MOVING TO MINIMUM FORCE

POLICE DOGS + PUBLIC SAFETY IN BRITISH COLUMBIA

PIVOT

equality lifts everyone

CONTRIBUTORS

Author
Douglas King

Contributors
Darcie Bennett
Sandra Ignagni
David Renaud

Cover Image
Nicholas Parker

Graphic Design
Mikyla Futz

Layout
Iva Cheung

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Pivot Legal Society
121 Heatley Avenue
Vancouver, BC V6A 3E9
www.pivotlegal.org

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LIST OF ABBREVIATIONS

BRI	Bite Rate Index
CSI	(Statistics Canada) Crime Severity Index
NUFF	National Use of Force Framework
OPCC	Office of the Police Complaint Commissioner
PSD	Police Service Dog
PSI	Pounds per Square Inch
PTSD	Post-Traumatic Stress Disorder
RCMP	Royal Canadian Mounted Police
VPD	Vancouver Police Department

EXECUTIVE SUMMARY

Every two days someone in British Columbia is injured by a police dog. Police Service Dog (PSD) bites are the leading cause of injury at the hands of municipal police, exceeding by a factor of six injuries incurred by all other forms of non-lethal force, including batons, pepper spray, fists, and Arwen rounds (beanbags).[1] Unlike other police impact weapons such as fists and batons, police dogs are unique in their tendency to inflict permanent injury.

Despite heavy reliance on PSDs and the high rates of injury associated with their use, there are no uniform policies specifying when a police dog unit should respond to a call, the types of situations that warrant the deployment of a dog, or how records relating to police dog deployments and related injuries should be kept.

This study relies on in-depth case studies from Pivot Legal Society's client base, as well as case law and statistical data provided by the Office of the Police Complaints Commissioner (OPCC) and the RCMP. This study evaluates the prevalence of PSD bites, the impact that training and deployment practices have on the frequency and severity of injuries, and how PSDs fit into the Canadian National Police Use of Force Framework (NUFF).

This report addresses four substantive issues related to PSD policy:

POLICE SERVICE DOG TRAINING

There are two major training styles for PSDs in North America: the *bite-and-hold technique* (also known as "find-and-bite") and the *bark-and-hold technique* (also known as "find-and-bark" or "circle-and-bark"). In B.C., most forces train their PSDs using the bite-and-hold method, in which dogs are trained to bite a subject regardless of their actions, physical position, or physical characteristics (such as size). Once contact is made with a subject, police dogs trained using this method will bite and hold an individual until the handler gives a command for the dog to release.[2] Unless held back by its handler, a bite-and-hold dog will never give a subject the opportunity to surrender without being bitten.

This study points to many reasons why we should be concerned about the bite-and-hold method of training. Statistical evidence provided by the OPCC and RCMP suggests a correlation between training methods and rates of injury. In B.C., bite-and-hold dogs have been responsible for injuries so severe that subjects have been left with permanent disabilities. Police reports, court records, and eyewitness accounts also demonstrate that PSDs trained using the bite-and-hold method have been responsible for numerous accidental bites. In contrast, the bite-and-hold method of training teaches dogs to stop and bark before biting a suspect. The dog is trained to bite only if given the command, or if the subject moves in a way which places the dog or the handler at risk. The findings in this study mirror evidence from other jurisdictions, such as Los Angeles, which saw a nearly 90% reduction in the number of hospitalizations resulting from PSD bite injuries after the police switched from the bite-and-hold to the bark-and-hold method of training.[3] Proponents of the bark-and-hold training method argue that the mere presence of a barking police dog will most often be sufficient to cause a subject to surrender.

POLICE SERVICE DOG DEPLOYMENT

Most departments in B.C. have few, if any, policies restricting the use of police dogs. PSDs and their handlers are often first responders to a scene simply because they are the closest police unit. The result is that individuals are often bitten by police dogs in the course of being pursued or arrested for very minor offences like shoplifting or vandalism. Statistics also show that about 10% of all municipal police dog bite victims are youth. In many of the case studies included in this report, including those involving accidental bites or mistaken identity, subjects report that no warning was given before the PSD was deployed. Finally, despite being unquestionably illegal, in more than a dozen recent cases individuals have claimed that they were already detained before officers ordered a PSD to bite.

POLICE SERVICE DOGS AS WEAPONS

Canada's National Use of Force Framework (NUFF) provides law enforcement personnel with a guide to the appropriate level of force to use in a given a situation. The NUFF instructs police to increase the level of force they use in response to the threat they, the suspect, or the public face. Force options graduate from presence, to communication, to physical control and, finally, lethal force. The injuries caused by police dogs demonstrate an inversion of the NUFF model's requirements, with dogs commonly being deployed before presence, communication, or soft methods of force. In most cases involving bite-and-hold trained dogs, by the time the officer arrives the bite has already occurred. This means that presence and communication are no longer available to the officer as options. This disconnect between the NUFF and the way in which PSDs are deployed is complicated by the fact that while police forces commonly classify PSDs as "intermediate weapons," the injuries that result from a police dog deployment often amount to grievous bodily harm.[4]

RECORD-KEEPING PRACTICES

In gathering statistical information for this report, a number of concerns emerged. There is no standard definition of what constitutes a police dog deployment in our province, and without a standardized way to track deployment rates by department, it is nearly impossible to determine number of police dog bites per deployment. Discussions with the RCMP revealed that their statistics do not include incidents where the police dog bite was determined to be an "accident" or where the person bitten was not a suspect. This is because the RCMP does not require police officers to file a use of force report in these circumstances. There is also no standardized system to compile, monitor, synthesize, or disseminate the data that is collected, and no agency is responsible for monitoring how police dogs are used in our province.

Based on the findings of this study, Pivot makes nine practical recommendations that we believe would reduce injuries, improve oversight and accountability, and bring police forces in B.C. into compliance with the National Use of Force Framework. Many of the recommended policies and practices are already working in other jurisdictions. Regulations on police dogs can be introduced by the provincial government through the Director of Police Services. This report also makes the case that the courts offer another avenue for achieving the reforms required to ensure that the PSDs in this province are trained and deployed in a manner that complies with Canada's National Use of Force Framework and which reflects the presumption of innocence that is integral to democratic policing.

INTRODUCTION

Over the past three years, Pivot Legal Society ("Pivot") has interviewed dozens of individuals, including youth and their family members, who have been affected by Police Service Dog (PSD) bites. In some cases, a dog was deployed to track an individual during a police pursuit or after a crime was reported. In other cases, the person on the receiving end of the police dog bite was a member of the public "in the wrong place at the wrong time."

We did not seek out stories about police dog bites. In fact, the use of police dogs was not on our radar as a policy issue until the frequency of the reports we were receiving made it impossible to ignore. Taken together, the stories we have heard and the cases we have been involved with raise serious concerns about how PSDs are being trained and deployed in British Columbia, and whether there are sufficient regulations to monitor and control their use.

At the time of writing, police dog bites account for almost half of all injuries caused by municipal police forces in our province. They are also responsible for more than twice the number of injuries to civilians than any other form of force used by police.[5] Unlike other police impact weapons such as fists and batons, police dogs are unique in their tendency to inflicting permanent injury. Police dogs also differ from other potentially lethal weapons, like tasers and firearms, in that the police officer controls only half the use of force when deploying a PSD; the other half—how the dog acts or reacts when the person is confronted—depends on the police dog correctly exercising its training.

In this report, we make the case that while police dogs' strength, speed, and sharp senses offer valuable assistance to officers in the field, these same qualities mean police dogs are capable of inflicting unparalleled physical injury and psychological harm. We conclude that, as a weapon, police dogs must be deployed with greater care than is currently the case. Officers must be aware of the presence of bystanders and maintain an appreciation for a suspect's presumed innocence, and the need for proportionality when using force. Training techniques for PSDs and record-keeping practices must also be enhanced to reflect advances made in other jurisdictions. Finally, province-wide regulations restricting how and when police dogs can be used must be implemented immediately.

This report addresses four substantive issues related to PSD policy:

- Police service dog training
- Deployment policies and practices
- Police dogs as weapons
- Record-keeping and reporting

In this report we draw on case studies from Pivot Legal Society's client base, media stories, and case law, as well as statistical data provided by the Office of the Police Complaints Commissioner (OPCC) and the RCMP, to evaluate the prevalence of PSD bites, the impacts that training and deployment practices have on the frequency and severity of injuries, and how PSDs fit into the Canadian National Police Use of Force Framework (NUFF). We include recommendations for practical reforms, many of which are already working in other jurisdictions, which would likely prevent injuries, enforce the principle of minimal use of force in policing, and enhance accountability. We also include an overview of the case law related to police service dogs and how future litigation may affect PSD policy in British Columbia if political solutions to this human rights crisis are not forthcoming.

POLICE DOGS IN BRITISH COLUMBIA: AN OVERVIEW

Canines are integrated into law enforcement work in many ways. In some jurisdictions, particularly in Europe, police dogs are deployed purely as search or tracking tools. Dogs are also used to seek out illicit substances or explosives, and they are employed by private security companies to patrol private property. This report focuses on mobile dog squads within RCMP and municipal police departments in British Columbia. These PSDs primarily attend scenes of crimes that are in progress, or have just occurred, in order to find and apprehend suspects.

The vast majority of police dogs in North America are German Shepherds. Police dogs are typically paired with a single police officer, forming a K-9 team. In most cases, the police dog is paired with a handler from a very young age, and the handler is responsible for the dog's training. Some departments allow police dogs to live with their handler, to increase the bond between dog and officer.

In the spring of 2012, Pivot obtained data from the OPCC on the number of injuries attributable to police dogs employed by B.C.'s municipal police forces. This data, spanning a two-year period from early 2010 to early 2012, includes the approximate date of the injury, the nature of the injury (i.e., whether other methods of force were employed), the age of the injured person, and the police department responsible for the injury. The OPCC also provided Pivot with the overall number of reported injuries caused by municipal police forces over the same period of time broken down by the type of force used.

