

# UW Whitewater Police



## K9 Unit

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## I. Purpose

To provide guidance on the use and deployment of the department Canine (K9) unit.

## II. Definitions

**Canine (K9):** A trained police dog, utilized by UWSPD, and assigned to a handler as a K9 team.

**Canine (K9) Team:** One handler and one K9 assigned together as part of the UWSPD K9 unit.

**Canine (K9) Unit:** A component of UWSPD, which encompasses specially trained K9s and handlers, special purpose equipment and vehicles.

**Handler:** A specially trained sworn police officer assigned to work with a K9 as part of a K9 team.

## III. Policy

The University of Wisconsin-Whitewater Police Department (UWSPD) K9, purchased and owned by the department, shall be utilized for explosive ordinance detection, narcotic detection, tracking, and suspect apprehension in an effort to increase safety to the community and department personnel.

## IV. Procedure – K9 Unit Administration

A. **Administration of K9 Unit:** The following shall define K9 administration responsibilities:

1. K9 handlers: Supervised by their first line supervisor.
2. The K9 unit supervisor: Assigned the responsibility for the day-to-day operations, training, and certification of the K9 team. The supervisor is responsible for budget oversight and the review of K9 unit training goals and achievements.

B. **Personnel Selection:** The following shall define K9 handler selection procedures:

1. When a vacancy exists, information regarding the vacancy shall be distributed electronically to all qualifying sworn personnel.
  - a. Submission of a letter of interest to the K9 Unit Supervisor.
  - b. Strong performance in panel interview(s) including internal and external partners.
  - c. Successful completion of probationary period.

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- d. Have a minimum of 3 years law enforcement experience.
- e. Qualified applicants for the position must be able to show the following:
  - i. A general knowledge and understanding of dogs.
  - ii. A willing attitude to be a K9 handler.
  - iii. An understanding that there will be call-ins during non-duty time.
  - iv. Present a professional appearance.
  - v. Capability to have the K9 reside with them at their residence.
  - vi. Assume responsibility for the K9 24/7 ensuring that proper care is given at home and at work.
  - vii. Commitment to serving as the handler for the duration of the service life of the K9.
- 2. Final selection for K9 handlers shall be made by the Chief of Police in consultation with the K-9 Unit Supervisor.
- 3. The K9 handler may be required to work during non-shift hours. This may include:
  - a. Handlers should be willing to flex their schedule at the direction of their supervisor to attend training and work events.
  - b. Handlers may request any shift.
  - c. To compensate handlers for all compensable time outside normally scheduled work hours, including but not limited to the care, grooming, exercise, feeding and housing the K9 at the handler's home, the Department shall pay handlers according to the following guidelines:
    - i. UWSPD K9 handlers will receive a total of six hours per week designated specifically to K9 care and maintenance.
    - ii. Time spent maintaining the department's vehicle that cannot be accomplished on-duty is also covered by this payment.
    - iii. Handlers may kennel the dog at an approved facility at department expense while the handler is on vacation. The use of a kennel at department expense must be pre-approved by the K9 Unit Supervisor. Handlers shall not receive any extra pay for days in which the dog is kenneled.
- C. **K9 Selection:** K9s shall be selected based on their:
  - 1. Health
  - 2. Temperament
  - 3. Workability as either a narcotics or explosives detection K9 with possible additional qualifications, including: tracking, article search/evidence recovery, suspect apprehension and/or public demonstrations.
  - 4. The training curriculum, evaluation standards, and references for and from the kennel providing and training the K9.
- D. **Operation of K9 Unit:** The following outlines procedures for use of UWSPD K9(s):
  - 1. K9 handlers are responsible at all times for the appropriate use of their assigned department K9. K9 handlers shall act in accordance with state law, Department directives, training, and established guidelines.

