

San Jose Police Department Canine Unit



Policy and Procedural Manual



Canine Unit

Procedures Manual

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I. MISSION STATEMENT

The Mission of the San Jose Police Department Canine Unit is to support Department Operations by utilization of the Police Service Dog to effectively search for outstanding suspects, persons, and evidence, while enhancing officer safety and providing outstanding service to the Community.

II. SCOPE

All personnel assigned to the Canine Unit shall abide by the policies, procedures, rules and regulations set forth in this manual. All personnel assigned to the Canine Unit will receive a copy of and familiarize themselves with this Manual. Any deviations from the Canine Manual must be approved by the Canine Unit chain of command.

III. GENERAL ORDERS

1. Force Options Policy (L 2603) Revised 01-24-2022

All officers have a number of force options available for use in those situations where force is needed. Those situations can include but are not limited to:

1. Subduing or arresting a physically threatening or assaultive person.
2. Instances that threaten the safety of an officer or other person.
3. Stopping a person who is attempting to flee or escape a lawful detention / arrest.
4. When directing, controlling, escorting resistive or physically uncooperative persons.

There is no requirement that the person actually has to strike or attempt to strike an officer to be considered physically threatening or assaultive so long as an objectively reasonable officer has sufficient information (verbal threats, verbal defiance, physical stance, etc.) to believe that a person is physically threatening and has the present ability to harm the officer.

The degree of force used by an officer is directly related to the facts and circumstances encountered by that officer. Force options currently available to officers are as follow:

- Voice Commands - Physical Contact / Control Holds / Takedowns
- Chemical Agents - Impact Weapons (Refer to Section S 1124 and S 1143)
- Electronic Control Weapon or Electronic Restraint Transportation Belt (ERTB)
- Police Service Dogs (canines) - Police Vehicles

- Projectile Impact Weapons (if available) - Deadly Force

2. Supervisor's Responsibility (L 2605) Revised 10-18-2017

A supervisor assigned to the district of occurrence or who is assigned to the incident shall personally respond to the scene to evaluate and actively participate in the investigation of the factual circumstances surrounding a subordinate Department member's use of reportable force (For example, if an officer uses force, a sergeant shall respond. If a sergeant uses force, a lieutenant shall respond, etc.). This includes force that results in an injury, the appearance of an injury or a complaint of pain to a Department member or other person as a result of an enforcement action. The collection and preservation of relevant physical, documentary and testimonial evidence at the scene by available methods and technology, such as photography, video recordings, and the electronically recorded statements of witnesses, shall be the objective of the assigned supervisor who responds to the incident. A supervisor who was physically involved in the use of force incident (e.g. initiated the incident in which force was used, physically chased the suspect, used reportable force, used a non-reportable firm grip control, helped handcuff the suspect, etc.) or who directed force to be used shall not conduct the force investigation.

The responding supervisor shall approve the General Offense Report and confirm the appropriate automated use of force template has been completed by the involved Department member with the following two exceptions:

- If the incident occurs late into the shift and there will likely be an extended period of time until the required reports are completed, the supervisor assigned to the call shall obtain Watch Commander approval if he/she wishes to pass the report review responsibility to a different supervisor at the end of his/her shift. In such cases, the supervisor assigned to the call will provide a briefing of the incident to the incoming supervisor prior to delegating the report review responsibility.
- The Homicide Unit completes the Force Response portion of the report as part of an Officer-Involved Incident investigation (see below).

In all cases, a supervisor shall approve the crime report (General Offense Report) and any Narrative/Supplemental Report (Form 200-3A-AFR) prepared by the officer(s) documenting the use of force.

The supervisor shall attempt to interview the suspect(s) during his/her use of force investigation. The supervisor shall advise the suspect(s) of their Miranda rights from the Department-issued card. Before an interview can be conducted, a waiver must be obtained from the suspect(s). The interview shall be recorded with the use of a Body Worn Camera and documented on a Narrative/Supplemental Report (Form 200-3A-AFR), then forwarded with the rest of the documentation to the Records Division. Additionally, the video file shall be uploaded to the Department server, consistent with established procedures. In the case of an officer-involved shooting or an Officer-Involved Incident, Homicide Unit members, rather than the supervisor, shall conduct all in-custody interviews.

The supervisor or command officer conducting the force review shall submit a Narrative/Supplemental Report (Form 200-3A-AFR) as well as the supervisors' automated use of force template documenting his/her supervisory actions. Consistent with SJPD DM Sections R 1801 and R 1803, Department members must have their Narrative/Supplemental Report (From 200-3A-AFR) reviewed and approved by the next rank above them in their chain of command prior to report submission.

In all cases of a reportable use of force, the supervisor shall ensure that the Department member(s) using force complete the automated use of force template for each suspect in every incident when reportable force is used. Sergeants or command officers must only complete one supervisor's automated use of force template per incident (e.g., if force is used on multiple suspects in a single incident, the sergeant or command officer shall only complete one supervisor's automated use of force template).

The supervisor/command officer shall read and review all reports associated with the incident for completeness as detailed in DM Sections R 1802 (Authority and Responsibility of Supervisors) and L 2643 (Reporting Use of Force). The supervisor/command officer shall then approve the reports only if they are properly completed. All forms and reports shall be completed and approved prior to the end of shift.

Exception: When an Officer-Involved Incident occurs, the investigation shall be conducted consistent with the most recently published Santa Clara County Police Chiefs' Association Officer-Involved Incident Guidelines. The Department member will be interviewed by the Homicide Unit and the supplemental report for the Department member's statement as well as the automated use of force template shall be completed by the Homicide Detective who conducted the interview.

When required for the purpose of conducting a citizen complaint investigation, a Department Initiated Investigation, or an Officer-Involved Incident that is the subject of a review before the Officer-Involved Incident Training Review Panel, the entire investigation report packet shall be copied and forwarded to the Internal Affairs Unit.

3. Use of Electronic Control Weapons & Reporting Requirements: (L2614) Revised 01/20/2021

Only officers who have completed approved training by the Department can carry the Electronic Control Weapon.

An Electronic Control Weapon can be used by either activating it while pressing the device against a person's clothes or skin, which is referred to below as a Drive Stun Deployment, or by firing the device's Probes at a person, which is referred to below as a Probe Deployment. Some of the policies and considerations relevant to use of an Electronic Control Weapon, described below, apply to both methods of deployment, while others apply to only one method or the other.

1. Policies and considerations relevant to all Electronic Control Weapon deployments.

In general, the Electronic Control Weapon is to be used for the shortest period of time reasonably necessary to take a subject safely into custody. Ordinarily, officers should activate the Electronic Control Weapon by pressing and releasing the trigger, producing a five-second cycle. In circumstances where a shorter cycle is desired, officers may use the safety to shorten the cycle or, in the case of a Drive Stun Deployment, may discontinue Drive Stun with the subject. With each cycle, an officer should evaluate whether it is reasonable to activate the Electronic Control Weapon again, considering the level of threat that still exists and considering the pain and other potential risks to the subject, if any, associated with its use.

Unless objectively reasonable based on the totality of the circumstances known to the officers at the time, officers should avoid activating more than one Electronic Control Weapon against a single subject at the same time.

If circumstances permit, officers should avoid aiming the Electronic Control Weapon at a subject's head, neck, genitalia, or chest. The Electronic Control Weapon shall not be used against a subject in physical control of a vehicle in motion unless the circumstances are such that a reasonable officer would conclude that the risk of serious bodily injury or death resulting from subsequent movement of the vehicle is outweighed by the need to capture the subject.

Generally, use of the Electronic Control Weapon should be avoided when feasible against women who are known to be pregnant, very old or very young persons, physically frail persons and persons with known heart conditions. An example of a circumstance in which it would be reasonable to use the Electronic Control Weapon would be a situation in which an obviously pregnant woman was in the process of harming herself or another person, and more intrusive force would be necessary if not for the use of an Electronic Control Weapon.

The immediate supervisor of an officer that has deployed a Electronic Control Weapon will personally respond to evaluate and actively participate in the investigation of the Electronic Control Weapon discharge.

The Electronic Control Weapon has been shown to be an effective tool against aggressive animals. The Electronic Control Weapon may be used against animals, if the animal poses a threat to officers or other persons or other animals.

