

The Puppycide and Policing:
Training Modifications to Increase Positive Outcomes in Law Enforcement and Companion
Animal Interactions

by

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Animal Interactions

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Abstract

The following thesis focuses on problems and solutions pertaining to police officer-canine fatal interactions; commonly referred to as the puppycide. The term puppycide is used to refer to the amount of dogs that die at the hands of the police (Kaatz, 2014). To begin, there is an overview of different case law pertaining to these fatal interactions. These cases are used to help demonstrate the problems these interactions are causing for communities, law enforcement personnel and departments across the United States. Along with this, Ohio's Peace Officer Basic Training Curriculum, specifically pertaining to companion animal encounters, is analyzed and compared to other readily available resources and training guides for police officers. After examining and analyzing all these resources, the research question of, "what could be modified in order to address the puppycide in the state of Ohio" is addressed and discussed. This question is answered by introducing modifications to the current Ohio Peace Officer Training curriculum. These changes include more in-depth training for police academy cadets and the inclusion of lectures on dog behaviors and body language for police departments. Along with these modifications, a police officer canine encounter report log and database are also introduced in order to ensure that the changes within the classroom are being reflected within the community.

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“The way to get started is to quit talking and start doing.”

-Walt Disney

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Chapter 1. Introduction

Statement of the Problem

When you think about the police and the role of policing, one may think about justice and protection. At the close of 2018, *Police1* released an article titled *19 on 2019: Expert Predictions on the Top Police Issues in 2019*, which outlined the top issues expected to be seen within the field of policing in 2019. Topics such as “Active Shooter Response”, “Digital Forensics” and “Mental Health Response” (Police1 Staff, 2018) are a few examples of the topics that were discussed. The majority of the chosen topics are issues that are well-known within the community and are broadcasted frequently through news networks. They released another version of this article in 2022 titled *Carfax for Police Announces 2022 Investigating Trends Series Lineup*. This article focuses more on how the police can come together to share ideas and insight on how to better serve their communities (Police1 Staff, 2022). Highlighted within this article is how officers can use technology in order to solve cases. Examples include digital data being used to solve homicide investigations and solving famous cases with the use of vehicles (Police1 Staff, 2022). When it comes to policing, however, there are issues that reside beneath the surface.

One current and heart-wrenching problem actively intertwined within the field of policing is the puppycide. This term, puppycide, refers to “[t]he degree in which dogs die at the hands of police (Kaatz, 2014) ...a term that is clearly meant to pull at the heartstrings” (Smith, 2021, p. 1). Although the problem is current within the field of policing, it still remains an issue that not many people are talking about.

As estimated by the Department of Justice, police officers kill close to 10,000 dogs each year in the United States (Griffith, 2014). That number can be simplified to a daily amount of approximately 25 to 30 dogs (Griffith, 2014). One way to address this problem is within the classroom of future law enforcement officers. Adjusting and modifying the current police academy curriculum to integrate more education on companion animals, especially dogs, is discussed within this thesis. Ohio will be used as an example state, and more specifically, the police academy located on the campus of Youngstown State University. This location was chosen due to the fact that the available resources I would need were located conveniently within the department I am currently enrolled in. The outline I have created is provided in Appendix D. for the modified curriculum called “Companion Animal Encounters” could be used to create a new format for this section across the state of Ohio. Provided in Appendix E. is a specific example for that particular academy that I have created. The new information, as well as some of the current information, would best explain the crucial ideas officers should know and/or be familiar with prior to encountering a canine while on patrol in the state of Ohio.

Looking outside the typical governmental databases, there are still no records of officer-canine encounters organized in a simple fashion. The question here becomes whether the absence of that database could be contributing to or re-enforcing the lack of reporting from local law enforcement across the nation. Would police departments report officer-canine interactions if required? Would the creation of a database help motivate officers to become more educated on canine encounters? Would it serve as a way to be sure that departments are providing adequate and accurate training for their officers? Would the community’s response to the collected data be enough to warrant the changes needed in order put this problem to rest? All these questions aside, the need for a database of officer-canine contact, regardless of the form and severity, needs

to be created and made readily available for local police departments, researchers, and the community.

So why are so many people in the dark when it comes to the puppycide? One reason could be the fact that many police departments do not provide detailed training for their officers regarding dog encounters. This lack of knowledge could be easily changed, and the lives of countless dogs saved, if there were more comprehensive training on canine behavior given to law enforcement officers. A second reason could be because it is too difficult to find accurate statistics. Many police agencies fail to report and document canine shootings by their officers (Whitehead, 2017). Slight modifications to the way police officers learn to handle dog encounters could help to save the lives of the canines they encounter while protecting and serving their community. Having a dedicated database dealing with canine interactions is an additional step that can help give an accurate assessment of force used in canine interactions.

