

## Canine Program

### 318.1 PURPOSE AND SCOPE

The Orange County Sheriff's Department's (OCSD) "police service dogs," or "canines," are utilized to augment Department services to the community. Highly skilled and trained teams of handlers and canines are used to supplement Department operations to locate individuals, articles of evidence, hazardous devices, drugs, various items of contraband, and to apprehend criminal offenders. Canine teams of the following disciplines are deployed by the Department :

1. Patrol Canines (Dual-Purpose)
  - (a) Narcotics detection searches
  - (b) Evidence/article searches
  - (c) Suspect searches
2. Special Investigations Bureau Narcotics Detection Canines
  - (a) Criminal interdiction
  - (b) Narcotics detection searches
3. Custody Operations Detection Canines
  - (a) Narcotics detection searches
  - (b) Electronic media/cell phone Detection searches
4. Explosive Detection Canines (EDC)
  - (a) Hazardous Device Section (HDS) (Bomb Squad)
  - (b) John Wayne Airport Police Services
  - (c) Orange County Transit Authority
5. Search and Rescue Canines (Reserve Bureau)
  - (a) Tracking/trailing
  - (b) Cadaver detection

#### 318.1.1 DEFINITIONS

**Apprehension:** Using a canine as a means of force, other than the canine's mere presence to take a suspect into custody (may or may not include a canine bite or other type of physical force used by the canine).

**Audible Alert:** Barking, or similar signal, given by the canine to indicate that the canine has located either a person or a person's odor when that person is in close proximity.

**Canine Bite:** Canine bites are considered when there is a break in the skin, however slight.

**Deployment:** Any time the canine is used to perform a law enforcement function for which the canine has been specially trained or certified to complete. This does not include training sessions, breaks, demonstrations, or similar activities.

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### **318.2 GENERAL CANINE GUIDELINES**

#### **318.2.1 CANINES IN PUBLIC AREAS**

All canines shall be under the direct control of their handlers in areas accessible to the public.

When the canine vehicle is left unattended all windows and doors shall be secured in such a manner as to prevent unauthorized access to the dog. The handler shall also ensure that the unattended unit remains inhabitable for the canine.

#### **318.2.2 REQUEST FOR USE OF CANINE**

Teams can be requested through the Sheriff's Emergency Communication Bureau (ECB) 24 hours a day. The opportunity for a safe and successful suspect search operation shall be enhanced with a timely request, response, and deployment of a canine team.

Members within the Department are encouraged to solicit the use of the various types of canines. Requests for canine teams from outside of the Patrol Operations Command shall go through the Department Commander.

#### **318.2.3 REQUEST FOR CANINE ASSISTANCE FROM OTHER AGENCIES**

The Department Commander or the unit supervisor should approve all requests for canine assistance from outside agencies. Requests for explosive detection canines that are TSA owned shall be coordinated through their respective canine unit supervisor. All other explosive detection canine requests shall be coordinated through the OCSD Special Operations Division Captain. All canine call-outs are subject to the following provisions:

1. Canine teams shall not be used to perform any assignment that is not consistent with this policy.
2. Upon arrival at the scene, the handler has the ultimate decision as to whether or not the canine is to be used for a specific assignment.
3. Canine teams shall not be called out while off-duty or used outside the boundaries of the County of Orange unless authorized by the Department Commander or the unit supervisor.
4. It shall be the responsibility of the canine handler to coordinate with outside agency personnel in order to minimize the risk of unintended injury.

#### **318.2.4 REQUEST FOR PUBLIC DEMONSTRATIONS**

All public demonstration requests for a canine team shall be approved by the respective canine unit supervisor prior to making any commitment.

Patrol canine handlers shall not demonstrate any apprehension work to the public unless authorized to do so by the unit supervisor and with a certified agitator who is on-duty at the time of the event.

### **318.3 REPORTING UNINTENTIONAL BITES AND INJURIES CAUSED BY CANINES**

An unintentional bite is defined as: A bite which occurs when the canine was not directed by the handler to apprehend a suspect or the canine bites any person other than the suspect.

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Many factors can contribute to police canine's unintentional bites. These bites may be on citizens, deputies, trained canine agitators, or even canine handlers and may occur at any time. The following procedure shall be complied with during any incident, whether off-duty or on-duty, when a Department canine causes any injury to a person. Canine bites are considered when there is a break in the skin, however slight. In the event of an injury caused by a canine, the canine handler is responsible for the following:

1. Immediately provide necessary medical attention.
2. Notify the appropriate field supervisor and the Department Commander.
3. Notify the appropriate canine unit supervisor and the patrol canine unit supervisor.
4. Obtain a case number and complete the appropriate Department report.
5. Contact Sheriff's I.D. and request they respond to photograph significant injuries as soon as possible. Minor injuries may be photographed by a canine supervisor.

Every unintentional bite shall be reviewed by the patrol canine unit supervisor as well as the Special Operations Division Captain. Depending on the circumstances, unintentional bites may result in the temporary kenneling of the dog and/or additional training at the Sheriff's contracted trainer. Unintentional bites or injuries caused by canines in TSA assignments shall be investigated and reviewed by TSA in addition to the patrol canine unit supervisor.

Canine teams in TSA assignments shall notify the TSA Field Canine Coordinator (FCC) as soon as reasonable about the incident and the FCC shall be provided with all the information related to the incident.

1. The information shall be forwarded to the National Explosives Department Canine Training Program (NEDCTP) by the sergeant supervising the particular TSA canine unit. The NEDCTP Incident Adjudication Review Board shall review all incidents involving TSA canines. Through the NEDCTP Incident Adjudication Review Board findings, if a canine handler is found to be non-compliant in their duties, which results in any canine-induced injury to any party, the handler may be permanently removed from the program.
2. At the discretion of the NEDCTP Incident Adjudication Review Board, if it is determined the TSA Canine will be removed from the program, the NEDCTP shall ensure a new canine is assigned to the unit and shall be responsible for the cost of the new canine.