2. Policies and considerations relevant to a Probe Deployment

Electronic Control Weapons play an important role in effective law enforcement. As a tool that can defuse dangerous situations from a distance, the use of a Electronic Control Weapon can obviate the need for more severe force and can help protect officers, suspects and bystanders. However, a Probe Deployment of an Electronic Control Weapon also has the ability to immobilize or override a person's central nervous system, inflicts considerable pain and, in rare instances, may cause or contribute to death or serious injury. As a result, Probe Deployment of an Electronic Control Weapon should be limited to situations where: - The subject poses an immediate threat to the safety of officers or others, and - After assessing as much of the facts relevant to the situation as circumstances permit, a reasonable officer would conclude that the threat presented by the subject outweighs the pain and risks associated with use of the Electronic Control Weapon.

Officers should attempt to secure the subject as soon as practical while affected by Electronic Control Weapon power or immediately thereafter.

In general, the Electronic Control Weapon should not be used on subjects exhibiting only passive noncompliance.

An officer shall not use an Electronic Control Weapon against a handcuffed or secured person, absent overtly assaultive, self-destructive or violently resistive behavior that cannot reasonably be controlled by other readily available means. An officer shall not use an Electronic Control Weapon in circumstances where a suspect's fall is likely to cause serious bodily injury or death, unless the circumstances are such that a reasonable officer would conclude that force likely to cause substantial injury or death is warranted.

An officer shall not use an Electronic Control Weapon where an officer reasonably believes that a flammable, volatile or explosive material is on the subject or may be affected by the use of the device.

Officers sometimes encounter highly agitated individuals whose condition may put those individuals at heightened risk of serious injury or death. (See Training Bulletin, March 19, 2007, Management of Subjects in Excited Delirium) Scientific research and law enforcement experience suggest that vigorous physical exertion may increase the risk of injury or death in these individuals. Such exertion may result from an individual's active resistance and the effort of officers to restrain or subdue the individual, which efforts may include the use of a Electronic Control Weapon. There are times, however, when despite such risks, a person's actions make it necessary to take the individual into custody. Use of the Electronic Control Weapon may, in some instances, be the preferred method of quickly subduing an agitated and aggressive individual and minimize the subject's physical exertion. However, an Electronic Control Weapon should only be used with such individuals when the person poses an immediate threat of harm that warrants use of the Electronic Control Weapon despite the increased risk to the individual.

Officers shall refrain from using the Electronic Control Weapon for more than a total of three (3) five-second cycles, unless the circumstances are such that a reasonable officer would conclude that each subsequent application of the device, analyzed separately, is warranted by the continuing and substantial threat of harm despite the pain and risks associated with its use. In this assessment, an officer may also consider whether backup officers are present to assist in controlling a dangerous suspect.

If the subject does not respond to the Electronic Control Weapon deployment in the anticipated manner based on training and experience, officers should consider transitioning to alternative force options.

Whenever a person has been subjected to a Electronic Control Weapon discharge, an official hospital clearance is obtained prior to the suspect's booking. If the suspect exhibits the need for medical attention at the scene of the arrest, emergency medical assistance is summoned immediately. See DM Section L 2616 (Providing First Aid).

3. Policies and considerations relevant to a Drive Stun Deployment

When a Drive Stun Deployment occurs, the Electronic Control Weapon delivers a charge that causes localized pain rather than a disruption of a subject's central nervous system. Prolonged Drive Stun may cause burns and/or permanent scarring and should be avoided. Officers using the Electronic Control Weapon in this mode should regard this application of force as a pain-compliance technique and apply the Electronic Control Weapon for the minimum number of cycles and amount of time reasonably necessary to achieve compliance.

4. Electronic Control Weapon usage reporting requirements:

The use of the Electronic Control Weapon shall be described as follows and will require documentation in a General Offense Report (Form 200-2-AFR) and/or on a Narrative / Supplemental Report (Form 200-3A-AFR):

- The Electronic Control Weapon probes are discharged at a subject,
- The Electronic Control Weapon is used in a "drive stun" manner and makes contact with the subject's body or clothing.

Officers using an Electronic Control Weapon as described above will complete a "Automated Use of Force Template" and will submit a copy of the Electronic Control Weapon CED download information for the event with the case number noted in the upper-right hand corner. These additional reports shall be submitted with all other required reports. Only authorized supervisors will download information from the Electronic Control Weapon.

Officers that display the Electronic Control Weapon in an attempt to gain compliance from a subject will ensure there is a note in the CAD event indicating the "Electronic Control Weapon was displayed." If the incident would require the officer to write a General Offense Report (Form 200-2-AFR) and/or a Narrative/Supplemental Report (Form 200-3A-AFR), the display of the Electronic Control Weapon shall be documented in the report. The display of the Electronic Control Weapon shall be described as follows:

- The Electronic Control Weapon is withdrawn from the holster and displayed to the subject,
- The Electronic Control Weapon is withdrawn from the holster, cartridge removed from the Electronic Control Weapon and the electrical arcing is demonstrated to the subject.

Officers that only display the Electronic Control Weapon are not required to complete a "Automated Use of Force Template."

Electronic Control Weapons and holsters authorized for use by the Chief of Police are listed in DM Section S 1147 (Electronic Control Weapons).

4. Providing First Aid Electronic Control Weapon: (L2616) Revised 01-20-2021

Officers will obtain a medical clearance from Valley Medical Center (VMC) for an arrestee who has been subjected to the discharge of an Electronic Control Weapon. Another hospital

emergency room may be used if, based on the available information, it appears to be necessary to provide immediate emergency medical treatment for the arrestee or if VMC is closed for admissions.

In cases where another hospital emergency room is used or if the suspect is already at another hospital facility with an emergency room, the officer will obtain the necessary medical clearance paperwork for booking from that hospital. There is no need to transport the suspect to VMC in this case. The prisoner will only be transferred to VMC upon approval of medical personnel at both facilities.

Electronic Control Weapon probes, if lodged in the body, are removed by EMS or hospital staff.

5. Use of Police Service Dogs (L 2623) Revised 7/24/2015

Properly used Police Service Dogs (Canines) constitute a resource useful in police service. Their uses include searches, tracking, apprehension of suspects, and protection of officers and members of the public from serious physical injury.

The canine handler determines the proper use of the Police Service Dog based upon the totality of the circumstances known at the time of the deployment. When it is believed a suspect may be armed with a weapon likely to cause serious injury or death to the Police Service Dog, the handler shall have the discretion to decide whether the dog will be used to search for or apprehend the suspect.

A Police Service Dog may be used to search for or apprehend a suspect if the handler reasonably believes the suspect is committing, has committed or is about to commit a felony crime, or a misdemeanor crime involving a weapon or violence, and if the following conditions exist:

- There is a reasonable belief that the individual poses an immediate threat of violence or serious physical injury to any person; *AND*
- There is reasonable belief that the suspect is actively fleeing, physically resisting, or threatening to resist arrest and the use of the canine would overcome such resistance, prevent injury to arresting officers or other persons and ensure the apprehension of the subject; *OR*
- The individual(s) is/are believed to be hidden in an area where the use of the canine would reduce the threat of violence or serious physical injury to officers or members of the public.

In addition to the above criteria, Police Service Dogs are not used to search for suspects who are believed to be juveniles unless the handler reasonably believes the subject poses an immediate threat of violence or serious physical injury to any other person if they were allowed to escape.

Prior to conducting a search, it is the handler's responsibility to issue a warning to persons who may be in the area to be searched of the intent to conduct a canine search. Once the warning has been issued, the handler will wait a reasonable amount of time prior to deploying the police

service dog to search. The warning may be omitted when circumstances indicate that the safety of the searching officers or the public may be compromised by a warning.

A Police Service Dog may be used for the tracking or trailing of missing or wanted persons. A Police Service Dog used for tracking or trailing persons not associated with criminal activity does not fall within this policy.

Canines will not be used for crowd control.

6. Risk to Third Parties (L 2625)

In using Police Service Dogs, the canine handler shall exercise due care to avoid unnecessary risk of injury to persons who are not the subject of a search or apprehension.

7. Providing First Aid After Use of Police Service Dogs (L 2626)

Each canine handler is responsible for ensuring that medical treatment is provided when necessary and possible. However, when circumstances are such that the canine handler cannot directly ensure that medical treatment is provided, the officer will notify an immediate supervisor. The supervisor will then attempt to ensure that such treatment is provided.

8. Use of Projectile Impact Weapons: (L 2629) Revised 05-22-2020

Only officers who have completed an approved training course taught by a qualified department member or a representative of the manufacturer supplying the ammunition are authorized to use this type of equipment. [REDACTED]

- To be used when objectively reasonable in situations where its use is likely to prevent any person from being seriously injured.

NOTE: Less lethal projectiles containing chemical agents are available for use by authorized personnel. The use of less lethal chemical agent projectiles shall comply with this Duty Manual section and with sections DM L 2609 – USE OF CHEMICAL AGENTS and DM L 2610 – PROVIDING FIRST AID.

