

GENERAL ORDER
FAIRFAX COUNTY POLICE DEPARTMENT



SUBJECT: CANINE OPERATIONS	NUMBER:	530.1
CANCELS ORDER DATED: 10-1-07	DATE:	1-1-13

I. PURPOSE

The purpose of this General Order is to establish procedures for the use of police canine teams assigned to the Canine Section.

II. POLICY

It is the policy of the Police Department to use canine teams to mitigate risk and effect efficient police operations in the detection and prevention of crime.

The Canine Section will provide canine teams to support police operations. The canine teams are highly trained and equipped. The canine teams are very effective resources and should be considered when searching for items, people, or illegal drugs. The use of trained dogs for the purpose of drug detection is widely recognized the courts. The deployment of canine teams to detect illegal drugs shall be consistent with established laws and departmental procedures.

III. DEFINITIONS

- A. Police Service Dog (PSD): Refers to any canine utilized by the police department, and which falls under the supervisory control of the Canine Section supervisor.
- B. Bloodhound: A breed of dog that is trained to be scent specific to track a particular person to the exclusion of all others and to work in heavily scent contaminated areas. The bloodhound is not trained to bite or hold suspects when found.
- C. Drug Detection Dog: A dog that has been trained to identify certain controlled substances by smell.
- D. Patrol Dog: A dog which has been trained to track and locate people, property, and evidence. Patrol dogs are trained in apprehension work and are taught to bite and hold on command.
- E. Canine Handler: A police officer who has successfully completed a basic canine school and is assigned to work with a specific police service dog.

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F. Canine Team: A canine handler and dog.

IV. REGULATIONS

A. Interaction between Patrol Officers and Canine Teams

1. No one shall approach, pet, tease, or attempt to play with police canines, without the canine handler's approval.
2. When any police canine is present, other persons must avoid any physical contact of any nature with the dog's handler, because the dog might perceive such contact as an attack on his handler and respond in accordance with his training by biting and holding the perceived attacker.
3. No one shall follow the canine team on any track unless specifically directed to do so by the canine handler.
4. Patrol dogs are trained to apprehend, on command, fleeing suspects or suspects who may be attacking the handler or the dog. In the event that an officer is confronted by a police canine, the best tactic is to stand still, since any sudden movement or attempted flight might cause the dog to respond by biting and holding.
5. Under normal circumstances, no one other than the canine handler shall attempt to interfere with or call off a patrol dog which has been given the command to apprehend by the canine handler. In the event that the canine handler becomes incapacitated and incapable of controlling the dog, another officer at the scene must take action to ensure that excessive force does not occur or that innocent persons are not injured by the police canine.
6. Officers who need a canine handler to appear in court must have a subpoena issued so that court attendance can be coordinated with the Canine Section duty schedules.

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7. Whenever an officer requests the assistance of a canine team, the officer shall indicate on the incident report the fact of such request. The canine handler shall file a supplemental report describing the response to the request for assistance; this supplemental report shall include a specific description of the actions undertaken by the canine team and the team's results.

B. General Provisions Applicable to Canine Officers

1. Canine teams will not be dispatched as primary officers to calls for service, except as a backup for other units or in cases of emergency when a regular patrol unit is not available.
2. Canine teams will assist whenever possible in arrest situations, but will not take physical custody and transport prisoners.
3. While on and off duty, canine handlers shall maintain control of their police service dogs at all times.
4. Police service dogs shall not be taken inside any police building unless authorized by a supervisor.
5. a. In the event of a dog bite, the incident will be investigated by a Canine Section supervisor. This includes any time there is visible evidence the police canine bit anyone, such as swelling or redness of the skin, or any time the subject complains of an injury as a result of the arrest.

In the Canine Section supervisor's absence, the incident will be investigated by a patrol supervisor working the district where the event occurred. Should the incident involve the Canine Section supervisor's dog, the investigation will be conducted as directed by the commander of the Special Operations Division or by the staff duty officer.

The investigation of the incident shall be conducted in the manner set forth in paragraphs 5(c) and (d) below.

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- b. In the event that a police service dog causes, or is alleged to have caused, injury to a citizen not suspected of any crime, the investigation of the incident shall be conducted as set forth in paragraphs 5(c) and (d) below. In addition, the investigating supervisor shall be responsible for completing a Citizen Injury Report. These reports are available through the Department's Personnel Resources Division.

