



2-23 USE OF K-9 UNIT

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

- 1-64 K-9 Unit (Formerly 6-9)
- 2-35 Emergency Response Team (ERT) (Formerly 2-29)
- 2-70 Execution of Search Warrants (Formerly 2-16)
- 2-71 Search and Seizure without a Warrant (Formerly 2-17)

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

SO 22-05 Amendment to SO 22-05, and Amendment to SOP 2-23 Use of Patrol Canine (K-9) Unit

2-23-1 Purpose

The purpose of this policy is to guide Field Services Bureau (FSB) personnel and K-9 Unit Handlers regarding the proper application of a PSD.

2-23-2 Policy

It is the policy of the Albuquerque Police Department (Department) to use the K-9 Unit to assist with searching buildings for intruders and to track wanted individuals.

N/A 2-23-3 Definitions

None

6 2-23-4 Procedures

A. Primary Duties and Responsibilities

1. A K-9 Handler shall be authorized to deploy their police service dog (PSD) for the following circumstances:
 - a. To apprehend an individual suspected of committing a felony crime;



- b. To apprehend an individual who poses an imminent threat to the safety of sworn personnel and others;
- c. For officer safety, to conduct searches for an individual suspected of committing a felony crime when they have concealed themselves from law enforcement or are actively fleeing; and
- d. To conduct building searches to locate individuals suspected of committing a felony crime or an individual suspected of committing a misdemeanor crime who is concealing themselves in a building or area and is believed to be armed.

B. Searches

1. Commercial Building and School Searches

- a. A K-9 Handler shall search a commercial building or school with clear signs of unauthorized entry and for which the Reporting Party (RP) has been contacted and is willing to prosecute for a criminal offense.
- b. A K-9 Handler may conduct a search of a commercial building or school when an unsecured entry point is located for which the RP has been contacted and is willing to prosecute for a criminal offense.
- c. Before FSB personnel request a K-9 Handler to conduct a search of a commercial building or school, they shall contact the RP for the commercial building or school and/or shall ensure that the RP is present and willing to prosecute any unauthorized person who may be inside.
 - i. If FSB personnel cannot contact the RP, they shall not request the K-9 Handler to respond to the scene.
 - ii. FSB personnel shall place a written notice at the primary access point for the commercial building or school, indicating the commercial building or school is not secure.
- d. If, at any time during the search or prior to a PSD apprehension, the unauthorized individual in the commercial building or school clearly surrenders to arrest without resistance, the K-9 Handler shall attempt to recall and gain control of their PSD to eliminate the chance of an injury.
 - i. If the PSD makes contact with the unauthorized individual in the commercial building or school, the K-9 Handler shall remove the PSD from the individual only after the individual is secured and it is safe to do so.
- e. Verbal Warnings
 - i. Prior to the K-9 Handler conducting a search of a commercial building or school with their PSD, they shall issue verbal warnings.
 - ii. During the search, if the K-9 Handler acquires information suggesting that an unauthorized individual may be hiding within a specific area of the commercial building or school, they shall attempt to give additional verbal warnings.
 - iii. If the commercial building or school that is being searched is large or has multiple levels, the K-9 Handler shall give additional verbal warnings at each level of the commercial building or school.

N/A



iv. If the K-9 Handler determines that issuing verbal warnings presents an articulable threat to the safety of sworn personnel on the search team, they shall thoroughly document the facts in their Uniform Incident Report.

2. Area Searches

N/A

- a. K-9 Handlers may be used to track an individual in an outdoor area.
- b. Non-K-9 Unit sworn personnel shall remain out of the area to prevent contamination if a K-9 Unit is to be used.
- c. The K-9 Handler shall be called to the scene of an incident as quickly as possible while the individual's scent is still fresh.
- d. A K-9 Unit supervisor shall respond to large-scale area searches for coordination and operational control.

3. Article Searches

N/A

- a. K-9 Units may be used to search for articles associated with tracking an individual in the area where a crime has occurred.

4. If the PSD injures an individual during a search, the Special Operations Division (SOD) chain of command shall:

- a. Review the PSD deployment; and
- b. Upload documentation outlining their review in the internal Affairs (IA) database web application.

C. A K-9 Unit supervisor shall respond to large-scale area searches for coordination and operational control.

- a. A K-9 Unit supervisor shall not be required to be present when a K-9 Handler searches a commercial building or school with their PSD.

N/A

D. If the K-9 Handler uses their PSD as a force option, Department personnel shall review and investigate the incident, consistent with the SOP Use of Force: Review and Investigation by Department Personnel (refer to SOP Use of Force: Review and Investigation by Department Personnel for sanctions classification and additional duties).