All patrol officers, who have completed an approved training course, shall be required to carry a projectile impact weapon (either a stun-bag shotgun or a 40mm Projectile Impact Weapon) while on-duty; officers not permanently assigned a 40mm Projectile Impact Weapon shall check out a projectile impact weapon (stun-bag shotgun or 40mm Projectile Impact Weapon) from Central Supply at the beginning of each assigned shift.

The intentional discharge of a Projectile Impact Weapon at a suspect shall be documented as a use of force. When an intentional discharge of a Projectile Impact Weapon is used for the purpose of breaking glass, and the discharge does not result in any person being struck by a projectile, the discharge shall be documented in a General Offense report.

9. Prohibited Uses of Projectile Impact Weapons: (L 2630) Revised 08-18-05

Projectile impact weapons will not be used in the following circumstances:

- On restrained, unconscious or otherwise incapacitated persons
- Except in emergency situations, projectile impact weapons will not be used until a sufficient number of officers are present to immediately take control and custody of the suspect

10. Providing First Aid after Use of Projectile Impact Weapons: (L 2631) Revised 06-30-06

Officers will obtain a medical clearance from Valley Medical Center (VMC) for an arrestee who has been immobilized by use of a projectile impact weapon. Another hospital emergency room may be used if, based on the available information, it appears to be necessary to provide immediate emergency medical treatment for the arrestee or if VMC is closed for admissions.

In cases where another hospital emergency room is used or if the suspect is already at another hospital facility with an emergency room, the officer will obtain the necessary medical clearance paperwork for booking from that hospital. There is no need to transport the suspect to VMC in this case. The prisoner will only be transferred to VMC upon approval of medical personnel at both facilities.

Jail personnel will be advised that the arrestee was immobilized by the use of a projectile impact weapon.

11. Deployment of Carbines (L 2640)

Carbines may be used based on an articulated need if the officer reasonably suspects that any of the following conditions exist:

1. The suspect is armed with a deadly weapon.
2. The distance necessary to engage an armed suspect is beyond the effective range of the officer's pistol or shotgun.
3. The suspect is barricaded or protected by materials that may not be penetrated by the officer's pistol or shotgun.
4. The officer has reasonable cause to believe an armed suspect is wearing body armor.

12. Reporting Use of Force (L 2643) – Revised 02/15/17

When force is used by a Department member in the course and scope of his or her duties as a peace officer, the Department member will document the details of such in a General Offense Crime Report and/or Narrative/Supplemental Report (Form 200-3A-AFR) which includes the automated use of force template. Details will include:

1. The reason for the police response to a call for service, or police-initiated detention or arrest.
2. The behavior of the subject which caused the officer to use force.
3. Type of force used (verbal and physical tools, techniques and/or tactics used).
4. Extent of injuries to any person and the post-force care provided.
5. Other relevant information regarding the circumstances of the use of force.

Exception: When an Officer-involved Incident occurs (see DM L2643).

IV. RULES AND REGULATIONS

1. Unit Responsibilities - Revised 4/2016

In order to ensure that the Canine unit maintains a high level of operational competency, all newly assigned Canine officers will serve a probationary period of **6 months** from their date of entry into the unit. Any prolonged injury or modified duty could result in extension of the probationary period. At the end of the probationary period, the new officer's supervisor will conduct an evaluation to determine if the officer has successfully completed the probationary period and should thereby be retained in the unit.

Although the Canine Unit has its own chain-of-command within Special Operations, its primary function is to be a resource for all officers in the Bureau of Field Operations.

1. Normally, canine officers will not handle calls-for-service or self-initiate, to allow for the availability of their specialty.
2. The Canine Unit responds to all critical incidents and provides tactical support to the M.E.R.G.E. Unit.
3. Handlers are expected to act on field situations they encounter during patrol, regardless of the time commitment it may involve.
4. Handlers will respond to emergencies when they are the closest unit or when other resources are not available.
5. When resources are insufficient to handle calls-for-service, canine officers will accept assignments when approved by a command officer.
6. When the service of a canine is requested in a field situation, the handler will be a resource of, and subordinate to, the on-scene supervisor.
7. When a canine supervisor is present, the handler will be subordinate to the canine supervisor, who will in turn be functionally subordinate to the on-scene supervisor.
8. If a handler receives orders, which are in conflict with policy, he will so inform the supervisor issuing the order. If the on-scene supervisor insists on compliance, the order will

- be carried out and the conflict reported to the Canine Unit commander. At no time will the officer be required to perform an illegal act.
9. When the canine service is needed during a critical incident, the handler will be a resource of the M.E.R.G.E. supervisor given the mission.
 10. Handlers will only respond to requests from other jurisdictions when a Watch Commander has given clearance.
 11. Handlers will perform other duties as required by the Canine Sergeant or Unit Commander.

2. Canine Search Announcements - Revised 4/2016

At the start of a K-9 search, the K-9 officer or K9 supervisor directing the search shall determine if, based on the totality of the circumstances, a K-9 announcement will be given. A canine handler or supervisor may only omit an announcement if there are exigent or unique circumstances that would make the announcement unreasonable or impractical (such as an armed suspect). The exigent or unique circumstances supporting the exception to the search announcement and warning shall be documented in the appropriate reports. In large buildings or large areas, an announcement will be made prior to starting a search in a new area unless, based on the totality of the circumstances, the canine handler or supervisor believes that this would increase the peril of the officers.

When reading the Canine announcement from the Department issued card, the following announcement will be used:

English

This is the San Jose Police Department Canine Unit; we are searching for a suspect and we are preparing to use a police dog. For your safety, please go inside your home or business and stay inside until we have completed our search.

To the person or persons who are hiding from the police; put down all weapons & surrender immediately. Come out with your hands raised in the air & follow our directions. If you do not comply, a police dog will be used to find you. When the dog finds you, it may bite you. You have one minute to surrender.

Spanish

Este es el Departamento de Policia de San Jose con los Perros de Policia; buscamos a un sospechoso y estamos preparados para usar un perro de policia. Por su seguridad, por favor entre a su casa o negocio y permanecer adentro hasta que nosotros a terminado con nuestra busqueda.

A la persona o las personas que se esconden de la policia; Pongan todas sus armas en el piso y rendirse inmediateamente. Salga con las manos arriba y siga nuestras instrucciones. Si no lo hace, vamos usar un perro de policia para que lo encuentre. Cuando el perro lo haya encontrado lo puede morder. Usted tiene un minuto para rendirse.

If, due to a fluid situation, reading the canine announcement from the Department issued card is impractical because it would create an officer safety hazard, the canine handler or supervisor

may provide a canine announcement verbally without the use of the card. When providing a verbal canine announcement without the use of the card, the handler or supervisor shall include the following information in the announcement:

- Identify who we are.
- Notify persons within the search area of the intent to use a police K-9.
- Offer the suspect(s) an opportunity to surrender.
- Warn residents or any innocent persons in the search area and give them an opportunity to enter their homes or businesses, or to contact an officer on the perimeter, or leave the area and that they may be bit.

In those situations where noise or perimeter size is a factor, consideration should be given to the use of a vehicle or helicopter public address system. Prior to initiating a search, the K-9 supervisor or K-9 officer, shall notify the Incident Commander that the announcement is about to be given. Ensure a radio broadcast is made on a recorded frequency, that an announcement is about to be made. Confirm that the announcement and warning were audible and understandable throughout the contained search area. This shall be done by confirming with perimeter officers that they could hear and understand the announcement and warning. At a minimum, confirmation with a perimeter officer shall be satisfied by verification from an officer on the opposite side of the perimeter from where the announcement was given, that he/she could hear the announcement as outlined above.

The name of the officer broadcasting the search announcement and warning, and the languages used and perimeter officer(s) confirming, shall be recorded on the GO or supplemental reports.

Language

When there is a reasonable belief that the suspect may not be fluent in English, or the residential area (community) may be fluent in another language and time reasonably allows, efforts should be made to deliver the announcement and warning in both English and the appropriate language. Loud and clear verbal warnings shall be given before the dog is released.

3. Control of Canines - Revised 9/2021

It is recognized that the amount of control a handler maintains over his canine necessarily varies from situation to situation. It often depends on officer safety considerations, as well as that control possible given the physical and geographic setting of an incident. The amount of control may vary from maximum control, (where the canine is on leash) to minimal control (where the canine is within the handler's hearing radius).

