



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

320 - CANINES

GENERAL ORDER: 2021-XX
ISSUED: January 27, 2021

EFFECTIVE: January 27, 2021

REVIEWED/APPROVED BY:
Inspector Willie Murphy
DATE: January 7, 2021

ACTION: Amends General Order 2017-47 (September 14, 2017)

WILEAG STANDARD(S): 5.2.1, 5.3.1, 6.1.2

320.00 PURPOSE

To establish policies and procedures for the use of the Patrol Canine Unit and Explosive Ordinance Detection (EOD) Canine Unit, which are assigned to the Specialized Patrol Division, and the HIDTA trained detector dogs of the Milwaukee Police Department. The primary objective is to utilize the Milwaukee Police Department canines to assist in the accomplishment of the mission of the Milwaukee Police Department.

320.05 POLICY

It is the policy of the Milwaukee Police Department to utilize canines as a valuable supplement to police resources, due to their superior senses of smell and hearing and their physical capabilities. However, utilization of canines requires adherence to procedures that properly control their use-of-force potential and channel their specialized capabilities into legally acceptable crime prevention and control activities.

The primary use for department canine units is as a finding tool, and not as an apprehension nor as an extraction tool. If a canine is used for the purpose of apprehension, canine handlers shall only use only the force necessary to effectively maintain control of a situation and protect the safety of police members and the public. A patrol canine handler shall only deploy a canine to locate, apprehend, and control a suspect in accordance with SOP 320.20(E) of this policy.

320.10 ORGANIZATION OF THE CANINE UNIT (WILEAG 5.3.1, 6.1.2)

A. The Canine Unit consists of specially trained handlers and dogs. The Patrol and EOD Canine Units shall be assigned to work out of the Specialized Patrol Division and work such hours and duties as directed by the Chief of Police.

B. CANINE SUPERVISOR

One (1) police sergeant shall be designated the "canine supervisor" and shall coordinate the operations and maintain all records and documents of both the Patrol Canine and EOD Canine Unit.

C. All assignments to the Patrol and EOD Canine Units, and the duration of such assignment, shall be under the sole control of the Chief of Police.

1. Members must be capable of performing all canine tasks, and be able to perform a series of physical standards as determined by the Specialized Patrol Division commander, in order to be selected, certified, and retained as a canine handler.
 - a. Members must meet all minimum requirements listed on the application process to be considered for assignment to either Canine Unit.
 - b. Applicants must successfully complete each phase of the application process in order to continue on to the next phase and upon completing all phases, may be considered for assignment to either Canine Unit.
 - c. New members assigned to the Canine Unit shall complete all training and certifications related to the duties of their assignment as determined by the Specialized Patrol Division commander.
 - d. EOD canine teams must maintain National Odor Recognition Test (NORT) and North American Police Working Dog Association (NAPWDA) certifications.
 - e. Patrol canine teams must maintain NAPWDA and United States Patrol Canine Association (USPCA) certifications.
(WILEAG 6.1.2.2)
2. Members assigned to the Canine Unit shall be assigned the following equipment:
 - a. A marked squad car for Patrol Canine Units configured for canine transport and unmarked squad for EOD Canine Units;
 - b. Waist lead leashes of various lengths;
 - c. Bite sleeve (patrol canine only);
 - d. Muzzle (patrol canine only);
 - e. Pinch collar;
 - f. Fur saver collar;
 - g. Hot Dog system with pager;
 - h. Crate;
 - i. Harness;
 - j. K-9 squad vet kit.

Note: The Specialized Patrol Division commander may assign additional equipment deemed necessary.
(WILEAG 6.1.2.3)

320.15 ORGANIZATION OF HIDTA DETECTOR DOGS

- A. Drug detector dogs assigned to the HIDTA assist in the location of controlled substances, including but not limited to: marijuana, cocaine, cocaine base, hashish, heroin, ecstasy, methamphetamines and derivatives of these controlled substances. Specially trained handlers are assigned to each dog.
- B. Drug detector dogs assigned to the HIDTA are supervised by a police sergeant or lieutenant who shall coordinate operations and maintain all records and documents for the detector dogs. The detector dogs and handlers shall have ongoing training and maintain yearly certification. They must also be a member of the North American Police Work Dog Association (NAPWDA), Wisconsin Law Enforcement Canine Handler Association (WLECHA) or United States Police Canine Association (USPCA).
- C. All assignments to the detector dogs and the duration of such assignments shall be under the sole control of the Chief of Police.

