

**SALEM POLICE**

<b>DEPARTMENT MANUAL</b> <b>CHAPTER 122.0</b>			
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**122.0 Policy**

The Salem Police Department recognizes that the police canine is a legitimate and useful law enforcement tool whose primary purpose is locating with a secondary purpose of Officer / citizen protection and safety. This policy and procedure has been established to outline regulations and guidelines for members of the Salem Police Department to conduct K-9 operations in the most efficient and safest manner possible. This policy endeavors to provide the best possible operating instructions under the most foreseeable conditions however; no policy or set of directives can address all situations that may arise during the performance of an Officer's duty. This policy is not a substitute for sound judgment and common sense. Emergencies and other exigent or extenuating circumstances may require modification of any procedure presented herein. In such cases a standard of objective reasonableness shall be used to review the decision to use a Salem P.D. canine in view of the totality of the circumstances.

Absent such emergencies all personnel assigned or involved with the Salem Police Department K-9 Unit shall conduct themselves in accordance with the provisions contained in this policy. Violations of any portion of this policy may result in disciplinary action. Any operation that is

performed in a manner that conflicts with the procedures outlined in this policy shall be explained and justified by

**Policy and Procedure**

the canine handler in charge of the subject K-9 operation. The K-9 handler shall report deviations from this policy to the K-9 Unit Supervisor in writing within 24 hours of the alleged deviation. Effective operations permitting, prior permission should be obtained from the Chief of Police their designee or the K-9 Unit Supervisor before any operation which conflicts with the provisions in this policy is contemplated.

### **122.1 Mission / Purpose**

The Salem Police Department's K-9 Unit was established to provide the City of Salem with the highest level of police service through the effective delivery of K-9 Patrol, Explosive Ordnance/ Ballistic Detection and Counter Narcotics capabilities. The canine unit is capable of providing assistance in several critical areas including, but not limited to:

1. Officer protection and safety
2. Search, Detection and Recovery
  - a. Suspects
  - b. Victims
  - c. Weapons / Narcotics/ Evidence/ Explosives
  - d. Building / Residence Clearance
  - e. Missing Persons
  - f. Vehicles
  - g. Crime Scenes
3. Crowd Control and Management
4. Public and Community Relations Demonstrations
5. Deterrence (mere presence)
6. Site securing
7. Homeland Security Assignments

#### **Ownership:**

All dogs accepted by the Salem Police Department for training and use are the sole property of the Salem Police Department. Department owned dogs are not available for breeding purposes, without prior approval of the Unit Commander. The dogs are to be considered a valuable tool issued by the department and should not be considered as pets. Upon assignment to the K-9 Unit the Officer assumes full responsibility for the K-9. (41.1.4a) The Officer will be required to house the canine at his /her residence.

Handlers shall have a residence capable of housing the canine and have adequate space for the construction of a kennel. In the event the Officer does not own the property the Officer shall obtain written permission from the property owner for housing of the canine. The Officer will ensure the residence is covered by homeowner's insurance (and where applicable renter's insurance) and that the insurance company is aware that there is a police canine being housed on the property. Access to the canine's area must be restricted by the handler. Any Officer selected for the position of canine handler should expect to remain in the unit for the working life of the dog. The Officer shall be in good health and not suffer from serious medical problems and must be strong enough to withstand the dog handling training and work conditions. The Officer shall have a family agreement with his / her family before being assigned to the unit. If there are pets in the home the Officer shall agree that if a conflict occurs between the department's animal and the pet, the pet must be removed from the home. The dog may be subject to transfer between handlers at the discretion of the Unit Commander to enhance the efficiency of the unit.

Retired dogs may be placed with their handlers or elsewhere at the discretion of the Chief of Police. Financial consideration to be determined by the Mayor and/or the Mayor's designee.

### **122.2 Organization**

The Salem Police Department K-9 Unit is assigned to the Patrol Division under the immediate supervision of the Officer in Charge (OIC) and the Patrol Division Commander. All K-9 handlers serve in the SPD Patrol Division and are required to perform all duties of a Patrol Officer with the added responsibility of working a police service dog. They are considered to be a canine capable patrol unit.

1. K-9 Unit Commander: The K-9 Unit Commander is responsible for the overall coordination, administration and operation of the K-9 Unit. The K-9 Unit Commander shall report directly to the Chief of Police.

