

Section 1.0 – Use of Force	Page 1 of 4
Sub Section 1.4 – Police Service Dogs	Effective: September 1, 2015
Subject 1.4.2 – Threshold and Circumstances of Police Dog Use	Revised: n/a

## Definitions

**“Bite”** – a police dog’s use of mouth and teeth to grab or hold a person’s body or clothes.

**“Bodily harm”** – any hurt or injury to a person that interferes with the health or comfort of the person and is more than merely transient or trifling in nature.

**“Deployment”** – a police dog performing an operational task.

**“Exigent circumstances”** – circumstances where a delay in taking action would result in danger to human life or safety or where action is necessary to prevent the continuation of an offence which threatens human life or safety.

**“Handler-dog team”** – a police officer who is trained to handle police dogs and the police dog assigned to that officer.

**“Police dog handler”** – a police officer who is trained to handle police dogs.

**“Reasonable grounds”** – includes both a subjective and an objective component, and means that the officer must personally believe that the decision or action is necessary, and in addition, the decision or action must be able to stand the test of whether an objective third person, who is acting reasonably—and is informed of the officer's training, experience and the factual circumstances known at the time—would also reach the same conclusion.

## Standards

The chief constable, chief officer, or commissioner must:

### Threshold and circumstances of using a police dog where a bite may occur

- (1) Prohibit police dog handlers from permitting a police dog to bite a person, and prohibit dog handlers from permitting a police dog to continue to be deployed if it would reasonably be expected that the police dog would bite a person, unless:
  - (a) The person is causing bodily harm to an officer, a third party or the police dog;
  - (b) The police dog handler is satisfied, on reasonable grounds, that the person’s behaviour will imminently cause bodily harm to an officer, a third party, or the police dog; or

- (c) The person is fleeing or hiding and there are reasonable grounds for their immediate apprehension by a police dog bite.
- (2) In addition to Standard (1) above, require that police dog handlers consider the following prior to and during each deployment of a police dog, and conclude, on reasonable grounds, that the risk of a bite is justified:
- (a) Whether there is lawful authority to arrest;
  - (b) That no lesser use of force would be appropriate or effective; and
  - (c) The totality of the circumstances, including, but not limited to:
    - (i) The seriousness of the offence believed to have been committed or about to be committed;
    - (ii) The potential risk to any person, including the person being apprehended;
    - (iii) The identity of the person being apprehended, if known;
    - (iv) Whether the person could be apprehended at a later time;
    - (v) The age of the person being apprehended, in particular whether the person is reasonably believed to be a young person, or elderly;
    - (vi) Whether there is a weapon involved;
    - (vii) Whether the person being apprehended has a history of violence or has demonstrated violence or threatened violence; and
    - (viii) Any injury likely to result from a police dog bite.

### **Warnings prior to a bite**

- (3) Require that police dog handlers give a loud verbal warning prior to permitting their dog to bite, unless such a warning would be impractical or place any one, including the police handler-dog team, at risk of bodily harm.
- (4) Require that the warning described in Standard (3) above identifies the handler as a police officer with a police dog, and advises that the person may be bitten if they do not comply with police instructions.

### **Removing the dog from a bite**

- (5) Require that police dog handlers ensure that their police dog releases a bite as soon as reasonably possible.
- (6) Require that police dog handlers consider the following when determining when it is reasonable to have a police dog release the bite:
  - (a) That a person may struggle from pain or fear in response to a police dog bite;
  - (b) That a person may not be able to remain completely passive, or may not be able to completely comply with police officer directions while being bitten; and

- (c) That these behaviours, of struggling due to pain or fear or the inability to completely comply with directions due to pain or fear, on their own, are insufficient reasons to not have the police dog release the bite.

### Searching for a person for investigative purposes

- (7) Require that police dog handlers consider the totality of the circumstances prior to, and during each deployment of a police dog, and conclude, on reasonable grounds, that the use of a police dog to search for a person is justified. The totality of the circumstances includes, but is not limited to:
  - (a) The seriousness of the offence believed to have been committed or about to be committed;
  - (b) The potential risk to any person, including the person being apprehended;
  - (c) The identity of the person being apprehended, if known;
  - (d) Whether the person could be apprehended at a later time;
  - (e) The age of the person being apprehended, in particular whether the person is reasonably believed to be a young person, or elderly;
  - (f) Whether there is a weapon involved;
  - (g) Whether the person being apprehended has a history of violence or has demonstrated violence or threatened violence; and
  - (h) Any injury likely to result from a police dog bite.
- (8) Require that, when searching for a person, police dog handlers take reasonable steps as specified in Standard 4 of *BCPPS 1.4.1 General Requirements*.

### Children

- (9) Prohibit police dog handlers from deploying their police dog to search for or apprehend a person, if the person is reasonably believed to be 12-years-old or younger, unless:
  - (a) The police dog handler has reasonable grounds to believe that the child poses an imminent risk of grievous bodily harm or death to any person, including themselves; or
  - (b) The child is a missing or lost person.

### Warnings prior to a search

- (10) Require that police dog handlers give a loud verbal warning prior to using their police dog to search for a person, unless there are exigent circumstances.
- (11) Require that the warning described in Standard (10) above identifies the handler as a police officer with a police dog, and advises that the person may be bitten if they do not comply with police instructions.

(12) Require that police dog handlers, after providing a warning referred to in Standard (10) above, allow a reasonable time, based on the totality of the circumstances, for a person to show themselves.

### Maintaining distance

(13) Require that police dog handlers keep their police dog a reasonable distance away from any person, including a person that has been apprehended.

### Post-bite incident requirements

(14) Ensure, in every case of a police dog bite, that:

- (a) Appropriate medical attention is immediately provided or offered;
- (b) If the person who was bitten refuses medical treatment, that this refusal is documented;
- (c) Any injuries are photographed, unless the person who was bitten refuses to have the injuries photographed;
- (d) If the person who was bitten refuses to have the injuries photographed, that this refusal is documented;
- (e) A supervisor attends the scene as soon as possible, unless it is unreasonable for the supervisor to attend due to distance, or other circumstances which make attendance impracticable; and
- (f) If the person who was bitten is under 18 years of age, that the parent or guardian is notified.

### Policies and procedures

(15) Ensure all policies and procedures are consistent with these *BC Provincial Policing Standards*

### Annotations

**Bite definition** – this does not include bites in training on training equipment, such as a padded sleeve or suit.

**Deployment definition** – having a police dog present at an incident in case a dog may be needed, but where the dog does not perform an operational task, is not considered to be a deployment of a police dog.