Canines

309.1 PURPOSE AND SCOPE

This policy establishes the authority, guiding principles, and limitations governing the use of canine teams by the St. Mary's County Sheriff's Office. It defines when canine teams may be deployed, the scope of permissible use, supervisory responsibilities, and required oversight. This policy is intended to ensure lawful, reasonable, and accountable canine operations while protecting public safety and officer safety.

309.2 POLICY

The use of canine teams is a valuable law enforcement resource when deployed appropriately and in accordance with training, law, and agency standards. Canine teams shall be used only when objectively reasonable, consistent with constitutional principles, and in compliance with this policy and associated procedures.

309.3 DEFINITIONS

For purposes of this policy, the following definitions apply:

(a) **Canine Team**: A trained and certified law enforcement canine and its assigned handler.

(b) **Handler**: A sworn deputy assigned to and responsible for the care, training, and deployment of a law enforcement canine.

(c) **Apprehension**: The use of a canine to physically engage a subject for the purpose of taking the subject into custody.

(d) **Deployment**: Any operational use of a canine, whether on- or off-lead, including tracking, searching, detection, or apprehension.

309.4 AUTHORITY AND SUPERVISION

(a) Canine teams shall operate under the direction and authority of the St. Mary's County Sheriff's Office.

(b) Maryland Code, Public Safety Article, Title 2, Subtitle 3, § 2-313 requires that each publicly owned dog used for law enforcement work by the State or a local subdivision of the State be licensed by the Maryland Department of State Police.

(c) The Canine Administrative Supervisor is responsible for oversight of the Canine Unit, including training standards, certification, equipment, and compliance with this policy.

(d) Supervisors shall ensure canine deployments are consistent with this policy and shall provide guidance, oversight, and review as required.

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309.4.1 TRACKING AUTHORITY

(a) Canine teams may be deployed to track criminal suspects, missing persons, endangered individuals, or other subjects whose location is unknown when such deployment is objectively reasonable and consistent with this policy.

(b) Apprehension-capable canines (those trained and authorized in apprehension or bite work) may be deployed for criminal tracking consistent with the use-of-force standards set forth in this policy.

(c) Apprehension-capable canines may also be deployed to locate missing persons or other non-criminal subjects when objectively reasonable and consistent with training and operational capability.

(d) Non-apprehension canines (those not trained or authorized in apprehension or bite work) may be deployed for tracking operations consistent with their training and certification.

(e) Deployment of a non-apprehension canine to track a criminal suspect shall be based upon objective reasonableness, exigent circumstances, and supervisory approval.

St. Mary's County Sheriff's Office LE Procedures Manual: 315.1 Primary Uses

309.5 GENERAL USE GUIDELINES

(a) Canine deployments shall be based on articulable facts and circumstances indicating that the use of a canine is reasonable and likely to assist law enforcement objectives.

(b) Canine teams shall not be used for punitive purposes.

(c) Canine handlers retain responsibility for the control and conduct of their assigned canine at all times.

(d) Canine deployments shall be discontinued when the objectives of the deployment have been achieved or when continuation would present an unreasonable risk.

309.6 USE OF FORCE CONSIDERATIONS

(a) The use of a canine to apprehend a subject constitutes a use of force and shall be evaluated under the agency's use-of-force policy.

(b) Canine apprehension shall be employed only when objectively reasonable based on the totality of the circumstances.

(c) In assessing the objective reasonableness of canine deployment, deputies shall consider all relevant circumstances, including the apparent age of the suspect when known, particularly in cases involving juvenile offenders.

(d) When utilized in planned warrant service operations, apprehension-capable canines shall be deployed only when the underlying offense and articulable circumstances meet the same objective reasonableness and officer safety standards required for other apprehension deployments.

(e) Apprehension-capable canines shall not be utilized as the initial approach force option during planned enforcement operations, including warrant service, absent articulable

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facts indicating that entry by deputies without canine assistance would present an increased risk to officer safety.

(f) Warnings and announcements shall be provided prior to canine apprehension when feasible, unless doing so increases the risk of harm or allowing escape.

(g) Once a subject is under control, the canine shall be disengaged as soon as practicable.

309.6.1 LEGAL REFERENCES

This policy is intended to be consistent with applicable federal and state law governing the use of force and the deployment of police canines, including but not limited to:

(a) Federal Law

1. U.S. Const. amends IV (searches, seizures, and use of force)
2. 42 U.S.C. § 1983 (civil liability for constitutional violations)

(b) United States Supreme Court

1. Graham v. Connor, 490 U.S. 386 (1989) (objective reasonableness standard)
2. Tennessee v. Garner, 471 U.S. 1 (1985) (use of force limitations)

(c) United States Court of Appeals – Fourth Circuit

1. Vathekan v. Prince George's County, 154 F.3d 173 (4th Cir. 1998) (canine deployment warnings)
2. Kopf v. Wing, 942 F.2d 265 (4th Cir. 1991), and related Fourth Circuit canine deployment case law (canine use of force analysis)

(d) Maryland Law

1. Md. Code, Criminal Law § 10-606 (Aggravated cruelty to animals; law enforcement animals)

309.7 PUBLIC DEMONSTRATIONS

(a) Canine teams may participate in public demonstrations or community outreach events only with approval from the Canine Administrative Supervisor.