E. Operational Control and Conflict of Orders

1. The K-9 Unit Sergeant shall assume operational control of any situation requiring the deployment of the Police Service Dogs (PSD).

- a. In the absence of the K-9 Sergeant, a Tactical Section Supervisor shall be contacted.



2. If the K-9 Unit Sergeant is not present and a K-9 Handler is requested by another supervisor to deploy their PSD in a manner that the K-9 Handler feels is inappropriate, they shall:
 - a. Inform the supervisor of the concern and state their reasons;
 - b. Contact a Tactical Section Supervisor; and
 - c. Have ultimate authority over when to deploy a PSD.
3. Under no circumstance shall a K-9 Handler comply with an order that they know is illegal, violates the civil rights of any individual, or is in violation of the Use of Force Policy.
4. If the K-9 Handler is participating in a full tactical activation, the authority to deploy the PSD resides with the Tactical Commander or their designee.
 - a. When the tactical section is activated for crowd control situations, civil disturbances, and/or riots, K-9 Handlers shall not deploy with their PSD as a force option. However, this does not preclude K-9 Handlers from being used for other tasks at the discretion of the Tactical Commander.

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F. Prohibited Use of a PSD

1. K-9 Handlers shall not use their assigned PSD:
 - a. To assist in a civil disturbance or crowd control;
 - b. To affect the arrest of a known highly intoxicated, feeble, or otherwise incapacitated or disabled person(s) who obviously cannot escape, resist, or become an immediate threat to sworn personnel or others;
 - c. To apprehend individuals experiencing a known behavioral health crisis who have not committed a felony crime;
 - d. To apprehend known suicidal individuals who have not committed a felony crime;
 - e. To search commercial buildings or schools without clear signs of unauthorized entry, or when no Reporting Party (RP) is present or contacted to establish elements of a crime; and
 - f. A K-9 Unit Handler may not deploy their PSD merely because it is an available use of force option.

G. Deployment of a PSD as a Use of Force Option

1. A K-9 Unit Handler may deploy their assigned PSD as a use of force option only if:
 - a. The deployment of the PSD is objectively reasonable given the facts and circumstances confronting the K-9 Handler and consistent with SOP Use of Force: General (refer to SOP Use of Force: General for sanction classifications and additional duties.);



- b. The use of force is the minimum amount of force that is reasonable, necessary and proportional based on the totality of the circumstances confronting the K-9 handler to bring about a lawful objective;
- c. Before deploying their PSD, the K-9 Unit Handler evaluates the following factors, taking into consideration the safety of the community members, sworn personnel, and the individual:
 - i. The severity of the crime(s) at issue;
 - ii. Whether the individual poses an immediate threat to the safety of the officer or others;
 - iii. Whether the individual is actively resisting arrest or attempting to evade arrest by flight; and
 - iv. All other factors that must be considered pursuant to the Use of Force SOPs.

E. K-9 Unit Searches

1. A K-9 Unit Handler shall be authorized to deploy their PSD:

- a. To apprehend an individual suspected of committing a felony crime;
- b. To apprehend an individual who poses an imminent threat to the safety of sworn personnel and/or others;
- c. For officer safety, to conduct searches for an individual suspected of committing a felony crime when they have concealed themselves from law enforcement or are actively fleeing; and
- d. To conduct building searches to locate an individual suspected of committing a felony crime, or an individual suspected of committing a misdemeanor crime who is concealing themselves and is reasonably believed to be armed.

2. Commercial Building and School Searches

- a. A K-9 Unit Handler may conduct a search of a commercial building or school with clear signs of unauthorized entry, and for which the RP has been contacted and is willing to prosecute for a criminal offense.
- b. A K-9 Unit Handler may conduct a search of a commercial building or school when an unsecured entry point is located for which the RP has been contacted and is willing to prosecute for a criminal offense.
- c. Before Field Services Bureau (FSB) personnel request the K-9 Unit to conduct a search of a commercial building or school, they shall contact the RP for the building/school and/or shall ensure that the RP is present and willing to prosecute any unauthorized person who may be inside.
- v. If FSB personnel cannot contact the RP, they shall not request the K-9 Unit Handler to respond to the scene.
- vi. FSB personnel shall place a written notice at the primary access point for the commercial building or school, indicating the building/school is not secure.



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- d. If at any time during the search or prior to a PSD apprehension, the unauthorized individual in the commercial building or school clearly surrenders to arrest without resistance, the K-9 Unit Handler shall attempt to recall and gain control of their PSD to eliminate the chance of an injury.
- e. If the PSD makes contact with the unauthorized individual in the commercial building or school, the K-9 Unit Handler will remove their PSD from the individual only after the individual is secured and it is safe to do so.