320.20 GENERAL PROCEDURES FOR USE OF THE PATROL CANINE UNITS (WILEAG 5.3.1, 6.1.2)

- A. The Patrol Canine Unit shall be utilized in a patrol capacity when not involved in a specific duty or assignment. Unless exigent circumstances dictate otherwise, patrol canine units shall be assigned areas at the discretion of the Specialized Patrol Division commander.
- B. The Patrol Canine Units are intended to be supportive of all the operational components of the department. Arrests made or evidence located as a result of the Canine Unit will be considered as having been accomplished by the requesting officer. The handler will be responsible for preparing any supplemental reports necessary documenting the actions of the Canine Unit.
- C. The deployment of a police patrol canine that results in contact apprehension of a suspect is a use of force that shall be consistent with SOP 460 - Use of Force. The canine supervisor, or in his/her absence a Specialized Patrol Division supervisor, shall be notified regarding any request for the deployment of a police canine for the location and apprehension of a suspect.
- D. The canine handler shall:
 - 1. Ensure the canine is secure in the police vehicle except when directly involved in a police function or the handler anticipates imminent use.
 - 2. Ensure canines are kept on lead in areas where the public has access and contact is a probability, unless the canine is being used for a police purpose that calls for it to be off-lead.
- E. DEPLOYMENT
 - 1. Reducing the risk of injuring an innocent individual is of paramount importance and

should always be weighed against the benefit of deploying a canine team.

2. All decisions to deploy a canine shall be consistent with *Graham v. Conner* (490 U.S. 386 (1989)), and include balancing:
 - a. The severity of the crime at hand,
 - b. Whether the suspect poses an immediate threat to the safety of the officer or others, and
 - c. Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.
3. Before deploying the canine, the handler must give a clear release warning, taking into consideration such factors as language barriers, distance, type of deployment (apprehension versus detection), and probable location of the suspect; and allow the suspect a reasonable amount of time to comply with commands.
4. Except in exigent circumstances or where there is imminent danger of death or serious injury, the handler should ensure that he/she can see the canine when deployed.
5. Canine teams shall not be used for crowd control.
6. A patrol canine handler may deploy a canine to locate and apprehend a suspect if he/she believes that the individual has either committed or is about to commit a serious offense, and in any of the following situations:
 - a. The handler believes that the individual poses an immediate threat of violence or serious harm to the public or any officer,
 - b. The canine is needed to search for and locate suspects who have fled the scene of a serious crime or to locate evidence of a crime when the officer believes the person is hiding or the evidence has been abandoned in a specific area,
 - c. The canine is needed to assist in the arrest of the suspect(s) when the suspect is known to be armed with a weapon, or
 - d. The canine is needed to assist in the arrest of, or to prevent the escape of, serious or violent offenders.
7. Unless a canine handler reasonably believes that an individual has committed or is about to commit a serious criminal offense, mere flight from a pursuing officer is not cause for deploying a canine to apprehend someone. Canine handlers may use canines to search vehicles, buildings, bags, outdoor areas, and other articles that he/she believes is necessary to further an investigation or protect the public.
8. Once a suspect is located, the handler shall restrain the canine and summon

sufficient personnel and equipment to make the apprehension. A canine shall not be used against a compliant subject who is submitting to arrest.

9. Handlers shall only intentionally allow their canines to engage a suspect by biting if the suspect poses a risk of imminent danger to the handler or others. Imminent danger means a suspect is armed with a weapon or other instrument capable of producing substantial bodily harm.
10. In instances where a canine unintentionally engages a suspect by biting, the handler shall call the canine off at the first moment the canine can be safely released, taking into account that the average person will struggle if seized or confronted by a canine. Struggling alone will not preclude the release of the canine.

