

Homeowner's Insurance for Police Service Dogs

By: Terry Fleck

I have heard of incidents where a K-9 handler could not get homeowner's insurance, due to the fact that his police service dog lived there. In researching this issue, it is more complex than I thought; however homeowner's insurance is available in these situations.

As liability for a dog's actions, such as an accidental or unintentional dog bite, normally falls upon the "owner" of the dog, this is the first issue that needs to be addressed.

OWNERSHIP OF THE DOG:

Agency owned police service dogs:

I would estimate that 95% of all police service dogs in the United States are agency owned. Therefore, if the dog had an accidental / unintentional bite in the handler's home setting, the "owner", the agency, would be liable for the dog's actions.

Most agencies realize this responsibility and have both policy and equipment in place to minimize their liability exposure. As an example, many agencies have an off-duty policy, similar to:

- The dog shall be under the direct control of the handler, when the handler is present;
- If the handler is not present, the dog shall be housed in the agency provided "dog run" or "kennel", and the gated entry will be locked;
- The dog run or kennel shall be housed in a closed fenced yard or closed garage area.

Most agencies provide a professional dog run / kennel, similar to a 6' x 12' x 6', concrete slab, cyclone fence on all sides, locked gated entry, with a UV proof / waterproof sloped roof (possibly sides). In addition, most agencies provide an assigned take home vehicle, which may also be used as a temporary kennel in the event of maintenance, repairs, cleaning, etc, at the home.

The handler's responsibility is to abide by the agency's policy. Failure to do so could result in disciplinary action.

Personally owned police service dogs:

I would estimate that less than 5% of all police dogs are personally owned. This is problematic for the handler, as the owner of the dog, the handler, is liable for the actions of their dog.

Just like agencies, most handlers realize this responsibility and have equipment in place to minimize their liability exposure. The equipment is similar to that listed in the section above.

With a privately owned dog, homeowner's insurance is highly recommended.

Retired police service dogs:

The United States canine industry standard is to transfer ownership of the retired dog from the agency to the handler. This is normally accomplished through a verbal or written contract between the agency and handler.

The contract typically states, that in exchange of "x" years of service to the K-9 unit, the handler may retire the dog and purchase him from the agency. This is normally accomplished through the handler's purchase of the dog from the agency for a sum of one dollar (\$1.00). This has been historically called the "dollar buy back clause".

Now the retired dog becomes a personally owned dog (refer to the section above). With a retired dog, homeowner's insurance is highly recommended.

HOMEOWNER'S INSURANCE:

Every insurance company I contacted was different from the other. In addition, every insurance company had different rules for every state. Therefore, one cannot make a blanket statement about an insurance company's coverage. Coverage is company specific and state specific.

Homeowner's insurance companies that cover police service dogs:

Many insurance companies will insure the privately owned / retired police service dog. As an example, I contacted the largest homeowner's insurance company in the United States in 2007, Allstate.

Although state specific, Allstate typically will insure the privately owned / retired police service dog. They typically require a home inspection to confirm the owner of the dog has the proper equipment, such as a dog run or kennel, fence, garage, etc.

Another issue is the policy coverage. Every insurance company I contacted recommended a higher coverage for "Personal Liability" (each occurrence). Typically, homeowner's insurance policies come with a \$100,000 for Personal Liability (each occurrence). All of the companies I contacted recommended a minimum of \$500,000 for Personal Liability (each occurrence). This additional coverage is not very expensive, ranging from \$24 to \$100 additional premium per year, company specific.

In reviewing actual incidents with retired police service dogs involved in an accidental / unintentional bite, I agree with the insurance companies in increasing to this to a minimum of \$500,000 coverage. Paying about \$24 to \$100 per year to get this additional coverage is simply cheap insurance.

Homeowner's insurance companies that do not cover police service dogs:

There were insurance companies that would not cover privately owned or retired police service dogs. Their reasons were two-fold:

- **Prior bite history:**

There are insurance companies do not cover any "bodily injury" or "property damage" caused by a "vicious dog" or "dog with prior bite history," occurring at an "insured location" or any other location. "Dogs with prior bite history" means any dog that has caused "bodily injury", whether or not covered by insurance, on one or more occasions prior to the date of the loss for which coverage is sought.

- **Vicious dog list:**

There are insurance companies have a Vicious Dog list. The list varies from company to company, however these dog breeds commonly appear. Fortunately, the vast majority of police service dogs are not on this list:

"Vicious dogs" means a dog with ancestry properly classified as any of the following breeds of dogs:

- Chow
- Doberman
- Pit Bull or Pit Bullmix
- PresaCanario
- Rottweiler
- Wolf Hybrid or WolfDog

It is noteworthy that the Doberman and Rottweiler breeds are listed here. Perhaps this is another reason for their decline in law enforcement canine usage.

Summary:

I have acted as a police service dog expert in several incidents where a privately owned / retired police service dog was involved in an accidental / unintentional dog bite. These incidents, although rare, seem to be on the rise.

Unfortunately, many handler-owners were either not insured or under-insured, causing them great financial hardship. These handler-owners wished they had 20/20 hindsight of proper insurance coverage.

Fortunately, many agencies, even though they were no longer the owner of the dog, assisted the handler in this time of need. These handlers were lucky and I applaud their agencies for doing the morally correct thing in assisting them.

I believe every privately owned / retired police service dog needs homeowner's insurance coverage at increased coverage limits. There are many insurance companies in the United States willing to insure your dog.