



City of Takoma Park
Police Chief Antonio B. DeVaul

To: Mayor and Councilmembers
From: Chief Antonio B. DeVaul
Subject: Takoma Park Police K-9 Program Information
Date: April 7, 2022

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As we begin the discussion of the FY23 city budget I wanted to provide some background on the Police Department's K-9 program in anticipation of the work session on K-9 scheduled for April 25, 2022. The City of Takoma Park Police Department K-9 unit began in the early 1990s with the selection of our first K-9 handler and his K-9 partner, Credo. Over the years we added an additional two K-9 teams, for a total of three. Since 2018, we have lost two K-9 teams, that were not replaced. In 2021, our one remaining K-9 team was retired due to the age of the dog. The department currently has no active K-9 teams. The police department is proposing purchasing a new dog next fiscal year and for the city to have one K-9 team moving forward.

Below is an overview of the Takoma Park Police K-9 program. I have also attached an overview of successful apprehensions/deployments made by Takoma Park Police K-9 teams, answers to questions from the Takoma Park Reimagining Public Safety Task Force regarding our K-9 program, and a letter from Adam Braskich, a member of the Takoma Park Reimagining Public Safety Task Force.

There are many different uses of K-9s in police work. Below is an overview of those uses.

- **Patrol-** patrol dogs are used to provide patrol duties (officer protection, suspect apprehension, area or building clearance, and security in sensitive or controlled areas).
- **Detection of Illegal Drugs and Explosives-** are either trained to detect illegal drugs or explosives. K-9s have an exceptional sense of smell approximately 50 times more sensitive than a human's, allowing police dogs to quickly find illegal drugs and explosives with precision.
- **Search and Rescue-** are trained to find missing persons, whether it's someone who has been kidnapped or a missing person who has gotten lost. In the case of search and rescue, dogs can be trained to find living victims and the remains of deceased humans. Police K-9s can either be single use or dual use.
- **Cadaver-** are trained to find the remains of deceased humans.

K-9 teams can either be single use or dual use. Single purpose dogs are used primarily for either patrol duties or detection duties. There are also single purpose K-9s that are used only for tracking, lost persons location, or cadaver detection. Dual purpose dogs are trained to combine these duties in one K9.

The previous Takoma Park Police K-9 teams were dual trained as patrol dogs used for officer protection, suspect apprehension, area and building clearance, security in sensitive or controlled areas, article/person searches and illegal drug detection.

TPPD K-9 Training

Takoma Police K-9 teams are currently trained by the Montgomery County Police Department (MCPD), K-9 Section. The MCP K-9 unit assists us with the selection of the handler and with the selection of the dogs. Once a handler and K-9 have been selected, they begin four months of K-9 patrol training and then an additional two months of scent detection training. Upon completion of the training, the K9 team is certified through the United States Police Canine Association (USPCA). K-9 teams also receive an additional ten hours of training a month for maintenance training and ten hours for scent detection training. The K-9 commander, who oversees the unit, is required to attend K-9 Management/Supervision training for better oversight.

MCPD trains dogs to “bite and hold” rather than “bark and hold”. The “Bark and hold” technique involves the handler releasing the canine from the lead during a search for a criminal suspect. The handler does not have direct physical control of the canine. If the suspect is located the canine will “circle and bark” at the suspect, alerting the handler to its location. If the suspect attempts to attack or escape, the canine will bite and hold the suspect. The K-9 handler does not control the canine deploying. The “bark and hold” technique relies on the assumption that the dog will make the correct decision without the handler’s direction. A lot of accidental K9 bite incidents involve the “bark and hold” technique.

“Bark and hold”, can provide a false sense of security, and can increase the number of off leash deployments and contacts/bites of incident subjects. “Bite and Hold” is the dog’s natural reaction, which makes it much easier to train and predict their reaction in a deployment. In “Bark and Hold” pain compliance is necessary to “un-train” the K-9 of this natural instinct. This punishment to the animal during “un-training” is done in the presence of other canines during patrol training and can lead to the association of other dogs with punishment. This can make the dog very aggressive toward other dogs, potentially leading to unintentional bites during regular deployments in the public and at home.