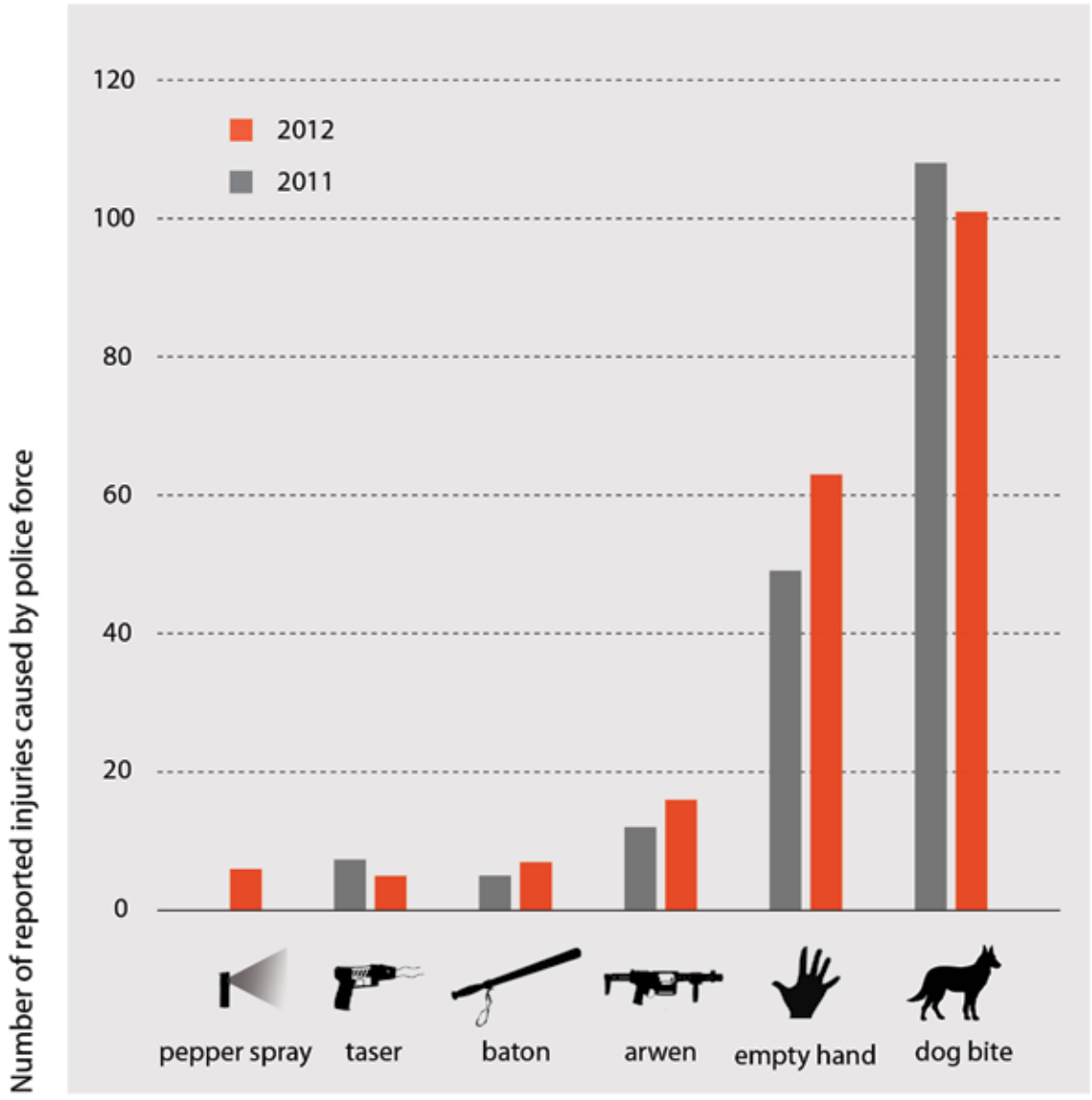
As shown in Figure 1, PSD bites are the leading cause of injury at the hands of municipal police, exceeding by a factor of six injuries incurred by all other forms of non-lethal force, including batons, pepper spray, fists, and Arwen rounds.[6]

Pivot also obtained data on police dog deployments by the RCMP through a Freedom of Information request. Covering roughly the same period of time as the municipal statistics (2010 to 2012), the RCMP statistics also show an alarming number of police dog bites. The RCMP was responsible for at least 175 police dog bites in the year 2010 alone, and an additional 131 bites in 2011 and January of 2012. Separated into the four RCMP regional policing districts, we see that RCMP dog squads in the Lower Mainland accounted for the vast majority of bites, more than twice any other policing district. Adding up the number of RCMP bites with the total number of municipal bites provided by the OPCC shows that over a two-year period at least 490 people were bitten and injured by police dogs.

PSDs constitute a weapon of significant force, and as will be shown throughout this report, grievous injury and hospitalization due to police dog injury is commonplace. Therefore, over-reliance on PSDs in policing practice is concerning. Compounding these concerns, it has become clear that British Columbia lacks a uniform system of reporting and recording police dog bites. The RCMP admitted to Pivot that from 2010 to 2012 accidental bites and cases where a PSD bit the wrong subject did not require a written use of force report, and therefore, were not included in some statistics. The OPCC's statistics do not include bites from January 1, 2010, to April 15, 2010, simply because of a change in data collection methods. Failure to keep adequate and uniform records, and the omission of accidental police dog bites from records, suggest the total number of police dog bites may be even higher than reported.

Despite the limitations of the available data, we do know that **at least every other day** someone is injured by a police dog in British Columbia.

Figure 1. Injuries caused by police use of force, years 2011 and 2012 [1]



1 Instrument used

[1] Office of the Police Complaint Commisioner. 2012. Unreleased Document.

POLICE SERVICE DOG TRAINING

In examining the reasons that PSDs account for such a large proportion of police-inflicted injuries, it is necessary to consider how these service animals are trained.[7] In North America, police dogs are generally trained to carry out two main tasks. First, they are trained to conduct a search for a subject after being given or locating a scent of the individual (this is commonly called "tracking"). Second, dogs are deployed directly as a weapon. In this capacity, PSDs are commanded to advance upon and bite an individual. How a PSD will carry out these two tasks varies greatly according to the training methods that have been used with the animal.

There are two major training styles for PSDs in North America: the *bite-and-hold technique* (also known as "find-and-bite"), which is the most commonly used method in British Columbia, and the competing *bark-and-hold technique* (also known as "find-and-bark" or "circle-and-bark"). In British Columbia, a variant of bite-and-hold has also been developed and coined *minimum-force/handler-control*. Within the field of law enforcement, there is an active debate about the strengths and shortcomings of each of these methods of police dog training. Debates about training methods focus primarily on time and cost considerations, public/officer/dog safety, and tactical benefit. We believe that these are important considerations, but that PSD training practices should also be evaluated with a mind to the principles of minimal force, preventing accidental and unnecessary bites, and upholding the human rights of subjects and bystanders.

BITE-AND-HOLD

The term bite-and-hold is a simple and apt description of how PSDs trained using this method will carry out tasks. When PSDs trained in the bite-and-hold method are released by their handler to track a subject, they are trained to find and immediately bite the subject. The PSD will then hold the subject, by continuing its bite, until commanded by the handler to release. A police dog trained in bite-and-hold is trained to bite a subject regardless of their actions, physical position, or physical characteristics (such as size). The only circumstances where the tracking process should not end in a bite are if the dog is physically held back by its handler or is given a command to discontinue. Once contact is made with a subject, police dogs trained using this method will bite and hold an individual indefinitely until the handler gives a command for the dog to release.[8]

Proponents of the bite-and-hold method of training argue that it is the most effective way to assure officer safety because a subject will not be given an opportunity to harm an officer if they are immediately immobilized by a police dog bite. Proponents of bite-and-hold also argue that the method is the most effective for ensuring safety of the police dog as it will also be harder for a subject to attack a dog with a weapon if they are being bitten.[9]

There are many reasons to be concerned about the bite-and-hold method of training. Police reports and eyewitness accounts have shown that PSDs trained using the bite-and-hold method have caused numerous accidental bites in B.C., a pattern that is highlighted later in this report, and bite-and-hold dogs have been responsible for injuries so severe that subjects have been left with permanent disabilities. In some cases the injuries have been nearly fatal.

Another major concern with the bite-and-hold method is that dogs are trained to bite suspects who are not resisting, where a bite is not required for apprehension, and where the subject has already assumed a submissive position. Unless held back by its handler, a bite-and-hold dog will never give subjects the opportunity to give themselves up.

BARK-AND-HOLD

The bark-and-hold method trains police dogs who locate a subject they are tracking to stop short upon locating the subject and to begin barking loudly. The theory behind the bark-and-hold method of training is that it creates minimal

THE EFFECTS OF BREEDING AND TRAINING ON POLICE DOGS

Of the thousands of puppies raised by the RCMP for the purpose of becoming police dogs, only 17% will ultimately be chosen to enter service.[10] The effects of police dog breeding and rearing, especially on those who are ultimately rejected, is an often overlooked part of the industry.

What happens to these rejected dogs became a source of controversy after Captain, a two-year old rejected police service dog, was adopted out before being brutally killed and disposed of in a dumpster. The owner, Brian Whitlock, was ultimately charged with animal cruelty and later sentenced to 60 days in jail.[11]

In the aftermath of the story, the original owner of Captain came forward to say that the dog was purchased from the RCMP for $800. That owner, however, found Captain to be "too rambunctious" around his other dog, and realized within a few days that Captain was mostly deaf. The owner re-sold Captain to Brian Whitlock, who had answered an ad and purchased the dog for $250.[12] Within two months Captain was killed.

While the RCMP states on its website that adopted police dogs have no "police" training, The RCMP does note that adopted dogs are generally "very high drive" and require a lot of attention, stating they should not be left unsupervised in houses or vehicles.[13] The RCMP says each dog adoption is considered on an individual basis, and in addition to being sold to individuals, their dogs are sometimes sold to other police forces, search-and-rescue groups, or brokers for international working groups.

distance between a police dog and subject, allowing subjects to give themselves up. Bark-and-hold dogs are trained to keep the subject contained until an officer can move in to arrest and to bite the subject if the individual moves or attempts to attack the dog or its handler. Like bite-and-hold, the dogs are also trained to bite a subject on command, even when there has not been a pursuit.

Proponents of the bark-and-hold training method argue that the mere presence of a barking police dog will most often be sufficient to cause a subject to surrender, and that the dogs are intelligent enough to be trained in a way that allows discretion in determining when to bite a subject. Opponents of bark-and-hold argue that the reverse is true, and that police dogs do not have the intelligence to determine when a subject should be bitten. Opponents also state that this runs contrary to the principle that a handler must always be in control of their dog.

The origins of the bark-and-hold method can be traced to the closing years of the Cold War, when East German guards found themselves losing their service dogs to border-crossing defectors. Knowing the dogs were trained to bite-and-hold, defectors developed a tactic of sheathing their arms with padding, baiting the dog to bite the padding, then stabbing it to death as it held the arm. The guards responded by training their dogs to instead circle suspects and bark as a way of summoning their handlers.[14]

Doug Deacon, pictured above, received the Inspector Commendation Award for his development of training methods with the New Westminster/Delta and Saanich canine units.

In British Columbia, the bark-and-hold training method has been met with great resistance by most police forces, but in the late 1990s it was introduced by some small municipal police forces. Douglas Deacon, a former RCMP officer, was the pioneer of the bark-and-hold method of training in B.C., introducing the method to the Saanich Police Department, and also to the New Westminster/Delta integrated police dog unit. Mr. Deacon worked as a dog trainer until he retired in 2006.

The Saanich Police Department continues to use bark-and-hold to this day. In their training manual, released to Pivot through a Freedom of Information request, Saanich described their training as follows:

The S.P.D. service dog will be trained in line with "Minimum Force" concept, as practiced in Europe and becoming more popular in North American Police Departments. This is where a person surrenders and stays relatively still, that person will remain untouched by the dog. However, the dog will show his intent, through strong barking. Should the person attempt to flee or become aggressive, the police dog will use force.[15]

MINIMUM-FORCE/HANDLER-CONTROL

When we asked the New Westminster Police Department to explain the type of training they currently use with their police dogs, and whether or not they employed bark-and-hold or bite-and-hold, we were told that it is their belief that these terms are antiquated and need to be put to rest. It was perhaps for this reason that New Westminster has termed their method of training "minimum-force/handler-control." This locally developed variant of PSD training is largely shrouded in mystery, as New Westminster has failed to provide any data on training methods or principles despite Freedom of Information requests.

POLICE DOG TRAINING METHODS IN B.C: A STATISTICAL COMPARISON

Not all dog squads are created equal when it comes to the number of bites they report each year. When the statistics provided by the OPCC are combined with the statistics provided by the RCMP, certain jurisdictions stand out as having much higher rates of police dog bites. For example, the VPD's PSD unit accounted for more than one-third of all physical injuries caused by B.C.'s dog squads in 2011 (municipal forces and the RCMP combined), and the Abbotsford Police Department was not far behind. Figure 2 shows the proportion of the provincial population the VPD serves in relation to the number of police dog bites attributable to VPD dogs for the year 2011.

