

Running head: POLICE CANINE TRAINING AND HANDLING

Issues in Police Canine Unit Training and Handling

Eric M. Feldman

Florida International University Honors College

Miami, FL

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Abstract

This project will look at the use of canines in law enforcement from an animal ethics, training, and legal/Constitutional perspective. This will be achieved by presenting information on how canines are trained, treated, and for what purposes they are used, as well as the legal ramifications of their use, specifically in regards to searches. This information will be a combination of an extensive literature review of journals, news articles, as well as first hand interviews with local police departments, and surveys. The information will be used to draw conclusions about key ethical issues with canine units, such as the treatment of canines off-duty, the necessary routine care, and what is the balance between treating them as companions and workers. The purpose of this project is to contribute to recognize the art that is canine training while advocating for the canines.

Issues in Police Canine Unit Training and Handling

Police canines wear badges; penalties for injuring one are much greater than that of a normal dog. Service animals play a significant role in society, and police canines hold a special place in the law enforcement community.

As police agencies continue to train dogs to be among their ranks, however, issues arise, from alleged cases of abuse, accidental deaths, and animal rights groups' concerns about their workload. This research project will attempt to find the balance between the art that is canine training in law enforcement and the right of the animals to be treated as fairly as possible.

The welfare of their animals is not something that it can be commonly said that police agencies take for granted. In fact, some departments voluntarily employ schemes whereby outside groups monitor the treatment of the animals (South Yorkshire, 2007).

Under these schemes, observers would be asked to observe the condition of the dogs, as well as their living and working environments in order to “demonstrate that police dog training methods are ethical, humane and transparent” (South Yorkshire, 2007).

The particular program that these guidelines are taken from was created in response to the death of a police dog in Britain. In the United States, the death of police dogs is a serious cultural and legal issue. In most jurisdictions, police dogs that are killed in the line of duty are given full law enforcement officer burials, and if they were intentionally slain, penalties for the perpetrator are greatly enhanced (Palmer, 2008).

This is because, symbolically speaking, police dogs are seen as extensions of sworn police officers, if not sworn police officers themselves. It is very common for ‘swearing in’ ceremonies to recognize new canines with special badges while celebrating the tradition of police canines.

While such a swearing in has no legal significance, of course, it shows the status of these dogs in the law enforcement community (Palmer, 2008).

Things can and do go wrong, however. Dogs can be abused as well as forced to abuse others. In one instance service dogs were involved in the sex hazing of new—human—recruits to the United States Navy K-9 unit, such as by the dogs “attacking a sex worker to the point of hospitalization” (Quinn, 2000). There is no shortage of newspaper articles describing the abuse of the animals themselves, through techniques that can be equated to ‘hazing’ during the training process.

According to the American Society of Canine Trainers, North Carolina’s state canine unit had to be suspended after the discovery of obedience tactics that included shocking and kicking (Kane, 2007).

They key issue that our research must address here is what methods are acceptable for training purposes, and what is downright abuse?

One trainer in the North Carolina case claims that hanging his dog from a railing and kicking it is not abuse, and is one of several harsh training methods (Kane, 2007).

It is hard, if not impossible, to justify this type of treatment of a living animal, and this is one justification for this research project: to ensure that police canines are not treated in this manner, but without sacrificing their optimal performance through rigorous training.

Officer Marc Plunske of the Sunrise Police Department, and co-owner of Police Canine Consultants, spoke to me about the issue of training versus abuse.

“The public may view the use of a choke collar or electronic remote training collar as an abusive practice. These people relate their experience with dogs on the lower end of the drive

scale, and which have not been bred for work purposes,” said Officer Plunske (personal interview, 2010)

According to Plunske, compulsion serves a necessary part of canine training, as long as it is being conducted by an experienced trainer who would not exceed the limits required by the animal in order to be effective. Although some trainers with egos use their position to abuse animals, the prevalence of this in the law enforcement or military communities is very small, according to Plunkse (personal interview, 2010)

The perception of widespread canine abuse does not seem to be the case in the general public either. In a survey of 93 people by the present author, 42% of respondents “didn’t know” if “hazing or mistreatment of police canines is common nationwide,” while another combined 36% either “disagreed” or “strongly disagreed” that hazing was commonplace. If anything, police canine abuse isn’t on the minds of the public which is often up in arms over animal abuse issues. All in all, it seems that the prevalence of documented and undisputable abuse is very low and limited to the expected number of isolated incidents, after the review of media stories, a police officer interview, and public perception survey conducted by the present author.

Regardless of training, police dogs face dangers on a daily basis, by being forced to enter risky situations. A police canine was hospitalized after being shot in Delaware by a suspect. This case also affected public perception of police canines in a positive manner because the dog was able to apprehend the subject even after being shot (Olley, 2009).