Note: The handler shall request medical attention in accordance with section 320.45(A) in all cases where a person is bitten or injured, or claims to be injured, by a department canine.

F. Requests for the use of the Canine Unit will comply with the following guidelines:

1. Department Requests – Canine Unit on Duty

When the Canine Unit is on duty, department personnel may request assistance of the unit through the dispatcher. The member shall advise the dispatcher of the reason for the request. The dispatcher shall then contact a Canine Unit officer.

2. Department Requests – Canine Unit Off-Duty

The request for recall to duty of a canine team may be made by a district or division shift commander through a canine supervisor, or in his/her absence a Specialized Patrol Division supervisor. The canine supervisor or Specialized Patrol Division supervisor shall make the determination of whether or not a Canine Unit will respond to the scene. If there is no canine supervisor or Specialized Patrol Division supervisor available, the district or division shift commander shall contact a Technical Communications Division supervisor who shall contact a canine supervisor or Specialized Patrol Division supervisor via call-up protocol. A Technical Communications Division supervisor shall contact the tactical commander of the Specialized Patrol Division via call up protocol in exigent circumstances when a canine supervisor or Specialized Patrol Division supervisor is not available. This procedure shall be applicable for the following requests:

- a. Building Searches

Only in those cases where there is evidence of forced entry and there is substantial reason to believe that a person is concealed in a building.

1. Off-lead deployments are permissible for searches of commercial buildings or instances in which the suspect is wanted for an offense of violence or is reasonably suspected to have a weapon.

2. All building searches will be conducted with a cover officer.
3. All canine team deployments for a building search will be conducted with one cover designated by an on-scene supervisor.
4. The cover officer shall devote their full attention to the building search through a position of surveillance behind the canine team.
5. The cover officer becomes the contact officer once the suspect is located. The canine and handler then provide cover as the contact officer takes the suspect into custody.
6. The cover officer should intervene with force only if it is necessary to protect the members of the canine team.
7. If an entry offense is discovered at a school, officers will investigate the nature and extent of the offense before requesting a canine unit. If there is any indication that the offense involves juveniles engaged in criminal trespass, a canine unit shall not be considered.
8. Canine units shall not be used to search off-lead in a residence except when officers are able to interview the property owner, manager or reliable witness to verify there are no innocent persons or pets inside the location to be searched.
9. Canine units shall not be used to conduct a building search on a Place Found Open (PFO) unless reasonable suspicion of an entry offense is present. If reasonable suspicion of an entry offense is present, a canine team may be used under the building search guidelines above.

b. Area Search/Scout

Felony cases and serious misdemeanor crimes where the suspect is reasonably believed to be armed with a deadly weapon only – the suspect must have been seen, a correct perimeter set, and the suspect contained.

c. Narcotics Detection

When reasonable suspicion of illegal narcotic activity based upon articulable facts is present, the canine may be called to establish probable cause.

Note: Members shall consider the delay in a canine response and the reasonableness of the length of detention. Unless the target of the investigation is already under arrest, it is unlikely that an off-duty canine unit will be able to respond to the scene as promptly as the courts have outlined.

d. Missing/Lost Persons

1. Notify canine handler. Canine handler will advise if they can be of help.
2. Before authorizing the use of a canine team, the canine supervisor or Specialized Patrol Division supervisor must weigh the urgency of locating the person with the risk of the person being engaged by the canine.

e. Tracking

1. If officer(s) feel the Canine Unit may aid in the investigation of an incident or that the suspect may still be in the area.
2. Whenever a canine team is approved and deployed for tracking and searching for suspects, the handler will announce loudly and clearly that a canine will be deployed and that anyone should verbally call out and surrender. The handler shall wait a sufficient period of time between the announcement and the canine deployment to allow the suspect to surrender.

f. Tactical Situations

Upon approval of the tactical commander, Specialized Patrol Division commander or, if deemed appropriate by a Tactical Enforcement Unit supervisor, to aid in a search or for containment purposes.