- c. The event shall be investigated and reported in accordance with General Order 301 as supplemented by paragraph 5(d) below. The investigating supervisor's report shall include photographs of any and all wounds inflicted or alleged to have been inflicted by the police canine. These photographs shall be taken, if at all possible, after the wound has been treated and before it is bandaged.

- d. The person conducting the investigation should interview persons with information as soon as possible after the incident. It is the preferred practice to record the interview by video or audio means for preservation. If the interview is not recorded, the investigating supervisor should have the witness write and sign a statement or take detailed notes of the interview. Persons to be interviewed should include the following:
 - (1) The person bitten or injured.
 - (2) The canine handler.
 - (3) Other officers present at the scene of the incident being investigated.
 - (4) Any other persons present at the scene of the incident being investigated.
 - (5) Emergency medical services personnel who responded to the scene of the incident being investigated.

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- (6) Officers or others who transported the injured person from the scene of the incident being investigated.
 - (7) Hospital personnel, including admissions personnel, nurses, physician's assistants, and doctors who saw, treated, or otherwise have personal knowledge of the condition of the injured person.
 - (8) Jail personnel, including booking officers, jail medical staff, and housing officers who saw, treated, or otherwise have personal knowledge of the condition of the injured person.
6. The canine handler or the Canine Section supervisor shall have exclusive control over the use of his police service dog, subject to review by the Special Operations Division commander. Patrol officers must understand that the canine handler will make the final determination as to whether to deploy the police canine based upon his/her assessment of the situation and knowledge of the capabilities of the dog. The handler will take into consideration departmental policies and laws which govern the use of police service dogs.

V. OPERATIONAL PROCEDURES

A. Primary Situations Warranting Canine Support

- 1. Building Searches - Upon discovery of a possible burglary, including, but not limited to, such observable evidence as broken windows, latches, or doors that appear to have been forced or tampered with, the officer assigned should request the assistance of a canine team to conduct a building search, unless the officer has clear evidence that the original suspicion is unfounded or that the building is free of any suspect.

The mere fact that a building or residence is found open without further evidence of breaking or motion inside of the building will not generally merit a canine search of the building. If a patrol

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officer requests canine assistance, he should not enter the building before the canine team arrives, absent exigent circumstances

- a. Prior to any canine search of a building, an announcement must be given indicating the intent to release a police service dog to search the building and apprehend anyone therein. The announcement must be consistent with the following: "I am a Fairfax County police officer. Come out with your hands up. If you do not come out, a police dog will be released, and you may be bitten." The wording of the announcement shall be documented in the canine handler's supplemental report.
- b. Whenever possible, the announcement shall be given over the police cruiser P/A system at a level that can be heard by perimeter units. After the announcement has been made, the canine handler shall allow sufficient time for civilians to exit the building and for any suspects to avail themselves of the opportunity to surrender before beginning the search. In the event that a large building or area is being searched, the announcement should be repeated whenever the search reaches a new floor or an area in which the initial announcement might not have been heard. Each additional announcement must be documented with respect to the wording of the announcement and the location in which each additional announcement was made.
- c. A warning may only be dispensed with in the unusual event that there is a reasonable belief that specific officer safety issues would be created by the giving of a warning.
- d. During the course of a search, no person shall enter the building except the handler or someone at the handler's request.
- e. Any person(s) removed from a building or area to be searched should be secured, so as to avoid the potential of the patrol dog exiting the building or area and

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apprehending that person. These persons should be secured in vehicles or other buildings away from the search site.

2. Tracking

- a. The pursuit of suspects fleeing the scene of a crime is initially the responsibility of the first officer on the scene. Once the officer has lost sight of the suspect, and depending on the terrain and visibility, the officer should request canine assistance. It is important that the officer mark the location where the suspect was last seen, so that the police canine can pick up the scent as soon as possible. The area where the track is to begin must remain uncontaminated to ensure that the canine will have the best opportunity to obtain the suspect's scent. Therefore, any and all unnecessary walking over the area must be avoided.
- b. Patrol dogs and Bloodhounds have the capability to track and search for specific persons based on scent (scent-specific tracking). For this reason, any items left behind that were known to be handled by the person being sought should be protected against cross contamination by other people. Small items shall be collected in plastic evidence bags in such a fashion as to avoid cross contamination. Larger items incapable of being bagged should be secured as to avoid cross contamination by other people.
- c. Police service dogs can be used to great advantage in searching for missing persons as well as physical evidence or property that may have been recently handled. The principles regarding the marking of the location and protection of the scene are the same as those set forth above.

