

## **CANINE (K-9) ASSIGNED VEHICLES**

**By Terry Fleck**

### **Assigned Canine Vehicles:**

The United States K-9 industry standard is an assigned vehicle for every canine team. I have personally polled about 18,000 police canine personnel within the United States. Of that 18,000, there are very few agencies that do not issue every police canine team a canine vehicle. There are numerous reasons for this:

- **Safe transport of the police canine:** It is safer for both the dog and the public for the dog to be transported in a canine vehicle, equipped with a canine insert (cage). There have been numerous accidental bites by a police dog, transported in a privately owned handler's vehicle, as the handler's personal vehicle is normally not as secure as a canine vehicle. These bites resulted in 100% liability on the owner of the dog, the agency, for negligence;
- **Involvement in a vehicle accident:** In the event of the handler being involved in a vehicle accident, it is safer for responding emergency personnel to treat the handler, if the dog is contained in a marked canine vehicle, equipped with a canine insert (cage). There have been several incidents where the handler was unconscious, and because the dog was loose in the vehicle, responding personnel could not treat the handler. In addition, there have been numerous accidents, where the canine insert (cage) in a canine vehicle, actually reduced or prevented injury to the dog and the handler;
- **Immediate transport in the event of an emergency:** Immediate transport of the canine to a veterinary hospital in the event of a critical accident or illness. There have been numerous occasions where the dog was injured or sick, and the handler did not have his personal vehicle available. Immediate transport has saved further injury, illness or death to numerous canines, saving the agency replacement cost of the dog or additional veterinary expenses;
- **Immediate twenty-four hour call out capability:** This immediate call out capability coupled with prompt response, has historically prevented assaults on officers, thus lowering workers compensation rates to the agency. Prompt interdiction with a police canine prevents both crime and acts of terrorism;
- **Reduction of labor costs:** It is less expensive to have the handler respond to callouts, training, certifications, seminars, etc., in an assigned canine vehicle. If the agency elects not to issue an assigned vehicle, labor costs rise due to the longer time the handler is considered on-duty;
- **Safe storage of agency issued equipment:** Canine teams are typically issued additional safety and canine related equipment. An assigned vehicle allows for safe storage of that additional equipment. There have

been numerous occasions where sensitive equipment such as carbines, shotguns and contraband training aids were either stolen or misplaced, due to the fact they were not safely secured in an assigned vehicle;

- **Dog health issues:** If one canine becomes sick, the sharing of a vehicle with another dog could result in both dogs becoming ill. This would raise the costs of veterinary care. Veterinary care costs needs to be controlled through proactive health care of the dog. Part of that care is isolation of a sick dog.

### **Canine Insert (Cage):**

The U.S. canine industry standard is a canine insert (cage) within the K-9 vehicle. There are numerous reasons for this:

- **Prevention of accidental bites:** A canine insert, which is normally made of aluminum, is the only true way of containing a police dog. I have never seen a police dog get out of a properly secured canine insert. I have seen police dogs break out glass windows, etc, where no canine insert has been in place;
- **Safe transportation of the dog:** In the event of a vehicle accident, I have seen numerous K-9 vehicles where the canine insert either prevented injury to a dog or minimized the dog's injury;
- **Safety of the handler:** In the event of a vehicle accident, I have seen numerous K-9 vehicles where the canine insert also either prevented injury to the handler or minimized the handler's injuries;
- **Safety of emergency personnel:** I have also seen several situations where the handler was injured in a vehicle accident and the canine insert allowed emergency personnel to treat or evacuate the handler, without the risk of being bit by the dog.

A recent example of the canine insert being safer for the dog, handler and EMS personnel was a K-9 vehicle accident in Josephine County, Grants Pass, Oregon.

- **Cost effectiveness:** Although a canine insert is initially expensive to purchase, the insert is virtually maintenance free. In addition, the insert has a long life span.

### **Transportation of Prisoners by the Canine Vehicle:**

The U.S. canine industry standard is not to have a prisoner transported by a canine vehicle, if possible. There are several reasons for this:

- **Safety of the dog:** Many agencies have installed "split" inserts, typically giving two-thirds of the back area for the dog and one-third of the back area for a prisoner. These "split" inserts only allow about three feet of room for the dog. Most veterinarians agree that having the dog in this cramped space for prolonged periods, such as a handler's shift, is not healthy for the dog.

In addition, a critical issue is also the body temperature of a working dog. A working dog must be able to dissipate heat. Heat may build up in the dog from working activity or heat in the vehicle. One of the ways a dog dissipates heat is stretching out. The dog should have enough room in the insert to stretch out to dissipate heat.

There is a Code of Federal Regulations that addresses this issue:

**Code of Federal Regulations Section 9 CFR 3.14:**

(e) Space and placement. (1) Primary enclosures used to transport live dogs and cats must be large enough to ensure that each animal contained in the primary enclosure has enough space to turn about normally while standing, to stand and sit erect, and to lie in a natural position;

- **Safety of the prisoner:** As the prisoner is normally adjacent to the dog, there have been a few accidental bites when the dog managed to get a canine or two through the insert cage and bite the suspect. Since there is 100% liability upon the agency for an accidental bite and the fact the prisoner is in your custody, your agency will be liable.

In addition, the National Highway Traffic Safety Administration has guidelines regarding passenger lap and shoulder seat belts. Their guidelines state not to modify or eliminate the existing factory lap and shoulder seat belts on any vehicle: **Title 49, United States Code, Chapter 301, Motor Vehicle Safety;**

- **Spontaneous or Voluntary Statements from the suspect:** It could be argued that any statement made by the suspect while seated next to the police dog, was made under duress. Any spontaneous statement must be voluntary to be admitted in criminal court. One could argue this statement was not made voluntarily.

**Canine Vehicle Markings:**

The agency is liable for negligent acts, such as an accidental / unintentional dog bite. Unfortunately, there have been many of these bites that occurred from a canine vehicle.

To minimize the likelihood of an accident bite from the canine vehicle, I recommend notifying the public that there is a police dog inside. I would suggest a picture or illustration of the dog near the insert. I further recommend a written notification, such as "POLICE DOG, CAUTION, STAY BACK" placed on the vehicle. Avoid signs where the agency is admitting there is an aggressive dog issue, such as "BAD DOG, DANGEROUS DOG, DOG WILL BITE", etc.

If the dog is in an un-marked vehicle, I would take extra steps to insure the dog cannot get any part of his body out of the vehicle.

Lastly, it has been my personal experience that criminal and terrorism acts diminish, upon the suspects seeing a police canine vehicle. In other words, the mere presence of a police canine vehicle eliminates or moves the criminal or terrorism act. I personally feel that signing every patrol vehicle as a canine

vehicle, would be one of the least expensive, most proactive ways of reducing crime and acts of terrorism in your service area.

**Agencies with an Assigned Vehicle Mileage / Distance Limitation:**

A few agencies have imposed mileage and / or distance limitations on assigned vehicles. If your agency has an assigned vehicle mileage / distance limitation, I still recommend assigning a K-9 vehicle.

Administratively, the handler simply pays the agency back "x" cents per mile for anything over their allotted mileage distance. This provides the handler and agency with a win / win situation. This is done for not only K-9, but other on-call specialty units as well.