In sharp contrast, the Saanich and New Westminster/Delta Police Dog Squads have reported minimal injuries by their police dogs.

In response to *Freedom of Information Act* requests, Saanich provided the following chart documenting the number of police dog bites during the period of May 2009 to April 2012, stating the number of police dog bites to be only six bites over the course of three years (by contrast RCMP and VPD statistics commonly show periods where six people were bitten in a matter of days).

Saanich Police Canine Unit Statistics

April 11, 2012

Statistic forwarded to Ms. Dionisi of the PIVOT Society as per her following request:

"Could you send me the total number of incidents involving the actual use of the police dog from the present day back to March of 2009? - The manual says that dog squad officers are required to report all cases where a 'contact' has occurred, and this includes any interaction which requires medical attention. Could you send to me the number for the same period stated above."

	Deployments	Contacts
Mar 1st- Dec 31st 2009	247	2
2010	272	2
2011	251	2
Jan 1st- Apr 10th 2012	76	0
Totals for time period	**846**	**6**

Figure 2. Vancouver's proportion of population versus provincial PSD bites, 2011

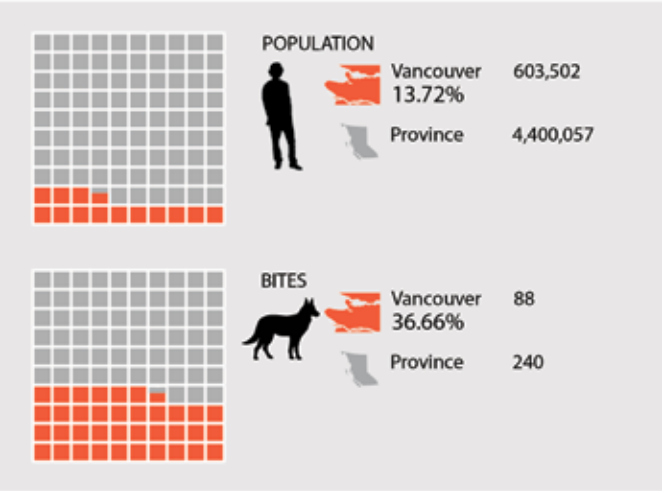


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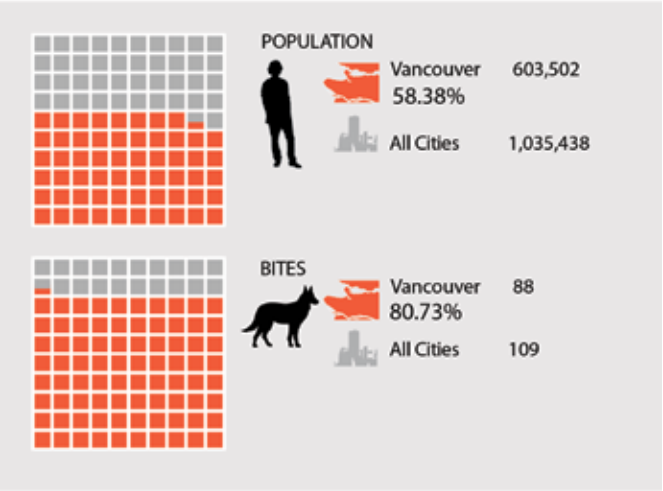
Figure 3. Vancouver's proportion of population versus municipal PSD bites, 2011



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Likewise, statistics from the OPCC show that for the same period of time, from May 2009 to April 2012, the New Westminster/Delta squad recorded only one contact that resulted in a reportable injury. The statistics demonstrate that there are significant differences in the number of bites between British Columbia jurisdictions, but do not explain the reason for those differences. Analyzing potential variables for why there is such a stark difference in the number of bites between some departments helps to put these numbers in context. Differences in population, crime rate, and training have all been raised by police forces as possible explanations for why some department's dogs bite more often than others.

1. POPULATION

An analysis of the population size of different police force jurisdictions clearly demonstrates that this factor cannot explain the disproportionately high number of PSD bites in Vancouver and Abbotsford.

When comparing the population of all cities policed by municipal forces, as shown in Figure 3, with bite rates, the high number of bites in Vancouver remains constant, with Vancouver responsible for ~22% more bites than all other service regions combined. While the VPD polices 58% of B.C.'s urban population, its dog squad is responsible for 80% of all police dog bites in urban areas.

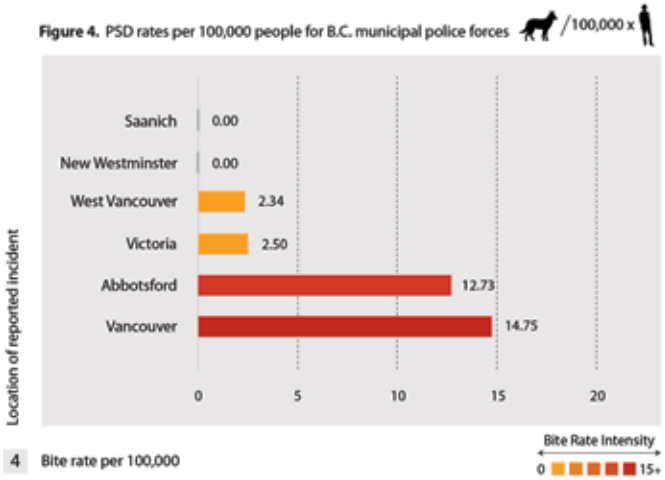
To better understand the relationship between population and the number of bites a police department reports to the OPCC, the formulation of a *population dog bite ratio* can be useful. Calculated in the same manner as a birth rate or death rate,[16] this approach generates a statistic which accounts and controls for population size.

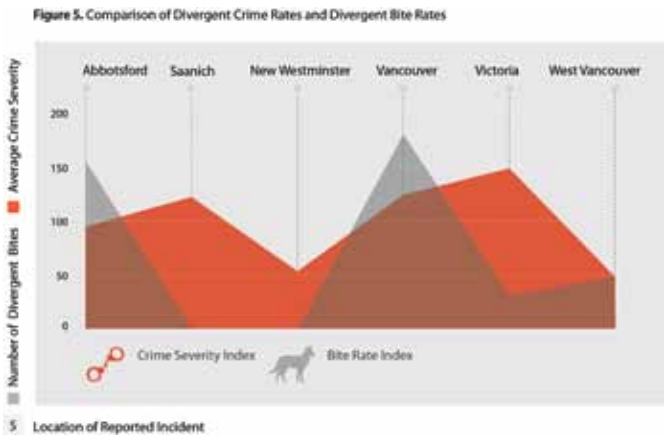
Vancouver's overrepresentation persists when looking at a *population dog bite ratio* for 2011, with a rate of 14.75 bites per 100,000 persons, compared to 12.73 for Abbotsford, 2.5 for Victoria, and 2.34 for West Vancouver. Figure 4 presents the 2011 *population dog bite ratio* for all regions with municipal dog squads. Saanich and New Westminster registered zero reportable bites for the year 2011, despite having a population of ~80% and ~50% of Abbotsford respectively.[17]

Conversely, the municipal police forces in Saanich and New Westminster have no recorded police dog bites in spite of sizable populations.

2. CRIME RATE

Given that it cannot be explained by population size, Pivot also analyzed whether the discrepancy in dog bite rates between municipal police departments could be accounted for by different crime rates among jurisdictions. Where crime is more prevalent and more severe, or where police face more high-risk situations, an increase in the rate of





deployment of PSDs could be legitimate. Statistics Canada measures the rate of crime in different parts of the country, and reports it in the form of a *Crime Severity Index* (CSI). Drawn from self-reported data from municipal police forces, the CSI measures the severity and prevalence of crime within a police force's jurisdiction, and is weighted according to the seriousness of crimes. It is indexed to a baseline of 100. When municipal bite rates are similarity indexed (producing a *bite rate index* (BRI)), the two can be compared. Figure 5 presents the relationship of the CSI to the BRI.

As Figure 5 shows, Abbotsford and Vancouver are the only municipalities with a BRI far greater than their CSI. On the right, West Vancouver and Victoria display bite rates at or below the incidence and nature of crime they face. On the left, New Westminster and Saanich have varying levels of severity and incidence of crime, but with no reportable PSD bites. Even though New Westminster has a higher level of crime incidence and severity than Abbotsford, and Saanich a level comparable to West Vancouver, the BRI is significantly lower. Like population size, crime severity does not appear to be a variable that influences greater number of municipal police dog bites.

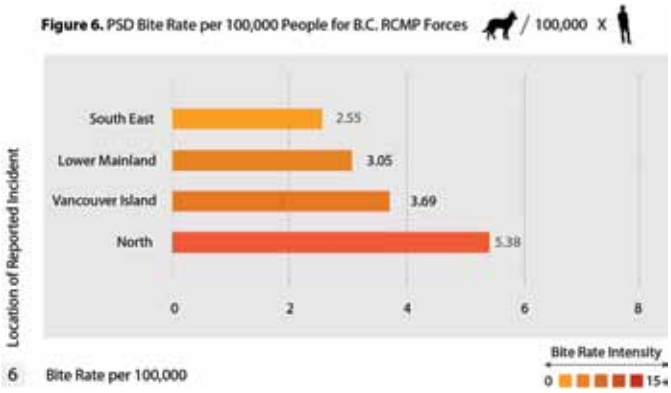
3. TRAINING

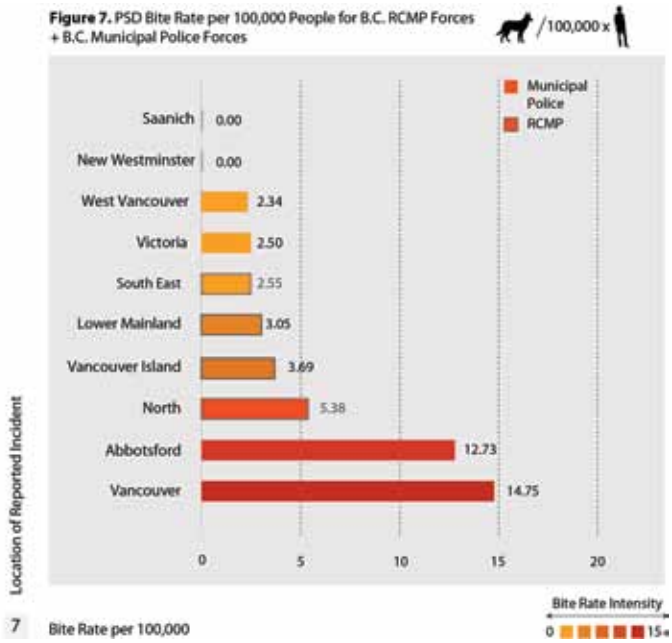
The final variable we look at in this section is whether method of training impacts the level of PSD bites. For this variable we look at both municipal and RCMP dog bites. RCMP data shows that for the year 2011 there were 143 incidents reported where an individual was bitten by a police dog.[18] Figure 6 depicts a breakdown of this tally by the B.C. RCMP's four policing districts, by population.

In contrast to the disparities seen between municipal police forces, the RCMP's smaller variation in bite rates reflects the similarity of training and deployment policies, as the RCMP's dogs are centrally trained at one facility[19] and officers handling dogs are expected to follow the same training practices.

Adding the results from Figure 4, which shows municipal PSD rates per 100,000 people, we see that departments who use differing training regimens (Saanich and New Westminster) stand out even more.