1. Canine officers are responsible for the decisions to use his / her canine as physical force.
2. Officers shall take every precaution to see that canines are not provoked, teased, or otherwise abused.
3. Officers shall not permit canines to run at large or unsupervised in public areas, or areas accessible to the public. When it is necessary to relieve the canines, officers will take the canine to an uninhabited area to ensure the safety of the dog and the public.
4. After attending an authorized e-collar school, all City purchased canines shall wear an e-collar during all on duty activities in concurrence with the Unit Trainer and the Canine Supervisor.

5. While on duty, officers shall not take canines into public places unless required for police business.
6. No canine demonstrations, whether formal or informal, will be allowed without the approval of a Canine Unit supervisor.
7. Canine handlers will not transport prisoners in their vehicles when the canine is also present.
8. When conducting canine demonstrations, it is the canine handler's ultimate responsibility to ensure that a controlled environment exists when allowing people close to the canine. Should a controlled environment fail to exist, the canine handler will immediately secure the canine.
9. When a canine is housed at an approved kennel facility, the handler is not responsible for the canine's actions.
10. Canine officers will always strive to maintain control over police canines, however, there are unforeseen circumstances that do occur which are beyond the control of the handler.
11. Reasonable corrective actions will be taken by the handlers when needed to alter the canine's behavior.
12. Handlers will take reasonable measures to remove the canine from contact once safe to do so.

4. Reporting Canine Use of Force - Revised 8/2016

When the canine deployment results in an injury, the incident will be brought to the attention of the handler's supervisor as soon as possible. Consistent with duty manual policy, if the handler's supervisor is not available to respond, then the incident will be reported to the supervisor of the district where the incident occurred.

The following actions will be taken in the event that the canine injures a suspect:

1. Medical treatment will be provided as soon as possible.
2. Photos will be taken of the injuries and of the location where the apprehension took place.
3. A canvass for witnesses and surveillance cameras will be completed.
4. When appropriate, a recorded Miranda statement will be obtained. (Supervisor Use of Force)
5. The handler's supervisor will be notified of the incident as soon as possible. If the handler's supervisor is not available, then the Unit Commander will be notified of the situation.

From time to time, the San Jose Police Duty Manual is revised. These revisions provide updated policy and procedures in which all sworn members of the department are to follow. All officers are reminded that although the canine procedural manual provides cited Duty Manual sections, the onus is on each and every individual officer to remain current on all policies and procedures. This includes, but is not limited to, cited sections within this procedural manual in regard to use of force, reportable use of force and the responsibility each officer has to report and document these incidents.

If an accidental or unintentional bite occurs, the Handler will immediately notify the Canine Sergeant, or if unavailable, the Unit Commander. The Canine Sergeant will respond, and the incident will be treated as a canine use of force investigation.

5. Documentation of Canine Use of Force

When the canine deployment results in an injury, the details will be recorded in an Offense Report or Supplemental Report; as required by the Duty Manual. All canine officers on the scene will also document their actions on a Supplemental Report. Sergeants responsible for district supervision shall adhere to the current Duty Manual Use of Force Policies and Procedures. **(Supervisor's Responsibility (L 2605) Revised 01-29-2010)** The district supervisor shall also be responsible for the Watch Commanders Entry; however, it may also be delegated to the Canine Sergeant in Special Operations-K9 Division. Any additional administrative review process and/or documentation shall be the responsibility of the Canine Sergeant, addressed to the Canine Unit Commander.

The memorandum will be placed into a packet also containing all reports, photographs, and a current color booking photograph of the suspect. If requested, communication recordings will also be obtained from the communication supervisor and placed in the packet. This packet will be forwarded up the chain-of-command for review and will later be maintained by Internal Affairs.

When the canine deployment does not result in an injury, a non-bite apprehension memorandum, or its equivalent, shall be completed at the discretion of the handler's supervisor and forwarded to the Canine Unit commander. It is the responsibility of each handler to track the canine's progress and training. The documentation of these non-bite apprehensions can be extremely useful in legal proceedings and should be accounted for each and every time. (Also see Day-to-Day Operation for training and activity log requirements) Regardless, a record of the apprehension will be reported on the handler's monthly activity sheet and entered into the Watch Commander's Log.

6. Qualifications and Required Unit Training - Revised 11/2019

Handlers and supervisors will be responsible for maintaining canine expertise in the following areas:

1. Each canine will meet unit standards in the P.O.S.T. Certification Process.
2. Each canine will meet unit standards in the SJPD Qualification Process.
3. Each canine will meet the P.O.S.T. Certification minimum standard of 16 hours of documented training each month.
4. Each narcotic detection canine handler will qualify annually through an approved P.O.S.T certified official. It is highly recommended that you also qualify through a California Narcotics Canine Association (CNCA) certified official.
5. Each tracking/trailing canine handler will qualify annually through an approved P.O.S.T certified official.
6. Each article/evidence canine handler will qualify annually through an approved P.O.S.T certified official.

Canine training does not end upon completion of the P.O.S.T. and SJPD Certifications. Maintenance of canine training is of the utmost importance and is mandatory. All Canine

Officers should train daily. Canine Officers will make every effort to attend the two scheduled 10-hour training days per month.

If a Canine Handler fails to maintain the minimum 16 hours of training, the canine will be taken off the street for the next month until a minimum of 16 hours is met. If the canine handler foresees, they will not be able make the minimum training hours, they will be required to notify the Unit Sergeant. The Unit Sergeant may approve additional training for the handler to make up their hours.

If the officer and/or canine have not sufficiently qualified according to the Canine Qualification Course Manual, the officer will be provided sufficient time (maximum of 2 weeks) for remedial training to re-qualify in those areas. If the canine handler determines, after 24 hours, that the canine will be able to re-qualify, only the sergeant need be present to witness the qualification. In the time that is required for remedial training of the canine, that canine **will not** be able to participate in day-to-day operations until the canine has successfully re-qualified. Additional attempts can be made to re-qualify the canine as specified in the Canine Qualification Course Manual. See the Canine Qualification Course Manual for additional information and clarification. Failure to qualify the dog after remedial training and the allotted additional attempts could be grounds for removal from the unit.

Additional training may be required for each individual canine and handler team if the canine has secondary responsibilities. These responsibilities could be, but are not limited to Narcotics Detection, Tracking/Trailing and Article Searching. Refer to the individual guidelines located within this manual for additional information.

Assignment to the Canine Unit comes with additional expectations and responsibility. This assignment comes with a unique responsibility of not only working with a Police Service Dog but require each officer and supervisor to be proficient in tactical operations and manipulation of both their service pistol and a carbine. It also requires officers and supervisors to maintain a certain level of fitness to accomplish day-to-day operations. Because of the nature of this assignment, it will also require additional training for those who have never been exposed before, or for those who have not received this specific training within three years. To this end, each Canine officer and supervisor will be provided the following training within the first year of being assigned to the Canine Unit:

1. The MERGE Handgun and Carbine School.
2. Basic K-9 Patrol School. **Handlers only**
3. Tactical K9 E-collar school or equivalent. **Handlers only**
4. Canine Legal Update Course (Canine Liability 360, or the equivalent).
5. The MERGE Tactical/Entry School if available.

Exception: Those who have already received this training within three years of assignment to the Canine Unit may forgo the Handgun, Carbine and Tactical/Entry schools with the approval of the supervisor. However, if the supervisor believes that the training would benefit the officer and the unit, the officer will attend the aforementioned schools.

For those supervisors falling under this category, final decision to attend will be left to the MERGE COMMANDER.

Each Canine officer and supervisor will be responsible for meeting unit standards in the following areas:

1. Complete a handgun / carbine assessment course to be given bi-annually.
2. Complete the Canine Unit physical agility course to be performed bi-annually.
3. Complete the P.O.S.T and SJPD Canine Qualification Course to be performed annually.

The canine handgun and carbine assessment course are above and beyond that of the required bi-annual firearm qualification course mentioned in Duty Manual Section S 1800-1817. Members of the Canine Unit must still qualify as mentioned in the Duty Manual Section S 1800-1817, as required by all sworn personal. If for any reason the officer and/or handler do not perform to unit standards in handgun/carbine, the officer will be provided sufficient time to re-qualify in those areas. As long as the officer has qualified with his service firearm as stated in Duty Manual Section S 1800-1817, he/she shall continue to patrol the streets, however, will make every effort to re-qualify at unit standards.

Per memo dated October 17, 2019, Canine officers are allowed to conduct their own rifle qualifications. These qualifications must be conducted by P.O.S.T. qualified instructors. To help facilitate the process, records of qualifications will be promptly forwarded to the Range Unit so they can be properly stored and accessed as needed. Range staff will be provided with qualification courses, pass/fail rating and all information as require for a department qualification card.