This particular dog is expected to survive but many police dogs do face death in the line of duty. Clearly, human law enforcement officers choose to put their lives on the line for their career; for dogs the choice is not a conscious one.

The selection and training of police canines is a scientific process. It can be a costly endeavor for a police department to purchase and attempt to train a canine that is not particularly predisposed for police work. This is why a test was created to try to pick the puppies most suitable for this lifestyle. (Slabbert & Ordendaal, 1999)

As part of this test, dogs at 8 weeks of age are exposed to simulated police-work experiences, such as obstacles and object retrieval. The scores from the various tests, of which there are 8 in total, are compiled and by age 18-24 months, a determination can be made of if the dog is suitable for police work (Slabbert & Ordendaal, 1999).

With the exception of the gunshot test, which measures the dog's ability to tolerate the loudness of an unexpected gunshot, the tests were shown to be a statistically significant indicator of success. (Slabbert & Ordendaal, 1999)

Another factor in selecting dogs to train, according to Plunske, is specifically what you are going to be using the dog for (personal interview, 2010).

For example, "A dog utilized strictly for detection purposes such as narcotics, explosives, currency, and arson, you need a dog which exhibits a very high drive," says Plunske (personal interview, 2010)

Drive is what makes the animal want to play, but it is also necessary to have the focus to want to search for an object for a long period of time, and the aggression necessary for defense, in patrol dogs, according to Plunske (personal interview, 2010).

Some more criteria for the selection of dogs for duty include age, breed, sex, health, and character. The ideal dog is 18 months to 4 years in age and of adequate size (Bryson, 2000).

The training process not only includes the training of the dog, but of the handler, who must have "a working knowledge of police canine behavior and reinforcement training." Some topics

to be covered during the initial stages of the formation of a police dog team are canine physiology and behavior, legal issues, departmental policy, care and emergency medicine, and a variety of search strategies (Bryson, 2000).

After the selection and training of the dogs, we can examine how the dogs are treated on a regular basis. Dogs require routine care, including some daily routines. Also, different schools of thought exist regarding the treatment and handling of work canines in the family home when off duty.

According to Officer Plunske, the older school of thought regarding canine treatment at home is to keep them isolated from the family and to restrict the amount of recreational play afforded to the dogs while off duty in order to maintain the ‘drive’ that dogs need while on duty (personal interview, 2010)

The present author wanted to explore this issue because when he participated in the Pembroke Pines Citizens Police Academy several years ago, the K9 officer that spoke to the class remarked that work dogs cannot be treated as normal family pets in the household, not only in order to maintain drive, but in order to not make them too used to playing and being friendly with humans, which would risk demeaning the aggressive training needed for success on the streets.

However, this view has almost entirely been replaced in the law enforcement community by one of total integration into the family unit.

“Most handlers want their dogs integrated into the residence and family as much as possible. I know a lot of handlers that have integrated to the point that the dog sleeps between the handler and their spouse in bed,” said Plunske (personal interview, 2010)

This of course, is after the period of time where integration into the family unit happens slowly when a dog is new. Also, considerations such as the size of the family, space issues, other

animals, and small children, are some of the criteria that determine the housing situation for the work canine (personal interview, 2010).

This seems to be in sync to what the general public views as happening to police dogs when at home, with 76.1% of civilians either agreeing or strongly agreeing that “police canines are treated as a member of the human officer’s family.”

Still, it seems that a middle approach is still often taken here. When asked how their canine is handled at home, off duty, 4 out of the 5 officers who were surveyed on this specific question chose the answer “Given ample free time, but is somewhat restrained from contact with the family,” with the remaining officer choosing “Handled in the same way as a typical pet, with ample freedom.”

Examining the dog on a daily basis is key for detecting any abnormalities. Being able to tell what is normal with your dog is an important skill but one that does not need extensive veterinary training, and can detect important medical changes in the animal. Handlers should conduct a daily hands-on inspection covering the mouth, joints, ears, nose, as well as the attitude of the dog. (Bryson, 2000)

Yearly vaccines for rabies and Lyme’s disease are necessary in addition to prevention of heartworm and external parasites such as fleas, ticks, and lice (Bryson, 2000).

How law enforcement canines are trained not only affects their animal rights, but the rights of citizens. Decisions of the United States Supreme Court regarding excessive force by police dogs give significantly more leeway to canine officers than human ones, leading one law opinion to call police canines an “unexpected source” of Constitutional danger (Weintraub, 2001).

The 2005 Supreme Court case *Illinois v. Caballes* centers around the arrest of a man who was pulled over in a routine traffic stop and who was discovered to have marijuana in his car by a canine.