The results in Figure 7 illustrate two important issues. First, the difference in the number of bites between Saanich and New Westminster as compared to all other police forces in British Columbia is so large that it cannot be dismissed as the result of chance. While the secrecy about police departments' internal workings limits our ability to fully investigate explanations for the differences between police forces, the





fact that Saanich and New Westminster both employed a different method of training than other BC jurisdictions during the period in question is undeniably significant.

Second, even after accounting for a number of pertinent variables, the number of police dog bites in Vancouver and Abbotsford remain strikingly higher than any other department. And while Victoria, West Vancouver, and the RCMP lie somewhere in-between, their numbers are still remarkably higher than those of Saanich and New Westminster. This suggests that even if differences in training contribute to why Saanich and New Westminster have significantly lower rates of PSD bites than all other departments, there must be another variable which accounts for the fact that Vancouver and Abbotsford remain so much higher than other municipalities. In the next chapter we will examine this issue more deeply as we explore the way departments deploy their PSDs.

LESSONS ON POLICE DOG TRAINING FROM THE UNITED STATES

In the United States, over the past 20 years there has been a growing discourse on the merits of moving from bite-and-hold to alternative forms of training. The federal Department of Justice, which includes a civil rights division, has been called upon to intervene in several cases where jurisdictions have police dog bite statistics that are particularly high, or where the department has been presented with evidence of misuse and abuse of PSDs by police forces. Based on their findings, in 2001 the U.S. Department of Justice formally recommended that police "agencies should train their canines to follow the 'find and bark' rather than 'find and bite'" method of apprehending subjects.[20]

The U.S. Department of Justice has also scrutinized the actions of police forces in the cities of Cincinnati, Prince George, Maryland, and most recently Seattle, Washington.

In March of 2013, the Seattle Times ran an exposé on the number of accidental police dog bites by bite-and-hold trained PSDs. The news story highlighted the case of Mark Roberts, who was wrongly attacked by a police dog and received a settlement of $350,000. As noted in the Seattle Times article, litigation is one of the main reasons why the International Association of Police Chiefs and the U.S. Department of Justice both recommend the bark-and-hold method of training over "bite and hold."[23]

The recommendation to move from bite-and-hold to bark-and-hold was also made as recently as September of 2013 in a report by special counsel to the Los Angeles County Sherriff's Department (LASD), the oversight body of one of America's largest police forces. The report examines the high incidence of bites reported by the LASD (whose responsibility it is to police the surrounding areas of Los Angeles County not served by the LAPD), and the shocking fact that in the first six months of 2013, 100% of the LASD police dog bites involved African-American and Latino subjects.[24]

In addition to recommending changes to how police dogs are deployed, the report outlines the reasons why it feels like a shift to bark-and-hold is appropriate:

"we tend to side with the "find and bark" proponents on this argument. The majority of dog squad cases we read undermined the notion of handler control. Dogs were either proceeding to bite suspects while the suspect was out of the handler's sight or biting suspects once the dog discovered a person under a tarp or a car or a pile of clothes. These latter types of cases again are examples where the dog has made a decision to bite or where the handler did not have time to recall the dog (or chose not to) before the bite."

DOG BITES AND THE LOS ANGELES POLICE DEPARTMENT

There is no greater example of this type of federal intervention in local policing practice than the reform of the Los Angeles Police Department (LAPD) in the early 1990s. Triggered by the videotaped beating of Rodney King, the reforms of the LAPD targeted many different aspects of police policy, including the use of police dogs.

Once a symbol of corruption and excessive force, the LAPD engaged in a systemic change of policy and practice in the wake of scandals involving police corruption and allegations of excessive force. Over the course of ten years, the U.S. Department of Justice accumulated enough evidence against the LAPD to threaten a lawsuit on civil rights grounds. One of the sensational accusations was that in the late 1980s LAPD officers routinely referred to African-American youths as "dog biscuits."[21] In response to the Department of Justice's threats of litigation, the City of Los Angeles entered into a consent decree, agreeing to a series of reforms under the supervision of the U.S. Federal Court.

But even before entering into the consent decree with the Department of Justice, the LAPD recognized that it had a problem with police dog bites. In 1992, the Department changed policies relating to deployment and introduced the bark-and-hold method of training for their police dog squad, with the objective of lowering the overall number of bites and hospitalizations. Doctors at the Los Angeles County, University of Southern California Medical Centre undertook a study that tracked the number of individuals brought to the emergency room as a result of police dog injuries over a six-year period. The study spanned the time period before and after the reforms. During the first three years of the trial, from 1988 to 1991, the LAPD employed the bite-and-hold method of training. During this period, 639 people were brought to the emergency room. In the following three years, from 1992 to 1995, after the LAPD switched to the bark-and-hold method of training, the number of hospitalizations decreased to 66, a decrease of almost 90%.[22]

It is important to note that if the number of bites in Los Angeles during the first period of the study, 639, is turned into a population dog bite index like we have done for the police forces in British Columbia, the resulting score of approximately 3.87 is still significantly lower than the number of bites currently seen in Vancouver and Abbotsford, and only slightly higher than the current number for the RCMP, West Vancouver, and Victoria.

RECOMMENDATIONS: PSD TRAINING

Recommendation: **In keeping with the principles of minimum necessary force, B.C. police forces should modify training techniques for PSDs to include only bark-and-hold and any other less aggressive form of training that has been shown to lower the rate of police dog bites.**

Recommendation: **Conduct an independent evaluation or study of how officer training and deployment practices interact with PSD training to affect the number and severity of police dog bites, with the goal of decreasing bites.**

DEPLOYMENT POLICIES AND PRACTICES

In addition to how police dogs are trained, the situations in which they are used and the policies restricting their deployment plays a large part in how many police dog bites, including accidental bites, occur. While changes in police dog training may reduce bite rates in certain scenarios, restrictions on the circumstances in which police dogs are used is also an important factor in upholding the principles of minimum force.

More than a half-dozen dog squads operate in British Columbia. The RCMP has the largest squad, with 43 handler/dog teams in the Lower Mainland alone,[25] and the VPD has the largest municipal squad, with 18 teams.[26] The New Westminster and Delta Police share a team of seven dogs,[27] and the Saanich department operates a team of four dogs.[28] West Vancouver has up to four teams available[29] and Victoria has at least four teams, but we have been unable to ascertain the exact number of dogs they deploy. Abbotsford, which has the second highest bite rate in the province, currently runs an integrated unit with the RCMP, called the "Integrated Police Dog Service" (IDPS). As March of 2012, the IDPS deployed eight dog teams, four from Abbotsford and four from the RCMP. However, in 2013 a news article indicated there are at least five handlers and dogs supplied from the Abbotsford Police Department, so the size of the IPDS may have increased.[30]

Modern police forces exhibit a high level of standardization, due primarily to a focus on best practices and the avoidance of liability. It is therefore puzzling that there is little to no standardization of policies when it comes to the deployment of PSDs in this province. Most departments in B.C. have few, if any, policies restricting the use of police dogs. The only restriction on the use of police dogs shared by all police forces in British Columbia appears to be a requirement that a dog handler should announce their presence and provide a warning before deploying their dog as a weapon. It is important to note that while almost every police report includes a statement saying the officer announced his or her presence and warned that a dog would be deployed, in many of our case studies, including those involving accidental bites or mistaken identity, subjects report that no such warning was given.

There are no uniform policies specifying when a police dog unit should respond to a call, the types of situations that warrant the deployment of a dog, or how records relating to police dog deployment should be kept. In fact, many departments do not even have a standard definition of what constitutes a "deployment."

The VPD's policies related to PSD deployment, which are included in the VPD "Regulations and Procedures Manual," are made available to the public on the department's website.[31] The Victoria and Saanich police departments have released their training manual and procedures in response to Pivot's Freedom of Information requests. The specific training methods and policies on deployment from all other police forces in B.C., including the RCMP, remain confidential. Alternate sources of information, such as court documents and oversight proceedings, do provide some insight into how departments use their dog squads but only create a patchwork picture of what police dog deployment looks like in B.C.

In examining the circumstances surrounding specific police dog attacks, Pivot has identified four areas where deployment policies are in significant need of reform or clarification. In this section of the report we focus on guidelines for when PSD teams should respond to a call or attend a scene; the deployment of police dogs against youth; the deployment of police dogs in relation to minor crimes; and the protection of bystanders.

PSD UNITS AS FIRST RESPONDERS

In B.C., there is a lack of rules governing the types of suspected crimes that would warrant the deployment of a PSD. In many cases, the decision to deploy a police dog unit as first responders is completely arbitrary. Many departments place police handlers and dogs out on general

patrol and there are no restrictions on when they can respond to calls. After a 911 dispatcher calls out the location of a crime in progress, if a police officer with a dog happens to be the closest to the scene, that officer will often be deployed to the scene and the dog will be used to make the arrest of the suspect regardless of the circumstances. This is particularly troubling given that so many departments employ the bite-and-hold method of training.

DEPLOYMENT IN CASES INVOLVING YOUTHS

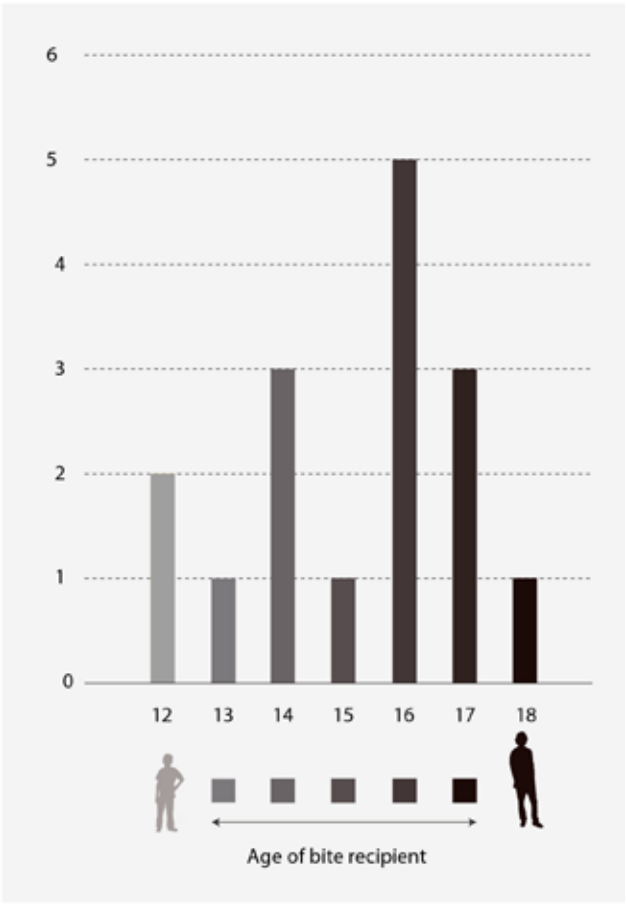
Municipal statistics show that about 10% of all municipal police dog bites involve youth, many younger than the age of 16. Over a period of two years from 2010 to 2012 there have been at least one 13-year-old, three 14-year-olds, one 15-year-old, five 16-year-olds, and three 17-year-olds who have been seriously injured by police dogs in BC. We do not know how many youths have been bitten by RCMP dogs, as they do not keep statistics on the age of people who have been bitten by their dogs.

The stories we have collected from youth who have been bitten by police dogs often involve arrests for very minor offences, like shoplifting or vandalism. In March of 2013, VPD officers received a call regarding a young Aboriginal boy who, along with a friend, had taken a bag of grapefruits from an unlocked car. That youth later recounted to Pivot that the first thing he heard or saw was a police dog the moment before it attacked him. In 2011, police deployed a PSD to apprehend an 18-year-old who had shoplifted a sandwich from a local Save-on-Foods. Despite cornering the youth behind a car where he was effectively trapped, police deployed the PSD. The boy was bitten multiple times in the arm and the resulting injuries lead to permanent nerve damage and the need for plastic surgery.

