



**CITY COUNCIL
AGENDA ITEM APPROVAL FORM**

AGENDA ITEM INFORMATION

MEETING DATE: DECEMBER 1, 2021

AGENDA ITEM TITLE:

RESOLUTION NO. 21-37: A RESOLUTION OF THE CITY OF
TAYLORSVILLE APPROVING THE K9 POLICY FOR THE TAYLORSVILLE
CITY POLICE DEPARTMENT.

PUBLIC HEARING REQUIRED:

YES: _____

NO: X

ORDINANCE REQUIRED:

YES: _____

NO: X

RESOLUTION REQUIRED:

YES: X

NO: _____

PRESENTER:

CHIEF BRADY COTTAM

AGENDA ITEM SUMMARY: LIMIT 150 WORDS

Police K9 programs are established to produce highly skilled and trained teams of handlers and K9s to augment police services to the community. Those teams need to meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives. This resolution approves the K9 policy governing the Taylorsville City Police Department handler/K9 teams.

ATTACHMENTS:

Exhibit "A" – TVPD K9 Policy

TAYLORSVILLE, UTAH
RESOLUTION NO. 21-37

**A RESOLUTION OF THE CITY OF TAYLORSVILLE APPROVING THE K9 POLICY
FOR THE TAYLORSVILLE CITY POLICE DEPARTMENT.**

WHEREAS, the Taylorsville City Council (the "Council") met in regular session on December 1, 2021, to consider, among other things, approving the K9 policy for the Taylorsville City Police Department; and

WHEREAS, the Taylorsville City Police Department is requesting approval of its new K9 policy, attached hereto as Exhibit "A" and incorporated herein by this reference, to augment law enforcement services in the community; and

WHEREAS, the Council has reviewed the proposed policy and, after careful consideration, has decided that it is in the best interest of the health, safety, and welfare of the City's citizens to approve said policy.

NOW, THEREFORE, BE IT RESOLVED by the Taylorsville City Council that the K9 policy for the Taylorsville City Police Department as proposed in Exhibit "A" is hereby approved.

This Resolution, assigned Resolution No. 21-37, shall take effect immediately upon passage and acceptance as provided herein.

PASSED AND APPROVED by the Council of Taylorsville, Utah this _____ day of _____, 2021.

TAYLORSVILLE CITY COUNCIL

By: _____
Curt Cochran, Council Chair

SEAL:

VOTING:

Ernest Burgess	___	Yea	___	Nay
Curt Cochran	___	Yea	___	Nay
Dan Armstrong	___	Yea	___	Nay
Meredith Harker	___	Yea	___	Nay
Anna Barbieri	___	Yea	___	Nay

PRESENTED to the Mayor of the City of Taylorsville for approval this _____ day of _____, 2021.

APPROVED this _____ day of _____, 2021.

Mayor Kristie S. Overson

ATTEST:

Jamie Brooks, City Recorder

DEPOSITED in the office of the City Recorder this ____ day of _____.
2021.

RECORDED this ____ day of _____, 2021.

Exhibit A

Taylorsville City Police Department K9 Policy

309- Canine Program

309.1 PURPOSE AND SCOPE

The Canine Program was established to augment police services to the community. Highly skilled and trained teams of handlers and canines have evolved from the program and are used to supplement police operations. With senses far superior to humans, the canine is primarily used as a locating tool to locate individuals and contraband, and to apprehend criminal offenders. The canine is a proven deterrent to criminals who might otherwise try to confront officers.

309.2 POLICY

It is the policy of the Taylorsville City Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

309.3 GUIDELINES FOR THE USE OF CANINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has either committed or threatened to commit a serious criminal offense and if any of the following conditions exist:

- (a) There is a reasonable belief that the individual poses an imminent threat of violence or serious harm to the public, any officer, or the handler;
- (b) The individual is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance;
- (c) The individual is attempting to evade arrest by flight and the use of a canine reasonably appears to be necessary to overcome escape; or
- (d) The individual is believed to be concealed and/or in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. In any such case, a standard of objective reasonableness shall be used to review the decision to use a canine in view of the totality of the circumstances.

Absent reasonable belief that an individual has committed or threatened to commit a serious criminal offense, mere flight from pursuing officer(s) and any physical resistance by an individual shall not serve as good cause for the use of a canine to apprehend the individual.

