



HOWARD COUNTY DEPARTMENT OF POLICE

## **GENERAL ORDER OPS-14 K-9 PROGRAM**

EFFECTIVE DECEMBER 4, 2018

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This General Order contains the following sections:

- I. POLICY
- II. DEFINITIONS
- III. OPERATIONAL DEPLOYMENT
- IV. OFFICER RESPONSIBILITIES AND INTERACTION WITH K-9 TEAMS
- V. BITE/INJURY PROCEDURES
- VI. K-9 TRAINING
- VII. CANCELLATION

### **I. POLICY**

It is the policy of the Howard County Department of Police (HCPD) to effectively use the police canine's superior sense of smell, hearing, and physical capabilities in support of police functions to apprehend criminal offenders and enhance the safety of police officers and the public.

### **II. DEFINITIONS**

- A. Drug Detection Canine: A canine that is trained to detect the presence of controlled dangerous substances (CDS).
- B. Dual-Purpose Canine: A canine that is trained in both location and apprehension.
- C. Explosives Detection Canine: A canine that is trained to detect the presence of explosive materials and compounds.
- D. Force: The use of a police canine consistent with this General Order to accomplish a Departmental objective is recognized as less-lethal force.
- E. K-9: Synonymous with police canine.
- F. K-9 Handler: Departmental member assigned a police canine.
- G. K-9 Supervisor: The Sergeant in charge of the K-9 Section.
- H. K-9 Team: K-9 handler and assigned single- or dual-purpose canine.
- I. Lead Trainer: A K-9 handler designated by the Deputy Chief for Investigations and Special Operations (ISOC) who is responsible for coordinating the activities of K-9 operations to include training, record keeping, and other duties as assigned by the K-9 supervisor.
- J. Maintenance Trainer: A K-9 handler designated by the Deputy Chief for ISOC who is responsible for assisting the lead trainer with monthly K-9 training and other duties as assigned by the K-9 supervisor.
- K. Police Canine: A single-purpose or dual-purpose canine owned by the Department and assigned to a K-9 handler. Police canines shall be trained in the "handler control" technique.
- L. Single-Purpose Canine: A canine that is trained in location work only.

**III. OPERATIONAL DEPLOYMENT<sup>1</sup>**

- A. On-duty K-9 teams shall respond to the following incidents unless individual circumstances make a response impractical:
1. Alarms (if available);
  2. Breaking and entering scenes just discovered;
  3. Foot pursuits where a reasonable suspicion exists that a crime has been committed;
  4. Lost or missing children and endangered subjects;
  5. Motor vehicle pursuits;
  6. Part 1 crimes in progress;
  7. Unsecured buildings; and
  8. Violent or potentially violent incidents.
- B. Incidents where a canine team may be deployed include but are not limited to:
1. Area searches;
  2. Service of arrest and search warrants;
  3. Back-up for felony arrests;
  4. Back-up for potentially violent incidents;
  5. Building searches;
  6. Crowd control and civil disturbances;
  7. Evidence recovery;
  8. Explosive material and compound detection;
  9. Firearms detection;
  10. Narcotic/Controlled dangerous substance detection;
  11. Protection of law enforcement personnel;
  12. Pursuit/apprehension for vehicle and foot pursuits;
  13. Tracking; and
  14. Other in-progress crimes at the discretion of a supervisor.
- C. K-9 teams should not be assigned to calls on a regular basis other than those described within this order. The K-9 team shall supplement patrol but will not generally be assigned to calls that are lengthy, prolonged, require extensive investigation, or would cause the K-9 to be unavailable if needed.<sup>2</sup>
- D. The K-9 team will not be limited to patrolling a specific District and will respond to any incident within the County where the K-9 is required or there is the potential for its use.
1. Due to the specialized nature of the K-9 teams, they are required to assist with special details and assignments involving any District, special unit, and section within the Department.
  2. Whenever the K-9 team is needed to assist with an assignment or detail, the K-9 supervisor shall be notified to ensure there is no negative operational impact.
- E. The K-9 handler shall have exclusive control over the use of the canine on any scene where the K-9 team may be deployed. The K-9 handler's assessment of the situation as it pertains to the safety and capabilities of the K-9 team will determine how the canine is to be used; however, the K-9 handler shall coordinate with the on-scene supervisor.
- F. If a K-9 team is required but unavailable due to leave or other circumstances, a supervisor may authorize the response of the on-call K-9 team or the use of one from another agency. If a call-out is requested, the K-9 Supervisor shall be notified directly or through Communications for authorization.