7. Equipment List and Uniform Specifications - Revised 4/2016

Handlers will be issued the equipment listed below and are responsible for care and maintenance of the following city purchased equipment. Handlers will return all issued items or at the discretion of the Canine Sergeant at the time as they leave the Unit.

Maintenance Supplies

1. Food and water bowls
2. Dog food
3. Brush
4. Pooper Scooper
5. Veri-Kennel
6. Flea sprays or dips
7. Ear Cleaner
8. Oral Cleaner or Toothpaste
9. Medication
10. Light Duty Rake
11. First Aid Kit
12. Twin Oaks Ranch (or other approved) 6'x6'x10' kennel
13. 4'x6' resting mat

Training Gear

1. Tab leash / short leash
2. Patrol Leash
3. Tracking Line
4. Pinch collar
5. Fur-saver collar
6. Nylon or leather flat collar
7. Tracking Harness
8. Muzzle
9. Toy

The above listed items will be purchased for new handlers by the Canine Unit. All other equipment listed in the Canine Procedural Manual will be purchased on an “as needed” basis at the expense of the Canine Unit. The items may be purchased from any vendor after obtaining approval from the respective canine supervisor.

Uniforms and Tactical Gear

Canine Unit officers and sergeants are authorized to use “Special Operation” B.D.U.’S as a Day-To-Day uniform. Acceptance into the unit also requires a new handler and sergeant to purchase additional clothing, equipment and training gear. The following items will be purchased by the Canine Unit and provided to a new handler and sergeant upon acceptance into the unit:

NOTE: As of January 2008, the San Jose Police Uniform and Equipment Specifications Manual had been revised to include a change to Day-To-Day, “Special Ops” uniform worn by SJPD Canine Handlers. The revision altered the uniform to include an additional nametape which is to be black in color, reading “K9” in white letters. The new nametape is to be placed above the officer’s nametape containing the officer’s last name. Those assigned to the unit prior to the affected date are not required to put the “K9” nametape above their name. However, all those individuals (officers and sergeants) assigned to the Canine Unit after January 1, 2008 will be required to adhere to the new uniform requirement as stated in the Uniform Specifications Manual.

1. One set of black B.D.U.’S with standard K-9 patches, badge, and nametape(s).
2. One set of black Multicam B.D.U.’S with subdued K-9 patches, badge, and nametape(s).
3. One black 5.11 Tactical Sabre 2.0 rain jacket
4. One black windbreaker with subdued K-9 patches and badge.
5. One tactical vest.
6. One tactical helmet.
7. One hand-pack radio.
8. One molded earpiece.
9. One City Issued cellular phone.
10. One 42” riot baton.
11. One K-9 patrol car.

The following items will be purchased at the handler’s and sergeant’s own expense:

1. (1) Gray and (1) Black Canine Unit T-shirts
2. (1) Grey or (1) Black Canine Unit Sweatshirt.
3. Canine Unit B/B cap.
4. Any additional training equipment needed.

V. DAY-TO-DAY OPERATIONS

1. Weekly Activity Sheet - Revised 8/2016

Canine officers will record their daily activities on the weekly activity sheet. These forms will be collected quarterly and forwarded to the Canine Unit commander. The weekly activity sheet can be accessed via the departments “G-Drive” and will reflect the following:

1. Deployment of canines.
2. Felony and Misdemeanor arrests.
3. Unit fills.
4. Field Interviews.
5. Demonstrations.
6. Training Hours.
7. Searches using the canines.
8. Bite apprehensions.
9. Non-Bite apprehensions.
10. Trailing and article searches.
11. Narcotic searches.
12. K9 Requests - Non-Deployment, does NOT meet policy criteria.

2. Handler-K9 Training Logs

Canine officers are required to do a great deal of training to adhere to the standards of not only P.O.S.T., but to the San Jose Qualification Standards. Officers whose canines are “cross-trained” in other areas of police work (Tracking, Narcotics Detection, etc.) are also required to continuously train with their dogs. In addition, the individual officers themselves go through a great deal of training and development while assigned to the Canine Unit. Laws are ever changing and litigation against police officers is being scrutinized more than it has ever in the past.

The training regimen and documentation is a critical aspect of being a member of the canine unit and to having a long, successful career as a handler. To that end, it is incumbent on each and every officer to document and retain records of individual training. The Canine Unit Weekly Activity Sheet is a good place to document this information but has its limitations. Additional training is not always documented on this sheet and it is the responsibility of each and every individual canine handler to keep records of his/her own training and that of his/her canine partner. A “training log” had always been a traditional standard within police organizations and a good way to validate testimony given in court proceedings. Officers assigned to the San Jose Police Canine Unit will utilize the “training log” maintained in the [REDACTED]

1. Individual officer and canine training
2. Specialized officer and canine training
3. Basic tactical and firearms training
4. Narcotic Detection training
5. Tracking, trailing and article search training
6. Schools and formal training

The list above is merely a guideline of topics which may be tracked and recorded to further assist the officer in his career. Each “training log” should be tailored to fit the individual officer and

canine. The Canine Sergeant will review individual “training logs” on a monthly basis or as requested. Officers shall produce documentation of training if requested. Officers will not utilize the San Jose Canine Weekly Activity Sheet as a formal “training log.”

3. Take-Home Vehicle - Revised 4/2016

Canine officers will be responsible to maintain the police vehicle assigned to them. The officers are allowed to take home their assigned vehicle seven days a week. The vehicles will be available for use by other members of the Unit when the handler is not going to be available any time extended past their normal days off. When the vehicles are at the officer’s residence, they are to be kept in an enclosed /secured garage. No personal use of the canine vehicle is allowed.

The purpose of the take-home vehicles is to afford an immediate response in the following instances:

1. Any Canine Unit Call Back related activity.
2. Court.
3. Transporting the canine to veterinary appointments.
4. Critical incidents. Canine Unit officers are required to respond to all incidents with the M.E.R.G.E. Unit. Response times must be reasonable.

Canine officers are not required to take home their assigned vehicles.

If an officer is on leave for more than four days, the vehicle is to be returned to the police department. However, if the officer is available to respond to call-outs and has received prior approval from their supervisor, the officer may keep the vehicle at home.

Whenever operating the K-9 marked vehicle, canine officers will be armed with a duty weapon, and be appropriately dressed with handcuffs and Police ID/Badge. Canine officers will log on when driving the K-9 vehicle.

Canine officers will ensure that their K-9 vehicle is serviced every 3,000 miles or at the direction of the police garage personnel, without exception. If possible, vehicles should be dropped off at the police garage while on-duty and a spare utilized, or during any vacation plans.

Spare vehicles will be the responsibility of the K-9 Sergeant or his designee. Canine officers will ensure that the spare vehicles are clean, fueled, and fully functional when they return them. If a Handler notices a mechanical defect, he/she will write it up for repair when returning the spare.

4. Objectives for Bi-Weekly Canine Training - Revised 4/2016

Training will be held bi-monthly on the first and third Wednesdays of each month. Canine officers will be expected to set up training exercises on scheduled training days. On an officer’s assigned training day, the following criteria will be followed:

1. The training location will be reserved in advance.

2. The training outline will be completed in advance identifying locations, times, and type of training and will be placed in the Unit's G-drive with final attendance roster.
3. Contact will be made with the department trainer well in advance to ensure that he will be available on the scheduled training day.
4. Canine officers with dogs having specific training problems will coordinate with the department training on bi-monthly training days to address the problem.
5. If special training is needed outside of the bi-monthly training day, training will be coordinated with the department trainer to occur during a work shift. The officer's supervisor will be advised of the extra training. The officer's supervisor may authorize work adjustments.
6. If special training cannot be completed during the bi-monthly training sessions or during on-duty hours, the officer's supervisor may authorize overtime.
7. Special training is inclusive of working dogs and detection dogs.

In the event a unit member needs to cancel a bi-weekly training, it is up to that individual to make a reasonable effort to trade for another day or try to reschedule for another day. It would be preferred that the unit member attempts to make up the date before the month's end. If the training is not made up and/or rescheduled, all individual handlers are responsible for making up that month's P.O.S.T. required 16 hours of training. Training can be made up during the work week and officers may attend the additional 3-hour maintenance training on Wednesdays or Thursdays. Overtime for these events will be strictly monitored by the canine supervisor and authorization must be sought in accordance to Duty Manual procedures and the current MOA.