#### **318.4 DAMAGE TO PROPERTY**

In the event a Department canine damages private property, the canine handler shall notify the property owner or a responsible person and do the following:

1. Notify the appropriate field supervisor and the Department Commander.
2. Notify the canine supervisor.
3. Obtain a case number and complete the appropriate Department report.

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4. Photograph minor damage and maintain photos in Sheriff's evidence.
5. For significant damage, contact Sheriff's I.D., and request they respond to photograph damage as soon as possible.

### **318.5 USE OF PATROL CANINES**

The prompt and proper utilization of a trained patrol canine team has proven to be a valuable resource in law enforcement. When properly used, a patrol canine team greatly increases the degree of safety to all persons (including suspects) within a contained search area, enhances officer safety, significantly increases the likelihood of suspect apprehension, and dramatically reduces the amount of time necessary to conduct a search.

1. A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has either committed or threatened to commit any serious offense and if the following conditions exist:
  - (a) There is a reasonable belief that the individual poses an imminent threat of violence or serious harm to the public, any deputy, or the handler.
  - (b) The individual is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
  - (c) The individual(s) is/are believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of deputies or the public.
2. It is recognized that situations may arise that do not fall within the provisions set forth in this policy. In such case, a standard of objective reasonableness shall be used to review the decision to use a canine, taking into consideration the totality of the circumstances.
3. Absent a reasonable belief that an individual has committed or threatened to commit a serious offense, mere flight from pursuing deputy(s) shall not serve as good cause for the use of a canine to apprehend the individual.
4. Canine deployment and use of force policies of other departments can be quite different from that of the Orange County Sheriff's Department. As such, the use of patrol canines from other law enforcement agencies, in support of a Sheriff's Department operation, should be avoided, except in extreme emergencies which clearly dictate the immediate need for a canine search. When exceptional circumstances dictate the need to utilize a canine team from another agency, the following procedures shall be adhered to:
  - (a) The appropriate supervisor on-scene shall first contact the Department Commander and request that an OCSD patrol canine be called out from home, whenever time permits.
  - (b) The supervisor authorizing the deployment shall contact a patrol canine unit supervisor and provide the details of the incident as soon as practicable.
  - (c) When a canine team from another agency is requested and whenever possible prior to them being deployed, they shall be briefed on the details of the situation. In situations where an outside agency canine is used and a bite occurs, the

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Department Commander shall notify a patrol canine unit supervisor. Additionally, the canine handler from the outside agency shall provide a detailed written report explaining the events.

### 318.5.1 PREPARATION FOR UTILIZING A PATROL CANINE

Prior to the use of a patrol canine to search for or apprehend any individual, the canine handler and/or the supervisor on scene shall carefully consider all pertinent information that is reasonably available at the time. The information should include, but is not limited to the following:

1. The individual's estimated age, physical description, and clothing description.
2. The nature of the suspected offense; what crime the suspect will be booked to once apprehended by the canine.
3. Any potential danger to the public and/or other deputies at the scene if the canine is released.
4. Criminal history and records check of the suspect if time allows and if available.
5. The degree of resistance or threatened resistance, if any, the subject has shown.
6. The potential for escape or flight if the canine is not utilized, including the presence of traditional and non-traditional weapons, risk of ambush to deputies, etc.
7. Contact should be made with the building owner to determine whether there may be tenants, residents, animals, etc. present. Also attempt to obtain a key and a building layout.
8. The potential for injury to deputies or the public caused by the suspect if the canine is not utilized.
9. If the suspect is believed to be armed, threatening resistance or violence, or in a barricaded position TSE/SWAT shall be consulted.

The canine handler should make every reasonable effort to communicate and coordinate with other involved personnel to minimize the risk of unintended injury.

### 318.5.2 SUPERVISOR ROLE

The on-scene supervisor should also take the following steps in preparation for the canine search:

1. Ensure there is a secure perimeter.
2. Evacuate all tenants, workers or others from the facility or search area.
3. Ensure no preliminary searches by patrol personnel are conducted within the canine search area.

### 318.5.3 DEPLOYMENT OF PATROL CANINES FOR SUSPECT SEARCHES

1. Deployment Procedure:
  - (a) The use of a canine provides deputies with a tactical advantage when searching for criminal suspects. This advantage is an invaluable tool in the successful detection of criminal suspects and protection of officers, all to the end of assuring

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the safety of the community. Therefore, a primary function of the deployment of a canine is to locate suspects, although depending upon the circumstances, application of the canine for protection and safety purposes may be required.

- (b) A canine handler shall have the ultimate authority not to deploy the dog. The handler shall evaluate each situation and determine if the use of a canine is technically feasible. Generally, the decision whether to deploy the dog shall remain with the handler; however, a supervisor sufficiently apprised of the situation may decide not to deploy the dog.

#### 2. Canine Warning Announcements:

- (a) Unless it would otherwise increase the risk of injury or escape, a clearly audible warning to announce that a canine will be released if the person does not come forth and surrender, shall be made prior to releasing a canine. In the event of an apprehension, the handler shall document in any related report whether or not a verbal warning was given and, if none was given, the reasons why.

1. Announcements shall be made in a loud and clear manner.
2. Deputies shall wait sufficient time to ensure that anyone within the search area has ample opportunity to comply with instructions.
3. Deputies should make additional canine announcements as they progress through a search, especially when entering new or separated areas where prior announcements may not have been heard.
4. Deputies on perimeter or containment positions shall advise via radio whether they are able to hear the canine warning announcements from their position.

#### 3. Apprehensions/Canine Bites:

- (a) If a canine makes a physical apprehension, the dog must be recalled or otherwise restrained as soon as the suspect is in custody or no longer poses a reasonable threat. Once the individual has been located and no longer reasonably appears to represent a threat or risk of escape, the canine should be placed in a down-stay or otherwise secured as soon as it becomes reasonably practicable.
- (b) Once a suspect is located and/or the canine is recalled, it is the search team deputies' responsibility to take control of the suspect.
- (c) Should the suspect attempt to escape, the search team deputies should not give chase and follow the directions of the canine handler.

