

# Custody Canine Narcotic and Contraband Detection Unit

## 2700.1 CUSTODY CANINE NARCOTIC AND CONTRABAND DETECTION UNIT

- (a) It is the policy of the Sheriff's Department that all departmental personnel take advantage of the unique opportunities of the Custody Canine Narcotic and Contraband Detection Unit. [REDACTED]
1. To assist in the sniff for controlled substances.
- [REDACTED]
- [REDACTED]
- [REDACTED]
- (b) A narcotic-detection canine will not be used to sniff a person for narcotics.
- (c) The canine should also be requested in any situation where their abilities to search would eliminate undue use of man-hours by expediting a search for evidence.
- (d) Custody Canines shall not be used in an apprehension situation nor used to search for suspects.

## 2700.2 CHAIN OF COMMAND

- (a) Custody Canine Narcotic and Contraband Detection dogs are the direct responsibility of the Special Enforcement Bureau Captain.
1. A designated Custody Canine Sergeant will report directly to the Special Enforcement Bureau Captain.
- (b) Administrative duties for the unit are assigned to the Canine Sergeant. Custody Canine teams shall be under the direction of the Special Enforcement Bureau Captain.
- (c) A Custody Canine team, consisting of a handler and dog will be assigned to each jail division.
- (d) Custody Canine teams may be used to supplement and assist other commands and bureaus of the department as deemed necessary by the Special Enforcement Bureau Captain and/or Canine Sergeant.

## 2700.3 PROCEDURES

- (a) Canine Abilities

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1. Canines are trained and capable of being deployed in several law enforcement situations including the following:
  - i. Conducting searches of areas, structures, and vehicles for narcotics, cellular phones, media devices, or evidence
  - ii. As an ambassador to the community at public meetings and demonstrations.

#### (b) Searches

1. The handler will walk through the area to be searched after it has been secured to ensure there are no potentially hazardous situations prior to deploying the canine on a search.
2. The requesting party will ensure no one enters the area to be searched (if possible) or that anything is searched prior to the canine deployment.
3. The handler will make the final determination as to whether or not the canine will be deployed.
4. The handler will point out the location where the canine alerted and once the canine and the handler have exited the area, the search personnel may enter to conduct their search.
5.
6. Custody Canines will not be used to intimidate or threaten inmates or others. Custody Canines will not be used during tactical entries or any situation where physical force may be deployed.
7. Custody Canines will not be used to search the physical body of any inmate or other person.
8. The canine will not be used in conjunction with off-duty employment.

#### (c) Deployment of Custody Narcotic and Contraband Detection Canines

1. The Custody Canine's primary mission is to supplement and support any division of the department requiring the specific use of a narcotic and contraband detection canine.
2. The Custody Canine Unit may be used at all jail facilities.
3. Any division within the Sheriff's Department may request the assistance from the Custody Canine Unit. The Canine Sergeant shall be contacted for any canine requests outside of the custody setting and after-hours
4. When using a Sheriff's canine for mutual aid, the Orange County Sheriff Department's policies, procedures and guidelines for use of the canine, and not those of the outside agency, will be followed by the canine unit.

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5. Whenever a canine is taken into a public place, the canine will remain under the handler's direct control at all times.
- (d) Callout Protocol
1. Custody Canine Teams may be used for callouts in a patrol or investigative related capacity. The Special Enforcement Bureau Captain or Canine Sergeant will be contacted for approval prior to a narcotics related callout or deployment being authorized outside of Custody Operations.
  2. In the event a Custody Canine Team is needed and there are no Custody Canine Handlers on duty, one may be requested on a "call-out" basis.
  3. Call-out requests will be approved by the Special Enforcement Bureau Captain or Canine Sergeant.
  4. The Special Enforcement Bureau Captain or Canine Sergeant will evaluate the situation and determine which responding canine team best suits the location of the incident and the requirements of the task at hand.
  5. [REDACTED]