5. Attendance:

Canine handlers are required to attend all bi-weekly training. Handlers must obtain supervisory approval, in advance, to be excused from training. Any deviation from the required training hours will require approval from the Canine Sergeant. It is the canine handler's responsibility to attend or obtain the minimum number of training hours required for their assigned canine.

- If a handler misses three (3) or more consecutive training days, this will be cause for an immediate Decertification of a PSD for below minimum standards.
- If a handler misses more than three (3) training days during the first or second six-month period of a new calendar year, this will be cause for an immediate Decertification of a PSD for below minimum standards.
- Once Decertified, the K9 team is ineligible for street duty deployment and will conduct themselves accordingly.
- To become Re-certified, the K9 team must complete the prescribed remedial training program; mandatory P.O.S.T. and/or pass the SJPD Canine Qualifications.
- An assessment of the Canine Handler's performance and suitability for his/her assignment will be reviewed.
- Any exceptions must be authorized by the Unit Commander.

VI. CALLOUTS

Canine Handlers are subject to callouts and callbacks 24 hours a day/ 7 days a week. Cell phones are issued to all Handlers and will be carried at all times, unless the officer has approved

U/A (unavailable) or on vacation. Handlers will answer their assigned phones to determine availability for a callout or callback. Canine Handlers will be responsible for noting all time off on the Unit calendar. [REDACTED]

A. Call-Out Requests for Patrol Dog

Watch Commander requests a call-out of a K-9 Team.

1. Communications or Watch Commander notifies the Canine Unit Sergeant or Canine Unit Commander, in Sergeant's absence.
2. Canine Sergeant determines if the use of a K-9 Team is proper option for the situation.
3. If a call-out is appropriate, the Canine Sergeant will select and notify K-9 Teams for response based on special abilities, skills, availability, etc.
4. K-9 Teams will respond dressed in appropriate duty uniform.

VII. OUTSIDE AGENCY REQUESTS

It shall be the policy of the San Jose Police Department to assist outside agencies who need a Canine Unit when personnel and availability permit such assistance and the need for the Canine Unit is consistent with our own Department policies and procedures.

A. Communications Division Procedures

Upon request from an outside agency for the assistance of a SJPD Canine Unit, the Communications Division will adhere to the following procedures.

1. The Communications Division will obtain information regarding the location, type of incident or crime, number of suspects involved, general description of area to be searched, contact person/cell, etc.
2. If the Canine Sergeant is on-duty, the Communications Division will advise him/her of the circumstances of the request. The Canine Sergeant will notify the Watch Commander and obtain approval to respond. The Canine Sergeant will assure that the Canine Unit Commander is notified of the outside agency assist and will obtain approval for canine unit member(s) out of city response.
3. The Canine Sergeant or Handler will determine if the use of the canine is within SJPD policy prior to utilizing the canine in any capacity. If the requested use of the SJPD canine falls outside of the SJPD duty manual section L 2623 - Use of Police Service Dogs – the canine will not be used.
4. If the Canine Sergeant is off-duty, the Communications Division will advise the Watch Commander of the request and the availability of the Canine Unit. Upon receiving approval from the Watch Commander, the Handler will be dispatched.

- (a) During the time in which the Canine Unit Sergeant is off-duty, the Handler responding to the request will confirm with Communications that the Watch Commander and Canine Unit Commander has been notified.
 - (b) In the event that approval is obtained from the Watch Commander and no handlers are on-duty, the Communications Division will follow current call-out procedures.
5. When a Handler responds to an outside agency's request, the Canine Sergeant or Handler will ensure that a Watch Commander's Entry is noted.

B. Out of Town Agency Requests (Leaving the City)

Upon request for an outside agency assistance of a SJPD Canine Unit, Communications will adhere to the Outside Agency Request procedures noted above. The following procedures will be followed for all outside agency requests.

1. The Canine Sergeant or Watch Commander will make telephone contact with the requesting agency prior to the K-9 team being authorized to leave the City. The following factors should be considered when contemplating sending members from the canine unit to assist an outside agency.
 - (a) The officer safety concerns due to the nature of the incident.
 - (b) Whether the requesting agency has sufficient personnel to provide adequate coverage for the canine unit member(s).
 - (c) The impact on staffing for the City of San Jose should the canine unit member(s) be sent.
 - (d) How many additional SJPD officers will be sent to assist the K-9 Teams canine unit member(s). A minimum of one additional officer will always be sent with the canine unit member(s).
2. The response of the canine unit to an outside agency request will always be [REDACTED] in addition to the canine unit member(s). A canine unit member should never be sent to assist an outside agency by him/herself. If another member of the canine unit is available, they should be sent as the additional officer. If another canine unit member is not available, a member of special operations (MERGE, VCET, Metro) will be requested to accompany the canine unit member. If a member of special operations is not available, a Specialist will be requested to accompany the canine unit member.
3. If the request from the outside agency is out of the city limits, the following procedures will be adhered to:
 - The Canine Sergeant and Canine Unit Commander will be notified immediately and must approve the deployment prior to the canine unit member leaving the city limits.

- The canine unit member(s) and any additional officers will be accompanied by a sergeant. If the Canine Sergeant is available, he/she will accompany the canine unit member(s). If the Canine Sergeant is not available, a patrol sergeant will respond with the canine unit member(s). The on-duty Watch Commander will determine which patrol sergeant will respond.
- If a canine bite apprehension occurs out of the city limits, the Canine Unit Sergeant will respond (if available) to the scene and conduct the bite apprehension investigation. In addition to the Canine Unit sergeant, the Canine Unit Commander and/or Watch Commander will respond to oversee the use of force investigation.

VIII. TRAILING

1. Trailing Canine Handlers are Responsible for the Following:

- Participating in trailing canine-related training at the direction of the Trailing Canine Trainer;
- Documenting all training on the Monthly Training Log; and
- Notifying the Trailing Canine Trainer of trailing canine performance when it is related to field deployments or training.

2. Trailing Canine Deployment

For the purpose of this section, trailing canines are trained to trail the unique and specific scent of a person on each deployment. Based on a variety of conditions, these canines can follow a scent trail that has aged from minutes to several hours. When reliability can be established, the canine has been recognized and accepted as a proven type of evidence in a court of law. The trailing canine is a resource for officers and detectives to use during appropriate criminal and non-criminal investigations. The following criteria apply when responding to a request for a trailing canine deployment.

1. The requesting entity can identify and has knowledge of the person's last location; and

3. To establish a person's trail from within a contained area, or from outside an established perimeter, after having deployed a K-9 search team and been unsuccessful; or

Note: The use of a trailing dog shall not preclude, nor is it an alternative to establishing a perimeter, requesting an Air Unit, and deploying a K-9 search team when felony or armed misdemeanor suspects are being sought.

4. The person being sought is implicated in a criminal investigation at a scene in which police resources were unable to establish a perimeter and/or containment of the area; or

5. Persons (victims, witnesses, injured persons, etc.) are being sought who, by other known facts, were identified or implicated in the activities being investigated by officers or detectives.

6. Critical lost or missing person(s).

3. Certification

The trailing canine must be proved as reliable to be effective and to be recognized as evidence during criminal court hearing. The trailing canine team will be evaluated and certified by the Canine Unit Sergeant and a P.O.S.T certifying official. Trailing canine teams shall ensure participation in established standards of training, maintain proficient training records, and be certified annually.

Prior to certification, the K-9 team must demonstrate the capability to work and have completed training specific to trailing. This will be established through proficient training records. The evaluators shall judge the trailing K-9 team on the following elements:

1. The canine demonstrates the ability to follow a trail from a known start point to an end point;
2. The handler is able to read and evaluate the dog while working the trail; and
3. The canine is able to scent discriminate.

The criteria for the evaluation and certification trail shall be a trail that includes the following:

- The location of the trail is foreign to the dog team.
- The subject of the trail shall be unknown to the dog team.
- Trails shall be unmarked and aged no more than one hour.
- The dog team shall trail on lead.
- A scent item will be provided and identified to the handler.
- The trail shall be approximately 300-500 paces in length.
- The trail shall be conducted in an uncontaminated area, free from distractions.
- The trail shall be conducted within a prescribed time limit determined by the evaluator(s).
- The trail shall be laid in a free form manner and will be laid reasonable to the lay of the land.
- The trail shall have at least two directional changes. Unnaturally sharp turns or acute angles are not permitted.
- The dog team will be required to work the full length of the trail.
- Trails shall be laid in a manner to discourage air scenting.
- The dog shall demonstrate identification on the subject at the end of the trail.