2. Verbal Warnings

- a. Prior to the K-9 Unit Handler conducting a search of a commercial building or school with their PSD, they shall issue verbal warnings.
- b. During the search, if the K-9 Unit Handler acquires information suggesting that an unauthorized individual may be hiding within a specific area of the commercial building or school, they shall attempt to give additional verbal warnings.
- c. If the commercial building or school that is being searched is large, or has multiple levels, the K-9 Unit Handler shall give additional verbal warnings at each level of the building/school.
- d. If the K-9 Unit Handler determines that issuing verbal warnings presents an articulable threat to the safety of sworn personnel on the search team, they shall thoroughly document the facts in their Uniform Incident Report and the Computer-Aided Dispatch (CAD) system entry.

3. A K-9 Unit supervisor shall respond to large-scale area searches for coordination and operational control.

- a. A K-9 Unit supervisor shall not be required to be present when a K-9 Unit Handler searches a commercial building or school with their PSD.

N/A

4. If the K-9 Unit Handler uses their PSD as a force option, Department personnel shall review and investigate the incident, consistent with the SOP Use of Force: Review and Investigation by Department Personnel (refer to SOP Use of Force: Review and Investigation by Department Personnel for sanctions classification and additional duties).
5. If the PSD injures an individual during a search, the Special Operations Division (SOD) chain of command shall review the PSD deployment and upload documentation outlining their review in the IA database web application.



2-23 USE OF CANINE-K-9 UNIT

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

- 1-64 K-9 Unit (Formerly 6-9)
- 2-35 Emergency Response Team (ERT) (Formerly 2-29)
- 2-70 Execution of Search Warrants (Formerly 2-16)
- 2-71 Search and Seizure without a Warrant (Formerly 2-17)

B. Form(s)

None

C. Other Resource(s)

None

D. Rescinded Special Order(s)

SO 22-05 Amendment to SO 22-05, and Amendment to SOP 2-23 Use of Patrol Canine (K-9) Unit

2-23-1 Purpose

The purpose of this policy is to guide Field Services Bureau (FSB) personnel and K-9 Unit Handlers regarding the proper application of a PSD. ...

2-23-2 Policy

It is the policy of the Albuquerque Police Department (Department) ~~policy is to use the~~ K-9 Unit to assist with searching buildings for intruders and to track wanted individuals.

N/A 2-23-3 Definitions

None

6 2-23-4 Procedures

A. Primary Duties and Responsibilities

The primary duties and responsibilities...

The K-9 Unit Handler shall determine...

Searches



1. A K-9 Unit Handler shall be authorized to deploy their police service dog (PSD) infor the following circumstances:

~~It is the policy of this department to allow the deployment of a PSD in the following circumstances:~~

- ~~1. a. To apprehend an individual suspected of committing a felony individuals crime;~~
- ~~a.~~
- ~~2. b. To apprehend an individuals who poses an immeimminentdiate threat to the safety of officerssworn personnel and others;~~
- ~~b.~~
- ~~c. c. For officer safety, to conduct searches for an felony individual suspected of committing a felony crimes, wherethe individual hashave concealed themselves from law enforcement or isare actively fleeing; and~~
- ~~ForTo conduct :~~
- ~~3. d. b Building searches to locate individuals suspectedsuspected of committing a felony crime or an individual suspected of committing a misdemeanor crime who is concealing themselves in a building or area and is believed to be armed.~~
- ~~d.~~

B. Searches

1. Commercial Building and School Searches

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N/A

- a. A K-9 Handler shall search a commercial building or school with clear signs of unauthorized entry and for which the Reporting Party (RP) has been contacted and is willing to prosecute for a criminal offense.
- b. A K-9 Handler may conduct a search of a commercial building or school when an unsecured entry point is located for which the RP has been contacted and is willing to prosecute for a criminal offense.
- c. Before FSB personnel request a K-9 Handler to conduct a search of a commercial building or school, they shall contact the RP for the commercial building or school and/or shall ensure that the RP is present and willing to prosecute any unauthorized person who may be inside.
 - i. If FSB personnel cannot contact the RP, they shall not request the K-9 Handler to respond to the scene.
 - ii. FSB personnel shall place a written notice at the primary access point for the commercial building or school, indicating the commercial building or school is not secure.
- d. If, at any time during the search or prior to a PSD apprehension, the unauthorized individual in the commercial building or school clearly surrenders to arrest without resistance, the K-9 Handler shall attempt to recall and gain control of their PSD to eliminate the chance of an injury.