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- a. Training: K9 handlers shall maintain a training log and record all training activities in PackTrack.
  - b. Deployment: K9 handlers shall enter any calls for service in the records management system.
2. Any police supervisor may call in a K9 team from off-duty status for urgent Department use. Non-urgent requests should be forwarded to the K9 Unit Supervisor for consideration. If the Unit Supervisor is unavailable, the Supervisor On-Call should be contacted.
3. A Department K9 team may be called upon by other agencies for assistance. The following shall apply:
  - a. On –duty requests: If the K9 is available and the request seems to be within the capabilities of the K9 team, a handler/K9 supervisor may elect to respond to a request for mutual aid that is received via the Department Communications Center.
  - b. Off-duty requests: Teams should be called in from off-duty status for urgent circumstances only. If a supervisor is not available, the Supervisor On-Call should be notified of the request.
- E. **Training and Training Aids:** The following shall define required UWWPD K9 training and the use of, and storage of, K9 training aids:
  1. Initial Training: During the initial training, the department will pay the costs for registration, transportation, lodging, and meals for the handler to receive the training.
  2. Monthly In-Service Training: The K9 unit will train monthly with other K9 units during in-service training.
  3. Yearly Certification: Each K9 team will attend and complete a certified training course on a yearly basis through a national, regional or state recognized organization.
  4. All formal training certificates shall be forwarded to the Training Lieutenant to be documented and maintained in the employee’s training file.
  5. Explosive training aids, when not in use, will be stored properly.
    - a. Only K9 handlers and K9 supervisors will have access to the storage safe.
    - b. Every six months an inventory will be conducted and reported to the K9 Unit Supervisor.
    - c. When training aids have reached their recommended expiration date, they will be returned to the wholesaler or turned over to an Explosive Ordinance Device Team for disposal.
    - d. The Unit will be provided with new training aids to replace those which have been returned/disposed.
  6. Narcotic training aids, when not in use, will be stored properly.
    - a. Only K9 handlers and K9 supervisors shall have access to the storage safe.
    - b. Annual inventory shall be conducted and reported to the K9 Unit Supervisor.

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- c. When training aids reach their recommended expiration, they shall be destroyed.
  - d. New training aids shall then be obtained from the Drug Enforcement Agency.
  - e. Narcotic training aids obtained from the UWWPD Property Room shall be properly documented through the records management system and on the quarterly inventory provided to the K9 Unit Supervisor.
- F. **Department K9 Care and Equipment Needs:** The following outlines procedures for UWWPD K9 care:
  - 1. K9 handlers are responsible for the day-to-day care of the animal. The department will incur all costs of veterinary care and licensing.
    - a. The handler is responsible to ensure K9 receives all routine veterinary care, and all vaccinations for the K9 will be done as required by a licensed veterinarian.
    - b. In the event emergency care is required, the handler has the discretion to provide necessary medical aid, to include transport to emergency veterinary hospital.
  - 2. In the event a handler becomes injured and unable to work or care for the K9, the K9 may be kenneled at an approved facility at the department's expense.
  - 3. A department vehicle will be provided to each K9 handler. The vehicle may be used by the handler to transport the dog to work, training, or to receive veterinary care. The vehicle may be recalled due to departmental need. Personal use of the department vehicle is prohibited. The department will pay for equipment authorized by the K9 Unit Supervisor.
  - 4. Handlers shall be issued the necessary equipment to perform their duties. Equipment includes, but is not be limited to the following: food/water bowls, leads, reward toys, brushes, nail clippers, collars, protective equipment, or any other training equipment as deemed necessary by the K9 Unit Supervisor. Each handler is responsible for the maintenance and care of their equipment.
  - 5. Department K9s will be listed with UW-Whitewater Risk Management and will be covered by both liability and damage insurance.

## V. Procedures – K9 Deployment for Explosive/Narcotic Detection

- A. The following shall govern procedures for the use of a UWWPD K9 for explosives and narcotic detection:
  - 1. K9 handlers shall adhere to the following when utilizing the K9 for detection in and around vehicles:
    - a. The exterior of unoccupied vehicles may be sniffed as long as the vehicle is located in an area accessible to the public.
    - b. The exterior of vehicles subject to a routine traffic stop (original reason for stop is a traffic, registration, vehicle, or licensing offense) may be sniffed if

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there is an articulable reason to perform the sniff and the sniff does not prolong the duration of the traffic stop (beyond the amount of time reasonable to conduct the traffic investigation).

2. The interior of a vehicle may be sniffed when:
  - a. The owner or driver has provided consent in accordance with current case law, or;
  - b. A physical arrest has been made from the vehicle and if probable cause exists to believe that the vehicle contains evidence or contraband (including a positive alert by the K9 on the exterior of the vehicle).
3. K9 handlers shall adhere to the following when utilizing the K9 for explosives and narcotic detection in luggage/packages:
  - a. Luggage, packages, or other personal items in the physical possession of an individual in a public place will not be sniffed without consent or reasonable suspicion.
4. The exterior of luggage, packages, or other personal items may be sniffed if reasonable suspicion that the item contains contraband or evidence exists, and:
  - a. The item is separated from the physical possession of an individual prior to the sniff.
  - b. The item is “detained” and sniffed within a reasonable amount of time.
5. K9 handlers shall adhere to the following when utilizing the K9 for explosives/ narcotic detection in and around residences:
  - a. The interior of a dwelling may only be entered and sniffed pursuant to a search warrant, or with the valid consent of an owner/resident. A positive alert by a K9, by itself, does not justify entry without a warrant.
  - b. The exterior of a dwelling may be sniffed as long as the sniff is made from an area that the K9 handler has the lawful right to be.
6. A department K9 will not be used to sniff people for narcotics or explosives.
7. Notwithstanding the above guidelines, a place or object may be sniffed by a K9 pursuant to a search warrant, or with the valid consent of someone with sufficient authority (over the place or object) to grant consent. Officers will not ask for consent to search in the immediate presence of a K9.
8. A positive alert by a department K9 constitutes probable cause and may be used to justify a search (if appropriate) or to seek a search warrant.