#### **2700.4 INJURIES OR DAMAGE CAUSED BY A CUSTODY CANINE**

- (a) Injuries – Reporting Custody Canine Unintentional Bites
1. An unintentional bite is defined as: A bite which occurs when the custody canine was not directed by the handler to do so.
  2. Many factors can contribute to police canine's unintentional bites. These bites may be on citizens, Deputies, trained canine agitators or even canine handlers and may occur at any time. The following procedure will be complied with during any incident, whether off-duty or on-duty, when a Sheriff's Custody Canine causes any injury to a person. Canine bites are considered when there is a break in the skin, however slight. In the event of injuries, immediate medical attention will be sought for the involved party(s). The Canine Handler is responsible for the following:
    - i. Regain control of the canine and place it in a secure area to avoid additional injuries.
    - ii. Notify the Canine Sergeant.
      - A. Canine Sergeant will notify the Special Enforcement Bureau Captain and the Department Commander.
      - B. The Special Enforcement Bureau Captain will notify the appropriate Division Commander and Assistant Sheriff.
    - iii. Obtain a case number and complete an Information Report, or other appropriate report documenting the incident.

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- iv. Contact Sheriff's I.D. and request they respond to photograph injuries as soon as practical.
  - v. If the involved party alleges an injury that is not visible, the location of the alleged injury should be photographed as described above.
- 3. Every unintentional bite will be reviewed by the Canine Sergeant as well as the Special Enforcement Bureau Captain. Depending on the circumstances, unintentional bites may result in the temporary kenneling of the dog and/or additional training at the Sheriff's contracted trainer.
- (b) The Canine Sergeant or designee, will review all injuries caused by a department canine, whether in the performance of duty or accidental.
- (c) For information on unintentional bites, refer to OCSD Policy Manual Section 318.3 (Lexipol) – Reporting Unintentional Bites and Injuries Caused By Canines.
- (d) Damage to Property - In the event a Sheriff's Custody Canine damages private property, the Canine Handler will notify the property owner or a responsible person and do the following:
  - 1. Notify the Canine Sergeant.
  - 2. The Canine Sergeant will notify the Special Enforcement Bureau Captain and the Department Commander
  - 3. The Special Enforcement Bureau Captain will notify the appropriate Division Commander and the Assistant Sheriff
  - 4. Obtain a case number and complete an Information Report, or other appropriate report documenting the incident.
  - 5. Contact Sheriff's I.D. and request they respond to photograph damage caused by the canine.

#### **2700.5 REPORTING CUSTODY CANINE INJURIES**

- (a) In the event that a custody canine is injured, the injury will be immediately reported to the Canine Sergeant.
  - 1. The Custody Canine Sergeant will notify the Special Enforcement Bureau Captain and the Department Commander.
  - 2. The Special Enforcement Bureau Captain will notify the appropriate Division Commander and the Assistant Sheriff.
- (b) Medical care for any injured canine shall follow the protocol established in CCOM Section 2700.6 – Medical Care of the Canine. The injury will be documented on a Canine Use Report Form.

#### **2700.6 MEDICAL CARE OF THE CANINE**

All medical attention shall be rendered by the designated canine veterinarian as follows:

- (a) Non-Emergency Medical Care

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1. Non-emergency medical care, such as vaccines and routine physical exams, will be coordinated through the Canine Sergeant.
  2. Any indication that a canine is not in good physical condition shall be reported to the Canine Sergeant or the Special Enforcement Bureau Captain as soon as practical.
  3. All original records of medical treatment shall be maintained by the veterinarian. Copies of the records will be maintained in the canine handler's personnel file as well as the Canine Sergeant's files.
- (b) Emergency Medical Care
1. The handler shall notify the Canine Sergeant as soon as practical when emergency medical care for the canine is required.
  2. Depending on the severity of the injury or illness, the canine shall either be treated by a designated veterinarian or transported to a designated emergency medical facility for treatment.
  3. If the handler and dog are out of the area, the handler may use the nearest available veterinarian.