g. Firearm Detection

The Specialized Patrol Division canine unit has firearm detection dogs that can assist in the location of firearms, ammunition and magazines.

h. Other

The Canine Unit may also be utilized with proper authorization for specialized security assignments, specialized saturation patrol, tactical situations or any other activity as may be deemed appropriate by the Specialized Patrol Division commander.

i. Running Apprehension

1. A patrol canine team may be given permission from the canine supervisor or a supervisor from the Specialized Patrol Division in advance for the possibility of a running apprehension (e.g., high risk traffic stop, search warrant, tactical operations, and arrest warrant for a dangerous felon).
2. A patrol Canine Handler may use their partner to make a running apprehension without prior approval of a supervisor when the following applies:

- a. The suspect is fleeing or otherwise resisting arrest and is wanted for a violent felony.
 - b. The handler does not have time to get approval and the situation requires immediate action by the handler to avoid escape of the suspect or to protect innocent persons.
 - c. The area and conditions to deploy a running apprehension must be consistent with policy and procedure and the handler must be confident the release of his/her canine will not jeopardize innocent persons.
(WILEAG 6.1.2.1)
- G. The canine handler is responsible for the care of the canine and trained in the tactical application of his or her dog prior to placement in an operational status. Canine handlers are able to assist in formulating plans of action for effective use of the canine. The canine handler in charge of the canine will be the primary decision maker as to whether the canine will be of use in a given situation and if so, how the canine will be deployed.
(WILEAG 5.3.1.3, 6.1.2.4)
- H. Patrol canines should not be used to interact with the members of the public at special events. EOD canines may be used at public events but only at the discretion of the Specialized Patrol Division commander. Any social media postings involving MPD canines must be in compliance with SOP 685 – Social Networking Sites.
- I. Canines are the property of the Milwaukee Police Department and shall not be used for purposes outside of official duties or functions without explicit authorization from the Chief of Police.

320.25 GENERAL PROCEDURES FOR USE OF DETECTOR DOGS (HIDTA) (WILEAG 6.1.2)

- A. Detector dogs shall be utilized to locate the aforementioned controlled substances in locations including, but not limited to, buildings, vehicles, luggage, currency or any other item suspected of containing controlled substances.
- B. Police members shall contact their shift commander when on the scene of a controlled substance investigation where the deployment of a detector dog officer (DDO) may be warranted. The shift commander shall report the details to a Narcotic Division supervisor.
- C. The determination for the need of a detector dog shall be made by a HIDTA supervisor, who shall dispatch a DDO to the scene. In the event that a need for the detector dog occurs outside the normal working hours of the HIDTA, the requesting supervisor shall call [REDACTED] and speak with a supervisor from the HIDTA. The facts surrounding the request for a detector dog shall be relayed to the DDO who, with the HIDTA supervisor, shall determine if a detector dog will be assigned to the call for service.
- D. Upon arrival at a call for service, the DDO shall make the final decision whether to

deploy the detector dog, keeping in mind the safety of the animal at all times. The DDO shall report the decision not to use the detector dog to the supervisor who originally requested the DDO, as soon as practicable.

- E. DDO's shall adhere to prescribed procedures in conformity with training when executing any search with detector dogs.
- F. Detector dogs are intended to be supportive of all operational components of the department. Arrests made or evidence located as a result of the detector dogs shall be considered as having been accomplished by the requesting member. The DDO shall be responsible for preparing any necessary supplemental reports, which document the actions of the detector dog.
(WILEAG 6.1.2.1)