2. K-9 Handler (21.2.2)

A. General Duties: The handler(s) shall perform the general duties of a patrol Officer and/or commensurate with their rank, except when their services are required for special details or training.

1. Functional Duties:

Because of a superior sense of smell, hearing and agility, and a potential for utilization of learned apprehension tactics, the trained SPD K-9 handler is required to adhere to specialized procedures. These procedures must ensure that the handler properly control their utilization of force involving the canine and channel their specialized capabilities into legally acceptable crime intervention and control activities. These specialized procedures will be based on the "Graham Standard" of reasonableness. (Graham v. Connor, 490 U.S. 398).

a. K-9 handlers are responsible for determining whether a situation justifies the use of a police K-9; however the K-9 Officer will coordinate activities with the on-scene commander or patrol supervisor. The decision for K-9 deployment will rest with the on-scene commander with input from the K-9 handler. Key factors in any decision shall be the training limitations of the K-9 and the safety of the K9.

b. Prudence dictates that handlers follow all guidelines and procedures in every aspect of K-9 operations to ensure safety at all times.

K-9 handlers should use common sense and good judgment in all dealings with police canine's whether on or off duty.

c. Anytime there is physical contact with the canine involving any person or pets, which includes biting, scratching, knocking down or apprehending, etc. the K-9 handler will immediately, when it is tactically safe, render first aid to the victim or suspect. The K-9

Supervisor will be notified immediately or as soon as possible. All K-9 handlers, following the above-mentioned incidents must complete the necessary reports as outlined in the Department's "Use of Force" policy. Following the completion of all required reports they will immediately be submitted to the unit commander.

(1.3.5) (1.3.6)

DE-ESCALATION TACTICS. Proactive actions and approaches used by an officer to stabilize a law enforcement situation so that more time, options and resources are available to gain a person's voluntary compliance and to reduce or eliminate the need to use force including, but not limited to, verbal persuasion, warnings, slowing down the pace of an incident, waiting out a person, creating distance between the officer and a threat and requesting additional resources to resolve the incident, including, but not limited to, calling in medical or licensed mental health professionals, as defined in subsection (a) of section 51½ of chapter 111, to address a potential medical or mental health crisis.

#### **On Duty Procedures**

- a. All canines while conducting searches for explosives, ballistics, narcotics, suspects, etc. will be on lead. This includes both EOD/Ballistic and Patrol dogs. The only exception will be while conducting vehicle searches or in confined spaces, where a leash may hinder the K-9's ability to move freely to execute a proper search.
- b. Patrol K-9's will be leashed at all times when moving from their vehicle to the area of deployment, training area, kennel etc. Patrol K-9 handlers will use sound judgment and rely on their training and experience to determine when it is safe to search off lead, i.e. known break, building searches etc. However, prior to executing off lead searches in residences, handlers should take into consideration the presence of other animals and the possibility of

occupants. Tracking of missing person(s) or victims will be executed on lead. (41.1.4a)

- c. It is important that the K-9 handlers understand his/her responsibilities anytime a police service dog is deployed. The following factors should be considered during employment:

1. Handlers should encourage their dogs to not urinate or defecate in or around any inhabited homes or buildings if possible. Any incidents of this nature will be cleaned by the K-9 handler when feasible.

2. Handlers are responsible to ensure that NO person be allowed to tease, agitate or otherwise engage a police service dog except during authorized training sessions.

3. Handlers are not to permit members of the general public to come into contact with their police service dogs under any circumstances.

4. Handlers are responsible for maintaining or ensuring accurate and up to date records in the following areas; (41.1.4c)

- a. Training records
- b. Medical and health records
- c. Food supply records
- d. Use of force reports

Each handler will furnish these records to the Unit Commander upon request. The records shall be maintained by the handler.

5. The handler will attach action code "K9A" for purposes to tracking and analysis.

6. Appropriate announced K-9 release warnings should be given prior to the deployment of a police K-9 when possible.

7. Prior to K-9 deployment (Action Code "K9D") at an active scene, a K-9 deployment advisory should be announced via the radio, to inform other Officers of the K-9's presence.