The primary purpose of using a patrol dog or bloodhound to track a person is as a tool in locating the person being sought. While the patrol dog can be utilized to track, caution needs to be exercised to avoid the possibility of an

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unintended bite, particularly when tracking for those persons only suspected of a minor criminal offense or when no offense has been committed, such as an endangered missing person.

The police bloodhound is the preferred tool to employ to search for missing persons because Bloodhounds are not trained to apprehend suspects and are unlikely to unintentionally bite a person. Patrol dogs go through extensive training, but the possibility of an unintentional bite always exists. There are times, however, when the risk of not finding the missing person outweighs the risk of the potential bite. Some factors to consider when evaluating whether to use a police service dog to search for a missing person are:

- (1) The mental capacity of the missing person (age, Alzheimer's, dementia, other disability, etc.).
 - (2) Age and health of the person (young and elderly are more prone to the risks of exposure).
 - (3) The weather conditions.
 - (4) The clothing that the person was last seen wearing.
 - (5) The length of time the person has been missing.
 - (6) The time that it will take for a bloodhound to arrive on the scene.
- d. Open area searches – The patrol dogs are excellent tools to help minimize the risks and time required to search open areas. These searches can be done on lead or off lead at the discretion of the canine handler.
- (1) Prior to using a patrol dog for an open area search, steps should be taken to reasonably secure the area by establishing a perimeter. Officers assigned

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to the perimeter should work to ensure that no persons are allowed to enter the search area.

- (2) Prior to deploying the patrol dog on the area search, the handler should provide a canine announcement as outlined previously in this section.
- (3) Any persons removed from the search area should be secured in an area protected against possible encounters with the canine team.

3. Drug Detection

- a. An officer may request a drug detection dog. Upon the request for a drug detection dog, the requestor shall notify his immediate supervisor. The request for the drug detection dog should not be delayed in order to facilitate the notification. Many times, the use of a drug detection dog is time sensitive, and arrival to a request site should be as timely as possible.
- b. The Canine Section provides 24 hour coverage, seven days a week, and should be the primary response unit for drug detection purposes. In situations where no canine team is on duty, the duty officer should request the police liaison commander (PLC) to contact a Canine Section supervisor for potential call out of a canine team.
- c. Requests for a drug detection dog by other law enforcement agencies shall be directed through the duty officer, who will approve or deny such request. Upon approval of the request, the closest drug detection team will be dispatched.
- d. Requests for drug detection dogs will be made in a timely manner so as to reduce the downtime of the investigative stop.

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- e. When the drug detection dog is used for building searches, the following procedures should be followed, both for maximum effectiveness and safety of the dog handlers:
 - (1) All persons on the premises should be removed or placed in one room prior to the dog search commencing.
 - (2) All plain view drugs should be secured prior to the dog search.
- f. Drug detection dogs will not be used in an area deemed unsafe by the dog handler.
- g. The canine teams assigned to the Canine Section will assist as needed on narcotics related cases; however, because they must be available for their patrol duties, they must limit themselves to a support role and not that of lead officer.
- h. Requests from the Office of the Sheriff for routine scheduled drug searches of the Adult Detention Center shall follow the requirements of paragraph C of this section, however, with an added requirement of two weeks advance notice.
- i. Fairfax County Police canines are trained to indicate the presence of narcotics by scratching, barking, or biting the area where they smell narcotics; therefore, because of the possibility of injury to persons during that alert process, drug detection dogs will not be used to search people or objects on a person's body.
- j. Drug detection dogs will not be used for any public exhibition without the express authorization of the commander of the Special Operations Division.
- k. Drug detection dogs will not be provided for use by private individuals or agencies. Drug detection dogs may only be used as part of a police investigation or as part of an

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administrative search of a government facility with the approval of the the Special Operations Division commander.

- I. Drug detection dogs will not be used in any area or on any premises to which the handler does not have lawful access.