## VI. Procedures – K9 Deployment for Apprehension

- A. **Guidelines to Initiate K9 Deployment:** The following shall govern procedures for the use of a UWWPD K9 Apprehension Deployment:
  1. The K9 may be used to locate and/or apprehend a suspect if the K9 handler reasonably believes that the individual has either committed, is committing, or is threatening to commit any serious offense and/or if any of the following conditions exist:

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- a. There is reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer, or the handler.
  - b. The suspect is physically resisting or threatening to resist arrest and the use of a K9 reasonably appears to be necessary to overcome such resistance.
  - c. The suspect is believed to be concealed in an area where entry by anyone other than the K9 would pose a threat to the safety of officers or the public.
2. Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a K9 to apprehend a suspect
3. Special Situations: It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a K9.

## **B. K9 Handler Expectations**

1. Prior to the deployment of a K9 to search for or apprehend any suspect, the K9 handler on scene should carefully consider all pertinent information reasonably available at the time. The information should include, but is not limited to the following:
  - a. The nature and seriousness of the suspected offense.
  - b. Whether violence or weapons were used or are anticipated.
  - c. The degree of resistance or threatened resistance, if any, the suspect has shown.
  - d. The suspect's known or perceived age.
  - e. The potential for injury to officers or the public caused by the suspect if the K9 is not utilized.
  - f. Any potential danger to the public and/or other officers at the scene if the K9 is released.
  - g. The potential for the suspect to escape or flee if the K9 is not utilized.
2. It is the K9 handler's responsibility to evaluate each situation and determine whether the deployment of a K9 is appropriate and reasonable. The K9 handler shall have the authority to decline the use of the K9 whenever they deem the deployment is unsuitable.
3. Warnings and Announcements:
  - a. Unless it would increase the risk of injury to officers, suspect(s) or citizens, or risk of escape of a suspect, a clearly audible warning announcing that a K9 will be used if the suspect does not surrender should be made prior to deploying the K9.
  - b. The handler should allow a reasonable time for a suspect to surrender.
4. In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the K9 as soon as it becomes reasonably practicable.

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5. If the K9 has apprehended the suspect with a bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly release the K9 from the suspect.
6. As circumstances permit, the K9 handler should make every reasonable effort to communicate and coordinate with other involved officers to minimize the risk of unintentional injury.
7. Assisting officers should take direction from the handler in order to minimize interference with the K9.

## **C. Patrol Officer Expectations**

1. When the K9 unit is deployed, all officers present at the scene shall comply with the order of the K9 handler so that the K9 can be utilized efficiently, effectively, and with little interruption.
2. Patrol Officers who are present at a scene where the K9 unit is deployed or will be deployed shall adhere to the following:
  - a. Prior to the execution of a search of a building or open area, the initial officers shall contain the area to the extent possible to prevent the escape of the suspect(s) and maintain the perimeter until notified that the search has been concluded.
  - b. When a search is in progress, officers shall refrain from unnecessary conversation and shall not enter the search area unless directed by the K9 handler to do so.
  - c. If an officer is requested by the K9 handler to accompany a search, that officer shall follow the instructions given by the K9 handler.
  - d. In the case of a fleeing suspect, the pursuing officer should not contaminate the area where the suspect was last seen, preserving the scent for the K9 to attempt the tracking of the suspect.

## **D. Reporting K9 Bite/Injury**

1. Whenever a K9 deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented.
  - a. The handler will complete an incident report and use of force reporting form.
  - b. The supervisor will review the incident as outlined in GO 4.2 Use of Force Reporting.
2. The injured person shall be promptly treated by emergency medical services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident report.
3. Any unintended bite or injury caused by a K9, whether on- or off-duty, shall be promptly reported to the K9 Unit Supervisor. Unintended bites or injuries caused by a K9 should be documented in an administrative memo, not in a use of force report.
4. If an individual alleges an injury, either visible or not, a supervisor shall be notified.
5. Overall photographs of the individual shall be taken to document injured and uninjured areas, after first tending to the immediate needs of the individual.

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Photographs shall be retained as evidence in accordance with department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

6. K9s used by law enforcement agencies are generally exempt from impoundment following any bite. The K9 shall remain under the constant supervision of its handler or performing its official law enforcement duties during the ten-day observation period. Reporting requirements outlined in Wisconsin State Statute 95.21(4)(d)(2).