K-9 teams should be assigned and / or be prepared to respond to any incident where the team could be of assistance and examples include but are not limited to the following: (41.1.4a)

- 1. Burglary in progress calls, intrusion and robbery alarms, events in progress or that have just occurred.
- 2. Felony crime where the suspect had fled on foot and a need for tracking service exists.
- 3. Drug searches for canine teams certified in this field.

4. Building or area searches for suspects.
5. Searches for evidence or discarded contraband.
6. Searches for lost or missing persons.
7. Searches for illegal firearms or explosive devices for K-9 teams certified in this field.
8. Department training presentations.
9. Public relations events.

K-9 teams may not always be dispatched to respond to a call like those listed above. Therefore, it is imperative the K-9 handler monitor all calls for service in the City and respond to any situations where the canine unit may be of assistance.

K-9 handlers shall notify SPD communications of the assist, prior to arrival on scene.

K-9 handlers will notify the OIC of scheduled on-duty training and its location. The OIC will only clear K-9 handlers from training if necessary to assist in an emergency situation.

K-9 teams should not be used to accomplish any application where a strong potential exists for discrediting the Department and the canine unit.

1. They should not be assigned to a call that leaves a canine unsupervised for an extended period of time or causes the K-9 team to be unavailable for patrol calls.

#### **A. K-9 Demonstrations**

1. All K-9 demonstrations will be authorized by the Unit Commander.
2. No Officer or handler will perform a demonstration without prior approval of the Unit Commander.
3. When conducting a demonstration, the handlers will base the content of the demonstration on the target audience.
4. K-9 handlers will maintain a distance of at least twenty- feet (20') from the target audience and spectators at all times. No handler will allow non-law enforcement personnel to approach or come in contact with the police canine under any circumstances.
5. Yellow barrier tape or flags should be put up around the demonstration area when possible.

**B. Kenneling**

1. All police canines will be properly kenneled at the Officer's home in an authorized kennel system.
2. The patrol canines will be kenneled outside of the home in an issued 6 x 12 kennel system provided by the department.
3. Patrol canines are not permitted within the Officer's home except within an issued vari-kennel during inclement weather or for noise reduction during the nighttime hours when appropriate.
4. Police canines will not be allowed to roam free within the Officer's homes. NO EXCEPTIONS.
5. During the handler's vacation periods or incapacitation, the canines may be kenneled at a proper kenneling facility approved by the Unit Commander, or another handler's residence, provided proper facilities are available. No other commercial facility may be used.
6. All canines will be leashed while moving from vehicle to kennel or kennel to vehicle.
7. The Unit Trainer will guide training procedures of the dogs, while the Officer is at home. Under no circumstances will Officers conduct apprehension training at their residence.

**C. Transportation**

Police K-9s will be transported in department issued vehicles. If the handler's police vehicle is disabled or unavailable, the use of a personal vehicle with an authorized vari-kennel will be permitted until a spare vehicle can be obtained.

**D. K-9 Vehicles**

1. Salem Police K-9 Patrol vehicles are specially equipped and issued to each handler. No modifications or additions will be made to these vehicles without prior approval of the Auxiliary and Administrative Division Commander. All lettering and markings will be standardized on all K-9 vehicles. If lettering is missing or damaged have the issue corrected by the Auxiliary and Administrative Division Commander.

**2. K-9 Vehicles Standards;**

- a. Emergency Equipment  
Emergency lights;



- Alley lights (on exterior light bar);
- Siren; and
- Public address system

b. Markings

All the same markings as a regular patrol unit with the addition of:

- "K-9" on both sides and rear of the vehicle;
- and
- "Caution" on the sides of the vehicle.

c. Adaptations to Cruiser

The following changes will be mandatory for the Canine Unit:

- Safety barrier between the front and rear seat;
- Removal of the rear seat and installation of a platform; and
- Metal safety screens on rear side windows
- Remote "Bail-Out" system for the canine.

3. All mechanical issues with K-9 vehicles will be reported to the Auxiliary and Administrative Division Commander for correction. If the problem will require the following;

- a) An extended repair, the Officer must contact the Auxiliary and Administrative Division Commander , who will in turn assign a spare vehicle.
- b) No Officer is permitted to take a spare vehicle without prior approval. In the event that the problem occurs during late night hours, K-9 Officers will utilize one of the spares at the station and immediately email their supervisor and the number of the spare vehicle and why it was necessary to utilize a spare. The following day the Auxiliary and Administrative Division Commander will advise the Officer of any additional steps that need to be followed. No exceptions to this policy.