#### 4. Canine Search Tactics:

- (a) Canine teams are not deployed as regular patrol units; however they can easily become involved in many different tactical/patrol situations. In a case where the canine handler is in imminent danger, the canine is trained to protect the canine handler and when necessary, should be used to do so.
- (b) Absent a Canine Unit supervisor, during a deployment, the canine handler has primary responsibility for directing the activities of the search team.

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- (c) Whenever possible, the deputies handling the original call or incident will assist the search team. This enhances immediate suspect identification, ensures continuity, and increases experience in canine searches over a broader range of patrol deputies. However, based upon the tactical considerations of the incident, search teams may be comprised of Patrol personnel, additional Canine personnel, and/or members of the Tactical Support Element (TSE) - Special Weapons and Tactics (SWAT) detail. A canine unit supervisor or the canine handler shall determine the composition of the search team(s) and direct their activities.
- (d) Suspect searches are generally considered pre-planned activities, and as such, all canine unit personnel shall wear appropriate protective body armor while searching.
- (e) Prior to initiating the search, the search team deputies shall be briefed by the canine unit supervisor or the handler on the general search pattern and tactical plan.
- (f) If there is any indication the suspect is armed and isolated or barricaded, tactical options for requesting TSE/SWAT should be considered.
- (g) If the canine gives a positive alert identifying a suspect's location, all members of the search team are to take positions of advantage. The handler shall call the canine back and gain physical control of the animal, if tactically sound and can be done safely. Whenever appropriate the handler shall consider ordering the suspect out from their place of concealment after the canine is recalled and under control. Tactical considerations may preclude recalling of the search dog until the search team members have taken positions of cover. The canine may be used as a tactical tool in appropriate circumstances. Appropriate arrest and control tactics shall then be utilized to apprehend the suspect as safely as possible.

#### **318.6 REPORTING CANINE USE, BITES AND INJURIES TO SUSPECTS**

Whenever the canine is deployed, an appropriate Departmental report (Initial Crime Report, Follow-up Report, etc.) and a Canine Use Report shall be completed by the handler and submitted as soon as practical.

1. Whenever the use of the canine results in a bite or any injury to a suspect, a Canine Use Report form, along with any related incident report (Initial Crime Report, Follow-up report, etc.) shall be completed. The patrol canine unit supervisor, or designee, shall be responsible for all Supervisory Use of Force reports that include patrol canine apprehensions.
2. The injured party should be transported to an appropriate medical facility if the injury requires medical attention beyond first aid. If the injured party is in-custody, a deputy shall remain with the suspect until treatment has been rendered.
3. Photographs shall be taken of the bite or injury as soon as practicable after tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current Department evidence procedures. It shall be the responsibility

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of the unit supervisor to ensure that such photographs are retained until the potential need for use in any related civil proceeding has expired. Contact Sheriff's I.D. and request they respond to photograph injuries as soon as possible.

- (a) Photographs of injuries to the suspect shall only be taken by the patrol canine supervisor, their designee, or Sheriff's ID. Field personnel shall not photograph or video record injuries to suspects.
4. If a subject alleges an injury that is not visible, the patrol canine supervisor shall be notified and the location of the alleged injury should be photographed as described above.
5. The patrol canine unit supervisor shall maintain liaison with the local animal control department to ensure that information regarding canine bites is not retained by its office. Canines used by law enforcement agencies are exempt from impoundments and reporting requirements to the local animal control department (Food and Agriculture Code § 31609(b)).

### **318.7 NON-APPREHENSION USE OF PATROL CANINES**

Because canines have senses far superior to those of humans, they may often be effectively utilized to locate articles of evidence, track/search for non-criminals (e.g. lost children, individuals who may be disoriented or in need of medical attention), or even suspects wanted for minor criminal offenses. In such circumstances, it will be necessary for the handler to evaluate the conditions and ability of the canine to determine the feasibility of such an application.

1. Absent a change in circumstances that present an immediate threat to deputies, the canine, or the public, such applications should be conducted on leash or under such conditions that will minimize the likelihood that the canine will bite or otherwise injure the individual.
2. Throughout the deployment of the canine in such circumstances, the handler should consider issuing periodic verbal assurances that the canine will not bite or hurt the person.
3. Unless otherwise directed by a supervisor, assisting personnel should take direction from the handler in order to minimize interference with the canine.

### **318.8 USE OF NARCOTIC DETECTION CANINES**

Narcotics detection canines may be assigned to patrol operations, custody operations, and investigations details. A narcotic-detection-trained canine may be used in accordance with current law under the following circumstances:

1. To assist in the sniff for controlled substances.
  - (a) To obtain a search warrant by using the detection canine in support of probable cause;
    - (a) See vehicle exception rules.
  - (b) To sniff vehicles, buildings, bags, open areas, vessels, aircraft, parcels, and any other articles deemed necessary.



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- (c) For cash seizures related to narcotics trafficking activities.
- (d) Narcotics detection canines assigned to custody operations may be trained to detect cell phones and electronic media.
- (e) A narcotic-detection canine shall not be used to sniff a person for narcotics.

When requesting a narcotics detection canine to assist with locating concealed narcotics, avoid conducting a preliminary search of the area as this may contaminate the area and make it more difficult for the canine.

### **318.9 EXPLOSIVE DETECTION CANINES (EDC)**

Explosive detection canines may be assigned to the Orange County Transit Authority (OCTA), John Wayne Airport (JWA), and the Hazardous Device Section (HDS). An explosive detection canine may be used in accordance with current law and in compliance with the Other Transaction Agreement (OTA) between OCTA, JWA, the Transportation Security Administration (TSA), and OCSD when assigned to a TSA supported assignment.