(b) Bite sleeve/bite suit work and apprehension demonstrations may be conducted during public demonstrations only when specifically approved in advance by the Canine Administrative Supervisor or Patrol Commander and conducted under controlled conditions with appropriate safety precautions in place. Operational requirements and safety measures for such demonstrations are set forth in Procedure 315. Public demonstrations shall not be conducted in a manner that creates an unreasonable risk to spectators, participants, or officers.

309.8 REPORTING AND REVIEW

(a) All canine deployments shall be documented in accordance with established procedures.

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(b) Supervisors shall review canine deployments involving apprehension or injury to ensure compliance with this policy.

St. Mary's County Sheriff's Office LE Procedures Manual: 315.5 Reporting

309.9 CARE AND MAINTENANCE

The care, housing, training, and equipment of canine teams shall be maintained in accordance with agency procedures and applicable laws.

St. Mary's County Sheriff's Office LE Procedures Manual: 315.6 Responsibilities

St. Mary's County Sheriff's Office LE Procedures Manual: 315.7 Care of Canine and Issued Equipment

309.10 TRAINING AND CERTIFICATION

(a) Canine teams shall be trained and certified prior to deployment and shall maintain certification in accordance with agency standards.

(b) Training and certification requirements are further detailed in the applicable procedures.

St. Mary's County Sheriff's Office LE Procedures Manual: 315.8 Training

309.11 PROCEDURAL REFERENCES

For procedures related to assignment, utilization, training, reporting, and oversight of canine teams, refer to the Law Enforcement Procedures Manual.

309.12 OFF-DUTY CANINE CARE AND COMPENSATION

(a) Handlers assigned to an agency-owned canine are required to perform care, feeding, grooming, cleaning, and related responsibilities outside of regularly scheduled patrol duties.

(b) Compensation for time spent performing required off-duty canine care shall be provided in accordance with applicable federal and state wage laws and established agency compensation practices.

(c) Compensation for off-duty canine care applies only when the assigned handler is personally performing such required care. When another authorized individual assumes responsibility for the care of the canine during the handler's absence, the assigned handler shall not receive compensation for that period.

309.13 RETIRED CANINES

309.13.1 RETIREMENT AUTHORITY

(a) The Sheriff shall have final authority to determine when a department-owned canine is to be retired from active service.

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(b) Retirement decisions may be based on age, medical condition, diminished operational capability, safety considerations, or other factors determined to be in the best interests of the Office and the canine.

(c) Upon retirement, the canine shall be permanently removed from operational deployment and shall no longer be considered an active law enforcement asset.

309.13.2 TRANSFER OF POSSESSION AND ADOPTION

(a) The assigned handler shall have the first and automatic option to adopt the retired canine.

(b) If the handler declines adoption, the Sheriff may authorize transfer to another qualified individual as determined appropriate.

(c) Transfer of possession shall be memorialized in a written agreement executed between the Office and the adopting party. The agreement shall, at a minimum:

1. Acknowledge transfer of ownership;
2. Confirm the canine is retired from service and shall not be used for law enforcement purposes;
3. Require compliance with applicable state and local animal control laws;
4. Include a release and waiver of civil liability in favor of the St. Mary's County Sheriff's Office, the County, and its employees for any post-retirement acts of the canine.
5. Except for reimbursement obligations established by statute, the Office shall have no continuing duty to provide care, maintenance, housing, insurance, or financial support for a retired canine.

309.13.3 VETERINARY REIMBURSEMENT - STATUTORY COMPLIANCE

(a) In accordance with Maryland Public Safety Article § 3-526, the Office shall reimburse the adopting handler for reasonable and necessary veterinary treatment provided to a retired law enforcement canine removed from duty on or after October 1, 2020.

(b) Reimbursement shall be subject to the following limitations:

1. A maximum of $2,500 per calendar year;
2. A maximum of $10,000 over the lifetime of the retired canine.

(c) Reimbursement shall:

1. Be made upon submission of proof of payment and documentation of treatment;
2. Be limited to usual and customary veterinary care;
3. Not applying to treatment resulting from abuse, neglect, or unlawful conduct;
4. Be subject to available appropriations as required by law.

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309.13.4 RECORD RETENTION AND ARCHIVING

(a) Upon retirement, the Canine Administrative Supervisor shall ensure that the following are preserved, and maintained in accordance with agency record retention requirements:

1. All deployment records;
2. Training and certification records;
3. Bite history documentation;
4. Medical records;
5. Blue Team documentation.

309.13.5 NOTIFICATION REQUIREMENTS

(a) Upon retirement of a law enforcement canine, the Office shall ensure appropriate notification is made to the Maryland Department of State Police or other applicable licensing authority to reflect removal from active law enforcement service.

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