4. Each K-9 Officer is responsible for the inspection of his/her vehicle. They will report any deficiencies to the Auxiliary and Administrative Division Commander.

**E. Veterinary Service**

- 1. Department provides routine medical service to all police canines.

2. All handlers will utilize only the contracted animal hospital, unless there is a bonafide medical emergency that requires them to seek immediate treatment. If emergency treatment is required you will provide the treatment as soon as possible at any certified animal medical facility and notify the Unit Commander.
3. Upon arrival at the veterinary hospital, handlers will leave their dogs inside of their vehicle while you are checking in.
4. During examination all patrol canines will be muzzled, unless otherwise directed by the Vet for examination.
5. All canines will be leashed while at the veterinary office unless directed otherwise by staff.
6. Handlers will ensure that their canines do not come in contact with other animals or civilians while in the veterinary office.

**F. Uniforms and Equipment (41.1.4d)**

The K-9 uniform was adopted to provide the handler with a practical, durable garment capable of withstanding the heavy wear and tear involved with K-9 related patrol and training activities. The following uniform and equipment standards have been established to maximize Officer safety and ensure a professional appearance while on-duty:

1. 5.11 Class B "Ripstop" PDU for patrol operations along with 5.11 BDU for tactical assignments.
2. The Fall/Winter jacket will be a 511 Sabre 2, black with a patch on the left sleeve and a badge embroidered in place of a pin on badge.
3. Only the prescribed uniform will be authorized.
4. During special events or large call-ups, the uniform of the day and necessary equipment will be announced by the K-9 Unit Supervisor.
5. All handlers will maintain their issued equipment in a safe and working condition. Any broken or malfunctioning equipment will be immediately reported to the K-9 Supervisor.
6. The issued K-9 Unit baseball cap shall be worn with the BDU's. During the winter months a black, knit watch cap may be worn.

7. Specialized K-9 equipment will be issued by the Department and at a minimum will include that equipment determined necessary to participate in the Basic Patrol Class along with any subsequent training (Narcotic, EOD).

#### **G. Injured Handler Procedures:**

All Officers shall consider the following course of action in the event a K-9 handler becomes injured or unable to command his / her dog. If the K-9 handler is down, in all probability, the dog will stand guard and prevent anyone from approaching. The dog and the handler will train together and form a special bond. The dog's attitude will change and go into a protective mode if the handler is hurt or in danger. Do not approach!

1. Request assistance from another K-9 handler or the K-9 Supervisor immediately.
2. Do not rush in on the handler or the dog.
3. Call to the handler, if possible he or she will call off the dog.
4. If the handler is unable to assist, move the K-9 vehicle or another cruiser to a position as close as possible to the handler and canine. Park the vehicle with the left side facing the canine and open the left rear door. In a loud commanding voice, call to the dog giving the command "KENNEL". Stand behind the door and don't move. Close the door immediately if the canine enters. Do not attempt to operate the vehicle until the canine has been properly secured.
5. If attempts fail to secure the canine, the training sleeve should be removed from the trunk of the K-9 vehicle. The canine will recognize the sleeve as a training tool or toy and respond to it. Once the K-9's attention has been drawn to the sleeve, pat the sleeve with your hand while making a loud noise and then place the sleeve into the canine compartment of the vehicle. The dog should respond.
6. Most importantly the assistance of a trained handler or K-9 Supervisor should be requested without delay. If a canine snare is available that should be used to capture the canine. Euthanasia of the animal should only be initiated as a last resort.

**H. Officer Guidelines:**

Officers involved with a K-9 deployment shall be governed by the following:

1. Officers at the scene shall contain the area to the extent possible to prevent escape of the suspect(s) and maintain their perimeter security until notified that the search is concluded. Patrol units assigned to perimeter locations will be moved accordingly with the K-9 unit's track.
2. Officers shall refrain from unnecessary conversation, stay clear of doors and windows, and shall not enter the search area unless instructed by the K-9 handler(s) or supervisor.
3. When the K-9 unit enters a building or search area, at the discretion of the handler(s) another Officer may be assigned to accompany the K-9 unit.
4. Officers should avoid lighting up the K-9 team with spotlights or flashlights.
5. If an Officer is requested to accompany the K-9 unit during a field or building search, he / she shall take a position to the rear of the K-9 handler and carefully follow all instructions given by the handler.
6. Once the canine has been sent to make an apprehension, other Officers shall not attempt to take the person into custody until the animal has been called off, unless it is safe to do so.
7. Officer interference with a canine in pursuit may result in injury to the Officer(s). If an Officer comes between a suspect and the canine, he/she should stand as still as possible and make no overt movements.
8. Officers checking an enclosed area with the K-9 unit shall issue verbal warnings about the canine's deployment before searching a building structure or premise unless it is tactically undesirable in a given situation. This announcement will be made periodically during the search of the area, depending on the area size.

9. The perimeter unit should keep the area clear of civilian personnel. Officers should avoid contaminating the search area prior to the completion of the canine's search. Officer should be careful to refrain from touching any discarded evidence.

10. If Officers have entered the search area or building prior to the K-9 unit's arrival, they should make sure that all Officers are out of the area prior to the canine's search. The K-9 handler should be made aware of the area that has been contaminated.

#### **I. Employee Conduct**

1. No members of the Department will touch, handle or pet the police canine unless given permission by the handler.
2. Personnel shall not tease, agitate, or harass the police canine.
3. Members of the Department shall refrain from horseplay with other personnel or the handler when the police canine is present. Do not make aggressive gestures towards the handler.
4. If a working canine (for example, an actively tracking, scenting, or apprehending canine) approaches an employee, the employee should stand still.

#### **J. Use of Force**

The K-9 unit shall be guided by departmental use of force policies. Should a situation arise where a canine is used to apprehend a suspect, the handler should have probable cause to believe a person has committed a felony in violation of Massachusetts statutes, or that there is a danger of serious injury to Officers or other persons by the suspect. The handler shall allow the canine to use only the force necessary to affect the apprehension of the subject the canine was ordered to apprehend.

#### **K. Training and Selection of K-9's**

##### **1. K-9 Handler**

The following are criteria that may be used in the selection of a departmental K-9 handler: (41.1.4b)

- a. Officers shall have a minimum of three years law enforcement experience with the Salem Police Department.
- b. Officers shall be agreeable to the assignment.
- c. The Officer's residence shall be capable of housing the canine and have adequate space for the construction of a kennel. The Officer will be required to house the canine at his or her residence.
- d. In the event the Officer does not own the property, the Officer shall obtain written permission from the property owner for the housing of a canine.
- e. Any Officer selected for the position of K-9 handler should expect to remain in the K-9 unit for the working life of the dog.
- f. The Officer shall be in good health and not suffer from serious medical problems and must be strong enough to withstand the dog handling, training and work conditions.
- g. The Officer shall have family in agreement with his or her being assigned to the K-9 unit.
- h. If there are other pets in the home, the Officer shall agree that if conflict occurs between the department's animal and the pet, that the pet must be removed from the home.
- i. The Officer shall understand and embrace the K-9 unit's mission and philosophy.

## 2. Selection of Canines

Dogs selected must meet the following criteria:

- a. Dogs must pass physical examination by an approved veterinarian.
- b. Dogs must pass temperament testing.

### 3. Training (41.1.4b)

Prior to being assigned to duty with the department all canines and handlers will complete a certified basic patrol course (e.g. Boston Police Department 14 week K-9 handler and basic patrol course.)

a. Once the dog is accepted for the program, it shall be given a medical examination by an approved veterinarian.

b. The Chief of Police must approve the K-9 training program. A canine training program will be selected to meet the specific needs/philosophies of the department, in compliance with standards for K-9 teams and as set by the USPCA.

c. Training shall be conducted in an orderly fashion during all work sessions with periodic breaks for relaxation of dogs and personnel.

d. Safeguards shall be employed to prevent injuries to dogs, personnel and third parties during training.

e. No K-9 unit shall be used until the unit has completed the certified course of instruction.

### 4. Training Updates (41.1.4b)

a. Refresher training will be conducted on an on-going basis, as determined by the handler and supervisor.

b. Periodic testing and recertification will be required of each canine unit, based on accepted USPCA standards.

c. Training should be varied and should be representative of the job requirements.

d. Canines shall not be abused or mistreated, and only such force as is absolutely necessary to restrain them will be permitted.

- e. Training shall not be performed without proper equipment.