IX. ARTICLE SEARCHES

The evaluator shall select and throw articles into a designated area 50 by 100 feet. The evaluator shall ensure the articles used for the test are carried by the evaluator for at least 30 minutes prior to test. The area shall consist of grass two to six inches in length.

1. The K-9 shall locate two out of the three articles laid by the evaluator.
2. The articles shall vary in composition; leather, wood, plastic, metal, and paper are acceptable.
3. Upon detection, the K-9 must retrieve or down on the article. The K-9 must present the article to the Handler. The handler may enter the search area to retrieve the detected article. The handler will then leave the search area. The K-9 will then be sent to search for additional articles.

4. The K-9 Handler shall not be allowed to enter the search area to assist the K-9. The K-9 Handler may, however, encourage or direct the K-9 from any point outside the search perimeter.
5. There will be a ten-minute time limit for this exercise.

X. CANINE UNIT NARCOTIC DETECTION GUIDELINES

1. Introduction

The Narcotic Detection Canine Program has continued to be a successful program with the seizure of large quantities of narcotics, as well as currency and property. This manual will establish the criteria and responsibilities for the Narcotic Detection Canine Program, as well as guidelines for the operation of the program.

The handler and canine must attend a 160-hour Narcotic Detection Canine School. The cost of the school will be paid for by the San Jose Police Department. The school must conform to guidelines established by the Commission on Peace Officers Standards and Training (P.O.S.T.)

The school shall provide the necessary training for the narcotic detection canine and handler to pass the P.O.S.T. certified test at the conclusion of the school. The school will also teach the canine the basic discipline needed for detection work and will instruct the officer how to handle, train and maintain the canine.

If the canine and or handler fail to pass the certification test, the vendor will be responsible for providing additional training at no cost to the officer or Department to correct the deficiencies. If the team fails to certify on the second attempt, the Unit Commander and the canine supervisor will determine if the canine and/or the officer are unsuitable for narcotic detection work and make recommendations to solve the problem.

At the completion of the school the officer and canine will be given pass/fail grade by the vendor. If the team has successfully passed the 160-hour school, the San Jose Police Department will pay the \$35.00 dues for the officer to join the California Narcotic Canine Association (CNCA) and the onetime fee of \$25.00 for the canine to be tested. The canine supervisor will then arrange to have the handler and canine evaluated and tested by a certifying official from the California Narcotic Canine Association.

The canine team will be tested and certified on a yearly basis, as prescribed by the P.O.S.T. certification. Handlers are strongly encouraged to also certify to the standards of CNCA. The above policy will also be applied to yearly certification if the team fails to qualify.

2. Training and Records

Daily/Weekly/Monthly Training

The officer will conduct a minimum of 16 hours of monthly narcotic detection training with the canine. This can be supplemented with additional training on a daily/weekly basis to keep the canines drive and interest at a high level. The training will include vehicle, building and area

searches on a monthly basis and any other training deemed necessary by the officer and/or the canine supervisor.

Proofing

Proofing is a training technique to ensure that the dog ignores all odors except the target odors. The handler will conduct proofing training on a quarterly basis. Proofing odors should include packaging materials, duct tape, plastic, dryer sheets, dog food, dog toys, rubber gloves, real or shredded currency, or any other material the dog is regularly finding narcotics in. Extreme care must be taken to ensure these items are free from narcotic odor.

Currency is used for proofing only. Currency that is contaminated with the odor of narcotics, will never be used in the training.

Maintenance Training

The officer and canine should attempt to attend any of the California Narcotic Canine training/certification days that are given free of charge each year. The training days are throughout California including a site in San Jose as well as local areas. These training days give the officer and canine exposure to large quantities of narcotics as well as exposure to varied training sites. The training days are staffed with knowledgeable experts who can assist in training problems and supply information on any area involving the narcotic canine.

Officer Training

The officer should attempt to attend the California Narcotic Canine Association training conference every other year. This conference is for canine handlers only and supplies the handler with all of the necessary information to effectively work the canine and keep abreast of changing training techniques and case law. The San Jose Police Department will pay for the conference (see Budget Training Section).

Canine Training and Search Records

The officer shall maintain detailed records that document the training and use of the narcotic canine.

The training records should include, but are not limited to the following information:
(See sample training form)

1. The date and length of time that the canine was trained.
2. The general location where the canine was trained.
3. The type and number of narcotic training aids (cocaine, meth., etc.)
4. The type of training; vehicle, building, area, etc.

The search records should include, but are not limited to the following information:

1. The date of the search

2. Case number if available
3. Search type
4. Search location
5. The type and approximate weights of any recovered narcotics
6. Any currency that was checked and the result
7. Any additional notes or information

The narcotic canine handler will incorporate the training and search information into an affidavit for the narcotic canine that will be continually updated. This affidavit will be used for investigators to obtain search warrants when the canine gives a positive alert to items being checked.

Narcotic Canine Handler Records

The narcotic canine handler shall maintain an expertise log, listing all of the classes attended relating to the narcotic canine as well as any other training or expertise developed in the narcotics field. This information may be incorporated into an affidavit that will be continually updated as more experience is gained.

3. Narcotic Training Aids

Acquisition of Narcotics

The training of a narcotic canine requires that controlled substances be used. The controlled substances are [REDACTED]. The listed controlled substances are pulled from evidence in San Jose Police Department cases that were adjudicated. The officer obtains a list from [REDACTED] of cases slated for the burn and would then have the items pulled by Central Supply staff. The items are examined and if appropriate, a Superior Court Order is completed by [REDACTED] that the items be turned over to the San Jose Police Department for training purposes.

The process for obtaining training narcotics was changed in the Health and Safety Code under Section 11367.5 of the H&S Code. The code now allows for the transfer of narcotics that are no longer needed, for several reasons, one specifically being "canine drug detection training,"

The revised procedure for the officer to obtain training narcotics will be as follows;

1. [REDACTED] obtain case numbers from adjudicated cases slated for the burn.
2. Contact personnel in Central Supply and have them pull the packages and notify you when you can examine them.
3. Examine the narcotics and determine which items are useable.
4. Advise the Central Supply supervisor which items you want and have them secured in Central Supply.
5. Contact the [REDACTED] and advise them of the items requested for narcotic canine training.

6. The handler will complete a memo to the Unit Commander documenting the transfer of the narcotics to the canine officer. [REDACTED]

7. The officer will obtain three copies of the approved memo, give one to the C.R.U. secretary, one to the Central Supply supervisor, and keep a file copy.
8. The officer will then take custody of the narcotics and conduct a random Valtox test on the items in the presence of the canine supervisor.
9. The officer will then secure the narcotics in an appropriate container and retain the original narcotic envelopes.
10. The narcotics should be replaced every year, when contaminated and/or availability should be checked [REDACTED]
11. Central Supply will issue all narcotics used for Narcotic Canine Detection Training purposes in accordance with current State Law and Department Policies regarding narcotics/evidence.

Types and Amounts

The canine officer will maintain one training kit that will be kept with the officer at all times for daily/weekly/monthly training.

The daily/weekly/monthly training kit will contain the following types and amounts of narcotics, if available.

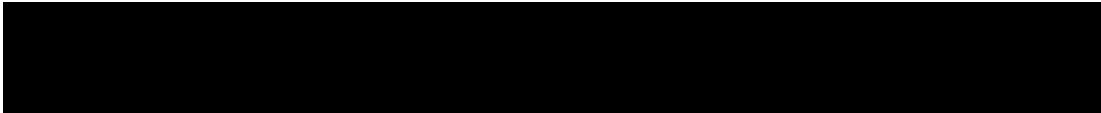
<u>Type</u>	<u>Amount</u>
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[REDACTED]	[REDACTED]
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A larger training kit will contain the following types and amounts of narcotics, *if available*, and may be checked out from the Central Supply Canine Locker. The larger kit will be returned and checked back into the Central Supply Canine Locker at the end of shift, unless prior approval is granted by the Canine Supervisor (i.e. multi-day training class). This training kit will always be under the control of the officer who checked it out.

<u>Type</u>	<u>Amount</u>
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[REDACTED]	[REDACTED]
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Audit of Narcotic Training Aids

The Canine Supervisor will conduct an audit of the training narcotics quarterly. The Canine supervisor may also conduct random audits without notice. The audits will be documented on a memo to the unit supervisor and will contain the following information.

1. The weights of the training aids will be checked, and any discrepancies will be noted. It should be noted that Marijuana and Methamphetamine continue to lose weight, due to loss of moisture. With Methamphetamine, the loss can total one third or more of the total original weight.
2. The narcotics may be Valtox tested on a random basis and the results will be recorded. Any items that do not test positive will be submitted to the County Crime Lab for analysis. The supervisor will determine the circumstances as to why the narcotics tested negative and the Unit Commander will be notified, and a memo will be completed documenting the discrepancies.