Once the individual has been located and no longer reasonably appears to represent a threat or risk of escape, the canine shall be placed in a down-stay or otherwise secured as soon as it becomes reasonably practical.

309.4 PREPARATION FOR UTILIZING A CANINE

Prior to the use of a canine to search for or apprehend any individual, the canine handler and/or the supervisor on scene shall carefully consider all pertinent information that is reasonably available at the time. The information should include, but is not limited to, the following:

- (a) The nature of the suspected offense;
- (b) Time lapse of the offense and the distance of the containment or search area;
- (c) The individual's age or estimate thereof and description;
- (d) Any potential danger to the public and/or other officers at the scene if the canine is released;
- (e) The degree of resistance or threatened resistance, if any, the subject has shown;
- (f) The potential for escape or flight if the canine is not utilized; and
- (g) The potential for injury to officers or the public caused by the subject if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved personnel to minimize the risk of unintended injury.

A canine handler shall have the ultimate authority whether to deploy the dog or not. The handler shall evaluate each situation and determine if the use of a canine is technically feasible. Generally, the decision to deploy the dog shall remain with the handler. However, the supervisor/incident commander sufficiently apprised of the situation shall have overall authority not to deploy the dog.

309.5 WARNINGS GIVEN TO ANNOUNCE THE USE OF A CANINE

Unless it would otherwise increase the risk of injury or escape, two (2) clearly audible warnings to announce that a canine will be released if the subject does not come forth or if the subject does not follow lawful commands shall be made. The warnings should include, but are not limited to, the following elements:

- (a) Identification of police presence and the presence of a canine at the scene;
- (b) A lawful order given to the subject to surrender or follow commands, as well as the consequences that may result in injury from a dog bite by failing to obey the lawful order; and
- (c) A reasonable amount of time shall be given to allow the subject to comply with the lawful order and surrender prior to giving a second warning or releasing the canine following the second warning, if feasible.

Warnings should be given unless there are circumstances that would jeopardize the safety of the officers or the canine team. The canine handler, when practical, shall first advise the supervisor of his/her decision if a verbal warning is not given prior to releasing the canine. In the event of an

apprehension, the handler shall document in any related report whether a verbal warning was given and, if none was given, the reasons why.

309.6 USE OF NARCOTIC-DETECTION CANINES

A narcotic-detection trained canine may be used in accordance with current law under the following circumstances:

- (a) To assist in the search for narcotics during a search warrant service;
- (b) To obtain a search warrant by using the detection canine in support of probable cause or in narcotics screening situations; and
- (c) To search vehicles, buildings, bags, and any other articles deemed necessary.
- (d) A narcotic-detection canine shall not be used to search a person for narcotics.

309.7 GUIDELINES FOR NON-APPREHENSION USE

Because canines have senses far superior to those of humans, they may be effectively utilized to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention) or suspects wanted for minor criminal offenses. In such circumstances, the handler shall evaluate the conditions and the ability of the canine to determine the feasibility of such an application including, but not limited to, the following:

- (a) Time lapse and containment should be considered.
- (b) Absent a change in circumstances that present an imminent threat to officers, the canine, or the public, such applications should usually be conducted on leash or under such conditions that will minimize the likelihood that the canine will bite or otherwise injure the individual.
- (c) Throughout the deployment of the canine in such circumstances, the handler should consider issuing periodic verbal assurances that the canine will not bite or hurt the person.
- (d) Unless otherwise directed by a supervisor, assisting personnel should take direction from the handler in order to minimize interference with the canine.
- (e) Once the individual has been located, the canine should be placed in a down-stay or otherwise secured as soon as it becomes reasonably practicable.
- (f) To minimize the potential risk of injury to a person, a dual-purpose patrol apprehension canine shall not be deployed for this type of use under these circumstances. A single purpose tracking canine specially trained for tracking purposes only, such as a bloodhound, shall be the only canine authorized for a tracking deployment under these circumstances.

309.8 REPORTING CANINE USE, BITES, AND INJURIES

Whenever the canine is deployed, in addition to a regular police report, a Canine Use Report shall be completed by the handler and maintained in the handler's deployment log. All deployment logs shall be kept current and contain accurate information regarding deployments. All deployment logs shall be

periodically reviewed and audited by the canine supervisor and maintained in an electronic file in a designated Records Management System (Pack Track software).