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- i. If the PSD makes contact with the unauthorized individual in the commercial building or school, the K-9 Handler shall remove the PSD from the individual only after the individual is secured and it is safe to do so.
- e. Verbal Warnings
 - i. Prior to the K-9 Handler conducting a search of a commercial building or school with their PSD, they shall issue verbal warnings.
 - ii. During the search, if the K-9 Handler acquires information suggesting that an unauthorized individual may be hiding within a specific area of the commercial building or school, they shall attempt to give additional verbal warnings.
 - iii. If the commercial building or school that is being searched is large or has multiple levels, the K-9 Handler shall give additional verbal warnings at each level of the commercial building or school.
 - iv. If the K-9 Handler determines that issuing verbal warnings presents an articulable threat to the safety of sworn personnel on the search team, they shall thoroughly document the facts in their Uniform Incident Report.
- ~~— A K-9 Unit Handler shall not be required to respond to all commercial break-in, unless there are obvious signs of a forced entry and a responsible party (RP) is present and willing to prosecute. The size of the structure alone does not preclude the K-9 Unit from being called out, however if an officer arrives on scene to a location that would be considered small (i.e., gas stations, barbershops, salons, or small detached structures/buildings.) the officer may conduct a search without the K-9 Unit present if they feel it is safe to do so. If at any point during the search the officers believe the structure may be occupied by an unauthorized person(s), they will stop the search and contact the K-9 Unit, unless they are in a position to safely take the individual into custody in which case the K-9 Unit will not be needed. For audible alarms where Officers locate no forced entry, but an unsecured entry point, the K-9 Unit may be called to search the building as long as an RP is present and willing to prosecute. If FSB sworn personnel do not obtain authorization from the RP to enter the building, they shall leave written notification or telephonic notification, where appropriate, of their inability to contact the RP and that the building may not be secure. All K-9 unit requests will go through ECG and they will contact the on call K-9 Unit Handler directly.~~
- ~~— A K-9 Unit handler shall conduct building searches using their PSD. The K-9 Unit Handler shall not be required to respond to request to conduct a building search if it does not meet the criteria outlined in this section:~~
- ~~— A K-9 Unit Handler shall conduct a search of a commercial structure or school with clear signs of unauthorized entry, and for which the RP has been contacted and is willing to prosecute for a criminal offense. A K-9 Unit Handler may conduct a search of commercial structure where an unsecured entry point is located, for which the RP has been contacted and is willing to prosecute for a criminal offense.~~
- ~~— Before requesting a K-9 Team to conduct a search of a commercial building, FSB person shall contact the RP for the building and/or shall ensure that the RP is present and willing to prosecute any unauthorized person who may be inside.~~



- ~~— If FSB personnel cannot contact the RP, The K-9 Unit Handler shall not be called and is not required to respond to the scene.~~
- ~~— FSB personnel shall place a written notice at the primary access point for the building, indicating the building is not secure.~~
- ~~— If at any time during the search or prior to an apprehension, the unauthorized individual in the building clearly surrenders to arrest without resistance, the K-9 handler will attempt to recall and gain control of their PSD to eliminate the chance of injury.~~
- ~~— If the PSD makes contact with the unauthorized individual in the building, they will remove the PSD from the suspect only after the individual is secured and it is safe to do so.~~
- ~~— A K-9 Unit supervisor shall not be required to be present when a K-9 Unit Handler searches a building with their PSD.~~

~~—~~
~~—~~ Verbal Warnings

~~A. —~~

- ~~— Prior to conducting a search of a building with their PSD, the Patrol Canine (K-9) Unit Handler shall issue verbal warnings.~~
- ~~— During the search, if the Patrol Canine (K-9) Unit Handler acquires information suggesting that an unauthorized individual may be hiding within a specific area of the building, they shall give additional verbal warnings, if feasible.~~
- ~~— If the building that is being searched is large, or has multiple levels, the Patrol Canine (K-9) Unit Handler shall give additional verbal warnings, including at each level of the building, or in the area of the building in which the unauthorized individual is believed to be concealing themselves.~~

2. Area Searches

N/A

~~— K-9 Handlers Units can may be utilized sed to track an individual in the an outdoor area. and search for articles associated~~

~~i. — with the individual in an area~~

~~a. —~~

~~— Officers Non-K-9 Unit sworn personnel should all remain out of the area to prevent contamination if a K-9 Unit is~~

~~ii. — to be used utilized.~~

~~b. —~~

~~iii. — The K-9 Handler Unit should all be called to the scene of an incident as quickly as possible while the~~

~~—~~

~~iv. — individual's scent is still fresh.~~

~~c. —~~

~~— A K-9 Unit supervisor shall respond to large-scale area searches for coordination and operational control.~~

~~d. —~~

3. Article Searches



N/A

a. K-9 Units can may be used to search for articles associated with tracking the an individual in the area where a crime has occurred.

