

July 12, 2021
CAC - Use of Force - Ad Hoc
Draft Recommendations to Sonoma County Sheriff's Office
Topic: CANINES

309.6 APPREHENSION GUIDELINES - PROPOSED ADDITIONAL LANGUAGE

A canine may not be used to apprehend a suspect when a reasonable officer would perceive that the suspect had already surrendered and poses no imminent threat of violence or serious harm to the public, or the handler.¹

A properly trained, certified canine may be used to apprehend an Active Resister whenever the handler has probable cause to believe that person has committed a crime, and less intrusive means of apprehension have been exhausted, or under the totality of the circumstances, determined to be ineffective or unavailable.²

Whenever possible, canine handlers should employ a "find and bark" approach rather than a "find and bite" approach. Under a find and bark, or "handler control" practice, a canine is trained and deployed to identify, find, and corner a suspect so that she or he can be apprehended. Find and bite generally refers to deployments that end in canine units biting a suspect, resulting in injuries that are potentially avoidable. The use of "bite and hold" techniques are prohibited.³ In the event a canine is used in apprehension of a suspect, the canine handler must immediately call off the canine when he/she or another deputy is able to control the suspect or the suspect surrenders.⁴

309.6.3 REPORTING DEPLOYMENTS, BITES AND INJURIES - PROPOSED ADDITIONAL LANGUAGE

ADDITION TO SECOND PARAGRAPH:

Any failure to disengage unintended bite or injury caused by a canine, including but not limited to bites to an unintended subject, bites resulting in significant injury, and/or bites to the head,

¹ Chew v. Gates (9th Cir. 1994) 27 F 3d, 1432 (see also Campbell v. City of Springboro (6th Cir. 2012), 700 F.2d.779, 787-789; and Robinette v. Barnes (6th. Cir. 1988) 854 F.2d 909, 910-911, 914.) Campbell v. City of Springboro (6th Cir. 2012), 700 F.2d.779, 787-789; Robinette v. Barnes (6th. Cir. 1988) 854 F.2d 909, 910-911, 914.

² Camden County Police Department, Use of Force Policy, pg. 16) in consultation with the NYU Policing Project.

³ Office of the Attorney General's Recommendations to the Sacramento Police Department which were subsequently the basis for recommendations to LE agencies statewide:
<https://oag.ca.gov/system/files/attachments/press-docs/spd-report.pdf>

⁴ Alameda County Sheriff's Office, General Orders, GO 5.34 - Canine Program, pg. 6.

neck, or groin, shall be promptly reported to the canine supervisor⁵ and the canine should be terminated from duty. Additionally, the handler should undergo additional training and recertification before being allowed to continue as a canine handler.”

⁵ Tucson Police Department, General Orders, Use of Force, Section 2072, Office of Professional Standards in consultation with the NYU Policing Project.