In another incident, an off-duty RCMP dog handler in Squamish used his police dog to attack youths who had sprayed silly string on the car parked outside of his house. After releasing his dog on one of the 16-year-old youths, the corporal cornered another one of the youths, a 14-year-old girl, who was hiding inside of a playset in a nearby backyard. When the girl refused to come out, the off-duty officer deployed his dog inside the playset and the girl was bitten multiple times. At trial, it was revealed that the corporal suspected the girl was the daughter of one of his neighbours and chose to deploy the dog anyway. There is no record that the corporal was ever disciplined for deploying his police dog while off-duty against two youths for behaviour that would probably not have been deemed to be a criminal offence if it had been brought before the courts.[32]

In another example of very young subjects being bitten, in May of 2012, RCMP in Prince George responded to an altercation between multiple youths at a local fair. After searching the area with a PSD, they located a 12-year-old First Nations girl who had fled the scene and was hiding in a box. When asked to recount her story, the girl claimed that she had attempted to surrender to police, declaring both her age, and that she was afraid. The dog was deployed on her anyway, leaving her with injuries requiring twenty stitches in her leg.[33]

Figure 8. PSD bites by municipal police on youth aged 12 to 18. 2010 - 2012



8 Age of injured youth

SCOTT PHILIPPO

When a solo officer teamed with a police dog trained in the bite-and-hold method is called to the scene, it is difficult to conduct an arrest without engaging the dog. This issue is clearly illustrated in the case of innocent PSD victim Scott Philippo.

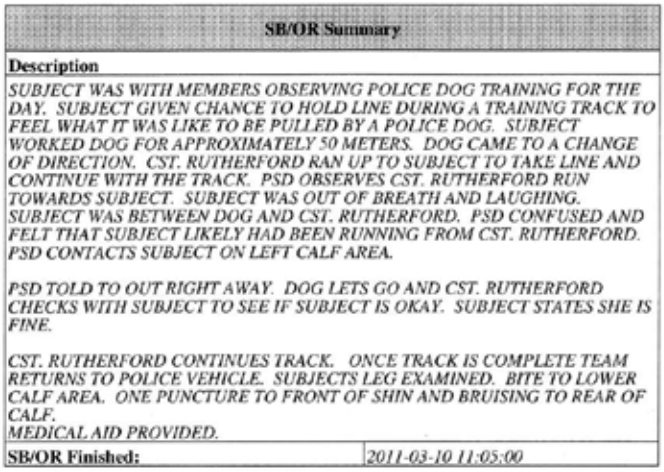
Scott Philippo was living in East Vancouver and working at a restaurant on Commercial Drive. After a long shift, he went to retrieve his bike from outside of a friend's house and found that his bike lock would not open. Scott returned to his workplace and borrowed a pair of bolt cutters from his manager in order to remove the lock. He began to work on removing the lock, unaware that one of the neighbours had looked out the window and believed he was in the process of stealing the bike. Police were called, and a police officer with his police dog,"Gus" arrived on the scene.

Nobody approached Scott to ask him what he was doing, or whether the bike belonged to him. Instead, they waited in the wings until Scott got through the lock and mounted his bike. As soon as he started peddling away, Scott was confronted by the police officer with his police dog. The officer attempted to remove Scott from his bike, but as he did so he lost control of his police dog. The dog jumped up and bit Scott's torso. The officer had trouble removing the dog from Scott, and eventually other officers intervened to assist. Scott reports that after the bite he was handcuffed and kept on the ground for at least 30 minutes while the police dog continued to bark within inches of his head. The subsequent investigation by the officers revealed that Scott was indeed the owner of the bike, and that no crime had been committed. He was treated by an ambulance on the scene, and released without charge or an apology. Scott was never told why officers did not approach him to ask if the bike was his, or why the officer with the police dog was the one who arrested him given that there were other officers at the scene. In the days after the incident, a couple of officers from the VPD's "risk management" section visited Scott to take information on how he was hurt, but still no apology was ever offered.

Pictures of Scott's wounds show the puncture hole where the police dog's teeth entered his torso.

Eventually Scott started a civil action for compensation and settled his case against the VPD.

ACCIDENTAL BITES AND MISTAKEN IDENTITY



SB/OR Summary	
Description	
SUBJECT WAS WITH MEMBERS OBSERVING POLICE DOG TRAINING FOR THE DAY. SUBJECT GIVEN CHANCE TO HOLD LINE DURING A TRAINING TRACK TO FEEL WHAT IT WAS LIKE TO BE PULLED BY A POLICE DOG. SUBJECT WORKED DOG FOR APPROXIMATELY 50 METERS. DOG CAME TO A CHANGE OF DIRECTION. CST. RUTHERFORD RAN UP TO SUBJECT TO TAKE LINE AND CONTINUE WITH THE TRACK. PSD OBSERVES CST. RUTHERFORD RUN TOWARDS SUBJECT. SUBJECT WAS OUT OF BREATH AND LAUGHING. SUBJECT WAS BETWEEN DOG AND CST. RUTHERFORD. PSD CONFUSED AND FELT THAT SUBJECT LIKELY HAD BEEN RUNNING FROM CST. RUTHERFORD. PSD CONTACTS SUBJECT ON LEFT CALF AREA. *PSD TOLD TO OUT RIGHT AWAY. DOG LETS GO AND CST. RUTHERFORD CHECKS WITH SUBJECT TO SEE IF SUBJECT IS OKAY. SUBJECT STATES SHE IS FINE.* *CST. RUTHERFORD CONTINUES TRACK. ONCE TRACK IS COMPLETE TEAM RETURNS TO POLICE VEHICLE. SUBJECTS LEG EXAMINED. BITE TO LOWER CALF AREA. ONE PUNCTURE TO FRONT OF SHIN AND BRUISING TO REAR OF CALF.* *MEDICAL AID PROVIDED.*	
SB/OR Finished:	*2011-03-10 11:05:00*

A disturbing number of people in this province are bitten by PSDs by accident or as a result of mistaken identity. In some cases, the victim of a crime ends up being bitten, resulting in further victimization.

When a dog bites the wrong person or the handler loses control there is no evidence to suggest that the dog or handler is ever sent for additional training or removed from the force. For example, Rex, a PSD from Campbell River was involved in two documented incidents within three and a half months where innocent bystanders were bitten. The first of those victims was Michelle Papineau, whose story is documented on the next page. The second victim was a young man who leaned out of his window to see what was happening after hearing a disturbance next door. The PSD jumped up and bit the man without any instruction to do so. Despite both of these incidents, Rex was not removed from duty. In fact, the Campbell River Courier-Islander later published a promotional article for the RCMP featuring Rex entitled, *"Don't worry Campbell River, You're in Good Paws."*[34]

In addition to accidental bites while on duty and in the field, records also show that there have been several instances where RCMP police dogs have bitten someone while in training or off-duty. A Freedom of Information request by CTV News revealed the incident reports from all RCMP police dog bites in the years 2011 and 2012. The data contained details of two separate occurrences where a police dog bit a bystander during a training exercise. In one of those cases, the victim was a homeless person located near a training site. In the other, a woman who was invited to observe a police dog training exercise became the victim of an accidental bite.

PUNITIVE DEPLOYMENT OF PSDS

Despite being unquestionably illegal, Pivot has spoken with several social service professionals and clients who claim to have been bitten by PSDs as punishment for suspected crimes. In more than a dozen recent cases, individuals claimed they were already detained before officers ordered a PSD to bite them, resulting in serious injury. In some cases, individuals maintain that they were handcuffed before officers set the dog upon them.

LESSONS FROM THE U.S. AND EUROPE ON DEPLOYMENT

In conducting research for this report, Pivot reached out to police forces in both Europe and the United States in order to better understand the range of ways in which police dogs are used around the world. The responses we received demonstrate clear differences in how police dogs are deployed, especially in Europe, where their use tends to be heavily regulated.

In speaking with an assistant chief from the Centre National de Formation des Unites Cynotechniques in France, we were told that the bite and hold method is not used and that police dogs in France are generally muzzled when deployed. Situations where the muzzle is removed and the dog is used to bite an individual are described as "exceptional." The officer stated that Belgium, Germany, Spain, Portugal, and Italy all use similar regulatory models to France.[38]

Recently, in the county of Staffordshire in the United Kingdom, where dogs are trained in bark-and-hold, a program called "Fidocam" has been employed. Cameras are placed on the heads of police dogs and the images are relayed to officers so they know where the dog is searching and when someone is located.[39] The camera footage could also be used to show the actions of a suspect when confronted by the dog if the actions of the dog are later brought into question.

MICHELLE PAPINEAU

Michelle Papineau, a 55-year-old woman from Campbell River, is semi-retired and splits her time between Campbell River and a home on Quadra Island. An early childhood educator by trade, Michelle is also an artist and has lived most of her life near Campbell River, which she calls her home.

On a hot summer day in 2010, Michelle was relaxing near the banks of the Campbell River Estuary when she saw a police officer with his police dog walking towards the river. The officer took the leash off his dog, later identified as PSD "Rex," and allowed him to swim and play in the river. Without warning, Rex left the water and bounded up a hillside towards Michelle, pausing momentarily before leaping up and sinking its teeth into her upper shoulder. Michelle was shocked and confused, and did her best to keep still while the dog placed excruciating pressure on her shoulder as it continued to bite. The officer in charge of the dog, Kurtis England, ran up to Michelle and yelled at the dog to release his grip. Michelle states that while initially unsuccessful, Cst. England was eventually able to get Rex to release and quickly took him back to the police cruiser.

Michelle told Pivot that she did not feel the dog bit her out of aggression, but more out of a strange curiosity or impulse. Regardless of the reason, the bite was significant, and continues to affect Michelle to this day. Michelle has been left with significant nerve damage as a result of the bite, and continues to see specialists to treat her injuries.

After the incident, Michelle asked the RCMP whether or not Rex had been re-trained or taken off the job and was shocked to hear that they had no intention of doing either of those things. To Michelle's surprise she then saw an article in her local paper, the Campbell River Record, just five days later, entitled "Man's Best Friend" saying that Cst. England and Rex had "recently completed their six month follow-up test successfully." The article quotes Inspector Lyle Gelinas as saying, "[t]raining is required to deliver the best possible response when called upon by members for assistance."[35]

While Cst. England initially apologized to Ms. Papineau, after she filed a complaint about the incident the dog handler became much more defensive, and her complaint was ultimately rejected. The complaint decision stated that "Cst. England is a very valued and conscientious member of the RCMP and the Campbell River Detachment," and even though the RCMP admitted that Cst. England was not in control of PSD Rex when he bit Ms. Papineau, the officer was not disciplined. The rejection letter she received was signed by Inspector Lyle Gelinas.

Through Freedom of Information requests, Pivot later discovered that just two weeks later Cst. England's PSD Rex would go on to bite a woman in the face who had been involved in watching a marijuana grow operation, and in November of that year, three months after those incidents, PSD Rex would again bite an innocent bystander while his handler had his back turned.

BILL EVANOW

Bill Evanow, a 53-year-old father of four was hospitalized for eight days in 2011 after he was mauled by a police dog. On the evening in question, an RCMP police chase ended at the edge of the Evanow family's property in Maple Ridge. With the police seemingly nowhere in sight, the driver of the vehicle and a passenger jumped out of the car. Fearing for the safety of his family, Bill grabbed the closest thing he could find, a snow shovel, and herded the man away from the house and towards a nearby apartment complex.