#### **318.9.1 USE OF EXPLOSIVE DETECTION CANINES (HDS, OCTA, JWA)**

1. The following are examples of locations where EDC Teams will deploy on a daily basis when conducting proactive public visibility sweeps:
  - (a) Sweep of a mode of mass transportation
  - (b) Sweep of a mass transportation facility
  - (c) Security sweeps of public and private events
  - (d) Other reasons the EDC teams may be deployed to support as requested include:
    1. Hazardous threat
    2. Unattended bag/item
    3. VIP/Dignitary Sweep
    4. Other special events (i.e. a major league sporting event, etc.)
2. EDC Teams shall not be used to search an item that has been deemed suspicious based upon the following:
  - (a) Canine handler's assessment of the totality of the circumstances and the presence or appearance of a specific item; or information from any relevant source.
  - (b) EDC Teams shall not be utilized to confirm the presence of explosive odors once another detection system has indicated the possible presence of explosive or other hazardous material.
  - (c) EDC Teams shall not be utilized to search liquids, loose powders, or known/unknown hazardous material items.

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- (d) EDC Teams shall not be utilized to search in dangerous/unsafe locations where EDC injury is likely (e.g. in and around energized machinery or hazardous material, condemned areas, etc.).
- (e) Once an EDC Team has provided a final response, the OCSD Hazardous Device Section shall be notified and an emergency plan shall be initiated.
- (f) It is recognized that situations may arise that do not fall within the provisions set forth in this policy. In any such case, a standard of objective reasonableness shall be used to review the decision to use an EDC in view of the totality of the circumstances.
- (g) An EDC is not permitted to be utilized in an odor detection role or a visible deterrent role by anyone other than the EDC's assigned handler.

### **318.9.2 EXPLOSIVE DETECTION ALERT PROCEDURES FOR HANDLERS IN TSA ASSIGNMENTS**

In the event of a final response by a canine and it is safe to do so, the handler will follow the TSA emergency plan. This plan describes the roles and responsibilities of the canine handler and others at an incident.

Once the incident is over, the handler shall take a sample with the NEDCTP swab kit in accordance with the sampling procedures. The handler shall then submit the completed Canine Final Response Form with the swab to TSA.

### **318.9.3 WARNINGS GIVEN TO ANNOUNCE THE USE OF A EDC**

Prior to entering an area that is intended for the sole use by the opposite sex of the handler, an announcement that an OCSD canine and handler will be entering the area shall be made.

### **318.10 USE OF SEARCH AND RESCUE CANINES**

Search and Rescue canine teams are comprised of specially trained deputies and canines assigned to the Reserve Bureau. Bloodhound teams are primarily utilized to track or trail missing persons. Human Remains Detection Canines (Cadaver Dogs) are primarily utilized to assist in locating and recovering human remains.

Bloodhound teams shall not be utilized to conduct suspect searches in OCSD jurisdiction without first consulting with the OCSD patrol canine unit.

### **318.11 CANINE HANDLER RESPONSIBILITIES**

#### **318.11.1 CARE FOR THE CANINE AND EQUIPMENT**

The handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, and living conditions. In addition to the below policy, canine handlers in TSA assignments shall adhere to all guidelines outlined in the Other Transaction Agreement (OTA) between Orange County Transportation Authority (OCTA), John Wayne Airport (JWA), the Transportation Security Administration (TSA), and OCSD.

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The handler shall be responsible for the following:

1. Unless required by a particular application, the handler shall not expose the canine to any foreseeable risks outside of standardized canine working conditions.
2. The handler shall maintain all Department equipment under his/her control in a clean and serviceable condition. Any damaged equipment shall be reported to the appropriate canine unit supervisor in a timely manner.
3. Canines shall be transported in vehicles configured to ensure the proper health, safety, and security of the canine to include a stable and secured transport kennel/crate, except in the event of unforeseen emergency. When in use, the canine transport kennel/crate must be properly ventilated and appropriately protected from the elements.
4. Assigned canine vehicles are to be maintained in good operating order with a clean interior. The handler shall ensure the vehicle is serviced in a timely manner. The handler will report all mechanical issues with the vehicle in a timely manner.
5. In-service canine vehicles shall be equipped with a functioning heat alarm to ensure the safety of the canine. In the event the heat alarm fails while in-service, the handler shall avoid leaving the canine unattended in the vehicle for a lengthy time. The handler shall take additional precautions to prevent the canine from overheating, such as parking under shade, leaving the windows down, etc.
6. When not on duty the canine handler shall maintain a marked, black and white canine vehicle in a garage, secured from public view. Unmarked canine vehicles shall be parked in appropriate off-street parking.
7. When a handler takes a vacation or extended number of days off, it may be necessary to temporarily relocate the canine. The canine shall be boarded at a Departmentally approved boarding facility or location. In those situations, the handler shall give reasonable notice to the unit supervisor so that appropriate arrangements can be made. During this time, the assigned canine vehicle may be maintained at a Sheriff's Department approved facility.
8. With their unit supervisor's approval, handlers assigned to the search and rescue canine may make arrangements to have another handler care for the assigned canine during vacations or extended periods off.
9. Handlers shall permit the unit supervisor to conduct spontaneous on-site inspections of affected areas of their residence as well as the canine vehicle, to verify that conditions and equipment conform to this policy.
10. Any changes in the living status of the handler which may affect the lodging or environment of the canine shall be reported to the unit supervisor within 24 hours.
11. When off-duty, canines shall be maintained in kennels, provided by the county, at the homes of their handlers. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, canines may be let out of their kennels while under the direct control of their handlers.
12. The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct control of the handler.

