public and/or other law enforcement officers at the scene if the canine is released.
 - f. Whether the suspect is known to have a mental illness or intellectual disability.
4. When the on-scene supervisor disagrees with the handler's tactical assessment, the canine team's supervisor shall be notified.
 - a. Where time does not permit such notification, the directions of the on-scene supervisor shall be followed.
 - b. Sheriff's Office canines shall not be handled or given commands by anyone other than the assigned handler. Should the assigned handler be injured or otherwise unable to command the canine, another canine handler shall be contacted for assistance.

V. PATROL CANINE DEPLOYMENTS

Patrol canine teams are valuable in that they may be deployed on or off line in a wide variety of operations. Major areas of patrol canine deployment include, but are not limited to the following.

A. Tracking and Area Searches

Sheriff's Office canines are available, with supervisory approval, to track missing persons or suspects, or to locate evidence that the supervisor has reason to believe has been abandoned or hidden in a specified open area. Such searches are subject to the following conditions and limitations:

1. When deputies are pursuing suspects and contact with the suspect is lost, prior to summoning a canine team, the deputy shall:
 - a. stop and pinpoint the location where the suspect was last seen;
 - b. shut off engines of vehicles in the area if possible; and
 - c. avoid vehicle or foot movement in the area where the suspect or subject was last seen.
2. Canines used for tracking persons should remain on a leash of sufficient length to provide a reasonable measure of safety to the subject of the search without compromising the canine's tracking abilities.
3. Canine teams should not be used to locate small children unless there is a reasonable suspicion of foul play or a belief that serious bodily harm or death will occur if the child is not located immediately.

When the use of a canine is deemed necessary, the risks of injury to the subject shall be explained to the parents or guardian and, if possible, their approval will be obtained to use the dog.

The use of a patrol canine to search for missing persons will require the approval of a supervisor.

B. Building Searches for Suspects in Hiding

One of the primary uses of Sheriff's Office canines is to locate suspects in buildings or related structures where a search by deputies would create an unnecessary risk.

These searches shall be governed by the following:

1. If practical, the building perimeter shall be secured by patrol personnel.
2. Whenever possible, the building's owner should be contacted to determine whether there may be tenants or others in the building and to ascertain the building's layout.
3. When a canine building search is anticipated, a preliminary search by deputies should not be conducted, as this will 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. If practical, evacuate all tenants, workers or others from the facility. When feasible, prior to the deployment of the canine in any active residential or active business area (e.g., neighborhood, apartment project, business complex), the handler should attempt to warn the community via the most appropriate means, using a statement similar to the following: "This is the Deschutes County Sheriff's Office. We are searching for a suspect and preparing to use a police dog. For your safety, please go inside your home or business and stay inside until we have completed our search."
 - b. Request that all air conditioning, heating or other air-blowing systems be shut off so as not to interfere with the canine's scent.
5. After entering the building, all exits should be secured and communications limited to those of a tactical nature.
6. The canine shall be unleashed during a building search unless there is an imminent risk of injury to innocent persons within the facility.
7. The canine shall not be used to search facilities that contain substances potentially harmful to the animal unless overriding risk to human life is present.
8. Unless tactically unsound, the handler or other appropriate personnel shall loudly announce and repeat a statement similar to the following prior to unleashing a canine: "To the person or persons hiding from law enforcement, make your location known to us immediately, put down all weapons come out with your hands raised and follow directions. If you do not, a police dog will be used to find you. If the dog finds you, you may be bitten; surrender now and you will not be injured." (a) The warning should be made using any available technology most likely to make the warning clearly audible throughout the search area (e.g., verbally, aided by PA system, or bullhorn) (b) Repeated at various levels/floors or areas of a building as appropriate (c) Recorded whenever possible. Efforts should be made (and documented) to ensure that the announcement is audible throughout the search area. A reasonable amount of time shall be allowed for the suspect to respond.
9. 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 deputy's direction.

C. Deputy Protection and Suspect Apprehension

Use of specially trained canines for law enforcement responsibilities constitutes a real or implied use of force. In this as in other cases, deputies may only use that degree of force that reasonably appears necessary to apprehend or secure a suspect as governed by Sheriff's Office [Policy 5.01, Use of Force](#).

1. A canine engaged in handler protection shall be allowed to use only the degree of force needed to subdue and capture the assailant.
2. A canine engaged in apprehending a fighting, fleeing or hidden suspect shall be commanded to release the suspect as soon as the deputy reasonably believes he can control the situation.

3. Patrol canines are expected to respond automatically to attacks on their handler and themselves, or to control a suspect they have been given the command to apprehend. Patrol dog handlers must always be aware of this and handle the situation accordingly.