Roy Caballes was driving six miles over the speed limit on an Illinois roadway in 1998 when he was pulled over by a State Trooper for what started out as a routine traffic stop. While the State Trooper was running Caballes' information, another trooper from the department's Drug Interdiction Team overheard the transmissions from the stop and showed up at the scene while the initiating officer was writing a warning citation, at which point the drug-sniffing dog alerted to the trunk of the car, in which there was found to be a large quantity of marijuana, about \$250,000 worth. (*Harvard Law Review*, 2005)

The main cause of controversy here is the fact that a police dog was used on a routine traffic stop where there was no evidence that any contraband was being transported or any other illegal act being committed. (Na, 2006)

In other words, there was no reason for the police to conduct a search of Caballes' vehicle because there was no evidence of the use of drugs, however, because a canine just so happened, serendipitously, to discover the drugs, he was able to be convicted.

The Supreme Court decision held that the defendant did not have a reasonable expectation of privacy because there is nothing other than drugs that the dog would have been able to detect, and that the defendant could not expect to have his illegal activities entitled to privacy. (*Harvard Law Review*, 2005)

The stop is legal so long that any sniffing happens within the reasonable time period that it would have taken to issue the citation for which the driver was originally pulled over. (*Lexus Nexus*, 2009)

The Supreme Court effectively decided that it was not a drug investigation until after the dog alerted: using the dog in the first place did not cause this to be a drug investigation. (*Harvard Law Review*, 2005)

While 28.0% of the public did not know if “police canines have more Constitutional leeway to conduct warrantless searches than human officers,” the plurality, 31.2%, actually agreed with this statement.

What really stands to be learned by looking at this aspect of the use of canines is whether police dogs are seen as more of a protector of the public or a threat to liberty. There is a very stark contrast between the view of police dog as loyal, valiant servant and that of “bringing in the dogs” to search through a suspect’s possessions. The answer to this question will be analyzed shortly.

CONCLUSION

A number of conclusions can be drawn from the research presented here. First, while instances of abuse and mistreatment do exist and can be found, both a survey of news articles, surveys, and interviews do not seem to imply that this is in any way commonplace, and that safeguards are largely in place to ensure the proper treatment of the animals.

Abuse aside, it is very important for proper housing arrangements and routine care to be in place to ensure that the dogs stay healthy and fit for the job, but also lead happy lives. While some debate exists around the proper amount of regimen and free time that dogs should face at home, the schema is shifting towards fully integrating the dog into the family unit, allowing it to roam free and get ample play. Trainers routinely check their dogs for common medical problems and anything else that could be abnormal to see ensure the continued health of the animals.

The big question remains: how does the public view police dogs? We uncovered earlier that a significant amount of the civilians surveyed did see police dogs as having Constitutional leeway in warrantless searches—something that could be interpreted as meaning that they are seen more as threats to freedom than protectors of it.

Despite this, the most telling, and straightforward question asked, was “do you feel that police canines are a necessary part of law enforcement practices?”

A stunning 82.1% responded “Yes, they provide police a way to investigate crime that is not otherwise available. Individual responses and data on this question can be found in Appendix A.

All in all, things look pretty good for police dogs. They are respected within the law enforcement community and in the general public, and treated well. Hopefully, any instances of abuse will continue to be weeded out, and the public will keep an eye on the direction that the Supreme Court takes in regards to the admissibility of evidence acquired by the dogs in ways that would not have been possible without them to maintain the proper balance of law enforcement efficacy with Constitutional freedoms.

APPENDIX A: SURVEY RESULTS

Two self-administered online surveys were conducted through the Web site surveymonkey.com. The first, with the target subjects being civilians (non-law enforcement personnel) was distributed over Facebook and FIU's Blackboard Learning System, to a wide variety of people varying in age, location, and gender. A total of 93 people responded. The second, with the target subjects being law enforcement personnel who work with canines, was distributed by emailing various police departments in Miami-Dade and Broward County, of which only 5 people responded. Both surveys were conducted completely anonymously, with only the aggregate response totals being available to the researcher, and this fact being made known to the research participants before submitting their answers.

Both groups were asked to agree or disagree with similar statements about police canines to see how they are regarded amongst the two groups and how the answers differed.

A plurality of civilians, 36.6%, strongly agreed with the statement "police canines are law enforcement officers," with another 34.4% agreeing.

82.6% of civilians either agreed or strongly agreed that "police canines are respected within the community."

76.1% of civilians either agreed or strongly agreed that "police canines are treated as a member of the human officers family."

The areas that the general public were less sure of regarded the Constitutional issues of police dogs in searches, and the commonality of hazing and mistreatment of police canines.

While 28.0% of the public did not know if "police canines have more Constitutional leeway to conduct warrantless searches than human officers," the plurality, 31.2%, actually agreed with this statement.

