

# Seattle Police Manual

## Seattle Police Department

# Directive

**Effective Date: 03/26/19**

**Directive Number 19-00014**

**Interim Policy: Use of SPD Canines**

This directive is to be used in conjunction with existing policy and the K9 Unit manual. If inconsistencies are noted this directive will take precedence.

For questions, please contact Deputy Chief GarthGreen.

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## **1) K9 deployments will be conducted in-line with the following guidance:**

- a. On-Lead deployments – Use of a canine is reasonable to:
  - i. to locate, apprehend or control suspects in instances in which probable cause exists to arrest a subject for a felony (e.g., a burglary where the suspect is concealed, an auto thief who has fled and believed to be in the area), or
  - ii. when the behavior of an actively fleeing suspect otherwise involves conduct that presents a serious potential risk of physical injury to the officer or others.
- b. Off-Lead deployments – Use of a canine off-lead, where there is an increased risk of a bite, will be reasonable only when:
  - i. probable cause exists to arrest the suspect for a crime of violence, or
  - ii. in circumstances in which a subject is reasonably suspected to be armed and presently dangerous based on articulable information.
- c. Officer Safety- Use of a canine is reasonable to provide additional safety for officers when needed (e.g., where an officer is contacting several individuals and there is a concern for flight or assault, the handler may have the canine at his side). The use of the canine is for safety only and not intimidation or coercion.
  - i. This does not override the de-escalation policy (8.100) and requires that handlers articulate the need to contact a larger group that necessitated the use of the canine for safety purposes.
  - ii. A K9 unit is viewed as a single officer unit and should perform under that premise when making decisions regarding contact of criminal suspects.

## **2) The following tactics will be followed during all K9 deployments:**

- a. De-escalation – The de-escalation policy (8.100) still applies and handlers must attempt de-escalation steps to resolve the situation except when de-escalation is not feasible.

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b. Biting – K9 handlers only will allow their K9s to engage a suspect by biting if:

- i. The suspects' actions pose a risk of imminent harm to the officer or others; or
- ii. The suspect is exhibiting active resistance with threat of harm; and
- iii. The handler is in visual and auditory range of a suspect – unless the suspect is hiding in a confined space (e.g., a crawl space), refuses to surrender, or is escaping.
- iv. The handler must be able to articulate the need to allow the bite and the public safety or self-defense risk that necessitated the bite.

1. The act of simply refusing to surrender or escaping, is not, on its own, a justification for a bite and requires additional articulable safety reasons.

c. Leash Length – K9 handlers will utilize a leash length that allows for the greatest control of the dog while still allowing for officer safety. The length of the lead shall prevent the dog from being able to deploy without the affirmative command from the handler.

d. Cover Officer – K9 handlers will only deploy their K9s when a uniformed cover officer is available to run with the handler. K9 handlers will need to have the cover officers in close proximity to them at all times. This may require the handler to slow down the dog for the cover officer to keep pace.

e. Apprehension – Handlers must discuss a plan with assisting officers for apprehension prior to tracking which should include how to get the subject out of the bite and into handcuffs.

f. Exigent circumstances – This directive expressly contemplates that K9 handlers may need to deploy their K9s in exigent circumstances that present an immediate threat of harm to officers or others. As in all uses of force, the force will be evaluated based on the totality of circumstances then present and consistent with Title 8.

**3) The following tactics are not permitted during a K9 deployment:**

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- a. Biting – if a different, reasonable force option could reasonably be expected to control the suspect or allow for the apprehension;
- b. Biting – for the purpose of pain-induced compliance.

## **4) The following requirements must be followed after a K9 bite:**

- a. The handler will call the K9 off as soon as it is safe and feasible to do so given the totality of circumstances.
  - i. The handler will consider the extent to which the subject's behavior is a natural reaction to the bite. A reaction to the bite alone is not resistance or aggression that justifies the use of an additional/continued bite.
- b. The handler will ensure they have control of the K9 and keep the K9 under control (physical if needed) while the suspect is secured.
- c. Once the suspect is secured, the K9 will be placed in the patrol vehicle.
- d. Once the suspect and K9 are secured, the Seattle Fire Department will be requested to evaluate all K9 bites even if no injury is observed.
- e. each K9 bite must be separately documented.
- f. each K9 bite will be assessed according to whether it is individually objectively reasonable, necessary, and proportional under the circumstances.

## **5) Additional Considerations:**

- a. Misdemeanors: In misdemeanor cases the handler must have an identifying description of the suspect(s) before considering the application of the K9.