B. General Operational Considerations

1. Use of Force Guidelines

- a. Each canine handler is responsible for the proper use and control of their assigned police canine.
- b. The federal courts consider utilization of the police service dog for apprehension to be the use of non-deadly force. Accordingly, the use of police service dogs for apprehension must be in compliance with General Order 540.1, Use of Force.
- c. Under the direction of its handler, a patrol dog may be employed in any situation in which the use of non-deadly physical force is reasonably necessary to:
 - (1) Prevent escape from lawful custody, to effect an arrest or an investigative stop of a person reasonably suspected of committing a criminal offense, or to prevent any person from being injured.
 - (2) Defend the canine handler or any other person from assault, or what the canine handler reasonably believes to be physical resistance while effecting or attempting to effect an arrest, investigative stop, or while preventing or attempting to prevent an escape from lawful custody, or to restore institutional integrity in a detention facility.
- d. Only that amount of force necessary to achieve a lawful intended result should be used when deploying a

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departmental police service patrol dog under the direction of its handler.

- e. There are a number of factors that canine handlers must consider when evaluating the use of a patrol dog for apprehension:
 - (1) The severity of the alleged crime.
 - (2) Whether the suspect poses an immediate threat to the safety of law enforcement personnel or others, including whether the suspect is known to be or may be armed with any weapon or any other object that could be used to inflict serious physical injury.
 - (3) The degree to which the suspect resists arrest or detention.
 - (4) Any attempt by the suspect to evade arrest by flight or concealment.
- f. Generally, felonies and serious misdemeanors, such as assault, weapons violations, and fleeing after driving while intoxicated would justify the use of the patrol dog for apprehension.
- g. Serial crimes that present a danger to the community, such as exposures or peepings, particularly when associated with sexual assaults, might justify the use of the patrol dog for apprehension.

To properly support the use of patrol dogs for serial offenses, a request with supporting documentation, should be made to the commander of the Special Operations Division for the use of the dogs for serial offenses. Approval by the commander of the Special Operations Division, or designee, is required prior to the deployment of patrol dogs for apprehension under these cases. The decision to deploy the canine at the time of the response

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still rests with the canine handler, subject to review by the commander of the Special Operations Division.

- h. In the event that a police canine apprehends a suspect by biting and holding, the canine handler must reduce the use of force as appropriate in response to the subject's compliance with the canine handler's commands.
2. Officers requesting canine assistance must ensure that the request is canceled once it becomes apparent that the need no longer exists.
3. Requests for canine assistance during times that a particular type of police service dog is not working will be directed through the staff duty officer. The duty officer will request the police liaison commander (PLC) to contact the Canine Section supervisor for a callout of the necessary canine team.
4. In the event a canine handler is injured to the extent that the handler cannot exercise control over the police canine, any officer at the scene shall call for another canine handler or the Canine Section supervisor to handle the dog. If the time required for response by another canine handler may jeopardize the injured canine handler's life, officers on the scene should attempt to divert the dog's attention in order to reach the injured canine handler and move that canine handler to safety, if possible. The use of deadly force against the police canine shall not be considered until all other means have failed and the canine handler's injuries are of a type that might result in death or serious injury if medical attention is delayed until the police canine can be brought under control.
5. Patrol dogs shall not be used for crowd control purposes unless directed by the Chief of Police or a designee.
6. Nighttime operations – The police canine teams are specially trained in nighttime operations and they possess equipment such as handheld infrared and handheld thermal imagers. The use of this technology is ideal during operations occurring at times of decreased lighting conditions. This equipment works to aid in the search for people, detecting criminal activity, conducting surveillance, and if necessary, locating and apprehending persons safely. Any officer

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can request the assistance of canine handlers where this training and equipment would prove beneficial to their operation.

Thermal imaging devices are for the explicit use of trained canine handlers; any request to loan a canine issued thermal imager outside of the Special Operations Division must be approved by an SOD commander.

- 7. Infrared beacons – Canine teams are outfitted with infrared (IR) beacons which makes their location readily identifiable to others using infrared viewers. These particular beacons are used as safety devices for the canine teams operating at night or in decreased lighting conditions. They provide those using infrared viewers, including the helicopter, with the ability to quickly locate the canine team and if necessary, direct others to the team's location.

It is for this reason that the canine team should be the only personnel operating the infrared beacon during tracks, searches, and other operations. Any special requests to use IR beacons, by any entity besides canine, shall be directed to the SOD commander for deconfliction.


VI. ACCREDITATION STANDARDS REFERENCE

VLEPSC
OPR.
01.09


This General Order becomes effective January 1, 2013, and rescinds all previous rules and regulations pertaining to the subject.

ISSUED BY:

APPROVED BY:



Chief of Police



County Executive