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<sup>1</sup> CALEA 41.1.4a

<sup>2</sup> CALEA 41.1.4a

- G. Law enforcement agencies from other jurisdictions may request assistance of an HCPD K-9 team. When a request is made, an on-duty supervisor's approval is required for a K-9 team response. The K-9 handler is still bound by the HCPD K-9 usage policies and reporting requirements.<sup>3</sup>
- H. Operational deployment of a K-9 team in a crowd control situation may be authorized by a supervisor or Commander.
  - 1. A police canine may be deployed in such situations without supervisory approval when a K-9 handler perceives an immediate threat of serious bodily harm or death to an officer or bystander.
  - 2. The K-9 handler will notify the supervisor or Commander as soon as practical after the situation has been stabilized.
- I. When a K-9 handler makes an arrest, the K-9 handler is discouraged from transporting the arrestee in his Departmental K-9 vehicle. The area supervisor will assign an officer to transport the arrestee to the booking facility if necessary.
- J. Police canines will not be deployed "off lead" to apprehend fleeing individuals if the only known offense is a motor vehicle violation. This does not preclude a police canine from being deployed "on lead" to follow or track a fleeing individual until successful apprehension.<sup>4</sup>
- K. All initial reports and supplements will be completed prior to the end of shift. Exceptions may be granted on a case-by-case basis.
- L. If a K-9 handler is injured and cannot control his canine, officers shall call for another K-9 handler or the K-9 supervisor to respond to the scene and take control of the canine.
- M. Requests for public demonstrations or presentations of a K-9 team shall be forwarded to the K-9 supervisor.

**IV. OFFICER RESPONSIBILITIES AND INTERACTION WITH K-9 TEAMS**

- A. General interaction with police canines
  - 1. HCPD members shall:
    - a. Not touch, handle, or pet any police canine unless given permission by the K-9 handler.
    - b. Not tease, agitate, or harass any HCPD canine.
    - c. Refrain from horseplay with others or the K-9 handler when the canine is present, and shall not make aggressive gestures towards the K-9 handler.
  - 2. If a police canine is working, such as actively tracking, scenting, or apprehending, and the canine approaches a member, that member should stand still and make no overt movements.
  - 3. When a K-9 team is deployed for crowd control or a civil disturbance, officers should be mindful to maintain sufficient distance from the police canine and should avoid any physical contact with the K-9 team.

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<sup>3</sup> CALEA 41.1.4a

<sup>4</sup> CALEA 41.1.4a

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4. Officers should never approach the immediate vicinity of a K-9 team without first announcing to the K-9 handler that they are approaching.