4. If the PSD injures an individual during a search, the Special Operations Division (SOD) chain of command shall:

a. ~~r~~Review the PSD deployment; and

b. ~~u~~Upload documentation outlining their review in the internal Affairs (IA) database web application.

C. A K-9 Unit supervisor shall respond to large-scale area searches for coordination and operational control.

a. A K-9 Unit supervisor shall not be required to be present when a K-9 Unit Handler searches a commercial building or school with their PSD.

N/A

D. If the K-9 Handler uses their PSD as a force option, Department personnel shall review and investigate the incident, consistent with the SOP Use of Force: Review and Investigation by Department Personnel (refer to SOP Use of Force: Review and Investigation by Department Personnel for sanctions classification and additional duties).

~~If the PSD injures an individual during a search, the Special Operations Division (SOD) chain of command shall review the PSD deployment and upload documentation outlining their review in the IA database web application.~~

~~Apprehending Fleeing Individuals~~

~~(Placeholder) Individuals who Barricade themselves in Vehicles~~

~~A K-9 Handler shall not use their PSD as an extraction~~

E. Operational Control and Conflict of Orders

1. The K-9 Unit Sergeant shawill assume operational control of any situation requiring the deployment of the Police Service Dogs (PSD).

a. In the absence of the K-9 Sergeant, a Tactical Section Supervisor shawill be contacted.

2. If the K-9 Unit Sergeant is not present and a K-9 Handler is requested by another supervisor to deploy his/her their PSD in a manner that the K-9 Handler feels is inappropriate, the Handler they shall:

a. ~~will~~ inform the supervisor of this concern and state their reasons for his/her concern; and

b. ~~c~~Contact a Tactical Section Supervisor; and-



c. Have Ultimate authority to ~~over~~ when to deploy a ~~Police Service Dog~~ PSD. ~~shall be at the discretion of the individual K-9 Handler.~~

3. Under no circumstance ~~shall~~ a K-9 Handler comply with an order that ~~he/she~~ they ~~knows to be~~ is illegal, ~~or~~ violates the civil rights of any individual, or is in violation of the Use of Force Policy.

4. If the K-9 Handler is participating in a full tactical activation, the authority to deploy the ~~Police Service Dog~~ PSD resides with the ~~Tactical C~~ Commander or ~~his/her~~ their designee.

a. When the ~~tactical s~~ Section is activated for crowd control situations, civil disturbances, and/or riots, K-9 Handlers ~~shall~~ not deploy with their ~~police service dogs~~ PSD as a force option. However, this does not preclude K-9 Handlers from being ~~utilized~~ used for other tasks at the discretion of the Tactical Commander.

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F. Prohibited Use of a PSD

1. K-9 ~~Unit~~ Handlers shall not use their assigned PSD:

a. To assist in a civil disturbance or crowd control;

b. To affect the arrest of a known highly intoxicated, feeble, or otherwise incapacitated or disabled person(s) who obviously cannot escape, resist, or become an immediate threat to sworn personnel or others;

c. To apprehend individuals experiencing a known behavioral health crisis who have not committed a felony crime;

d. To apprehend known suicidal individuals who have not committed a felony crime;

e. To search commercial buildings or schools without clear signs of unauthorized entry, or when no Reporting Party (RP) is present or contacted to establish elements of a crime; and

f. A K-9 Unit Handler may not deploy their PSD merely because it is an available use of force option.-

G. Deployment of a PSD as a Use of Force Option

1. ~~Using~~ Use of the a PSD as a tactic may range from the simple presence of the PSD to a less lethal force option. A K-9 Unit Handler may deploy their assigned PSD as a use of force option only if:

a. The deployment of the PSD is objectively reasonable given the facts and circumstances confronting the K-9 Handler and consistent with SOP Use of Force: General (refer to SOP Use of Force: General for sanction classifications and additional duties.);



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- b. The use of force is the minimum amount of force that is reasonable, necessary and proportional based on the totality of the circumstances confronting the K-9 handler to bring about a lawful objective;
- c. Before deploying their PSD, the K-9 Unit Handler evaluates the following factors, taking into consideration the safety of the community members, sworn personnel, and the individual:
 - i. The severity of the crime(s) at issue;
 - ii. Whether the individual poses an immediate threat to the safety of the officer or others;
 - iii. Whether the individual is actively resisting arrest or attempting to evade arrest by flight; and
 - iv. All other factors that must be considered pursuant to the Use of Force SOPs.