When police finally arrived, they asked a young couple who were walking past the Evanow house which direction the suspects had gone. The couple pointed in the direction Bill had herded the man, and the police dog handler advanced. The police report states that upon seeing both Bill and a suspect, the handler released his dog. Instead of biting the suspect, the dog went directly for Bill, and made contact with his left leg. The results of the attack were horrific.

Bill was the subject of an exposé by CTV News that aired after the 2013 Super Bowl. In that interview, he described the incident and how it has impacted his life:

"I wouldn't wish it upon my worst enemy. I was concerned that perhaps one of my main arteries was open and I hobbled home to say goodbye to my family, because I was convinced that I only had a matter of minutes."[36]

When talking about Bill's injury, his wife Cristina added: "Mowing the lawn or carrying things. He just cannot do things he used to do at all."

As a result of the injuries he suffered, Bill will never be able to fully use his leg again. Large sections of his leg either emit constant dull pain or have no feeling at all. Doctors have now told Bill that this will likely be the case for the rest of his life.

Like many individuals who have been bitten by police dogs, Bill has had to undergo surgery to repair his wounds, and has seen multiple doctors and specialists. Given the fact that most police dog bites result in the need for medical treatment, cases like Bill's highlight the profound impact police dog bites can have on those involved. According to a 2008 study by the Canadian Institute of Health the average cost of a seven-day hospital stay is $7,000, excluding emergency care and day surgery.[37] Given the high level of medical intervention required in cases like Bill's, it is safe to assume that the public health care costs in Bill's case, and others like him who have been bitten by police dogs, will end up greatly exceeding that number.

In the United States, an accidental police dog bite in 1995 sparked significant policy change in terms of how dogs are deployed. Esther Vathekan, a duty nurse in Prince George, Maryland, had returned from a night shift and went to bed. That afternoon, another tenant in the building where she rented a suite called police to report evidence of a break-in. As Ms. Vathekan slept, officers deployed a police dog into the house, instructing it to find and bite. The dog searched for a suspect, but instead found Ms. Vathekan. The nurse was woken up by the dog biting her head and neck, and spent the next six days in hospital. She experienced life-long scarring and pain. The subsequent lawsuit sparked a consent agreement between Prince George County and the federal Department of Justice, leading to significant reforms to how the county trains and uses its PSDs. The Consent Decree[40] mandated some of the following reforms:

- The SOPs (regulations) shall limit canine deployments, searches, and other situations in which there is a significant risk of a canine bite to instances in which the suspect is wanted for a serious felony or is wanted for a misdemeanor and is either known to be armed or is reasonably believed to be armed based upon particularized, specific facts.

- When a deployment or search is permitted, a canine handler shall not allow a canine to bite or to apprehend a suspect by biting except in those circumstances in which:

    a. the suspect poses a risk of imminent danger to officers or others;
    b. the suspect is actively fleeing from officers (as contrasted to hiding);
    c. the suspect is hiding and presents a specific, known, and articulable risk of death or serious bodily injury to officers or others, such as a hostage or barricade situation; or
    d. other reasonable alternatives for apprehending the suspect that involve a lesser use of force have been exhausted or would clearly be ineffective."

- The SOPs shall require that canine officers loudly and clearly announce a warning that a canine will be deployed. The announcement shall be made sufficiently in advance of the canine deployment to afford the suspect an opportunity to surrender and to allow bystanders to exit the area safely.

RECOMMENDATIONS: DEPLOYMENT

Recommendation: **Create a provincial regulation that prevents a solo officer and PSD from being the first responders to a service call. The regulation should restrict officers from arresting a suspect when they are alone with a dog.**

Recommendation: **Model deployment guidelines on those developed in Maryland. New guidelines should limit the deployment of PSDs to instances where a suspect is wanted for a serious crime or is believed to be armed. In cases where deployment is permitted, a PSD should only be instructed to bite a suspect where there is a clear and imminent risk of danger and less forceful means of apprehensions would not be effective.**

Recommendation: **Create a standardized definition of a police dog "deployment" and ensure that each dog squad in the province records the number of deployments by the dog squad as a whole, and the number of deployments of each individual handler and canine team.**

ANDREW ROWE

Andrew Rowe was just 17 years old when he started a short-lived career with the Canadian military. At age 20, during a training exercise in northern New Brunswick, Andy repelled from a helicopter and could not slow down enough to prevent a hard landing into a snow bank. Both of his femurs were shattered. After spending 18 months in recovery in the hospital, Andy was given an honourable discharge from the service.

Eventually, Andy opened a pizzeria, and following a divorce, became a single father to two boys. Despite having been through periods where he struggled with drugs and alcohol, in 2006 his life was going well, when again he was the victim of misfortune. Andy was withdrawing cash from an ATM near his house, when unknown assailants approached him from behind. A man struck Andy in the head with an iron bar, knocking him unconscious and fracturing his skull. Andy was found and brought to a hospital, but it would not be

ANDREW ROWE *(CONTINUED)*

until much later that Andy would learn the extent of the damage he suffered that night.

In the months following the robbery, Andy started having problems with his thoughts and memory and began loosing his vision. Unable to work or function with his family, his boys were taken away. Andy declined rapidly and ended up homeless, once again struggling with addiction.

On March 10, 2007, in an attempt to find something to sell for drugs, Andy went to a Rogers Video in Langley B.C., and attempted to shop-lift some video games. The manager of the store saw Andy conceal the items in his coat and yelled at him to stop, but Andy was already on his way out the door. Andy attempted to hide in some small shrubs nearby when he heard police sirens approach. RCMP officers quickly located Andy and deployed a police dog. The dog latched on to his arm, biting him multiple times. Andy said the officer took his time removing the dog from his arm, and that he believes the officers knew where he was even before they released the dog. However, this is not the most concerning part of Andy's story.

Despite attempts by doctors Andy's left ear could not be saved and was amputated.

Andy alleges that he was then taken down a small hill and into a parking lot. The police dog was led away, which was a great relief to Andy. While waiting for an ambulance to arrive, Andy says he remained on the ground as still as he could, while complaining about the amount of pain he was in as a result of the dog bite. To his horror, Andy watched as the police dog handler brought the police dog down a small flight of stairs and back to where Andy was lying. Andy says he heard the police dog handler tell the other officers around him that he wasn't done, and that he was going to give Andy some scars to brag about in jail. The officer let the dog go and it immediately latched onto Andy's head, ripping and tearing his scalp. When the dog was released from his head, Andy could feel blood running down his face. What was left of his left ear was hanging by a thread of skin.

When an ambulance finally arrived, Andy says one of the attendants was moved to tears by the amount of damage.

Without his ear, Andy has lost the majority of hearing on his left side.

After being bitten by the police dog, Andy's doctors discovered that due to the injuries Andy suffered when he was robbed in 2006, he had bleeding on his brain, which was the likely cause of his cognitive impairment and deteriorating condition in the aftermath of the crime. Andy underwent surgery to repair the bleeding and relieve the pressure on his brain. Soon after surgery, Andy began to recover mentally and began rehabilitation for his addiction. He opened up his own business which he continues to operate to this day. He has reconnected with his kids and considers himself to be a totally changed and stable man.

Andy believes that if officers understood that his addiction was so closely tied to being a victim of crime himself, they would not have set the dog on him that day.

POLICE DOGS AS WEAPONS

Through their websites, calendars and media appearances, the police portray their dogs as loyal and affectionate companions to officers and as heroes in their own right. The VPD's Dog Squad even produces trading cards of handlers with their dogs for children to request and collect.[41] The Edmonton Police Department sends out a Christmas card every year featuring their dog squad, and it is common for police departments to take their dogs into schools to show them to students.

Wayne Gretzky poses with dogs from the Edmonton canine unit in their 1983 Christmas card.

PSDs are given ranks and made official members of the force. Some departments hold police funerals if a PSD is killed in action. In 2005, when Vancouver Police dog Nitro was killed on duty, the VPD held a full ceremonial funeral with colour guard and over 700 officers presiding, including constables from Ontario.[42] But stripping away the pomp and circumstance around police dogs reveals a different type of relationship between police dog and handler. Far from equals, police dogs are used by police forces as high impact weapons.[43,44]

As illustrated in Figure 1, In B.C., PSD bites are the leading cause of injury at the hands of police, exceeding by a factor of six injuries incurred by all other weapons. This is particularly concerning given that PSDs constitute—by the standards of the police—a weapon of significant and nearly unrivaled force. When compared to all other non-lethal force options available to police, including batons, pepper spray, fists, and Arwen (bean bag) rounds,[45] PSDs are unique in their capacity to inflict debilitating, lifelong injury.

EFFECTS OF PSD BITES

Male German Shepherds are large animals, averaging 60–65 cm (24–25 inches) high at the shoulder, weighing 30–40 kg (65–90 lbs.), and capable of attaining a running speed of 55 kph (35 mph).[46,47] In German Shepherds, as with most dogs, the teeth meet in a formation known as a *scissor lock*, wherein the upper incisors overlap the lower, permitting the dog to achieve a stronger hold on prey and inflict greater tissue damage.[48,49] PSDs are then trained to bite harder than they would naturally, in order to obtain a better hold on a subject and often inflict multiple wounds if they have difficulty grabbing the subject. This unique etiology results in wound patterns and characteristics that are substantially different than those inflicted by domestic dogs.

Peter Meade (2006)[50] has studied medical records associated with police dog bites and uncovered significant differences between PSD and domestic dog bites. Meade found:

… higher hospital admission rates (42% versus 7%) and higher multiple bite rates (73% versus 16%) in police dogs. Police dog bite victims' operative rates were nearly twice as high as domestic dogs (4.0% versus 2.3%).

A significant factor in the patterning of police dog bites is the subject's positioning at the time of attack. Contrary to popular depictions of PSDs apprehending a violent perpetrator who can only be subdued by force, subjects are often aware of the PSD's approach and are attempting to hide or defend themselves, and are thus attacked while assuming a fetal, supine, or prone position where the head, neck, torso and upper arms are exposed to attack. This difference in the positioning and resulting severity of bites is exacerbated by the bite-and-hold training method, which results in a bite regardless of the behaviour or position of the suspect. This is

CHRISTOPHER EVANS

On the evening of June 11, 2011 Christopher Evans was returning home to his small single room in one of Vancouver's most notorious SRO hotels, the Balmoral, when he was violently attacked by a police dog. An avid skateboarder, Chris carried his board with him at all times. On the evening in question, after travelling east along Hastings Street to visit his sister, he felt like taking the bus home. Chris saw two buses pull up then leave the stop without picking up passengers. He became increasingly frustrated, and began walking west towards his SRO. Soon after, another bus approached, and Chris made his way back to the bus stop to catch it, only to see the driver close her doors and begin to drive away. Chris lashed out by striking the bus with his skateboard, a reaction that triggered a dramatic chain of events.

Chris hit the front entrance to the bus, breaking the window. Video footage of the incident, released by the VPD, showed the driver refusing to pick Chris up after he hit the door, telling him that he was too violent. Chris turned and left, continuing to wait at the bus stop before eventually making his way west on his skateboard towards his home.

Photos of the injuries to Chris's right leg, taken by Chris at the hospital, show the capability of a police dog to cause severe injury.