320.30 GENERAL PROCEDURES FOR USE OF EXPLOSIVE ORDNANCE DETECTOR DOGS (EOD) (WILEAG 6.1.2)

- A. Explosive Ordinance Detection dogs (EOD) shall be utilized to locate the presence of explosives, firearms, ammunition and casings in locations including, but not limited to, buildings, vehicles, luggage or any item suspected of containing the aforementioned items. Explosive detection dogs may also be utilized in dignitary visits, special events, bomb threats and any location or venue that may be the target of a terrorist type attack. When EOD canines are not on a specific assignment they can assist in ShotSpotter calls for service and the collection of evidence related to those calls.
- B. Police members shall contact their shift commander when on the scene of an investigation where the deployment of an explosive detection dog team may be warranted. The shift commander shall report the details to the canine sergeant or a Specialized Patrol Division sergeant if a canine sergeant is unavailable.
- C. The determination for the need of a detector dog shall be made by the canine sergeant or Specialized Patrol Division supervisor, who shall dispatch an EOD canine to the scene. If it is for a venue/event that is considered a soft target that could be a place that mass casualties could occur, the bomb commander of the Hazardous Devices Unit (HDU) shall be notified to provide assistance at the venue/event. In the event that a need for the detector dog occurs outside the normal working hours of the Specialized Patrol Division, the requesting supervisor shall call the canine sergeant and, if the sergeant is unavailable, the tactical commander should be contacted. The facts surrounding the request for a detector dog shall be relayed to the canine sergeant who shall determine if a detector dog will be assigned to the call for service.
- D. Upon arrival at a call for service, the EOD canine handler shall make the final decision whether to deploy the detector dog, keeping in mind the safety of the animal at all times. The EOD handler shall report the decision not to use the detector dog to the supervisor who originally requested the EOD, as soon as practicable.
- E. EOD handlers shall adhere to prescribed procedures in conformity with their training when executing any search with detector dogs.

- F. Detector dogs are intended to be supportive of all operational components of the department. Arrests made or evidence located as a result of the detector dogs shall be considered as having been accomplished by the requesting member. The EOD handler shall be responsible for preparing any necessary supplemental reports, which document the actions of the detector dog.

(WILEAG 6.1.2.1)

320.35 DEPARTMENT MEMBER GUIDELINES FOR CANINES (WILEAG 6.1.2)

- A. Other than within the parameters of formal or scheduled canine training, department members shall not tease, mistreat or agitate any department canine.
- B. The following are general rules of behavior when in the presence of a department canine:

1. Department members shall not stand between the canine and its handler.
2. If a working canine approaches a department member, the member should not make any sudden moves. The member should remain still so as not to be mistaken as the subject of the search or incident.
3. Officers shall arrest any person who intentionally hurts, attempts to hurt or interferes with the legal performance of duty of a known department canine.

Note: [Wis. Stat. § 951.18\(1\)](#) Class A Misdemeanor – Class I Felony.

4. Department members shall not direct any command to the canine unless so directed by the handler.
 5. Department members shall not attempt to entice a canine to disobey its handler, unless so instructed by the handler.
 6. Department members shall not enter any vehicle occupied by a canine unless so directed by the handler.
 7. Department members shall not attempt to touch, handle, pet, or feed the canine unless so directed by the handler.
- C. Officers, who are present at a scene where a canine has been deployed, shall adhere to the following guidelines:
1. When the canine unit is requested for a track, field search, or evidence search, the area to be covered by the canine unit shall be kept as secure as possible to prevent contamination from human scent or other disturbances.
 2. In most cases a canine supervisor, or in his/her absence a Specialized Patrol Division supervisor, shall respond to the scene. They shall monitor the operation and ensure that department policy is adhered to.

3. When an area/building search is necessary, officers should contain the perimeter prior to and during a canine search. Only the handler and any backup officers expressly designated by the handler shall enter the area/building to be searched. The success of the canine team's efforts may depend on the dog's ability to pick up a scent. When requesting the canine team, it is therefore imperative that officers refrain from walking about the scene or handling objects /evidence at the scene. Unless exigent circumstances dictate otherwise, officers shall not enter the building/area to be searched until the Canine Unit arrives.
4. Once a building search has been initiated, no one shall enter the building unless so instructed by the canine handler.
5. When a canine team is requested to track a person who has abandoned an automobile, officers are not to enter that vehicle until after the arrival of the canine team and tracking has begun.
6. Generally, the canine handler will dictate the search tactics to be utilized and coordinate the deployment of assisting personnel. In situations wherein canine personnel are searching for a suspect(s) believed to be armed, handlers may elect to request personnel from the Tactical Enforcement Unit to assist during the search.
7. When a search is in progress, officers shall not engage in activity that may cause a distraction to the canine.
8. Officers who are requested to assist with the search by the canine handler shall take a position to the rear of the handler and shall carefully follow all instructions provided by the handler.
9. Once a handler has unleashed a canine, officers shall not attempt to affect an arrest until such time that the handler has called off the canine.
10. Officers who come between a fleeing suspect and a canine should remain as still as possible and not make any sudden movements.
11. Officers not comfortable around the canine should immediately inform the handler and remove himself /herself from the operation prior to deployment.