- ~~— A K-9 handler may not deploy his or her PSD merely because it is an available option.~~
- ~~— K-9 Handlers shall consider the reasonableness of other use of force options before deploying the PSD.~~
- ~~— As a use of force option, the deployment of a PSD must be objectively reasonable given the facts and circumstances confronting the K-9 handler and consistent with SOP – Use of Force: General (refer to SOP Use of Force: – General for sanction classifications and additional duties.).~~
- ~~— A K-9 handler using who uses a PSD as a use of force must use the minimum amount of force that is reasonable, necessary, and proportional based on the totality of the circumstances confronting the officer in order to bring about a lawful objective.~~
- ~~— Handlers should consider the reasonableness of other use of force options before deploying the PSD. Based upon the totality of the circumstances, the K-9 handler shall have the discretion of deploying the PSD with or without a muzzle or on or off lead.~~
- ~~— Before deploying the PSD, the K-9 handler must evaluate the following factors, taking into consideration the safety of civilians community members, sworn personnel officers, and the suspect or individual:~~
 - ~~— The severity of the crime(s) at issue;~~
 - ~~— Whether the suspect individual poses an immediate threat to the safety of the officer or others;~~
 - ~~— Whether the suspect individual is actively resisting arrest or attempting to evade arrest by flight; and~~
 - ~~— All other factors that must be considered pursuant to the Use of Force SOPs.~~

N/A

N/A

When the K-9 Handler uses their PSD as a force option, If the K-9 Unit Handler uses their PSD as a force option, Department Personnel shall review and investigate the incident consistent with the SOP Use of Force: Review and investigation by Department Personnel (refer to SOP Use of Force: Review and Investigation by Department Personnel for sanctions classification and additional duties);.



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E. K-9 Unit Searches

1. A K-9 Unit Handler shall be authorized to deploy their PSD:

- a. To apprehend an individual suspected of committing a felony crime;
- b. To apprehend an individual who poses an imminent threat to the safety of sworn personnel and/or others;
- c. For officer safety, to conduct searches for an individual suspected of committing a felony crime when they have concealed themselves from law enforcement or are actively fleeing; and
- d. To conduct building searches to locate an individual suspected of committing a felony crime, or and individual suspected of committing a misdemeanor crime who is concealing themselves and is reasonably believed to be armed.

2. Commercial Building and School Searches

- a. A K-9 Unit Handler may conduct a search of a commercial building or school with clear signs of unauthorized entry, and for which the RP has been contacted and is willing to prosecute for a criminal offense.
- b. A K-9 Unit Handler may conduct a search of a commercial building or school when an unsecured entry point is located for which the RP has been contacted and is willing to prosecute for a criminal offense.
- c. Before Field Services Bureau (FSB) personnel request the K-9 Unit to conduct a search of a commercial building or school, they shall contact the RP for the building/school and/or shall ensure that the RP is present and willing to prosecute any unauthorized person who may be inside.
- v. If FSB personnel cannot contact the RP, they shall not request the K-9 Unit Handler to respond to the scene.
- vi. FSB personnel shall place a written notice at the primary access point for the commercial building or school, indicating the building/school is not secure.
- d. If at any time during the search or prior to a PSD apprehension, the unauthorized individual in the commercial building or school clearly surrenders to arrest without resistance, the K-9 Unit Handler shall attempt to recall and gain control of their PSD to eliminate the chance of an injury.
- e. If the PSD makes contact with the unauthorized individual in the commercial building or school, the K-9 Unit Handler will remove their PSD from the individual only after the individual is secured and it is safe to do so.

2. Verbal Warnings

- a. Prior to the K-9 Unit Handler conducting a search of a commercial building or school with their PSD, they shall issue verbal warnings.



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- b. During the search, if the K-9 Unit Handler acquires information suggesting that an unauthorized individual may be hiding within a specific area of the commercial building or school, they shall attempt to give additional verbal warnings.
- c. If the commercial building or school that is being searched is large, or has multiple levels, the K-9 Unit Handler shall give additional verbal warnings at each level of the building/school.
- d. If the K-9 Unit Handler determines that issuing verbal warnings presents an articulable threat to the safety of sworn personnel on the search team, they shall thoroughly document the facts in their Uniform Incident Report and the Computer-Aided Dispatch (CAD) system entry.

3. A K-9 Unit supervisor shall respond to large-scale area searches for coordination and operational control.

a. A K-9 Unit supervisor shall not be required to be present when a K-9 Unit Handler searches a commercial building or school with their PSD.

N/A

4. If the K-9 Unit Handler uses their PSD as a force option, Department personnel shall review and investigate the incident, consistent with the SOP Use of Force: Review and Investigation by Department Personnel (refer to SOP Use of Force: Review and Investigation by Department Personnel for sanctions classification and additional duties).