B. Member responsibilities and interaction with police canines during location and apprehension searches

1. When a suspect has fled the scene of a crime and a K-9 team is en route, the officer should not pursue unless a reasonable chance of apprehension exists.
  - a. If the pursuing officer loses sight of the suspect, the pursuit should be immediately terminated and a perimeter established and held for the K-9 team's arrival.
  - b. The officer involved in the initial pursuit should note where the suspect was last observed and the direction of travel.
2. Officers at the scene shall contain the area to the extent possible to prevent the escape of the suspect and maintain perimeter security until notified by a supervisor.
3. Officers shall avoid contaminating the search area prior to the completion of the K-9 team's search.
  - a. If officers have entered the search area or building prior to the K-9 team's arrival, they should ensure that all officers are out of the area prior to the K-9 team's search. This contamination of the scene should only occur under the most exigent circumstances.
  - b. The K-9 handler should be notified that the area has been contaminated.
4. When the K-9 team enters a building or search area, another officer may be assigned to accompany the K-9 team at the handler's discretion.
  - a. If an officer is requested to accompany the K-9 team during a trail, area, or building search, he shall take a position to the rear of the K-9 handler and follow all instructions given by the K-9 handler.
  - b. Officers shall refrain from unnecessary conversation, stay clear of any doors and windows, and shall not enter the search area unless instructed to do so by the K-9 handler or a supervisor.
  - c. Officers shall avoid illuminating the K-9 team with flashlights, headlights, or spotlights.
5. Once the canine has been sent to make an apprehension, other officers shall not attempt to take the suspect into custody until the canine has been called off unless directed to do so by the K-9 handler.
6. Officer interference with a police canine in pursuit may result in injury to the officer. If an officer comes between a suspect and the canine, he should stand as still as possible and make no movements.
7. In the event a K-9 team makes an arrest or apprehension as a result of its deployment, the officer handling the incident or another officer designated by a supervisor shall take custody of the arrestee from the K-9 handler and be responsible for transport and processing.

8. When a K-9 team has been requested or is responding to an incident it is the responsibility of the officer handling the incident to cancel the K-9 team if its assistance is no longer needed.

C. Officer responsibilities and interaction with the drug detection canine

1. Areas of potential deployment of the drug detection canine include but are not limited to:<sup>5</sup>
  - a. Scans of motor vehicles;
  - b. Establish probable cause for search warrants;
  - c. Drug interdiction in public places; and
  - d. Scans relative to search warrant execution.
2. For incidents involving motor vehicles where the officer feels the drug detection canine may be needed, the officer on the scene should immediately request the K-9 team's response so the K-9 team may arrive in a timely manner.<sup>6</sup> K-9 teams are not authorized to respond in Emergency Mode for a CDS scan.
3. Officers should consider all circumstances surrounding the stop when determining whether to utilize a K-9 team. Factors may include but not be limited to:
  - a. Past CDS possession by the occupants.
  - b. Information known to the officer (i.e. Intelligence, ILeads, etc.) to indicate the possibility of CDS activity.
  - c. Recent association with known drug offenders.
  - d. In or around areas with known drug activity.
4. An officer considering calling for a K-9 team to do a vehicle scan may do so even if the occupant has an identification card or some other evidence indicating the person is a medical marijuana patient, caregiver, or other agent of a medical cannabis facility. Officers should consider the factors detailed in C.3. above and consult with a supervisor for further guidance before requesting the K-9 scan under these circumstances.
5. When a motor vehicle is being scanned by a drug detection canine, it is the officer's responsibility to situate and control the vehicle's occupants in a manner that will not jeopardize the K-9 handler's safety while conducting the scan.
6. HCPD mandates that officers should not arrest any occupant based solely on a K-9 scan alert, regardless of whether they are the owner, driver, or a passenger, absent aggravating circumstances. Factors that should be considered when deciding whether to arrest the owner, driver and/or passenger after a positive K-9 scan include but are not limited to:
  - a. The officer's knowledge of the criminal history of the driver, owner, or passenger, such as knowledge of previous CDS usage, possession, and/or distribution;
  - b. Actions of the driver, owner, or passenger prior to or at the time of the stop;

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<sup>5</sup> CALEA 41.1.4a

<sup>6</sup> CALEA 41.1.4a

- c. Time and location of the stop, and the officer's knowledge of criminal activity in the area of the stop; or
  - d. Any other information known or derived during the traffic stop, such as the presence of weapons or large amounts of money that may be connected to drug trafficking.
7. If the officer requesting a K-9 team determines there is no longer a need for the K-9 team to respond, the officer at the scene shall make the appropriate cancellation.

