



WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

Susan L. Rahr, Executive Director

19010 1st Avenue South • Burien, WA 98148 • Phone: 206-835-7300 • www.cjtc.state.wa.us

July 15, 2015

TO: Staff, Commissioners, Board Members, and Stakeholders
FROM: Sonja Hirsch, Rules Coordinator 
SUBJECT: Public Hearing and Possible Permanent Adoption
WAC 139-05-915: Guidelines for training canine teams

This rule change is being changed so the WSCJTC is no longer responsible for the certification of canine teams. If approved, the WSCJTC will establish written guidelines for canine training.

Public Hearing and Action by the Commission: The WSCJTC will hold a public hearing on Wednesday, September 9, 2015, at 10 AM, to discuss the proposed changes. The meeting will be held at the WSCJTC located at 19010 1st Avenue South, Burien, WA, in Room E-154. All are welcome to attend and provide oral comments. If you would like to submit a written comment, please send it to shirsch@cjtc.state.wa.us by September 2, 2015.

Staff will request that the Commission adopt the proposed changes. If adopted, the changes will be filed with the Code Reviser's Office and will become effective 31 days after filing.

Attachment: OTS-7165.2

WAC 139-05-915 ((Requirements of)) Guidelines for training ((for)) of law enforcement and corrections dog handlers and ((certification of)) canine teams. ((1) Title and scope: These rules are intended to set minimum standards of performance for the certification of canine teams that are used for law enforcement or corrections purposes. This process is not related to nor does it have any effect upon the requirements for peace officer certification. Nothing in these rules is intended to limit the use of canine teams employed by other state or federal agencies for law enforcement purposes, or the use of volunteer canine teams where the handler is not a Washington peace officer or corrections officer.

((2) For purposes of this section, the following definitions will apply:

(a) "Dog handler" means any fully commissioned law enforcement officer or corrections officer of a state, county, city, municipality, or combination thereof, agency who is responsible for the routine care, control, and utilization of a police canine within a law enforcement or corrections assignment; and

(b) "Canine team" means a specific officer and a specific canine controlled by that officer in the capacity of handler, formally assigned by the employing agency to work together in the performance of law enforcement or corrections duties.

(c) "Training" means any structured classroom or practical learning exercise conducted, evaluated, and documented by an experienced dog handler or trainer, certified as an instructor with recognized expertise on canine subjects associated with the development of the trainee's competency in the care, control, and utilization of a police canine.

(d) "Evaluator" means a certified peace officer or corrections officer, who has a minimum of three years experience as a dog handler and is recognized as a trainer of canines by a professional organization of police and/or corrections dog handlers/trainers or by the handler's employing agency. The trainer must have trained a canine team in accordance with the training requirements of WAC 139-05-915, or be recognized by the commission as a certified instructor with expertise in canine training of a specific police canine subject for the purpose of testing and certifying dog handlers and canines to work as a canine team.

((3) A dog handler must, as a precondition of such assignment, successfully complete the basic law enforcement academy or basic corrections officer academy, or otherwise comply with the basic training requirement prescribed by WAC 139-05-200 and 139-05-210 of the commission.

((4) Prior to such assignment, a dog handler must successfully complete training according to the nature and purpose of utilization of the police canine for which such handler is responsible.

(a) A dog handler who is responsible for the routine and regular utilization of a police canine within general patrol or investigative activities, must successfully complete a minimum of four hundred hours of training, which will include, but not be limited to:

(i) Philosophies/theories of police canine;

(ii) Legal and liability aspects, including applicable department policies;

- ~~(iii) Public relations;~~
- ~~(iv) Care and maintenance;~~
- ~~(v) Obedience and control;~~
- ~~(vi) Tracking;~~
- ~~(vii) Trailing;~~
- ~~(viii) Area search;~~
- ~~(ix) Building search;~~
- ~~(x) Evidence search;~~
- ~~(xi) Pursuit and holding; and~~
- ~~(xii) Master protection.~~

~~(b) A dog handler who is responsible for the primary and specialized utilization of a police canine in the search for and detection of specific substances, excluding explosives, must successfully complete a minimum of two hundred hours of training, which will include, but not be limited to:~~

- ~~(i) Philosophies/theories of police canine;~~
- ~~(ii) Legal and liability aspects, including applicable department policies;~~
- ~~(iii) Public relations;~~
- ~~(iv) Care and maintenance;~~
- ~~(v) Obedience and control;~~
- ~~(vi) Area search;~~
- ~~(vii) Building search;~~
- ~~(viii) Evidence search;~~
- ~~(ix) Vehicle search; and~~
- ~~(x) Detection of specific substances.~~

~~(c) A dog handler who is responsible for the primary and specialized utilization of a police canine in the search for and detection of explosive substances and devices, must successfully complete a minimum of four hundred hours of training, which will include, but not be limited to:~~

- ~~(i) Philosophies/theories of police canine;~~
- ~~(ii) Legal and liability aspects, including applicable department policies;~~
- ~~(iii) Public relations;~~
- ~~(iv) Care and maintenance;~~
- ~~(v) Obedience and control;~~
- ~~(vi) Area search;~~
- ~~(vii) Private and commercial conveyance search;~~
- ~~(viii) Building search;~~
- ~~(ix) Evidence search; and~~
- ~~(x) Detection of explosives.~~