#### **2700.7 TRAINING**

- (a) Before assignment in the field, each canine team shall be trained and certified to meet current POST standards. Custody Canine teams trained exclusively for the detection of narcotics and other contraband shall be trained and certified to meet the standards established for such detection dogs by POST. Standards will be assessed by a POST approved evaluator.
- (b) Per POST requirements, the evaluator will not be compensated or have any financial considerations with the Orange County Sheriff's Department.
- (c) Each custody canine team shall thereafter be re-certified to current POST standards on an annual basis. Additional training considerations are as follows:
  1. Custody Canine teams shall train to standards, as set forth by POST, by the department's approved canine training provider.
  2. Custody Canine handlers are encouraged to engage in additional training with approval of the Canine Sergeant.
  3. To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is contrary to standards as set forth by POST.
  4. All canine training, with the exception of obedience and regular exercise, shall be conducted while on-duty unless otherwise approved by the Canine Sergeant or Special Enforcement Bureau Captain.
  5. Failure to Successfully Complete POST Training - Any Custody Canine team failing annual POST canine certification in detection shall not deploy the dog in a field or jail environment until certification is achieved. When practical, pending

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successful certification, the canine handler may be temporarily reassigned to regular jail duties.

#### **2700.8 CANINE UNIT SUPERVISOR RESPONSIBILITIES**

- (a) The Canine Sergeant shall be appointed by the Special Enforcement Bureau Captain and shall oversee the Custody Canine Program. The Canine Sergeant reports directly to the Special Enforcement Bureau Captain. The Canine Sergeant shall be responsible for, but not limited to, the following:
1. Ensure the proper deployment and use of Custody Canine teams
  2. Respond to all canine bites, conduct an investigation into the activities of the canine and handler and complete required reports pursuant to this policy.
  3. Review Canine Use Reports to ensure compliance with current case law and Orange County Sheriff's Department policy.
  4. Coordinate testing and selection of all new Custody Canine handlers.
  5. Coordinate testing, selection, and purchase of new custody canines.
  6. Identify training and compliance issues.
  7. Supervise necessary remediation training of any Custody Canine Team displaying control, behavioral, or general performance issues.
  8. Maintain liaison with other OCSD and outside agency canine supervisors.
  9. Maintain accurate records to document custody canine activities.
  10. Recommend and oversee the procurement of needed equipment and services for the canine unit.
  11. Schedule all custody canine related activities.
  12. Ensure the Custody Canine Teams receive continuous training to maximize the capabilities of the teams.

#### **2700.9 CONTROLLED SUBSTANCE TRAINING AIDS**

- (a) Controlled substance training aids are required to effectively train and maintain drug detection dogs. Further, controlled substances can also be an effective training aid during training sessions for law enforcement personnel and the public. Health & Safety Code § 11367.5 provides that any Sheriff, Chief of Police, the Chief of the Bureau of Controlled Substance Enforcement, or the Commissioner of the California Highway Patrol, or a designee thereof may, in his or her discretion, provide controlled substances in his or her possession for training purposes:
1. To any duly authorized peace officer or civilian drug detection canine trainer working under the direction of a law enforcement agency.
  2. Provided the controlled substances are no longer needed as criminal evidence.
  3. Provided the person receiving the controlled substances, if required by the Drug Enforcement Administration, possesses a current and valid Drug Enforcement

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Administration registration or valid court order that specifically authorizes the recipient to possess controlled substances while providing substance abuse training to law enforcement or the community or while providing canine drug detection training.

- (b) Procedures: Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of accidental ingestion of these controlled substances by the canine, the following procedure shall be strictly followed:
1. All necessary controlled substance training samples shall be acquired from the Orange County Sheriff-Coroner Department's evidence personnel authorized by Health & Safety Code § 11367.5 to provide controlled substance training samples. All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler.
  2. The weight and test results shall be recorded and maintained by this department.
  3. Any person receiving controlled substance training samples pursuant to Health & Safety Code § 11367.5 shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
  4. All controlled substance training samples will be made available for inspection, as well as weighing and testing, at the discretion of the Canine Sergeant.
  5. All controlled substance training samples will be stored in locked boxes at all times, except during training; In addition, the locked storage boxes shall be maintained in a secure location at all times. There are no exceptions to this procedure.
  6. Any unusable controlled substance training samples shall be returned to the Property and Evidence Bureau.
  7. Any narcotics detection team that has been issued training samples shall return the samples to the Property and Evidence Bureau to be weighed and tested upon the conclusion of the training or at the demand of the Property and Evidence Bureau.
- (c) Immunity
1. All duly authorized peace officers acting in the performance of their official duties and any person working under their immediate direction, supervision or instruction are immune from prosecution under the Uniform Controlled Substance Act while providing substance abuse training or canine drug detection training (Health & Safety Code § 11367.5(b)).