45.2% did not know if “hazing or mistreatment of police canines is common nationwide,” with another 38.8% either disagreeing or strongly disagreeing with that statement.

Respondents were also asked, “do you feel that police canines are a necessary part of law enforcement practices?”

82.1% responded “Yes, they provide police a way to investigate crime that is not otherwise available,” with another 6.5% responded “Yes, but for a reason other than stated.”

3.2% responded “No, they infringe upon the rights of citizens,” and another 3.2% responded “No, but for a reason other than stated.”

Seven respondents provided specific, written feedback to this question, including: “They are not a necessary part, but an additional help,” “they are able to sniff out certain drugs that is [sic] hard to detect in certain areas such as airports,” and “helps to provide a more thorough investigation of something that is being observed by an officer that is not always detectable.”

The negative comments towards the use of police dogs included “they are mistreated and abused as animals and allow the police an advantage citizens cannot protect against,” and “simply because if they disappeared tomorrow, I think law enforcement would live to see another day.”

The survey administered to canine officers contained similar statements. Of the 5 officers that responded, 4 agreed that “my canine is a member of my family,” but 1 strongly disagreed.

4 either agreed or strongly agreed that “my canine is a fellow law enforcement officer,” and that “my canine is a tool” with 1 strongly disagreeing to both statements.

All 5 officers either disagreed or strongly disagreed that “my canine is a tool”

All but 1, who strongly disagreed, agreed that “police canines are respected within the community,” and 3 strongly agreed that their canine is loyal.

3 disagreed or strongly disagreed that police dogs have any Constitutional advantage when it comes to warrantless searches, and 4 disagreed or did so strongly that hazing or mistreatment of police canines is commonplace nationwide.

When asked how their canine is handled at home, off duty, 4 out of the 5 officers chose the answer “Given ample free time, but is somewhat restrained from contact with the family,” with the remaining officer choosing “Handled in the same way as a typical pet, with ample freedom.”

APPENDIX B: TRANSCRIPT OF INTERVIEW WITH MARC PLUNSKE

Officer Marc Plunske of the Sunrise Police Department's K9 Unit in Broward County, FL, and co-proprietor of Police Canine Consultants (<http://policecanineconsultants.com>), a local canine training outlet, answered several questions posed by the researcher regarding the issues in the paper.

Researcher: What are the criteria for determining what dogs are suitable for training?

Ofc. Plunske: The criteria for selecting a dog for service depends on what task you will be utilizing the dog for. For strictly for detection purposes, such as narcotics, explosives, currency, and arson you need a dog which exhibits a very high drive. The terminology to describe the behavior of "drive" varies depending on who you speak to. The drives are referred to as prey, play, hunt and ball drive. In laymen's terms, what I am personally looking for is a high drive for whatever the dog likes to play with, and the focus to continue searching for that object for an extended time. A dog utilized for patrol work needs to have the above drive plus the added characteristic of the needed aggression.

Researcher: How have the training methods evolved over the years?

Ofc. Plunske: The training methods have evolved mainly from compulsion to more positive reinforcement training. Technology has helped with the advent of remote electrical collars.

Researcher: Are the dogs treated as part of the family or is a strict regimen maintained as not to compromise training?

Ofc. Plunske: The housing of the dogs is normally a handler's preference. Depending on the existing conditions at their homes, other dogs, small children, limited space etc. the dogs are housed based upon different criteria. Most handlers want their dogs integrated into the residence / family as much as possible. I know a lot of handlers that have integrated to the point that the dog sleeps between the handler and their spouse in bed. On average, most handlers will have the dogs living inside the house and roaming freely with the family. This happens gradually most of the time. When a dog is new, there is an adjustment period where the dog and handler/ family get acquainted. The dog may be [caged] for this period and slowly worked out to complete freedom. Very few handlers will confine their dogs in an effort to preserve drive for when they are working, however some "old school" theories are still found where this is practiced.

Researcher: How prevalent is the abuse of canines in the law enforcement community?

Ofc. Plunske: The word abuse is subjective here. It depends on who you are speaking with. The public may view the use of a choke collar or electronic remote training collar as an abusive practice. These people relate their experience with dogs on the lower end of the drive scale, and which have not been bred for work purposes. There is a place for compulsion training in service dogs however an experienced trainer must determine the level of training that a dog needs. A law

enforcement / patrol dog is taught to bite and hold under all conditions. Once a trainer has completed this complicated task, he must now teach the dog to control it. If this can be accomplished through positive reinforcement training it will be, however there may be a need for compulsion training, which is viewed by some as abusive. Most trainers will never allow any training that exceeds the requirement of the dog to be conditioned to the task being taught. There will always be people in positions that abuse their powers either through ignorance or ego. The common practice of what I would deem abusive would be very small in the law enforcement community.

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