~~(d) A dog handler who is responsible for the routine and regular utilization of a police canine solely for self protection and assistance in hostile or potentially hostile situations, must successfully complete at least two hundred hours of training, which will include, but not be limited to:~~

- ~~(i) Philosophies/theories of police canine;~~
- ~~(ii) Legal and liability aspects, including applicable department policies;~~
- ~~(iii) Public relations;~~
- ~~(iv) Care and maintenance;~~
- ~~(v) Obedience and control;~~
- ~~(vi) Pursuit and holding; and~~
- ~~(vii) Master protection.~~

~~(5) The commission will develop and adopt a minimum performance standard for canine teams performing specific law enforcement or cor-~~

rections functions. It is the handler's responsibility to keep their canines under control at all times. Each handler must be able to make their canine perform to a level that is deemed acceptable by the commission in the category for the team's intended use as a condition of certification.

~~(6) Certification of canine teams:~~

~~(a) The handler and the canine will be considered as a team and it is the team who will be certified. If the canine or the handler changes, a new team exists and the team must be certified.~~

~~(b) A dog handler may not use a canine for police purposes unless the handler is certified to handle a specific canine for a specific purpose.~~

~~(c) In evaluating the proficiency of the canine team, the evaluators shall use the standards approved by the commission for that particular skill category. Performance will be rated on a pass/fail basis. The evaluator has the discretion to discontinue the testing if excessive time has been spent without results, or if there is a concern about safety issues involving the canine, handler, or equipment.~~

~~(d) The commission will certify a canine team who can successfully show proficiency, under scrutiny of a canine evaluator, in all of the areas in which the canine will be used:~~

~~(i) Patrol and investigation:~~

~~(A) Obedience;~~

~~(B) Protection and control;~~

~~(C) Area search;~~

~~(D) Building search; and~~

~~(E) Tracking.~~

~~(ii) Detection:~~

~~(A) Building search;~~

~~(B) Vehicle search;~~

~~(C) Exterior search; and~~

~~(D) Obedience.~~

~~(iii) Explosive detection:~~

~~(A) Obedience;~~

~~(B) Building search;~~

~~(C) Private and commercial conveyance search;~~

~~(D) Exterior search.~~

~~(iv) Master protection:~~

~~(A) Obedience;~~

~~(B) Protection and control.~~

~~(e) Each certification issued pursuant to these rules will remain valid as long as the composition and responsibility of the canine team does not change. A canine team's certification expires if the specific handler and canine, originally paired at the time of certification, cease to perform canine team functions together or if the function for which the team was certified changes. It is recommended that teams recertify on an annual basis.~~

~~(f) If the canine team fails any phase of an evaluation, the team must be reevaluated in that particular phase. Canine teams will be allowed three attempts to successfully pass the requirements of each phase during an evaluation. If the team does not pass by the third attempt, the team must be reevaluated in all phases at a different time to be scheduled by the evaluator and approved by the commission.~~

~~(7) Recordkeeping:~~

~~(a) Each agency is required to keep training, performance, and identification records on canines. The records must stay with the agency responsible for the canine team. The records will be made~~

available for review in the event that the canine is sold or transferred to another agency. The records will include, but not be limited to:

- ~~(i) Microchip number (if applicable);~~
- ~~(ii) Canine's name;~~
- ~~(iii) Breed;~~
- ~~(iv) Training records;~~
- ~~(v) Certification date;~~
- ~~(vi) Date acquired or purchased;~~
- ~~(vii) Source from which the canine was acquired;~~
- ~~(viii) Purpose, use, or assignment of canine;~~
- ~~(ix) Handler's name;~~
- ~~(x) The date and reason the canine was released from service; and~~
- ~~(xi) Copies of all incident reports in which use of the canine resulted in the use of force.~~

~~(b) These records must be retained for a period of one year from the date the canine is removed from active service unless a longer retention is required by statute or local ordinance.~~

~~(c) It is the responsibility of the handler to advise their employing agency of the fact that they have met the standards for canine certification. The proof of certification with the evaluator's signature along with a request for canine certification must be submitted to the commission by the employing agency. This will be considered as a request for certification. Upon verification that the minimum requirements have been met, the commission will issue certification to the canine team.~~

~~(8) It is recommended that a canine intended for use by a law enforcement or corrections agency, be positively identified by having a microchip medically inserted in the canine. Any canine that is sold by a vendor to a Washington state governmental agency for use as a law enforcement or corrections canine should be able to be identified by microchip placed in the canine at the vendor's expense prior to the canine being sold to the law enforcement or corrections agency.~~

~~Once the microchip has been inserted, it is recommended that it not be removed except for medical necessity. If it becomes necessary to remove the microchip, the reason for the removal must be documented and entered into the canine's training records and a new microchip inserted, if medically appropriate.)) Canine teams should be subject to continual, rigorous training in law enforcement techniques in order to ensure that the canines will continue to respond with clarity to the commands of their handlers.~~

It is recommended that agencies utilizing canine teams meet or exceed the approved guidelines which are published by commission staff. The commission does not certify nor offer accreditation to canine teams and all prior certifications/accreditations issued by the commission are rescinded upon the effective date of this rule. This rule is not intended to affect the admissibility of evidence in any civil or criminal action.