D. Officer responsibilities and interaction with the explosives detection canine

- 1. When requesting an explosives detection canine, officers and supervisors should follow the criteria set forth in General Order OPS-35, Unusual Occurrences.
- 2. The supervisor on scene should brief the explosive detection canine handler and provide the following information:
  - a. When and how the bomb threat was received;
  - b. Detonation time, if given;
  - c. Location of suspected device;
  - d. Any information provided by the suspect, such as the type of device and motive for placement; and
  - e. History of bomb threats or related activities.
- 3. The investigating officer or supervisor should attempt to ascertain if any hazards, including environmental, biological, structural, etc., are present in the area where the explosives detection canine is to search and advise the K-9 handler before the team is deployed.
- 4. When a location is to be searched by the explosives detection canine the area supervisor shall ensure that a representative who is familiar with and has access to all areas within the location is available to accompany the K-9 team.
- 5. If an officer accompanies the explosives detection canine team during the search, the officer will follow all directions given by the K-9 handler relating to the search.
- 6. A positive alert during an explosive K-9 scan provides reasonable suspicion and should only be used as a tool for building probable cause and not be the sole reason for an arrest.

V. **BITE/INJURY PROCEDURES**

- A. If a bite or injury results from the use or deployment of the police canine the following procedures shall be followed, as well as criteria set forth in General Order OPS-11, Use of Force.
- B. The injured person shall be provided with medical care as soon as practical.
- C. The K-9 handler will make immediate notification to the Watch Commander, area supervisor, and K-9 supervisor.
  - 1. If available, the K-9 supervisor shall respond and personally view the injury, take a statement from the injured person, ensure that the bite or injury area is photographed even if no bite or injury is immediately visible, and document their observations.

2. If the K-9 supervisor is unavailable, an on-duty supervisor shall perform these duties.
- D. Within 24 hours, the K-9 handler shall complete and submit to the K-9 supervisor the police report or supplement detailing the facts regarding the bite or injury and use of force and the Use of Force forms.
- E. A Copy of the Incident Report, HCPD Form 1930, DF-2 Notice for K9 Bite, and HCPD Form 1940, Certified Police Canine Bite Report, shall be faxed to the Howard County Health Department, Environmental Services at 410-313-2648.
- F. The K-9 supervisor shall ensure that a copy of all forms and reports with supervisory endorsements are forwarded to the Deputy Chief for ISOC.
- G. The K-9 supervisor shall ensure that a copy of all forms and reports are sent to Risk Management within 24-hours.

**VI. K-9 TRAINING<sup>7</sup>**

- A. The Lead Trainer will be responsible for conducting and scheduling K-9 training.
- B. The Maintenance Trainer will assist the Lead Trainer and will provide maintenance training to K-9 teams when needed. The Maintenance Trainer will be assigned to K-9 patrol and be available for calls for service when not in training.
- C. Each K-9 team shall complete:
  1. A minimum of 192 hours of training annually. Exceptions to the training requirement must be approved by the commander of SOB on a case-by-case basis; and
  2. Annual certifications in their respective disciplines.
- D. The K-9 Supervisor will maintain records of all training received by K-9 officers and canines, as well as all certifications held by the K-9 teams.
- E. When K-9 training is being conducted, the K-9 handler will notify Communications that the K-9 team is out of service, the hours of the training, and supply a contact number to allow for notification in the event the K-9 team is needed.
  1. A supervisor must authorize the call out of the K-9 team from training.
  2. If during K-9 training the K-9 team is notified that its services are needed for an incident listed in section III.B. of this General Order, training will be suspended and the K-9 team will respond. Training will not be suspended for CDS scans unless exigent circumstances exist.

**VII. CANCELLATION**

This General Order cancels and replaces General Order OPS-14, K-9 Program, dated February 15, 2009.

AUTHORITY:



Gary L. Gardner  
Chief of Police

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<sup>7</sup> CALEA 41.1.4b