Whenever the use of the canine results in a bite or any injury, a Use of Force Report shall be completed and included with any related incident report.

Photographs shall be taken of the bite or injury as soon as practicable after tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current Department evidence procedures. The injured party shall be examined by medical personnel on scene. If deemed necessary by medical personnel on scene, the injured party shall be medically cleared by a medical physician prior to booking or release. If the injured party is in custody, an officer shall remain with the suspect until treatment has been rendered.

If a subject alleges an injury that is not visible, a supervisor shall be notified and the location of the alleged injury should be photographed as described above.

309.10 REPORTING CANINE INJURIES

In the event that a canine is injured, the injury shall be immediately reported to the Canine Supervisor or, if not available, the on-duty supervisor.

Medical care for any injured canine shall follow the protocol established in the medical care section of this policy.

The injury shall be documented in a memo to the Canine Supervisor.

309.11 ASSIGNMENT OF CANINES

The canine teams shall be assigned to the Uniformed Services Section.

Canine teams should function primarily as cover units; however, they may be assigned by the on-duty supervisor to other functions based on the needs of the watch at the time.

Canine teams should not be assigned to handle matters that will take them out of service for extended periods of time unless absolutely necessary and only with the approval of the supervisor.

309.12 REQUEST FOR USE OF CANINE TEAMS

Personnel within the Department are encouraged to freely solicit the use of the canines. Requests for a canine team from outside of the Uniformed Services Section shall go through the Canine Supervisor or the on-duty supervisor.

309.12.2 REQUEST FOR ASSISTANCE FROM OTHER AGENCIES

The on-duty supervisor or the Canine Supervisor must approve all requests for canine assistance from outside agencies, subject to the following provisions:

- (a) Canine teams shall not be used for any reason that is not consistent with this policy;
- (b) The handler has the ultimate authority to decide whether the canine should be used for

any specific assignment;

- (c) Canine teams shall not be called out while off-duty or used outside the boundaries of Taylorsville City unless authorized by the on-duty supervisor or the Canine Supervisor; and
- (d) It shall be the responsibility of the canine handler to coordinate with outside agency personnel in order to minimize the risk of unintended injury.

309.12.3 REQUEST FOR PUBLIC DEMONSTRATIONS

All public requests for a canine team shall be approved by the Canine Supervisor prior to making any commitment.

309.13 SELECTION OF CANINE HANDLERS

The following are the minimum qualifications for the assignment of canine handler:

- (a) The officer shall have a minimum of two (2) years of experience in law enforcement, with one (1) year having been served with Taylorsville City Police Department. The officer shall not be on probation;
- (b) The officer shall have a residence with adequate security fencing, in a single-family home (minimum five-foot high fencing with locking gates);
- (c) The officer shall live within forty-five (45) miles from the Taylorsville City limits.
- (d) The officer shall agree to commit to the canine handler position for a minimum of three (3) years.

309.13.2 CANINE HANDLER SKILLS & COMPETENCIES

- (a) **Interpersonal skills:** Public demonstrations are an important part of the canine unit's activities, as such displays increase interest and support from the community and local media. Handlers may visit schools, community groups, and other organizations to showcase their canine partner's contribution to public safety.
- (b) **Mental and physical stamina:** Handlers and their canine companions must be alert throughout their shifts and often must be on their feet engaged in physical events for long periods of time.
- (c) **Perceptiveness:** Handlers must be able to pick up on telling signals and behaviors from their canine counterparts, as well as those of suspects in stressful situations.
- (d) **Communication skills:** An important part of the job is not only communicating with citizens and other officers, but also with the canine that a handler is partnered with. Professionalism is the key to success.
- (e) **Respect for animals:** Handlers must show respect and compassion toward their canine counterpart—after all, they are the handler's coworker and partner.
- (f) **Motivated / Proactivity:** Handlers must be motivated and proactive when it comes to training and deploying their canine partners. This is critical to ensure highly trained and well-rounded canine teams.

- (g) **Report writing and attention to detail:** Handlers must write thorough and complete reports articulating their training and deployments.

Failure to meet minimum performance in these standards shall be grounds for removal from the canine unit.

309.13.3 AVAILABILITY

Canine teams frequently work nights and weekends, and they are expected to respond to emergency situations with little or no notice during on duty and off duty hours. The handler shall be available for call-out under conditions specified by a Canine Supervisor or the needs of the Department under the direction of the Chief of Police.