By chance, the closest police officer was a lone officer with his police dog. The officer pulled up behind Chris, stopped his car, and opened the back door to release his dog. The officer says he gave Chris a warning that the dog would be deployed; Chris says he heard no warning and had no idea the officer was there until he was knocked off his skateboard by the dog. The resulting injuries were devastating. The dog attached to Chris's right leg and bit him multiple times. Whether because Chris was panicking or because the dog was thrashing, the dog's teeth caused gashes so large and deep that Chris's femoral artery was nearly severed. Chris stated that the nurse at the hospital told him that had his artery been severed, there was little chance he would have survived.

In a nationally televised radio interview after the incident, Chris offered an apology directly to the bus driver involved. While there is little doubt that the police had the right to arrest Chris for the criminal charge of mischief, the manner in which the arrest was made, and the injuries that resulted, require close reflection.

In Canada, police are responsible for apprehending suspects with the least amount of force required in order to take them before the courts. There their innocence or guilt will be determined, and if they are guilty they will be punished by a Judge. In Chris's case, the Crown Counsel responsible for the prosecution dropped the charges after seeing pictures of his injuries. When police officers bypass the court process and administer a form of punishment through the use of force, our entire judicial system is undermined.

in contrast to domestic dog bites, where the subject is typically bitten on the arms or legs while playing with or feeding the dog.

The unique target sites and bite characteristics attributable to PSDs typically require more intensive medical interventions. In Meade's study, the most common interventions required to treat PSD bites were artery, joint, tendon, and cartilage repairs, skin grafts, and tissue debridement (i.e., removal of shredded skin and muscle). Invasive diagnostics were also frequently required, which is rare in cases involving domestic dog bites.

JOYCE LEE

Joyce Lee, a 43-year-old avid hiker, was preparing to leave her apartment in Comox, British Columbia, when a young man, trying to evade police after being pulled over for an outstanding warrant, forced open her door and made his way inside. Joyce repeatedly asked the man to leave, while doing her best to protect herself from harm.

Police officers in pursuit of the man saw him enter Ms. Lee's apartment, but did not look to see if there was anyone else inside. One of the officers released a police dog into the apartment, directing it to bite the intruder. Instead, the dog went for Ms. Lee, who was hidden from view. The dog made contact with Ms. Lee's shoulder and hand, biting her until police entered the suite and commanded it to stop. After removing the dog from Ms. Lee, and with the intruder subdued in the corner of the room, Ms. Lee was shocked to watch the officers proceed to sic the dog on the prone man in front of her.

Ms. Lee continues to report pain and nerve damage as a result of the attack, and was profoundly affected psychologically. A letter from her doctor, drafted two years after the incident, reports that for a long time after the incident Joyce had "nightmares of seeing dogs," and that "her sleep became fractured." The letter also states that Joyce began having aggravated migraine headaches, and since the event has been diagnosed with "depression and extreme anxiety and phobia from dogs." In conclusion the doctor notes: "[a]ll in all, physical parts of her symptoms have subsided almost one year after the incident, but psychological part, although reduced, is still bothering her."

Ironically, the RCMP's investigation into Ms. Lee's case stated that the deployment of the police dog was reasonable because the constable had to "act quickly to prevent his escape or possible harm to the public," and that "while it is always unfortunate when an innocent member of the public is injured during the apprehension of a suspect, Ms. Lee's injury was not intended by Cst. Allan, and his quick response may have minimized the harm to Ms. Lee and other members of the public." The fact that deployment of the dog left Ms. Lee, a member of the public the constable was so concerned with protecting, with life-altering injuries appears to be lost on the RCMP.

Similar to the Papineau incident in Campbell River, there is no evidence the handler was ever disciplined, nor was the dog required to undergo additional training.

31-year-old Shaun McGregor (pictured) with injuries to his right shoulder from the same police dog that bit Joyce Lee, is taken away from Joyce Lee's apartment by members of the Nanaimo RCMP. On November 15, 2011, he was sentenced to one month in jail.

The range of harms suffered by victims of PSD bites extend beyond the physical and into the psychological realm. The experience of a severe physical injury, such as a PSD bite, may lead to acute, and often chronic impacts on psychological functioning. Events involving bodily trauma (either witnessed or experienced) are usually the most profound, with lasting implications.

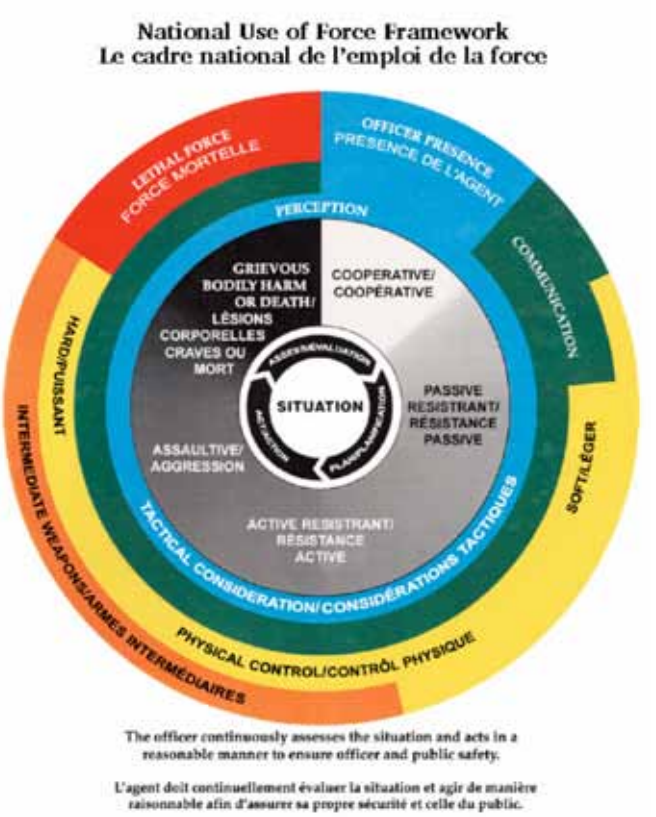
There is important evidence that for young people, the ability to overcome the psychological trauma associated with dog bites is dependent upon the immediate presence of emotionally available caregivers.[51,52] Children and youth who experience police dog bites overwhelmingly face at least some involvement in the justice system as a result of their arrest. The treatment they receive in custody is often characterized by harsh and aggressive behaviour at the hands of adults, spanning the initial contact with police dog handlers through to detention centre staff and corrections workers.[53,54]

POLICE DOGS IN THE NATIONAL USE OF FORCE FRAMEWORK

Canada's National Use of Force Framework (NUFF), depicted in figure 10, provides Canadian law enforcement personnel with a guide to the appropriate level of force to be used in a given a situation. According to the NUFF, police are instructed to increase the level of force they use in response to the threat they, the suspect, and the public face. Force options graduate from presence, to communication, to physical control, and finally, lethal force.

In contrast to the NUFF, the injuries we see from police dogs demonstrate an inversion of the model's requirements, with dogs commonly being deployed before presence, communication, or soft methods of force. This cannot be justified as the NUFF model is predicated upon evidence that lower levels of force preclude the need for higher levels of force. The presence of a police officer at the scene of a crime in progress, for example, almost always prevents the crime being completed or amplified.

There is little agreement as to where police dogs lie on the use of force continuum. This is because the dogs are commonly deployed when individuals need to be "tracked," and presence and communication are not options when police are not in front of an individual. In some cases that we have examined involving bite-and-hold trained dogs, by the



time the officer arrives the bite has already occurred. In other words, force has already been employed, and presence and communication are no longer available to the officer.

This disconnect between the NUFF and the way in which PSDs are deployed is complicated by the fact that while police forces commonly classify PSDs as "intermediate weapons," the injuries that result from a police dog deployment, as evidenced in this report, can result in grievous bodily harm.[55] This suggests that police dog bites should qualify as a "hard" use of force, as they have the potential for significant injury. The NUFF continuum makes it clear that a suspect must be "assaultive" or "aggressive" to justify that level of force. In the vast majority of cases Pivot has seen involving a PSD trained in bite-and-hold, the person who was bitten was not exhibiting assaultive or aggressive behaviour. According to NUFF, hiding or leaving the scene of a crime would be seen as "active resistance," which would justify intermediate weapons, but not a "hard" use of force. For this reason, the use of police dogs trained in bite-and-hold simply do not fit Canada's current use of force framework.

Perhaps the greatest difference between dogs trained in bark-and-hold and those trained in bite-and-hold is that, when properly trained and deployed, a bark-and-hold dog will give the suspect an opportunity to go from active resistance (hiding or fleeing) to compliance, before it bites. If the subject chooses not to be complaint when approached by a bark-and-hold dog, and becomes assaultive or aggressive, the bark-and hold-dog is trained to bite. This type of force, in response to a subject being assaultive or aggressive, complies with the recommendations made by the NUFF. It is also supported by the empirical evidence gathered in B.C., which shows that the municipal force using bark-and-hold training has a drastically lower rate of police dog bites than other jurisdictions. This supports the common sense proposition, heralded by bark-and-hold proponents, that the vast majority of subjects will immediately become compliant and remain still when confronted by a barking police dog.

RECOMMENDATIONS: POLICE SERVICE DOGS AS WEAPONS

Recommendation: **Develop a new classification for police dog bites on the Use of Force Continuum, defining them as a "hard" use of force, just below the use of lethal force. Specify in regulations that police dogs are not to bite a subject unless that person is being assaultive, or presents an objective risk of grievous bodily harm or death.**

RECORD-KEEPING AND REPORTING

In B.C., police forces are either municipal, and patrol a defined urban area (like the Vancouver and Victoria police departments), or federal, and police a region (the RCMP).

Municipal police departments are overseen by the Office of the Police Complaint Commissioner (OPCC), and must report all cases where a police officer injures an individual. Statistics on the type of force used, the age and gender of the person injured, and the department responsible are collected by the OPCC. The data is compiled and made available to the public.

The RCMP maintains their own statistics on police dog deployment, and does not report injuries to an oversight body. In the spring of 2012, Pivot requested that the RCMP release the number of police dog injuries in B.C., broken down by region, age, and gender. Despite initial resistance to providing the requested information, Pivot eventually received data from the RCMP, although it did not include the age and gender of the subjects bitten. In cross-referencing some of the cases Pivot was working on with the information provided by the RCMP, we discovered that the statistics we received did not include every instance of an injury caused by a PSD bite. Discussions with the RCMP revealed that the statistics did not include incidents where the police dog bite was determined to be an "accident" or where the person bitten was not a suspect. This is because the RCMP does not require police officers to file a use of force report in these circumstances. As a result, we know that the RCMP statistics do not include multiple incidents where police dogs have accidentally caused injuries.

In addition to requests for statistics on the number of people bitten by police dogs in this province, Pivot also filed Freedom of Information requests with each police department asking for a description of their policies and practices related to deployment of police dogs. The results suggest that there is no standard definition of what constitutes a police dog deployment in our province. For example, the Victoria Police Department breaks down their dog deployments as follows:

PSD Arrests	82
Tracks	168
Evidence Searches	65
Evidence Finds	53
Building Searches	75
Drug Searches	69
Drug Finds	31
Code 5 Vehicle Stop	7 (High risk vehicle stop whereby the occupants are extracted verbally by police and the dog is utilized to search the vehicle for additional occupants while police remain a safe distance back behind cover.)
Area Searches	103
ERT	4
Explosive Searches	5
Warrant/Contain	130 (The K9 team is deployed on the perimeter of the building in the event the suspect(s) flee on foot.