In “bite and hold”, which the Takoma Park Police utilized for its patrol canines, the canine is maintained on a lead (leash) until the canine locates the suspect, at which time, commands are given by the handler to the suspect to comply to the orders given, to ensure their safety. If compliance is obtained, the canine will not be released and an arresting officer will take the suspect into custody. The handler is directly responsible for any seizures (bites) that take place during apprehension and their reasoning must be clearly articulated and conform to the department’s use of force policy.

Approximately, 75% of police K-9 teams are trained on the “bite and hold technique.

Regardless of the training/technique utilized, the majority of accidental Police K-9 bites result from improper application of the dog, lack of proper training or control of the dog, and failure to follow the policies/procedures of the involved agency.

Revised K-9 Policy

As a result of the accidental K-9 bite incident that occurred in 2018, we revised our K-9 policy to increase oversight and ensure transparency and accountability. Our policy has clearly defined responsibilities for the K-9 handler, patrol officer on the scene, supervisor, and K-9 Commander on what should occur when a K-9 is deployed and if an apprehension or seizure is made. The new policy includes clearly defined instances when seizures are permitted and coincides with the use of force policy for the agency. Our policy regarding the use of K-9 for apprehension is much more restrictive than most law enforcement agencies. Building searches are only made when the owner has been contacted and confirms that no one is authorized to be in the building. Abandoned properties will not be searched if only renovation tools are the only property of value inside. School searches will only be conducted after two loud canine warnings are given with a reasonable amount of time after the second warning to allow the suspect an opportunity to leave the property or surrender.

Our policy includes clearly defined requirements for the selection of the K-9 handler, which include a minimum amount of years of active duty with the agency, fitness test, interview board, interview with family members, a home visit, and a review of their personnel file. The selected officer is evaluated on their previous performance, de-escalation history, maturity, patience, and self-discipline.

Deployments, Apprehensions, and Previous bite incidents involving Takoma Park Police K-9s

Since the City began using K-9 tracks to track and record incidents in 2014 there have been 170 deployments. Of those deployments, our K-9 Teams made eleven apprehensions that DID NOT RESULT in a canine bite. We had a total of three bites since 2014, all occurring in 2018 and of those deployments, two were during apprehensions of subjects that were hiding from officers to avoid apprehension/refused commands to surrender, and one was an accidental canine bite. All three of the bites involved the same K-9 handler and team. During the same time frame 2014-2022, we had four other K-9 teams who had no bites.

Note- It may be beneficial to discuss the K-9 team involved in the three bites mentioned above and the findings of the investigation into the accidental bite that occurred involving the same K-9 team in 2018 to understand the cause of that bite and measures that have been put in place to ensure similar incidents do not occur again. Our investigation found that several policies and procedures were not followed by the handler, which led to the accidental bite. Due to the fact this is a personnel matter, it would be best to discuss in a closed session with the City Council.

Reporting/Tracking of K-9 Deployments

All K-9 use of force and show of force involving K-9 teams are fully investigated/reviewed per the department's use of force policy. TPPD uses K-9 Tracks reporting system. The program provides all K-9 usage reports, training reports, supplemental reports, veterinarian and supply expenses, training certification, group training, and detailed statistical reports for the individual K-9 teams as well as departmental stats for all teams. It is very user friendly and is cloud based and available on all electronic devices for easy access to documentation and review. All K-9 deployments are reported in K9 tracks.

Other Advantages of K-9:

Officer Safety/Missing Persons

- K-9 Units support a higher level of officer safety and the safety of the community as the mere presence of K-9 may lead to compliance and lower the need to use additional force to apprehend an offender.
- A K-9 Unit's presence can act as a deterrent, gaining compliance and limiting the need for force
- K-9 Units are an effective resource for safer building searches, as a K-9 team can perform the work of four officers. The presence of a K-9 frequently results in a suspect complying and exiting a structure that they have broken into without the K-9 being deployed.
- K-9's are used to search for and locate items of evidence at crime scenes.
- K-9's are utilized for searching for and locating missing persons with diminished capacity and missing children.