309.13.4 CARE FOR THE CANINE AND EQUIPMENT

The handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection, and living conditions. The handler shall be responsible for the following:

- (a) Unless required by a particular application, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm;
- (b) The handler shall maintain all Department equipment under his/her control in clean and serviceable condition;
- (c) Handlers shall permit the Canine Supervisor to conduct spontaneous on-site inspections of affected areas of their residence as well as the canine vehicle to verify that conditions and equipment conform to this policy;
- (d) Any changes in the living status of the handler which may affect the lodging or environment of the canine shall be reported to the Canine Supervisor as soon as possible;
- (e) When off-duty, canines shall be maintained in kennels, provided by the City, at the homes of their handlers. When a canine is kenneled at the handler's home, the gate shall be secured. When off-duty, canines may be let out of their kennels while under the direct control of their handlers, or a responsible family member. The handler shall maintain full responsibility of the canine;
- (f) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler, or a responsible family member. The handler shall maintain full responsibility of the canine;
- (g) Under no circumstances shall the canine be lodged at another location unless approved by a Canine Supervisor under the direction of the Chief of Police.
- (h) When off-duty, handlers shall not involve their canines in any police related activity or conduct unless approved in advance by a Canine Supervisor;
- (i) Whenever a canine handler anticipates taking a vacation or an extended number of days off, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the Canine Supervisor so that appropriate arrangements

can be made; and

- (j) Canine handlers shall be issued necessary equipment required to safely house, handle and effectively train and deploy their canine partners. Equipment shall be issued and maintained by handlers. All equipment shall
- (k) be inventoried and documented in the handler's personnel file.

309.14 CANINE IN PUBLIC AREAS

All canines shall be kept on a leash when in areas that allow access to the public. Exceptions may include specific police operations or trainings for which the canines are trained.

- (a) Canines shall not be left unattended in any area to which the public may have access.
- (b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

309.15 HANDLER COMPENSATION

The canine handler shall be compensated for time spent in the care, feeding, grooming and other needs of the dog as provided in the Fair Labor Standards Act. The compensation shall be eight (8) hours worked per pay period.

309.16 CANINE SELECTION PROCESS

Care should be given in the canine selection process to ensure the health, temperament, and workability of the canine. Other considerations shall include the services or various disciplines provided by the canine and the initial training curriculum and qualifying evaluation standards for each discipline for which the canine is used including, but not limited to, the following:

- (a) Various drives to include hunt, prey, tracking, and fight (prey vs fight/civil aggression);
- (b) Distractibility to include animals, odors, and loud noises; and
- (c) Mental/Physical Endurance.

Once selected and before training begins, the canine shall receive a full medical examination from a designated veterinarian to ensure the canine is healthy and free of any unknown but existing physical defect or any genetic or hereditary issues that would make the canine ineffective as a dual-purpose patrol or narcotic detector canine.

309.17 MEDICAL CARE OF THE CANINE

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency as provided [in Section 318.6.2 of this policy](#).

309.17.2 NON-EMERGENCY MEDICAL CARE

Non-emergency medical care shall be coordinated through a Canine Supervisor. Any indication that a

canine is not in good physical condition shall be reported to a Canine Supervisor as soon as practical. All records of medical treatment shall be forwarded to, and maintained by, the Canine Supervisor.

309.17.3 EMERGENCY MEDICAL CARE

The handler shall notify the Canine Supervisor as soon as practicable when emergency medical care for the canine is required.

Depending on the severity of the illness or injury, the canine shall either be treated by the designated veterinarian or transported to a designated emergency medical facility for treatment. If the handler and canine are out of the area, the handler may use the nearest available veterinarian.

309.18 TRAINING

Before assignment in the field, each canine team shall be trained and certified to meet current Utah POST standards in the Service Dog Program for Dual-Purpose patrol and narcotic canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives. The canine and handler shall be trained and certified to meet the standards established for such canines by Utah POST or other recognized and approved certification standards.

The Canine Supervisor shall be responsible for coordinating and conducting periodic training for all Department personnel in order to familiarize them with how to conduct themselves in the presence of Department canines.