It is very important to mention that there exists no documented report or case involving a police officer dying as a result of a dog bite related injury (Bathurst et al., 2015). With this in mind, it remains in question why police officers are still drawing their guns in certain situations. Simple changes and modifications could help release the tension felt by officers during unplanned companion animal interactions, therefore potentially altering the outcome of the situation for the better. The goal of the proposed additional training is to provide officers with knowledge of canine behavior that will help them interpret a dog's behavior appropriately, thus lessening the chance that lethal force will be used.

Case Law and the Puppycide

There have been many impactful cases that are worth noting when discussing the puppycide of policing. The case law deals with cases where the officer's feared for their safety

due to the presence of a seemingly aggressive canine as well as cases where canines were killed because the officers did not want to lose the element of surprise. These cases highlight certain behaviors performed by law enforcement officials that could be corrected through the use of the proposed curriculum modifications.

Friday, September 16, 1994, the Court of Appeals for the Ninth Circuit in *Fuller v. Vines*, 36 F.3d 65, upheld that the killing of a pet could amount to an illegal seizure under the Fourth Amendment. Along with this, the case of *San Jose Charter of Hells Angels Motorcycle Club v. The City of San Jose*, 402 F.3d 962 reminds us that “[b]y way of the Civil Rights Act, the Fourth Amendment’s ‘unreasonable seizures’ principal grants claimants recourse for the unlawful killing of their dog(s)” (Gaffney, 2018, p. 200). However, in the case of *Pierson v. Ray*, 386 U.S. 547, the “...Supreme Court created a qualified immunity doctrine to protect officers from liability in these suits.” (Gaffney, 2018, p. 200). As seen in *Harlow v. Fitzgerald*, 457 U.S. 800, “An officer who can prove that his or her killing of a dog “[1] does not violate clearly established statutory or constitutional rights [(2)] of which a reasonable person would have known” is granted immunity.” (Gaffney, 2018, p. 200) Even with these vast rulings in mind, “...the number of dogs shot by officers has not diminished...” (Gaffney, 2018, p.199).

Current Officer Training in the State of Ohio

As provided within the Ohio Revised Code, there are rules and requirements that exist when it comes to the training of all Ohio Peace Officer Training Academy cadets. As found in Section 109.747 in the Ohio Revised Code, there are five requirements that must be included within the training pertaining to companion animal encounters and behavior (Ohio Rev. Code, 2015). These five requirements are as follows:

- “(1) Handling companion animal-related calls or unplanned encounters with companion animals, with an emphasis on canine-related incidents and the use of nonlethal methods and tools in handling an encounter with a canine;
 - (2) Identifying and understanding companion animal behavior;
 - (3) State laws and municipal ordinances related to companion animals;
 - (4) Avoiding a companion animal attack;
 - (5) Using nonlethal methods to defend against a companion animal attack.”
- (Ohio Rev. Code, 2015, para. 5)

As mentioned, there exist already different educational resources for officers in terms of proper and safe canine interactions. These resources come in many forms, such as reading materials, educational videos, live lectures, and virtual reality simulations. Along with the style, the cost of obtaining these resources also varies. Examples of these different educational materials are examined in order to show the simplicity and importance of the information, as well as to prove the need for additional training for our sworn officers.

Another consideration for the changes in education can be found when looking at the consequences that can result from deadly dog-related incidents and encounters. When thinking from a police officer’s perspective, the most obvious harm that could arise from these situations is the injury they could suffer while responding to the call (Bathurst et al., 2015). However, if you look beyond the obvious potential harm, there are other consequences that could result. One example is the chance that bystanders or other officers in the area could be shot. Along with the injuries and creating the potential for innocent victims being caught in the friendly fire, there does exist another form of negative outcome; the response of the community. When an officer kills or injures a dog that shows little to no threat, the trust between the community and the police can become damaged. The fatal outcome of these canine-officer interactions could be changed through the education they receive from the Academy.

Proposed Changes and Additions

In order to address the problem before it becomes one for an officer, modification to the current Peace Officer Training Academy should be made. In terms of this thesis, an analysis of the current Ohio Peace Officer Training Academy curriculum pertaining to companion animal encounters is provided. Along with the current state curriculum, other officer-canine interaction educational materials and resources are also proposed. These analyses will be used in order to address different modifications that could be made to Ohio's statewide peace officer training curriculum to better prepare officers for these encounters.

Along with this, the creation of a local department canine-officer report log and database is introduced. This would contribute to knowledge surrounding police-canine interactions and would provide information about where further-training could be focused. Also addressed is the idea of continual learning on the topic of companion animals, specifically canines. This further training could help to keep the information current for the officers, as well as provide an outlet for questions and answers. Police officers should be aware that when they need help with animal encounters, there is typically always an organization to turn to for guidance and assistance.

Also analyzed within this thesis are the potential department setbacks from employing continual education. Such things could include failure to comply from the officers, the inundation of training material, the fear response associated with canine interactions, as well as funding and department budgeting. Although there are many bridges that would need to be crossed, the need for departmental changes regarding the puppycide can be viewed as urgent. It is argued in this thesis that these changes start within the classroom of the Academy Cadets, and end with the department management. With the right amount of resources provided from everyone involved, this problem currently facing policing could become substantially less.