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13. Under no circumstances shall the canine be lodged at another location unless approved by the unit supervisor or Department Commander.
14. When off-duty, handlers shall not involve their canines in any activity or conduct unless approved in advance by the unit supervisor or Department Commander.
15. For handlers in TSA assignments, if through the NEDCTP Incident Adjudication Review Board findings, it is determined that a canine handler fails to adhere to NEDCTP policies, procedures, or instructions which results in the loss of physical accountability or physical abuse of their canine, the handler may be permanently removed from the program.

#### 318.11.2 MEDICAL CARE OF THE CANINE

1. The handler shall ensure routine examinations and emergency care are performed by licensed, board certified veterinary medical professionals for the canine. Routine care includes semi-annual examinations, scheduled immunizations, disease prevention, and weight management programs. Handlers shall administer medication as directed by their veterinarian professional and follow all health related guidance.
2. For canines in TSA assignments, semi-annual examination reports shall be requested for review by the assigned FCC.
3. For canines in TSA assignments, the NEDCTP reserves the right to consult with a Department of Defense (DOD) veterinarian for any proposed medical treatment of an EDC prescribed by the unit's veterinarian.
4. If a canine is found to have any medical/health related issues attributed to a handler's negligence in providing adequate care, the canine may be immediately removed from service. For canines in TSA assignments, the NEDCTP Branch Chief may request that the handler be permanently removed from the Program.
5. All medical attention shall be rendered by the designated canine veterinarian, except during an emergency as provided in Policy Manual § 318.11.4.

#### 318.11.3 NON-EMERGENCY MEDICAL CARE

1. Non-emergency medical care, such as vaccines and routine physical exams, shall be coordinated through the unit supervisor.
2. Any indication that a canine is not in good physical condition shall be reported to the unit supervisor or the Department Commander as soon as practical. For canines in TSA assignments, if the condition affects the canine's ability to perform its duties then the handler shall immediately notify the FCC.
3. All original records of medical treatment shall be maintained by the veterinarian. Copies of the records shall be maintained in the canine handler's personnel file as well as the unit supervisor's files.

#### 318.11.4 EMERGENCY MEDICAL CARE

1. The handler shall notify the unit supervisor as soon as practicable when emergency medical care for the canine is required. For canines in TSA assignments, the handler shall notify the FCC as soon as practicable.

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2. Depending on the severity of the injury or illness, the canine shall either be treated by a designated veterinarian or transported to a designated emergency medical facility for treatment.
3. If the handler and dog are out of the area, the handler may use the nearest available veterinarian.

#### **318.11.5 REPORTING INJURIES TO CANINES**

In the event that a canine is injured during a deployment, the injury shall be immediately reported to the Department Commander as well as the appropriate canine unit supervisor. Injuries occurring during training or the course of normal duties shall be reported to the appropriate unit supervisor. Medical care for any injured canine shall follow the protocol established in § 318.11.2 et seq. The injury shall be documented on a Canine Use Report form and on a Departmental report form whenever appropriate.

#### **318.11.6 DEATH OF A CANINE**

In the event of the death of an active canine the handler shall do the following:

1. Notify the Department Commander,
2. Notify the appropriate canine unit supervisor,
3. Obtain a case number and complete the appropriate Department report,
4. Transport the deceased canine to the Department approved veterinarian,
5. For canines in TSA assignments the handler shall also,
  - (a) Notify the FCC,
  - (b) Obtain and provide to the FCC a veterinarian's report detailing the cause of death.

TSA reserves the right to request a necropsy and a copy of the deceased canine's original medical records be forwarded to the FCC.

#### **318.12 HANDLER COMPENSATION**

The canine handler shall be compensated for the time spent in the care, feeding, grooming, and other needs of the dog as provided in the Member's Memorandum of Understanding.

#### **318.13 CANINE UNIT SUPERVISOR RESPONSIBILITIES**

Each canine unit supervisor shall be appointed by the appropriate bureau staff and shall oversee their respective canine program. The responsibilities of each canine unit supervisor shall include, but not limited to, the following:

1. The patrol canine unit supervisor shall respond to all canine bites and conduct a supervisory use of force investigation into the activities of the canine and handler and complete required reports pursuant to this policy and Policy 300.9 Use of Force; Supervisor Responsibility.

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2. Review Canine Use Reports to ensure compliance with current case law and Department policy.
3. Coordinate testing and selection of all new canine handlers.
4. Coordinate testing, selection, and purchase of new canines.
5. Identify training and compliance issues.
6. Supervise necessary remediation training of any canine team displaying control, behavioral, or general performance issues.
7. Review Canine Training Reports to ensure compliance with current POST guidelines and Department policy.
8. Maintain liaison with contracted service and equipment providers.
9. Maintain liaison with administrative staff and functional supervisors.
10. Maintain liaison with other agency canine supervisors.
11. Maintain accurate records to document canine activities.
12. Recommend and oversee the procurement of needed equipment and services for the canine unit.
13. Be responsible for scheduling all canine related activities, including shift deployments.
14. Ensure the canine teams are scheduled for continuous training to maximize the capabilities of the teams.

#### **318.14 SELECTION OF CANINE HANDLERS**

##### **318.14.1 GENERAL MINIMUM CANINE HANDLER QUALIFICATIONS**

1. General minimum qualifications for canine handler candidates:
  - (a) Reside in an adequately fenced, single-family residence with a secure outdoor area for the dog that conforms to Department requirements.
    1. The minimum size should be 6x10, unless supervisor's approval is obtained.
  - (b) Have a garage which can be secured and accommodate a marked canine unit.
  - (c) Suitable off-street parking to accommodate an unmarked canine unit.
  - (d) Live within 30 minutes travel time from the Orange County limits.
  - (e) Successful completion of the canine handler selection process as appropriate for the particular canine assignment.
2. Additional minimum qualifications for the assignment of patrol canine handlers:
  - (a) Orange County Sheriff-Coroner Department - Deputy II with a minimum of two years uniform patrol experience with satisfactory work performance.
3. Additional minimum qualifications for the assignment of Special Investigations Bureau Narcotics Detection Canine Handlers:

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- (a) Full time OCSD Investigator assigned to Special Investigations narcotics /vice detail for at least one year.
  - (b) Agree to be assigned to the position for a minimum of three years.
4. Additional minimum qualifications for the assignment of Custody Operations Detection Canine Handlers:
- (a) Orange County Sheriff-Coroner Department - Deputy I who has successfully completed probation, with satisfactory work performance.
  - (b) Agree to be assigned to the position for a minimum of two years.
5. Additional minimum qualifications for the assignment of EDC (OCTA & JWA) Canine Handlers:
- (a) Member of the Orange County Sheriff's Department Hazardous Device Section and be able to successfully complete the FBI Basic Hazardous Device School.
  - (b) Reside in an adequate residence with a secure area for the dog that conforms to TSA requirements.
    - 1. An inspection shall be done by the unit supervisor prior to selection.
    - 2. Have a garage which can be secured and accommodate a marked canine unit. The handler may be assigned an unmarked canine unit that may have to be curb parked due to the size of the unit.
    - 3. Agree to be assigned to the position for a minimum of three-years from date of graduation from TSA Canine Handler School.
6. Additional minimum qualifications for the assignment of Search and Rescue Canine Handlers:
- (a) Level 2 Reserve Deputy with satisfactory work performance.
  - (b) Agree to be assigned to the position for a minimum of two years.

### **318.14.2 CANINE HANDLER SELECTION PROCESS**

The selection process may include but is not limited to the following:

- 1. Personnel file review
- 2. Resume review
- 3. Oral interview
- 4. Practical scenario testing
- 5. Familiarization with canine (obedience)
- 6. Decoy exercise (apprehension)
- 7. Physical fitness testing (Patrol Canine Unit)

### **318.15 SELECTION AND TESTING OF CANINES**

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### 318.15.1 GENERAL SELECTION AND TESTING OF CANINES

The primary factors to be considered when selecting canines for the unit shall be the animal's temperament and physical abilities to provide the desired service of a patrol and/or dual-purpose patrol/narcotic detector dog, and/or an explosive detection dog.

1. Dogs eligible to provide service to the unit shall meet the following criteria:
  - (a) Breed or combination of breeds generally accepted for use in law enforcement. Examples include, but are not limited to, German shepherd, Belgian Malinois, Dutch Shepherd, Labrador Retrievers, Bloodhounds, or other suitable sporting breed dogs.
  - (b) Successfully pass tests to determine courage, temperament, social ability, physical fitness, search drive, and search performance.
  - (c) The canine must not have a history of uncontrolled aggression.
  - (d) A canine that successfully passes the unit testing process must undergo a physical exam by the contract veterinarian. This includes complete x-rays, dental and fecal test, eye exam, and blood tests.
  - (e) Any deviations from this policy shall be at the discretion of the specific canine unit supervisor. The final decision to accept or reject a canine purchase shall be made by the appropriate canine unit sergeant and Special Operations Division Captain.
  - (f) Any canine that fails to successfully complete the required initial training program shall be returned to the vendor as provided in the Departmental purchase contract.

### 318.15.2 SELECTION OF CANINES FOR TSA ASSIGNMENTS

TSA shall provide a canine, as well as explosives detection training for the canine and handler team to the Department for assignment to John Wayne Airport and/or the Orange County Transportation Authority. It is understood that the TSA is granting an interest to the Department to utilize these explosive detection canines as they are the most effective and mobile asset available for explosives detection. They are a critical component in deterring and detecting the introduction of explosives into the Transportation Operating System (TOS). The EDC's shall remain the property of the TSA and are assigned to the unit based upon a threat and risk-based assessment, National and Local needs, as determined by the TSA.

### 318.15.3 RETIREMENT OF CANINES

Upon determination by a canine unit supervisor that a canine is no longer able to be effectively deployed based on its age, physical condition, behavioral condition, and/or time in-service, it shall be retired from service with the Department per the Orange County Board of Supervisors, Minute Order dated March 14, 1989.

The dog shall be released into the care and custody of its handler to provide it with a comfortable, humane, and caring environment for the remainder of its life.

Retirement of TSA owned canines shall be coordinated through the FCC.



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### **318.16 INITIAL CANINE TRAINING**

Before assignment in the field, each canine team shall be trained and certified to meet the appropriate industry standards. These standards may include current POST Law Enforcement Canine Guidelines, Transportation Security Administration (TSA) guidelines, Federal Bureau of Investigation (FBI)/ Bureau of Alcohol, Tobacco and Firearms (ATF), California OES Law Enforcement Branch Search and Rescue Mutual Aid - Canine Guidelines, and/or industry standards.

Cross-trained dog teams or those dog teams trained exclusively for the detection of narcotics shall be trained and certified to meet the current industry standards or canine standards established by POST. Standards shall be assessed by a recognized or POST approved evaluator.

Per POST guidelines, the evaluator shall not be compensated or have any financial considerations with the Department. Certification shall be conducted by a recognized certifying body.

Canine teams in TSA (OCTA and JWA) assignments shall be trained and certified to meet current TSA standards. Standards shall be assessed (re-certified) by a TSA appointed evaluator and/or trainer on an 18 month basis.

Canine teams in Hazardous Device Section assignments shall be trained and certified to meet current FBI or ATF standards. Standards shall be assessed by a FBI or ATF approved evaluator and/or trainer.

#### **318.16.1 CONTINUED TRAINING**

Each canine team shall thereafter be re-certified to current POST standards on an annual basis. Additional training considerations are as follows:

1. Canine teams shall train to standards, as set forth by POST, by the Department's contracted canine training provider.
2. Canine teams in TSA assignments shall train to standards, as set forth by TSA, by the TSA Trainer or by the Department's contracted canine training provider.
3. Canine handlers are encouraged to engage in additional training with approval of the Unit Supervisor.
4. To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is contrary to standards as set forth by POST or TSA for OCTA and JWA canine teams.
5. All Search and Rescue canine teams shall be trained and certified to meet the current California OES Law Enforcement Branch Search and Rescue Mutual Aid - Canine Guidelines.
6. All canine training, with the exception of obedience and regular exercise, shall be conducted while on-duty unless otherwise approved by the unit supervisor or Department Commander.