309.18.2 CONTINUED TRAINING

Each canine team shall thereafter be recertified to current Utah POST or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) Handlers shall make every effort to conduct regular service training during on-duty hours on their assigned shifts. Training hours for a canine unit by common industry standards is sixteen (16) hours a month or four (4) hours a week, per discipline. Dual-Purpose canines require a minimum of thirty-two (32) hours a month or eight (8) hours a week.
- (b) Canine handlers are always encouraged to engage in additional training with the approval of a Canine Supervisor.
- (c) To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is contrary to the policies of the Taylorsville City Police Department.
- (d) All canine training shall be conducted primarily while on-duty unless otherwise approved by a Canine Supervisor.

309.18.3 FAILURE TO SUCCESSFULLY COMPLETE POST STANDARD TRAINING

Any canine team which fails Utah POST canine certification, or other recognized and approved

certification standards, shall not be deployed in the field until certification is completed and the canine team is in compliance with POST standards and Department policy.

Any canine team which fails to certify or recertify annually under Utah POST standards shall be given a second opportunity to attain Utah POST certification. Any canine team not able to attain Utah POST certification after receiving a second opportunity within a reasonable amount of time shall be evaluated for removal from the unit. The handler and canine shall be evaluated by a Utah POST certified canine judge. Following the evaluation, a decision shall be made if either the handler, the canine, or both need to be removed from service permanently.

309.18.4 TRAINING RECORDS

All canine training records shall be maintained in the canine handler's approved training file. At a minimum, each training record shall include:

- (a) The training location;
- (b) The date and time the training occurred;
- (c) The type or description of training completed;
- (d) The number of training hours completed;
- (e) The canine's performance during the training;
- (f) Recommendations for further training by the handler; and
- (g) Any other training issues the handler feels needs to be addressed.

309.19 CANINE SUPERVISOR RESPONSIBILITIES

The Canine Unit Supervisor shall be appointed by the Chief of Police and shall supervise the Canine Program. The Canine Unit Supervisor is directly responsible through the chain of command to a Deputy Chief of Police. The Canine Unit Supervisor shall be responsible for, but not limited to, the following:

- (a) Review Use of Force Reports involving the use of a canine to ensure compliance with policy and to identify training issues and other needs of the program;
- (b) Maintain liaison with administrative staff and functional supervisors;
- (c) Maintain liaison with other agency canine coordinators;
- (d) Ensure accurate records are maintained to document canine activities;
- (e) Recommend and oversee the procurement of needed equipment and services for the unit;
- (f) Be responsible for scheduling all canine-related activities; and
- (g) Ensure the canine teams are scheduled for continuous training to maximize the capabilities of the teams and the success of the canine program.

309.20 CONTROLLED SUBSTANCE TRAINING AIDS

Controlled substance training aids are required to effectively train and maintain drug detecting canines. Further, controlled substances can also be an effective training aid during training sessions

for law enforcement personnel and the public.

Officers of the Department are exempt from licensing requirements under the Controlled Substance Act to the extent their official duties require them to possess controlled substances and:

- (a) They act within the scope of their enforcement responsibilities;
- (b) They maintain accurate records of controlled substances which come into their possession. These records shall be maintained in an electronic file in the Canine Records Management Section and at the direction of the Chief of Police; and
- (c) Annual narcotic audits shall be conducted for each handler by the Canine Supervisor.

309.20.2 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 adhered to:

- (a) All necessary controlled substance training samples shall be acquired through the Taylorsville City Police Department's evidence personnel or from allied agencies authorized by the Chief or Deputy Chief of Police to provide controlled substance training samples. All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person receiving controlled substance training samples shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances. Any loss or damage to any controlled substance training sample shall be reported immediately to the Canine Supervisor.
- (d) All controlled substance training samples shall be inspected, weighed, and tested annually. The results of the annual testing shall be a documented record maintained by the Canine Supervisor.
- (e) All controlled substance training samples shall be stored in locked boxes at all times except during training. The locked boxes shall be secured in the canine handler's assigned vehicle or stored in a locked evidence locker or approved safe at the Taylorsville Police Department. There are no exceptions to this procedure.
- (f) The Canine Supervisor shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action if discrepancies are noted.
- (g) Any unusable controlled substance training samples shall be returned to the Forensics Section or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

309.21 IMMUNITY

All duly authorized peace officers, while providing substance abuse training to law enforcement or the community or while providing canine drug detection training in performance of their official duties, and any person working under their immediate direction, supervision, or instruction are immune from prosecution for narcotics possession.