

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

NOTES AND REFERENCES

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.

1. The Arwen is a firearm used for deploying non-lethal rounds, often referred to as "rubber bullets."
2. Gordon McGuinness, *Bite and Hold Review Report*. Vancouver Police Department [http://vancouver.ca/police/assets/pdf/media/2012/bite and hold review report.pdf](http://vancouver.ca/police/assets/pdf/media/2012/bite%20and%20hold%20review%20report.pdf) (June 9, 2014).
3. Hutson HR, Anglin D, Pineda GV, Flynn CJ, Russell MA "Law Enforcement K-9 Dog Bites: Injuries, Complications and Trends" *Annals of Emergency Medicine* 29(5)(May 1997): 637-42.
4. Vancouver Police Department, *Regulation & Procedures Manual*, <http://vancouver.ca/police/assets/pdf/manuals/vpd-manual-regulations-procedures.pdf> (June 9, 2014).
5. Office of the Police Complaint Commissioner, (2012). Unpublished raw data.
6. The Arwen is a firearm used for deploying non-lethal rounds, often referred to as "rubber bullets."
7. The RCMP estimates the cost of training one of its dog/handler teams at \$60,000, http://www.rcmp-grc.gc.ca/pe/prog_serv/pds-scp-eng.htm (June 9, 2014).
8. Gordon McGuinness, *Bite and Hold Review Report*. Vancouver Police Department [http://vancouver.ca/police/assets/pdf/media/2012/bite and hold review report.pdf](http://vancouver.ca/police/assets/pdf/media/2012/bite%20and%20hold%20review%20report.pdf) (June 9, 2014).
9. There is, however, plenty of evidence to suggest this isn't always the case. For example on December 9, 2013 a man stabbed a VPD police dog with a pair of scissors after being bitten, and numerous RCMP reports obtained by Pivot talk of subjects striking or grabbing the heads of police dog in response to being bitten.
10. Royal Canadian Mounted Police, <http://www.rcmp-grc.gc.ca/fs-fd/dog-chien-eng.htm> (June 9, 2014).
11. Darcy Wintonyk, "Jail time, lifetime animal ban for Captain owner Brian Whitlock" *CTV B.C.*, June 12, 2013, (<http://bc.ctvnews.ca/jail-time-lifetime-animal-ban-for-captain-s-owner-brian-whitlock-1.1322834>), (June 9, 2014).
12. Kurt Spencer, "Former owner of German shepherd found in dumpster comes forward" *The Province*, July 20, 2012 (<https://groups.google.com/forum/#topic/alt.obituaries/c661stXUQRI>), (June 9, 2014).
13. Royal Canadian Mounted Police, <http://www.rcmp-grc.gc.ca/depot/pdstc-cdcp/sale-sal/purchasing-information-dachat-eng.htm> (June 9, 2014).
14. Eden, R.S. *Handler Control vs Bark and Hold Apprehension Techniques* <http://www.police9.com/html/bitevsbk.html> (June 9, 2014).
15. Saanich Police Department, *Canine Training Standards*, (2013). Unpublished raw data (http://d3n8a8pro7vhmx.cloudfront.net/pivotlegal/pages/458/attachments/original/1376504698/Saanich_Training_Standards.PDF?1376504698), (June 9, 2014).
16. The bite rate is calculated as: (bites per district ÷ district population) × 100,000.
17. Canada census populations: Abbotsford 133,497; Saanich 109,752; New Westminster 65,976. - Statistics Canada, *2011 Census*, <http://www12.statcan.gc.ca/census-recensement/index-eng.cfm> (June 9, 2014)
18. Pivot is aware of RCMP police dog incidents that were not included in the statistics provided suggesting the actual number is higher.
19. Royal Canadian Mounted Police, <http://www.rcmp-grc.gc.ca/depot/pdstc-cdcp/visitors-visiteurs-eng.htm> (June 9, 2014).
20. U.S. Department of Justice - National Criminal Justice Reference Service, *Principles For Promoting Police Integrity: Examples Of Promising Police Practices and Policies*, <https://www.ncjrs.gov/pdffiles1/ojp/186189.pdf> (June 9, 2014).