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### 318.16.2 CANINE TRAINING SAFETY PROCEDURES

Safety shall always be of the utmost concern to all Department Members. Participants, staff, and instructors shall place safety first and foremost during every training exercise, including pre-planned canine handler training events and individual canine handler training. To enhance safety, all training events shall require the identification of a Safety Officer(s) and if available, an OCSD supervisor shall be present for the duration of the training unless he or she is called for service or needed elsewhere. If the supervisor is unavailable to attend or remain at the training event, he or she shall review and approve the required training plan prior to any training being conducted.

The Safety Officer(s) identified in a pre-planned training event shall ensure all safety considerations and precautions outlined in this section are taken prior to any pre-planned training being conducted. In the case of individual canine handler training exercises, the canine handler shall be responsible for all safety considerations.

1. During the initial scheduling of each pre-planned training event/exercise, make advanced notice (via in-person/telephone/email) to each perspective training location to ensure the facility is properly approved and available for the training exercise.
2. On the day of the pre-planned training, and immediately prior to beginning the training, conduct a follow-up location check with the site representative to ensure the location is still approved and available for training.
3. With the assistance of an additional deputy (safety officer), conduct a complete and thorough walk through of the training area, ensuring it is free of any unauthorized persons, non-participants, or safety hazards.
4. Identify any unsafe areas or conditions and make safe for all parties (including K9s) involved in the training. In the event an unsafe area or condition cannot be rendered safe, that area or condition shall be excluded from the training exercise.
5. Conduct a safety briefing to all involved parties.
6. Warning signs (i.e., "CANINE TRAINING IN PROGRESS") shall be prominently posted along the perimeter for public view for all canine training. \*\*\*For officer safety reasons, the warning signs can be posted immediately before the training begins.\*\*\*
7. Maintain security along the site/location perimeter during the training to ensure no unauthorized parties enter the training areas.
8. Ensure firearms, with or without live ammunitions, are not used during training or at any unapproved training location.
9. Make immediate and proper notifications of any injuries sustained during training. If an injury occurs during training, refer to policy section 318.3 for proper procedures.

### 318.16.3 FAILURE TO SUCCESSFULLY COMPLETE POST CANINE TRAINING OR CERTIFICATION

Any canine team failing to complete annual POST or TSA canine certification, in either apprehension work and/or detection shall not deploy the dog in the field until certification is achieved. When practical, pending successful certification, the canine handler may be temporarily reassigned to regular duties.

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### 318.16.4 CANINE TRAINING RECORDS

Deputies responsible for preparing training plans should consider the safety of the public, the deputies involved, and the canines when formulating their plans. Due to these considerations, training plans for pre-planned training events shall include the following:

1. Type of training planned (apprehension, narcotic detection, etc.),
2. Date and location of training,
3. Identification of a Safety Officer(s),
4. Identification of the training site representative and contact information,
5. Dates and times when the site representative was notified and whether approval granted,
6. Photocopies of warning signs to be used for the training,
7. The training plan shall be scanned and saved into the designated K9 training file.

Training records generated by each canine handler assigned to patrol, custody, narcotics, the Hazardous Device Section, or Search and Rescue canine units shall be maintained as follows:

1. Saved in the canine handler's training file, which is monitored by the unit supervisor.
2. Copies of electronic records shall be stored in the designated K9 training file.

Training records generated by each EDC handler assigned to OCTA or JWA shall be maintained in the TSA NEDCTP Canine Website System (CWS) after training has been completed. They shall be stored in this system in compliance with all federal records retention requirements. The records are the sole property of TSA.

### 318.17 CONTROLLED SUBSTANCE TRAINING AIDS

Controlled substance training aids are required to effectively train and maintain drug detecting dogs. Further, controlled substances can also be an effective training aid during training sessions for law enforcement personnel and the public. Health & Safety Code § 11367.5 provides that any Sheriff, Chief of Police, the Chief of the Bureau of Controlled Substance Enforcement, or the Commissioner of the California Highway Patrol, or a designee thereof may, in his or her discretion, provide controlled substances in his or her possession for training purposes:

1. To any duly authorized peace officer or civilian drug detection canine trainer working under the direction of a law enforcement agency.
2. Provided the controlled substances are no longer needed as criminal evidence.
3. Provided the person receiving the controlled substances, if required by the Drug Enforcement Administration, possesses a current and valid Drug Enforcement Administration registration or valid court order that specifically authorizes the recipient to possess controlled substances while providing substance abuse training to law enforcement or the community or while providing canine drug detection training.

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#### 318.17.1 CONTROLLED SUBSTANCE TRAINING AID PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of accidental ingestion of these controlled substances by the canine, the following procedure shall be strictly followed:

1. All necessary controlled substance training samples shall be acquired from the Orange County Sheriff-Coroner Department's evidence personnel authorized by Health & Safety Code § 11367.5 to provide controlled substance training samples. All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler.
2. The weight and test results shall be recorded and maintained by this Department.
3. Any person receiving controlled substance training samples pursuant to Health & Safety Code § 11367.5 shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
4. All controlled substance training samples shall be made available for inspection, as well as weighing and testing, at the discretion of the unit supervisor.
5. All controlled substance training samples shall be stored in locked boxes at all times, except during training. In addition, the locked storage boxes shall be maintained in a secure location at all times. There are no exceptions to this procedure.
6. Any unusable controlled substance training samples shall be returned to the OCSD Property and Evidence Bureau.
7. Any narcotics detection team that has been issued training samples shall return the samples to the OCSD Property and Evidence Bureau to be weighed and tested upon the conclusion of the training or at the demand of the Property and Evidence Bureau.