320.40 CARE OF CANINE BY ASSIGNED HANDLER

- A. Canine handlers are solely responsible for the care and maintenance of the department owned canine. The Milwaukee Police Department understands that working canines will also bond with the family of the canine handler; however the family of the canine handler shall not be involved in the day to day care of the canine under any circumstances. If the canine requires care that cannot be given by the canine handler the canine supervisor will remove the canine from the household and place the department canine in a pre-approved kennel for proper care and maintenance.

- B. Canine handlers shall be provided with a department kennel and crate for their private residence. If the canine handler chooses not to take the department kennel and crate provided, they must provide one of their own at their own cost. Any privately purchased kennel or crate shall be inspected and approved by the canine sergeant. Canine handlers shall be vigilant and present at all times when the canine is out of its kennel or crate at the officer's private residence. Canine handlers shall secure their canine in their kennel or crate when the handler will be away from the residence without the canine. The canine sergeant shall conduct an annual inspection of the handlers kennel and crate kept at the handler's private residence. If a canine handler does not live in the City of Milwaukee, the officer must purchase a travel crate for their personal car for the safe travel of the department canine to and from their work location.
- C. Canine handlers who travel away from the City of Milwaukee for an extended period of time shall leave the canine in an approved boarding facility. The canine sergeant will provide a list of approved boarding facilities to the canine officer. Prior to any placement in a boarding facility, the handler shall file a *Department Memorandum* (form PM-9E) and the boarding must be approved by the commander of the Specialized Patrol Division.
- D. Canine handlers may request to take the department canine out of the City of Milwaukee if the travel is not related to training or on official Milwaukee Police Department business (e.g., dispatched calls for service or mutual aid requests). All requests must be made on a *Department Memorandum* to include where the canine will be taken, the length of time the canine will be gone, and what accommodations will be made for the canine's housing. The Chief of Police, or his/her designee, will approve or deny the request.
- E. The canine handler shall make sure the department canine has access to proper medical care at an approved veterinary facility. The canine sergeant shall provide a list of approved veterinary facilities for use by the handler.

320.45 CANINE BITES AND INJURIES (WILEAG 5.1.1, 5.3.1)

- A. Members shall immediately contact a supervisor in all cases where a person is bitten or injured, or claims to be injured, by a department canine, and shall request medical attention. The subject shall be transported to an appropriate medical facility for treatment and medical clearance before being conveyed to a district lockup, the Central Booking Division, or CJF if the subject is bitten or injured by a department canine.
(WILEAG 5.3.1.2, 5.3.1.4)
- B. A *Use of Force Report* shall be filed by the canine supervisor in the event a subject is bitten, injured, or reports to be injured by a department canine as a result of the deployment of the canine. If a canine supervisor is not available, a supervisor from the Specialized Patrol Division shall file the required *Use of Force Report*.
- C. Photographs shall be taken of the victim and all specific injury areas, including any areas where the victim claims to be injured if the injury is not visible.

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320.55 CANINE RETIREMENT

A Specialized Patrol Division canine may be retired from the program when the canine:

- Is no longer needed for official purposes;
- Has a temperament incompatible with guidelines for the type of work that the canine is trained;
- Fails to pass certification based on the approved standards; or
- Can no longer perform the requirements for the certification due to age, sickness, or injury.

A handwritten signature in black ink, appearing to read 'JBN', with a long horizontal stroke extending to the right.

JEFFREY B. NORMAN
ACTING CHIEF OF POLICE

JBN:mfk