D. Evidence Searches

When a canine team is requested to search for hidden or abandoned evidence, the on-scene personnel shall:

1. Secure the perimeter of the area to be searched;
2. Secure the integrity of the area to be searched by keeping all personnel out of the area; and
3. Upon arrival of the canine team, brief as completely as possible as to the nature of the sought after property.

E. Crowd Control

Canine teams shall not be used for crowd control at peaceful demonstrations.

Canine teams may be used for crowd control upon approval of the watch commander to protect life or property during a riot or other major unauthorized gathering that cannot be controlled by other means.

In these situations:

1. Canines shall be short-leashed at all times unless no other means are available to protect an individual from serious injury; and
2. Canines shall not initiate any offensive action, unless to guard against imminent loss of life or serious bodily injury.

F. Intoxicated or Mentally Disturbed Persons

If no other crime is involved, canine teams shall not be used to apprehend anyone suspected to be under the influence of drugs or alcohol or those suspected of being mentally disturbed.

G. Use of Canine for Non-Criminal Events

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

1. Absent a change in circumstances that presents an imminent threat to law enforcement officers, or the public, use of canine for anon-criminal track or search may only be done on-leash unless the canine has been muzzled to prevent a bite.
2. An appropriate (modified) warning should be made before the canine is deployed, for both the subject and community – which should include clear assurances that the canine is there to find the person and will not be used to bite or hurt the person.
3. Once the individual has been located, the handler should secure the canine as soon as reasonably practicable and remove the canine from the area.

VI. SUBSTANCE DETECTION CANINE DEPLOYMENTS

Use of Sheriff's Office canines in a drug detection capacity is authorized in the following situations and under the following conditions.

A. Search Warrants

One of the most effective uses of a substance detection canine team is to assist search teams. The dog's sense of smell can result in uncovering controlled substances that otherwise would have gone undetected,

and allows for searching a larger, more complex area much more rapidly and completely than otherwise possible.

B. Public Facilities

Canine sniffs of luggage, packages or other inanimate objects may be conducted in public facilities such as airports, train stations, bus or marine terminals, as authorized by the canine unit supervisor or other authorized commander.

1. Exploratory sniffing in these facilities shall be confined solely to those areas open to the general public and, whenever possible, with advance knowledge and consent of the appropriate facility manager.
2. Exploratory sniffing shall be conducted without interference or annoyance to the public or interruption of facility operations.

C. Restricted areas

1. Canine sniffs conducted in areas restricted to the public, such as baggage staging areas, are searches and shall be conducted only with lawful consent, a warrant or a valid exception to the requirement for a warrant.
2. Field deputies may hold specific checked luggage or related items for purposes of requesting a canine sniff if reasonable suspicion exists but shall not hold the items so long as to interfere with the owner's scheduled travel.
3. When a drug detection canine alerts to luggage or related items, in this or other circumstances, a warrant or consent to search must be obtained before the item is opened unless exigent circumstances exist to conduct an on-site search.

D. Sniffs of Persons

Sniffing of an individual's person is not currently permitted unless the deputy has warrant or valid warrant exception such as consent or probable cause and exigent circumstances.

E. Schools

The use of drug detection canines in public schools is permitted only when:

1. The school's principal or designated authority requests or approves use of the canines in writing. The written request shall be retained in the Sheriff's Office legal counsel files;
2. There is reasonable suspicion to believe that illegal narcotics are being distributed and/or consumed on the premises such that the interests of the school are being unacceptably compromised; and
3. The search is limited to inanimate objects in public areas and the exterior of student lockers unless reasonable suspicion exists to gain admission to lockers and related areas where there is a reasonable expectation of privacy.

F. Residences

Sniffs of the exterior of residences—either individual dwellings or the common areas of multiple unit dwellings—are not permitted without a search warrant, or a valid warrant exception such as consent or probable cause and exigent circumstances. It is lawful to search hotel or motel areas that share a common hall without a search warrant or consent.

G. Motor Vehicles

Drug-sniffing canines may be used to sniff motor vehicles when:

1. Reasonable suspicion exists to believe the operator or passengers are in possession of illegal narcotics; or
2. During a valid vehicle stop, the canine is used to sniff the vehicle's exterior in an exploratory manner. Unless the canine alerts to the vehicle, the operator may not be detained longer than necessary to conclude the business associated with the initial stop.