#### 318.17.2 CONTROLLED SUBSTANCE TRAINING AID IMMUNITY

All duly authorized peace officers acting in the performance of their official duties and any person working under their immediate direction, supervision, or instruction are immune from prosecution under the Uniform Controlled Substance Act while providing substance abuse training or canine drug detection training (Health & Safety Code § 11367.5(b)).

It shall be the responsibility of the North Narcotics sergeant to renew the Department's license with the Drug Enforcement Agency's Diversion Control Division annually, and the license shall be maintained in the North Narcotics office.

### **318.18 EXPLOSIVE DETECTION TRAINING AIDS**

#### 318.18.1 EXPLOSIVE DETECTION TRAINING AIDS IN HDS ASSIGNMENTS

The Hazardous Device Section (HDS) shall have appropriate explosives storage magazines for the storage of Canine Explosive Training Aids (CETA). The magazines and locks shall remain under the control of HDS personnel and will be used for storage of CETA. The keyed lock provided is the only lock allowed for use.

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1. The storage procedures for CETA, will follow the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE) storage requirements.
2. CETAs used by the HDS Explosive Detection Canine teams shall be used exclusively for canine training and will be serialized for inventory purposes.
3. The HDS shall maintain CETAs required for proficiency training. The HDS shall conduct monthly inspections of CETAs and storage containers. These inspections are performed to ensure the accountability of the training aids and the safety of those handling them.
4. The explosive magazines shall meet or exceed Title 27, Code of Federal Regulations, Part 555, Commerce and Explosives, BATFE Explosives Law and Regulations (BATFE Publication 5400.7 [06/12])
5. CETAs shall be transported using a Type 3 Magazine, also known as a "Day Box". (See Title 27, Code of Federal Regulations (C.F.R.) § 555.209, "Construction of type 3 magazines.") The "Day Box" must be securely affixed to the transport vehicle to prevent any damage to the CETA as well as for protection of the public.

#### 318.18.2 EXPLOSIVE DETECTION TRAINING AIDS IN TSA ASSIGNMENTS

TSA shall provide appropriate explosives storage magazines and keyed locks exclusively for the storage of TSA Canine Explosive Training Aids (CETA). The magazines and locks remain the property of the TSA and shall be used solely by the canine unit. The keyed lock provided is the only lock allowed for use. The NEDCTP shall maintain record of all documents related to the site selection and approval.

1. The storage procedures for CETA, as outlined in the NEDCTP Standard Operating Practices and Procedures (NEDCTP SOPP), shall be followed. BATFE storage requirements shall be met or exceeded.
2. Only CETAs provided by the NEDCTP are utilized by TSA canine teams for proficiency training purposes unless approved in advance by the NEDCTP.
3. The NEDCTP shall provide all CETAs required for proficiency training. The NEDCTP shall conduct monthly inspections of CETAs and storage containers. These inspections are performed to ensure the accountability of the training aids and the safety of those handling them.
4. The physical site for the NEDCTP provided explosive magazines meet or exceed Title 27, Code of Federal Regulations, Part 555, Commerce and Explosives, BATFE Explosives Law and Regulations (BATFE Publication 5400.7 [06/12]). The magazine site must be situated in accordance with BATFE Publication 5400.7 [06/12], Table 555.218 and NEDCTP requirements set forth by applicable requirements of the individual Transportation Operating System (TOS) to accommodate the maximum net weight explosives allowable.
5. All CETA shall be transported using a Type 3 Magazine, also known as a "Day Box". (See Title 27, Code of Federal Regulations (C.F.R.) § 555.209, "Construction of type 3 magazines.") The "Day Box" must be securely affixed to the transport vehicle to prevent any damage to the CETA as well as for protection of the public.

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6. All documentation related to the selection of the magazine cite shall be coordinated with the FCC and approval documents shall be maintained by the FCC.

### 318.18.3 INCIDENTS THAT REQUIRE NOTIFICATION TO TSA

The FCC serves as the primary TSA point of contact for the Department. The unit supervisor must immediately notify their FCC or designee of all incidents involving a TSA canine team as part of the standard incident reporting process. Such incidents include, but are not limited to, the following:

1. Any canine induced injury to any party (actual or alleged)
2. Missing/lost canines
3. Injured canines
4. Canine deaths
5. Canine fights with other government or civilian animals
6. Damaged property
7. Lost/ stolen/ damaged CETA and/or magazine keys
8. Canine final responses
9. Canine medical emergencies
10. Canine abuse (alleged or actual)
11. Handler negligence (alleged or actual)
12. Aggressive canine behavior
13. Scheduled or unscheduled extended leave by the handler, in excess of forty-five (45) days, shall require written notification to the FCC. Extended leave may be due, but not limited to, illness, military service, or disability.

### 318.18.4 DOCUMENTATION, STORAGE, TRAINING, AND UTILIZATION RECORDS

1. The canine handler shall enter canine team utilization records into the TSA NEDCTP Canine Website System (CWS) when practicable after the actual searches are completed.
2. The handler shall enter canine team training records into the TSA NEDCTP Canine Website System (CWS) within seventy-two (72) hours after actual training has been completed.
3. TSA shall be responsible for the storage of all records pertaining to the EDC.

### 318.18.5 PUBLIC RECORDS REQUEST REGARDING TSA ASSIGNMENTS

Documents pertaining to TSA assignments are under the direct control of TSA. All requests for documents or information pertaining to TSA assignments, to include those under the Freedom of Information Act (FOIA), Privacy Act, or California Public Records Act shall be directed to submit the request to the TSA Program Officer. The TSA Program Officer shall coordinate a response with the TSA FOIA Office. If the Department receives a request for documents which may be

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related to TSA assignments, County Counsel should be contacted to review the applicability of this paragraph and provide advice.