Destruction of Training Narcotics

The training narcotics will be replaced every year, when they have been contaminated, destroyed or availability. The officer will obtain a case number and document the destruction on a G.O. offense report, labeled "Informational Destruction of Canine Training Narcotics. The Canine Supervisor will complete a memo documenting the following information.

1. Reason for the destruction (routine, contamination, or damaged).
2. An audit of the narcotics, which will include weights and Valtox results.
3. A copy of the original memo documenting the transfer from evidence to training use.
4. Any other pertinent information.

Securing Narcotics

The narcotics in the daily/weekly/monthly kits will be contained in secure containers; such as glass jars with Teflon lids, to ensure that they do-not cross contaminate with their odors. The glass jars will be secured in a rigid carrying case, such as a Pelican case or steel suitcase. The smaller case will be secured with a locking device and will be secured either to the narcotic canine vehicle or in a storage vault inside the vehicle.

The larger amounts kits of narcotics will be secured 

 The

narcotics will be secured in separate storage containers to ensure that they do-not cross contaminate their odors. The larger narcotic amounts will be used for training days and will not be routinely carried in the canine vehicle. When the narcotics are transported, they will be

secured in a storage case and will be secured either to the narcotic canine vehicle or in a storage vault inside the vehicle.

The officer shall secure all of the training narcotics in the Canine Locker at Central Supply or in a secure location (such as a safe) when the officer goes on vacation or is on extended leave out of the area. Additionally, the officer shall remove and secure the training narcotics when the vehicle is being serviced or is loaned out.

Partially Destroyed, or Stolen Training Aids

The officer shall make every attempt to maintain the training aids in a useable condition and insure the security of the item. If an aid is partially destroyed or stolen the officer will complete the following steps to document the incident.

1. Attempt to recover the narcotics or secure the area so the narcotics cannot be reached by a person or canine.
2. Notify the canine supervisor of the incident immediately.
3. Photograph the area and document the conditions under which the item was damaged.
4. Obtain a case number and book any evidence or recovered narcotics as well as the original training aid.
5. List any witnesses to the incident and include their names in your memo.
6. If the narcotics training aids are stolen, the Unit Commander will be immediately notified.

4. Monthly and Quarterly Reports

The officer will complete monthly and quarterly reports documenting the activity of the narcotic canine. The reports will include, but not be limited to the following information:

1. Number of searches
2. Number of outside assist searches
3. Quantity and type of narcotics seized
4. Amount of currency seized
5. Property/vehicles seized
6. Number of training hours

A short synopsis of any major cases or large seizures will also be included in the reports. These reports will be included in the Quarterly Managers Reports.

5. Common Nomenclature

ALERTS: When a narcotic canine indicates the presence of the odor of a substance that it has been trained to respond too. The alert consists of physical and mental changes such as a change in posture, becomes possessive of the area and can scratch, sit or bark.

AGGRESSIVE ALERT: When a canine has been trained to respond to an odor by aggressively scratching, biting or barking at the area where the odor has been detected.

PASSIVE ALERT: When a canine has been trained to respond to an odor by sitting down in the area where the odor has been detected.

CERTIFICATION: A test to show the proficiency of the canine in locating odors that it has been trained to detect. The test is based on standards that have been recognized by the courts as sufficient to establish probable cause on the canine alerts.

DETAILING: When the canine handler directs the canine to search specific areas, such as the seams in a vehicle or a specific item or area.

FALSE ALERT: This is a term used by Defense Attorneys to describe alerts where narcotics are not found. It should not be acknowledged or used by a canine handler.

GIFT/TOY: The training item used by the canine handler to reward the canine for successfully locating the odor of narcotics.

NON-SEIZURE ALERT: The description of an alert by a canine when no narcotics are recovered after a search of the area (refer to Residual Odor).

PRIMARY REWARD: A type of training where the canine's gift or toy is located where the source of the odor is coming from and can be retrieved by the canine.

PROOFING: Hiding items that the canine may come into contact with and associate with the odor of narcotics during a search. This will ensure that the canine is not alerting to non-narcotic items.

RESIDUAL ODOR: Odor that can be detected by a canine after the source item has been removed from the area. The residual odor can last varying amounts of time depending on the surface and the environmental conditions.

SECONDARY REWARD: A type of training where the canine's gift or toy is thrown by the handler/helper at the source or odor.

TRAINING AID: Training aids are either actual narcotics or items that have been stored with narcotics and have absorbed their odor. Examples are cotton balls and cotton towels, which can be hidden for the canine to find.

XI. CANINE CARE, HOUSING AND RETIREMENT

Canine Handlers will be provided a canine, purchased by the City of San Jose, from an approved vendor. The new handler will be able to assist in the selection of their canine; however, the final purchase of the canine will be approved by the Canine Unit Sergeant and Unit Commander. The City maintains ownership of the canine during the canine's working career.

Police K-9's are the property of the City of San Jose and are to be used only as authorized.

1. Canine Care

Canine Handlers will feed and provide fresh water for their canines daily. The canines will be groomed as needed. Canine food is paid for by a Department purchase order. Each handler will be on the list of approved buyers and the food will be purchased from [REDACTED] Canine dental care shall be done as directed by veterinary personnel. All Canine Handlers are responsible for monitoring the health of their assigned canine. Canine handlers will ensure all vaccinations are kept up to date. Canine handlers will abide by the veterinarian's medical protocol for treating the canine, including but not limited to, administering all veterinary prescribed medications, wound care, follow up appts., etc.

The active-duty canines will not be bred or used for financial gain.

2. Canine Housing

Canine handlers are required to provide a suitable housing location for their assigned canine. The canine run must provide shelter from any inclement weather. The kennel shall be located in an area that does not allow for public contact with the canine. Each handler will be assigned an approved kennel for the canine which must be secured with a locking mechanism to prevent unauthorized access. The kennels are the property of the Department and will be properly maintained. Kennels will be returned when leaving this assignment or at the discretion of the Canine Sergeant. Handlers will ensure their kennels are free of feces and urine.

The Canine Sergeant and/or Unit Commander shall conduct an annual inspection of all residential kennels. Any deficiencies shall be corrected immediately. Updated photographs will be maintained in [REDACTED]

While away from their residence, such as a vacation, a weekend trip, etc., it is the handler's responsibility to ensure the canine is properly taken care of. In the handler's absence, care will be provided by:

- An approved kennel. (The Unit will provide 16 Days of boarding per fiscal year.)
- A current or former SJPd canine handler.
- Immediate family member such as a spouse, or responsible adult with whom the dog currently resides.

3. Canine Retirement

Retirement of the canine will be guided by San Jose Muni Code Section 4.16.290 (B):

San Jose Muni Code Section 4.16.290 (B): Notwithstanding the other provisions of this chapter, the chief of police is authorized to determine the disposition of police service dogs including: (1) sale of the police service dog to the assigned police officer when the officer leaves the canine unit; (2) donation of the police service dog to the assigned police officer if the police service dog can no longer perform its required duties; or (3) any other method that best serves the interests of the city. (Ord. 29181.)

XII. VETERINARY VISITS/CARE AND MAINTENANCE

The following veterinarian will be used for non-emergency care and treatment:

[REDACTED]

[REDACTED]

If the situation arises where the handler cannot wait to schedule an appointment at the Veterinary Arthroscopic and Surgery Service located in Fremont, the following Veterinarian services may be used in emergency situations:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

If the situation arises where the handler's canine is injured, treatment cannot wait, and the handler is not near any of the above listed clinics, the handler can go to the nearest emergency clinic. Since the clinic will not be covered by an open purchase order, the handler will have to do one of the following:

1. Pay for the services on their own and get reimbursed through the Fiscal Unit at a later time (**maximum amount is \$500.00**)
2. Contact Canine Supervisor and obtain approval to use the Unit credit card.
3. Contact the Fiscal Unit (during business hours) who will authorize the payment of the bill and supply the handler with a credit card number.

The Canine Sergeant will be notified of any injuries or illness to the canine which require veterinary care.

On and Off-Duty Time Policy when Attending Veterinarians

1. Whenever possible, canine officers should schedule examinations, shots, and prescription visit's to veterinarian's on-duty or as close to on-duty time as possible. With approval of the canine officer's sergeant, shift adjustments can occur.
2. No overtime will be authorized for veterinary visits unless first approved by a Canine Supervisor or in an emergency situation.