5. If the PSD injures an individual during a search, the Special Operations Division (SOD) chain of command shall review the PSD deployment and upload documentation outlining their review in the IA database web application.

On-Call Status

~~K-9 Units are on call 24 hours per day via Communications. If no K-9 Unit is on duty, an on-duty area supervisor must give approval before calling out the K-9 Unit.~~

2-23-2 Rules

A. ~~On-Call Status~~

~~K-9 Units are on call 24 hours per day via Communications. If no K-9 Unit is on duty, an on-duty area supervisor must give approval before calling out the K-9 Unit.~~

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B. ~~Operational Control / Conflict of Orders~~



1. ~~— The K-9 Unit Sergeant will assume operational control of any situation requiring the deployment of the Police Service Dogs (PSD). In the absence of the K-9 Sergeant a Tactical Section Supervisor will be contacted.~~
2. ~~— If the K-9 Unit Sergeant is not present and a Handler is requested by another supervisor to deploy his/her PSD in a manner that the Handler feels is inappropriate, the Handler will inform the supervisor of this and state the reasons for his/her concern and contact a Tactical Section Supervisor. Ultimate authority to deploy a Police Service Dog shall be at the discretion of the individual K-9 Handler.~~
3. ~~— Under no circumstance will a Handler comply with an order that he/she knows to be illegal or violates the civil rights of any individual, or is in violation of the Use of Force Policy.~~
4. ~~— If the Handler is participating in a full tactical activation the authority to deploy the Police Service Dog resides with the Tactical Commander or his/her designee.~~
 - a. ~~— When the Tactical Section is activated for crowd control situations, civil disturbances, and/or riots, K-9 Handlers will not deploy with their police service dogs as a force option. However, this does not preclude K-9 Handlers from being utilized for other tasks at the discretion of the Tactical Commander.~~

7 C. ~~K-9 Unit Searches~~

1. ~~Building Searches~~

a. ~~The primary duty of the K-9 Unit is to search buildings for intruders.~~

b. ~~During the K-9 Unit's normal working hours, a K-9 Unit will be dispatched to all commercial and school silent alarms.~~

c. ~~A K-9 Unit will be utilized to search all commercial buildings and schools where a point of entry is found or the suspect is believed to be in the building.~~

d. ~~As soon as a point of entry is found, the building will be secured and no one will be allowed to enter the building until the K-9 has arrived.~~

e. ~~In the event a commercial business appears secure, the business will be searched by K-9s only after:~~

- i. ~~It is determined that there is a strong possibility that the alarm is valid.~~
- ii. ~~It would be impractical to conduct a search by officers due to building design.~~
- iii. ~~The owner/manager arrives and requests the search, in concurrence with the officer at the scene.~~
- iv. ~~Approval has been granted by an on-duty area supervisor.~~

2. ~~Tracking/Area Searches~~

a. ~~K-9 Units can be utilized to track a subject and search for articles associated with the subject in an area.~~



b. — Officers should remain out of the area to prevent contamination if a K-9 Unit is to be utilized.

c. — The K-9 Unit should be called to the scene as quickly as possible while the subject's scent is still fresh.

3. — Apprehension of Fleeing or Resisting Subjects

a. — K-9 Units can be used to apprehend persons fleeing or resisting arrest, when there is reason to believe that the subject(s) has committed a felony.

b. — The decision to utilize the K-9 for apprehension will be based on the threat posed by the subject. The age of the subject (i.e. juvenile) will not preclude the use of the K-9, but should be considered in evaluating the threat the subject poses.

C. Prohibited Use of a Police Service Dog (PSD)

1. — A Canine (K-9) Unit Handler shall not use their assigned PSD:

a. — To assist in a civil disturbance or crowd control;

b. — To affect the arrest of a known highly intoxicated, feeble or otherwise incapacitated or disabled person(s) who obviously cannot escape, resist, or become an immediate threat to sworn personnel or others;

c. — To apprehend individuals experiencing a known behavioral health crisis who have not committed a felony crime;

d. — To apprehend known suicidal individuals who have not committed a felony crime;

e. — To search commercial buildings or schools without clear signs of unauthorized entry, or when no Reporting Party is present or contacted to establish elements of a crime.