Adding all of these activities together, the Victoria Police Department reports that in 2012 it had a total of 523 PSD deployments, broken down by the following geographic areas:

There were a total of 523 dog deployments by Victoria Police K9 teams in 2012. From that total, 414 calls (78%) were in the Victoria Police jurisdiction. Victoria Police K9 teams answered 65 canine calls (15%) in RCMP jurisdictions, 31 calls (6%) in Saanich and 13 for various other agencies (eg/ Oak Bay, Central Saanich, Military).

	2010	2011	2012
Victoria	460	395	414
Saanich	36	33	31
Oak Bay	4	4	1
Central Saanich	8	6	7
Westshore	55	56	49
Sooke	13	6	8
Sid/N. Saan	14	11	8
Other	3	8	5

A deployment rate for a city and surrounding area the size of Victoria appears to be more or less in line with the statistics reported by other agencies, but not all departments track their deployment rate in the same way as Victoria. The VPD, for example, has stated in an interview on CBC from 2012 that it defines a police dog deployment as any time a police handler and dog go on duty, meaning that by their definition the VPD had approximately 11,000 police dog deployments in the year 2011 alone.[56] The actual number of times that a police dog is functionally used is either not recorded, or has not been disclosed to the public by the VPD. It should also be noted that in this interview the VPD stated publicly that 65 police dog incidents resulted in reportable injuries. Our statistics from the OPCC show that this statement is false, and that the number of actual police dog bites by the VPD ending in a reportable injury for the year 2011 was 89. The inability of the VPD to report accurate statistics to the public is concerning to say the least. Without a standardized way to track deployment rates by department, it is nearly impossible to determine the number of police dog bites per deployment in order to create a dog-bite ratio.

In gathering statistical information for this report, a number of other concerns emerged, including annual changes to record-keeping practices. In one case, we were informed that the information we were looking for would need to be manually assembled by department staff, a process with potential for error and subjective exclusion. While police forces and oversight bodies at all levels are required to maintain statistics relating to their work, there is no standardized operationalization of the types or nature of the data kept by forces. There is also no standardized system to compile, monitor, synthesize, or disseminate the data that is collected, and no agency is responsible for monitoring how police dogs are used in our province.

RECOMMENDATIONS: RECORD-KEEPING

Strong and consistent reporting and record keeping is required to ensure that B.C. can develop evidence-based policies that promote public safety and police accountability. Without a standardized definition of "deployment," "contact," or details on PSD training methods we will not be able to effectively evaluate what policies and procedures are working to minimize the level of force and harm caused by police dogs.

Recommendation: **Standardize the way that police departments, including the RCMP, keep records on police dog use, and require mandatory disclosure of those statistics to the Police Services branch of the provincial government, and to the general public.**

Recommendation: **Once a standardized definition of deployment has been implemented, all police departments in B.C., including the RCMP, should be required to compute a bite ratio at monthly, quarterly, and annual intervals for the canine section as a whole, and for each individual handler and canine team. The number of bites should include all accidental bites and place those numbers in the context of the number of deployments.**

POLICE DOGS IN THE COURTROOM

The Director of Police services in British Columbia has the capacity to introduce the recommendations proposed in this report. If political changes are not forthcoming, the courts offer another avenue for achieving the reforms required to ensure that PSDs in this province are trained and deployed in a manner that complies with Canada's National Use of Force Framework and that reflects the presumption of innocence that is integral to democratic policing.

To the best of our knowledge, every civil lawsuit related to PSDs brought against a police force in British Columbia that went to trial involved departments that employ the bite-and-hold method of training. One of the most prominent court cases was that of *Dennis v. City of Vancouver.* In 1997, VPD officers entered the home of Mr. Dennis without his consent and without a warrant. Upon entry, a police dog was deployed into the bathroom where Mr. Dennis was located, causing him injury. In his reasons for judgment, Judge Meyers laid out the primary concern with the bite-and-hold method when he stated:

The police officers acknowledged that the police dog was instructed to "bite and hold" and that the dog would do so immediately upon entering the bathroom, whether or not Mr. Dennis appeared to present an immediate danger to them. The officers agreed, that if Mr. Dennis had been passed out on the floor, the dog still would have bitten and held him; the officers agreed that if a baby had been in the bathroom rather than Dennis, the dog would have "bitten and held" the baby; the officers agreed that if the bathroom door was opened and Mr. Dennis had his hands up, without any display of possible retaliation, the dog would still have "bitten and held" him. In other words, no matter what the response of Mr. Dennis was, he was destined to be bitten by the police dog unless he both quickly and voluntarily came out of the bathroom.[57]

Finding that both the entry and the arrest were illegal, the deployment of the dog was found to be an assault, and Mr. Dennis was compensated for his injuries. However, the broader issue of the appropriateness of the bite-and-hold method of training was not addressed.

Another case that addresses the circumstances under which it is appropriate for a police dog to bite a suspect is *Rosario v. Gladney*. This case sets the standard of care for allegations that a dog handler was negligent in allowing a dog to bite a suspect after deploying it to track the individual. Mr. Rosario, a 27-year-old man, fled the scene of a single car accident and hid near a barn on a nearby farm in an effort to evade police. A police dog was used to track Mr. Rosario. Upon being located, Mr. Rosario gave himself up to officers. Despite Mr. Rosario's surrender, the police dog bit Mr. Rosario in the shoulder, causing injury.

In his reasons for judgment, Justice Bryan Ralph found that in this case there could be no finding that an assault had been committed when the order to bite was not given, but that a duty of care was owed and that any breach of that duty would be negligence. He stated:

Trained police dogs and their handlers are assets in the work of the RCMP. However, RCMP dog handlers clearly owe a duty to citizens to take reasonable care in controlling and handling their dogs as they perform their duties.[58]

Finding that Constable Gladney had lost control of his dog before it lunged and bit Mr. Rosario, Justice Ralph awarded $15,000 in damages for negligence. Again, the question of whether the injury could have been prevented had the dog not been trained to end each pursuit with a bite was not addressed.

In Canadian courtrooms, the relationship between training methods and bite ratios has rarely been addressed. In the recent case of *Robinow v. Vancouver,*[59] Mr. Robinow, found himself with a friend in a stolen van. Unaware the van was stolen, Mr. Robinow followed the lead of the driver, who fled upon seeing police. Mr. Robinow went into a parking garage and hid underneath a car. A police dog was deployed and located Mr. Robinow under the car. Before the handler arrived on the scene the police dog got under the car and bit Mr. Robinow. In court, Mr. Robinow challenged

the reasonableness of the force, but did not present any evidence about alternative methods of training and how those methods might have prevented his injury. The judge found that the deployment of the PSD was a justifiable use of force, and dismissed Mr. Robinow's claim.

In her reasons for judgment, Justice Allan makes a finding that the police dog in question was trained to bite Mr. Robinow upon arrival: *"[w]hen [the dog] located Mr. Robinow, he did what he was trained to do: he latched onto Mr. Robinow's right arm and held him"* The decision in the case does not address the evidence of the constable who had control of the dog that a bite should have only occurred if Mr. Robinow continued to hide or became combative:

Constable Star attached a 25' tracking line to Justice's harness and used the command "find him out." He intended to have Justice locate the suspect and said that the end result of the pursuit depended on the suspect's own actions. By that, he meant that if Mr. Robinow had called out or given himself up, he would have held Justice back and told Mr. Robinow to come out in the open. If Mr. Robinow remained hidden, and the dog could access him, he would bite and hold until released. If Justice could not access him, the dog would bark repeatedly and indicate where the suspect was hiding.

In future cases, it could certainly be argued that a constable tracking a suspect has an obligation to remain in care and control of the police dog. Upon locating a suspect, the constable could give the individual an opportunity to give themselves up to avoid being bitten. Failure to do so may result in a finding of negligence.

In the case of *Mohamed v. Vancouver,*[60] the British Columbia Court of Appeal examined the issue of police dog deployment and training. In his notice of appeal, Mr. Mohamed alleged that the City of Vancouver was negligent in training their dogs in the bite-and-hold method, but at the hearing itself this argument was dropped. The Court of Appeal noted:

There was no evidence as to the efficacy of alternate methods such as "pursuit and stand off," "bark and hold," or "harass and delay," in apprehending suspects and minimizing risk of injury. I do not consider the trial judge erred in failing to hold the City negligent in its method of training its dogs.

While the argument of negligence in training was raised in *Mohamed*, it was not addressed in evidence, and the Court has yet to conduct a full analysis of different training methods. This is not surprising given the difficulties plaintiffs face in securing an expert witness who can give evidence on the subject of police dog training methods, as the vast majority of qualified experts are former or current police dog handlers and many would find themselves in a conflict of interest testifying against police. This does not mean that these issues cannot, and will not, be raised in future court cases.

CONCLUSIONS AND SUMMARY OF RECOMMENDATIONS

One of the most astonishing aspects of Pivot's work with people who have been victims of PSD bites is that the reports that Pivot has received account for only 10% of all police dog related injuries over the last three years. There are a startling number of individuals who have been bitten by police dogs and do not report their experience to government oversight bodies such as the OPCC or to police accountability organizations like Pivot or the B.C. Civil Liberties Association. The OPCC reports that in 2011, only five individuals filed formal police complaints after being bitten by a PSD.

British Columbia's Independent Investigations Office, which investigates cases of serious harm or death that involve a police officer, is investigating only two other incidents involving police dogs. In a context of poor record-keeping and insufficient reporting, there are hundreds of stories that remain unheard, and this has resulted in a lack of policy attention to the issue of injuries caused by PSDs.

We believe that the recommendations in this report present a clear path for British Columbia to reduce the number of catastrophic injuries caused by PSDs, with important legal and human rights implications. If the Province chooses not to take that path, the courts will be called upon to intervene.

SUMMARY OF RECOMMENDATIONS

PSD TRAINING

Recommendation: **In keeping with the principles of minimum necessary force, B.C. police forces should modify training techniques for PSDs to include only bark-and-hold and any other less aggressive form of training that has been shown to lower the rate of police dog bites.**

Recommendation: **Conduct an independent evaluation or study of how officer training and deployment practices interact with PSD training to affect the number and severity of police dog bites, with the goal of decreasing bites.**

DEPLOYMENT

Recommendation: **Create a provincial regulation that prevents a solo officer and PSD from being the first responders to a service call. The regulation should restrict officers from arresting a suspect when they are alone with a dog.**

Recommendation: **Model deployment guidelines on those developed in Maryland. New guidelines should limit the deployment of PSDs to instances where a suspect is wanted for a serious crime or is believed to be armed. In cases where deployment is permitted, a PSD should only be instructed to bite a suspect where there is a clear and imminent risk of danger and less forceful means of apprehensions would not be effective.**

Recommendation: **Create a standardized definition of a police dog "deployment," and ensure that each dog squad in the province records the number of deployments by the dog squad as a whole, and the number of deployments of each individual handler and canine team.**

DOGS AS WEAPONS

Recommendation: **Develop a new classification for police dog bites on the Use of Force Continuum, defining them as a "hard" use of force, just below the use of lethal force. Specify in regulations that police dogs are not to bite a subject unless that person is being assaultive, or presents an objective risk of grievous bodily harm or death.**

RECORD-KEEPING AND REPORTING

Recommendation: **Standardize the way that police departments, including the RCMP, keep records on police dog use, and require mandatory disclosure of those statistics**

to the Police Services branch of the provincial government, and to the general public.

Recommendation: Once a standardized definition of deployment has been implemented, all police departments in B.C., including the RCMP, should be required to compute a bite ratio at monthly, quarterly, and annual intervals for the canine section as a whole, and for each individual handler and canine team. The number of bites should include all accidental bites and place those numbers in the context of the number of deployments.

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