VII. CANINE BITES AND INJURIES

Whenever a canine bites an individual, whether or not in the line-of-duty, the handler shall:

1. Summon a supervisor to the scene,
2. Examine the affected area to determine the seriousness of the bite or injury;
3. Obtain medical treatment for the person. Medical personnel should examine the affected area irrespective of the perceived seriousness of the bite or injury and, if possible, note the injury condition prior to and following medical treatment;
4. Photograph the injury after treatment is given and obtain medical records and witness statements, if possible; and
5. Complete an incident report whenever it has been alleged that a canine has bitten or otherwise injured an individual. The report must detail the circumstances surrounding the incident, the identity of the individual involved and any witnesses, the extent of injuries, if known, and measures taken in response to the incident.
6. Forward the report to the immediate supervisor for a "Supervisor's Review of Incident".

VIII. CANINE USE AND CARE

A. Daily Care

Canine handlers are personally responsible for the daily care and feeding of their animal, including:

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 agency-authorized veterinarian;
3. Grooming as required by weather, working conditions or other factors;
4. Daily exercise. Sheriff's Office canines are not permitted to run at large; and
5. General medical attention and maintenance of health care records.

If the handler is unable to perform these and related duties due to illness, injury or leave, another canine handler may be assigned to temporarily care for the dog or the canine may be housed in an agency-approved kennel when the handler is unavailable.

Teasing, agitating or roughhousing with a Sheriff's Office canine is strictly prohibited unless performed as part of a training exercise or normal socialization.

B. Prohibitions

Handlers shall not permit anyone to pet or hug their canine without their prior permission and immediate supervision. Should a civilian express a desire to do so, he should be informed that Sheriff's Office canines are working dogs and that they can be dangerous if improperly approached.

Sheriff's Office canines shall not be used for breeding, participation in shows, field trials, exhibitions or other demonstrations, or for off-duty employment unless authorized by the canine supervisor.

C. Retirement

A canine handler may apply to take possession of their dog when:

1. The dog is retired from duty or relieved due to injury or illness; or
2. The handler is transferred, promoted or retires and a decision is made not to retrain the dog for another handler.

Should the handler retain possession of their retired canine, the handler assumes all financial responsibility for the care and feeding of the animal.

The handler must sign an agreement releasing DCSO and Deschutes County from any liability related to the canine arising after the dog is retired or relieved from duty and must agree not to transfer the canine to any other person without written consent of the agency.

In addition, if the handler wishes to retain possession of the related maintenance items, such as stationary or portable kennels, training equipment and other items issued for use with the canine, the handler will be required to purchase such items at 50% of the original purchase price excluding normal wear, tear and depreciation.

IX. SUBSTANCE DETECTION CONSIDERATIONS

Narcotics detection training will involve the use of controlled substances.

Helpers, under the direct supervision of the dog handler and with proper safety instructions, may temporarily handle controlled substances for the purpose of hiding the substances during training exercises.

A. Use of Controlled Substances for Training

1. All controlled substances issued to the dog handlers shall be used for training purposes only.
2. The use of all controlled substances shall be authorized by court order, weighed, tested, inspected and documented by a captain prior to issuance.
3. Dog handlers:
 - a. Shall not be in possession of any controlled substances not specifically allowed by this policy and approved by a captain during the time they are using controlled substances for training;
 - b. Shall use and secure the approved controlled substances in such a manner to assure they will not spill or become misplaced; and prevent them from being stolen; and
 - c. Shall take reasonable steps to ensure neither the narcotics detection canine nor anyone else is contaminated by or comes in contact with these controlled substances.
4. Handlers may be required at any time to produce and/or return all of their assigned controlled substances to a captain.
5. A handler returning controlled substances shall have them inspected and weighed by a captain, prior to returning controlled substances to the appropriate agency property control office for destruction.
6. A receipt for the returned controlled substances will be given to the handler and a copy shall be maintained by the patrol captain.
7. Controlled substances shall be tested when returned, prior to destruction, with the exception of marijuana.

B. Contamination, Ingestion or Loss

1. Any contamination, ingestion or loss of controlled substances shall be immediately reported to a captain.
2. The canine handler shall complete a written report of the incident prior to ending their shift of duty.

3. If contamination or ingestion of a controlled substance occurs, the canine handler shall ensure the affected persons or narcotics detection canine receive immediate decontamination and appropriate medical treatment.
4. Whether in training or in an actual application, the dog handler is responsible to evaluate the safety of each situation.

The dog handler shall give consideration to the potential possible contamination or ingestion of a controlled substance or other hazards that may be encountered by the narcotics detection canine, the handler or anyone else.

C. Record Keeping

The substance detection canine handler shall maintain records that document the use and the proficiency of the canine in drug detection. This documentation shall be readily available to canine deputies and others who may need it when seeking warrants.