2. — Use of the PSD as a tactic may range from the simple presence of the PSD to a less lethal force option. A handler may not deploy his or her PSD merely because it is an available option. As a use of force option, the deployment of a PSD must be objectively reasonable given the facts and circumstances confronting the handler and consistent with SOP — Use of Force — General. A handler using a PSD as a use of force must use the minimum amount of force that is reasonable, necessary, and proportional based on the totality of the circumstances confronting the officer in order to bring about a lawful objective. Handlers should consider the reasonableness of other use of force options before deploying the PSD. Based upon the totality of the circumstances, the handler will have the discretion of deploying the PSD with or without a muzzle or on or off lead. Before deploying the PSD, the handler must evaluate the following factors, taking into consideration the safety of civilians, officers, and the suspect or individual:

a. — The severity of the crime(s) at issue;

b. — Whether the suspect poses an immediate threat to the safety of the officer or others;

c. — Whether the suspect is actively resisting arrest or attempting to evade arrest by flight;
and



d. All other factors that must be considered pursuant to the Use of Force SOP.

Canine (K-9) Unit searches

A Canine (K-9) Unit Handler shall not be required to respond to all commercial break-in, unless there are obvious signs of a forced entry and a responsible party (RP) is present and willing to prosecute. The size of the structure alone does not preclude the K-9 Unit from being called out, however if an officer arrives on scene to a location that would be considered small (i.e., gas stations, barbershops, salons, or small detached structures/buildings.) the officer may conduct a search without the K-9 Unit present if they feel it is safe to do so. If at any point during the search the officers believe the structure may be occupied by an unauthorized person(s), they will stop the search and contact the K-9 Unit, unless they are in a position to safely take the individual into custody in which case the K-9 Unit will not be needed. For audible alarms where Officers locate no forced entry, but an unsecured entry point, the K-9 Unit may be called to search the building as long as an RP is present and willing to prosecute. If FSB sworn personnel do not obtain authorization from the RP to enter the building, they shall leave written notification or telephonic notification, where appropriate, of their inability to contact the RP and that the building may not be secure. All K-9 unit requests will go through ECC and they will contact the on call K-9 Unit Handler directly.

1. It is the policy of this department to allow the deployment of a PSD in the following circumstances:

a. To apprehend felony individuals;

b. To apprehend individuals who pose an immediate threat to the safety of officers and others;

c. For officer safety, to conduct searches for felony individuals, where the individual has concealed themselves from law enforcement or is actively fleeing;

d. Building searches to locate individuals suspected of committing a felony crime or an individual suspected of committing a misdemeanor crime who is concealing themselves in a building or area and is believed to be armed.

2. Building searches

a. A Canine (K-9) Unit handler shall conduct building searches using their PSD. The K-9 Unit Handler shall not be required to respond to request to conduct a building search if it does not meet the criteria outlined in this section:

b. A K-9 Unit Handler shall conduct a search of a commercial structure or school with clear signs of unauthorized entry, and for which the RP has been contacted and is willing to prosecute for a criminal offense. A K-9 Unit Handler may conduct a search of commercial structure where an unsecured entry point is located, for which the RP has been contacted and is willing to prosecute for a criminal offense.

c. Before requesting a K-9 Team to conduct a search of a commercial building, FSB person shall contact the RP for the building and/or shall ensure that the RP is present and willing to prosecute any unauthorized person who may be inside.

d. If FSB personnel cannot contact the RP, The K-9 Unit Handler shall not be called and is not required to respond to the scene.



- ~~e. FSB personnel shall place a written notice at the primary access point for the building, indicating the building is not secure.~~
- ~~f. If at any time during the search or prior to an apprehension, the unauthorized individual in the building clearly surrenders to arrest without resistance, the K-9 handler will attempt to recall and gain control of their PSD to eliminate the chance of injury.~~
- ~~g. If the PSD makes contact with the unauthorized individual in the building, they will remove the PSD from the suspect only after the individual is secured and it is safe to do so.~~
- ~~h. A K-9 Unit supervisor shall not be required to be present when a K-9 Unit Handler searches a building with their PSD.~~

Area Searches

~~K-9 Units can be utilized to track an individual and search for articles associated with the individual in an area~~

~~Officers should remain out of the area to prevent contamination if a K-9 Unit is to be utilized.~~

~~The K-9 Unit should be called to the scene as quickly as possible while the individual's scent is still fresh.~~

~~A K-9 Unit supervisor shall respond to large scale area searches for coordination and operational control.~~

~~5. If the K-9 Unit Handler uses their PSD as a force option, Department Personnel shall review and investigate the incident consistent with the SOP Use of Force: Review and investigation by Department Personnel (refer to SOP Use of Force: Review and Investigation by Department Personnel for sanctions classification and additional duties).~~

~~6. If the PSD injures an individual during a search, the Special Operations Division (SOD) chain of command shall review the PSD deployment and upload documentation outlining their review in the internal Affairs (IA) database web application.~~