### **122.3 Other Agency Response**

K-9 Units will respond to incidents outside of the City of Salem under the following guidelines:

1. The Chief of Police or their designee must approve all requests.
  - a. The OIC or Street Supervisor may approve exigent circumstance requests.
  - b. Pre-planned requests must be approved by the Unit Commander.
2. The requesting agency will be advised that they may be expected to reimburse the City of Salem for the k-9 unit cost if:
  - a. The situation is a pre-planned event.
  - b. A non-adjointing jurisdiction makes a request.
  - c. An adjacent jurisdiction makes a request when the K-9 unit is off-duty.
3. The K-9 handler will be advised of the request and any special requirements.
4. The requesting agency will be advised of the decision authorizing use of the K-9 unit. They will also be given an approximate arrival time if the K-9 unit has been authorized to assist.
5. Upon arrival at the scene, the K-9 handler will determine the amount of involvement by the Canine unit.
6. A shift supervisor or designee will prepare a written report for the Chief of Police furnishing information relative to the following:
  - a. The request for use of the K-9 unit, including the name of the requesting Officer or official.



- b. The need for such service.
- c. The action taken on the request.
- d. The results of the assistance.

#### **122.4 Injuries and Damages Related to K-9 Unit**

In every situation where a Salem police canine injures another person or family pet, the following procedure will be followed:

1. The shift supervisor will immediately be notified.
2. All necessary use of force reports require by the department will be filed.
3. The injured party shall initially be interviewed preferably by the Street Sergeant regarding the crime and the dog's activities. The case will be forwarded to IA for follow-up.
4. Ask the injured party for a release of medical records.
5. Record all details of medical care.
6. When the location of a bite is in a sensitive area, an Officer of the same gender as the victim shall act as witness and photographer.
7. Turn in required reports within 24 hours of the incident.
8. Medical treatment
  - a. An ambulance will be called to offer medical aid.
  - b. If an injured party is uncooperative, the canine Officer should request another Officer to be present to verify the injured party's response. This would include refusals to allow the effected bite area to be observed.
  - c. If a juvenile is injured that person should be escorted to a hospital, as soon as possible for a doctor's examination, a second Officer should be available to witness the injury and/or refusal to view the injury, preferably the Street Sergeant.

The parent/guardian will be notified as soon as possible. All information shall be included in a complete report.

d. The same requirements shall prevail even if the bite is accidental and occurs while on or off duty.

### **122.5 Canine Care**

Salem Police Department K-9 handlers, except with approval of the K-9 supervisors, are to care for their assigned police dog. (41.1.4a) (41.1.4c)

1. The handler will be responsible for the health and welfare of the assigned canine, both on and off duty.
2. Annual medical examinations will be conducted every year or as needed should an injury occur.
3. The department will pay veterinarian care unless canine is sponsored by a veterinarian donating care.
4. Any illness or injury of a non-emergency nature shall be reported to the handler's supervisor. If it is determined by the handler the canine should be taken to the veterinarian, the supervisor shall be notified as soon as practical.
5. In an emergency situation, the handler shall report to his/her K-9 supervisor describing the entire incident.
6. The handler will be responsible to administer any medication as prescribed by the veterinarian.
7. The canine(s) will be licensed in accordance with state and local laws.
8. The handler will be responsible for the daily grooming and check of their assigned canine. The labor contract will specifically address this issue of the Garcia Act.
9. The department will provide food for the canine and/or an allowance to reimburse the Officers for the cost of food. The handler is responsible for proper and acceptable standards of feeding
10. The canine home kennel will be kept clean and sanitary.

11. Canines are the property of the City of Salem and will be treated accordingly.

#### **122.6 Use of Controlled Substances in Canine Training**

The use of controlled substances for training purposes is governed by Salem Police policy #56.0 (56.3.1) Property Management and Evidence. The use of non-evidentiary controlled substances is considered a legitimate need pursuant to policy #56.0 (56.3.1.3).

08/18/2014 section 122.6 added

09/24/2014 Section K ,2 added for fall/winter jacket

03/27/2015 122.2 pg 4 a. & c. amended, kenneling 7 removed, K. 3. removed, training f. removed, 122.3 8. Removed

06/10/2015 numerous changes-see file

03/19/21 Changes to comply with Police Reform Bill see file