Community Engagement

K-9 units are great for public relations, as mostly everyone loves dogs. The use of K9 demonstrations provides a much-needed positive personal interaction with communities and schools. This brings a better understanding of policing, opens the door for conversations, and helps the community to see the kindness that the handler possesses when they show their affection for their K-9 partner. Community and school demonstrations will be included in the goals and objectives of the handler.

Hiring and Retention

Maintaining a K-9 Unit is a recruitment and retention tool. Agencies that have specialty units such as K-9 can use the position as a recruitment tool and as a tool to retain officers who aspire to become handlers. The Takoma Park Police Department has limited specialty units and because we are considered a full-service agency the availability of having a K-9 Unit is beneficial.

Options regarding the K-9 in Takoma Park:

1. Keep one dual purpose patrol K-9 unit. The dog would be a dual use dog trained in officer protection, suspect apprehension, area or building clearance, article and people searches, and drug detection. We have a much more restrictive policy than most other agencies regarding the deployment of our K-9s. Having our K-9 team would allow us to maintain command and control of our scenes. We would control training, selection of a handler, training methods, and the process of deploying the K-9. Having a K-9 team provides a crime suppression and officer safety tool that is critical to the police department apprehending violent offenders.
2. Keep one dual purpose drug and article search dog. The dog would be trained in drug detection and article searches. The dog would not be trained in patrol/apprehension work, where the vast majority of K-9 bites occur. The drug detection capacity would be utilized to detect cocaine, PCP, LSD, heroin, and other serious drugs. The team would not be trained to detect marijuana.
3. Keep one single purpose search and rescue dog. The dog would be trained to find missing persons. Note- We don't have enough missing persons in the city to justify this sole use.
4. Eliminate the program completely. We would still need to utilize K-9 for serious crimes, missing persons, drug/article searches, etc. Without having our own team (s), we would not have command and control over the agency who responds. They would be under the direction of their chain of command and follow their department's policies and procedures. This could not be addressed via an MOU as no agency would sign an MOU with another agency where they would relinquish command and control. Other agencies would also be able to deploy K-9's in Takoma Park for incidents originating in other jurisdictions, warrants etc. There is not a large monetary benefit from eliminating the K-9 unit, as the cost of having a K-9 team is minimal compared to the entire police department budget. The initial cost to purchase a K-9 is approximately \$8,000. Annual costs for food, care for the dog, medical costs, and K-9 officer allowance in approximately \$10,000 per K-9 team annually.

As you evaluate the funding of the Takoma Park Police K-9 unit (one team) and the use of K-9 in Takoma Park, I ask that you look at the track record of our K-9 unit, our related polices, and the overall benefits having a K-9 team brings to public safety in Takoma Park. I understand the concerns the public has regarding police K-9s. The majority of accidental Police K-9 bites result from improper application of the dog, lack of proper training or control of the dog, failure to follow the policies/procedures laid of the involved agency. These incidents can be mitigated through stringent officer and K-9 selection, excellent training, comprehensive polices, and proper command and control of the program. Not funding our K-9 unit is not going to eliminate the use of K-9 in Takoma Park. However, it will relinquish all command and control of the uses of K-9 in the City of Takoma Park to outside agencies.

It is not realistic to think we would not utilize K-9 in serious crimes occurring in the city; armed carjackings, rapes, bank robberies, etc. If we did not have our own K-9 teams, we would need to utilize outside agencies for K-9 deployments in the city. In these cases, we would not have command and control of the assisting agencies and the K-9 teams would be deployed based on their own agencies,

training, policies, and procedures. Supervision and control would be relinquished to the responding agency. We also have no control over outside agencies deploying their own K-9 teams in Takoma Park for cases not initiated by the Takoma Park Police.

I recommend that we maintain one dual use patrol dog. Periodic updates could be provided to the city council and we could set up a system where any deployment involving force would be reported to the city council; similar to the way Taser deployments are currently reported. Other systems could be put in place to provide periodic review of the K-9 program.

At the April 25th work session, we plan on having retired Montgomery County Police K-9 supervisor Sgt. Mary Davis, who has over 20-years of experience in K-9 and is considered an expert in the field of Police K-9's, to provide an overview of Police K-9's, training, and different disciplines of police dogs. Please advise if you have any question regarding our program or Police K-9's in general before the April 25th session.