Chapter 2. Literature Review

The following chapter within this thesis is used to establish the problem that the field of policing is currently faced with. To begin, three relevant court cases are discussed; *Fuller v. Vines*, *San Jose Charter of Hells Angels Motorcycle Club v. The City of San Jose*, and *Brown v. Battle Creek Police Department*. These cases were selected in order to show the progression of the problem over multiple years. Along with the timeline they provide, these cases also portray different sides of the puppycide problem. The situation that brought the police to the scene, canine breed and size, location of the canine upon police arrival, and the prior knowledge the officers had all vary within these cases.

Fuller v. Vines, 36 F.3d 65 (9th Cir. 1994)

James Fuller, Sr., James Fuller, Jr., and others within the Fuller family sued the police officers of the City of Richmond for the unlawful killing of their family dog, Champ. Around noon on September 3, 1991, police officers were investigating a matter when they passed by the Fullers' front yard. In the yard were the family and Champ. Two allegations were made that day, one from the Fuller family, and one from the responding officers. The Fullers claim that as officers approached, Champ merely stood up from where he had been laying. Mr. Fuller informed the officers that he could control his dog, and he begged them not to shoot. The officers allege, however, that Champ charged them, barking and growling. Regardless of which account is accurate, the officers shot Champ twice and he died shortly after.

Pertaining to this incident, the Fuller family filed a motion for leave to amend their complaint to allege a violation of the Fourth Amendment, contending first that the shooting of the dog was a seizure of the Fullers' property, and second that the action of the officers

constituted a seizure of the person of James Jr.. In terms of the issue at hand, the ruling based on Champ is what will be focused on further within this thesis.

The Fuller family went forward with their case, alleging that the shooting and death of their family dog Champ was a violation of their civil rights pursuant to 42 U.S.C. §1983. Within this complaint the Fullers' included claims such as the city's failure to properly train and supervise its officers, negligent and intentional infliction of emotional distress, assault, and destruction of property. The highlight of the Fullers' allegation was that the police officers involved in the shooting and death of Champ unlawfully seized their property. It should be noted that the Fourth Amendment provides "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures..." (U.S. Const., amend. IV, para. 1). The Fourth Amendment also defines a seizure of property as being when "there is some meaningful interference with an individual's possessory interests in that property" (U.S. Const., amend. IV, para. 1).

The United States District Court for the Northern District of California entered a summary judgement in favor of the police officers and the city of Richmond. The Court of Appeals for the Ninth Circuit reversed the initial ruling, and stated that the killing of Champ was a violation of the Fourth Amendment. Within their conclusion the Court stated the following;

"...[T]he Fullers have adequately alleged a cause of action under the Fourth Amendment for the killing of their dog in the proposed amended complaint, and therefore, the motion to amend should have been granted. The affidavits submitted by the Fullers alleging the factual background are sufficient to foreclose a summary judgment on the issue. Therefore, we reverse the summary judgment on that ground." (para. 13)

**San Jose Charter of Hells Angels Motorcycle Club v. City of San Jose,
402 F.3d 962 (9th Cir. 2005)**

Kevin Sullivan, on August 24, 1997, was found beaten to death at The Pink Poodle nightclub in San Jose, California. The Santa Clara County Sheriff's Office handled the case, specifically an officer by the name of Linderman (*San Jose Charter of Hells Angels Motorcycle Club v. City of San Jose*, 2005). He determined that the person they were looking for regarding the murder of Sullivan was a bouncer and an active member of the San Jose Charter of the Hells Angels Motorcycle Club (SJHA). Along with this, Linderman also suspected that other SJHA members were involved in concealing evidence of the murder. Two sets of search warrants were granted to obtain evidence in regard to the other SJHA members' involvement; the first set was issued in October of 1997 and the second was January of 1998. Before executing the searches, the Sheriff's Office had arranged the assistance of other outside law enforcement agencies, one of which being the San Jose City Police Department. The role assigned to the police department officers was to secure the premises and obtain entry.

On January 21, 1998, the second set of search warrants were executed simultaneously at residences of members of Hell's Angels, as well as the Hell's Angels Clubhouse. One residence that was searched was home to James Souza and his dogs. This search was supervised by Sergeant Decena. Prior to entry, the officers involved had a week to plan and prepare entry into the home. As part of the preparation, officers obtained background information which showed that there were two guard dogs at the Souza house, one of which was a Rottweiler. Along with this, officers noted that while conducting surveillance prior to the search, they noticed a sign on the gate that read "Warning Property Protected By Guard Dog". It should be noted that the police officers planned the following:

“The SJPOs planned to either isolate or to shoot the dogs, so they would not threaten the safety of the primary entry team. The officers had no plan to use non-lethal methods of incapacitation; nor did they have a specific plan for “isolating” the dogs or any intention of giving Souza the opportunity to isolate his Rottweiler himself”. (para. 14)

On the day of the search, there was no sign of human activity within the residence. The entry teams failed to gain access to the back, so they entered through the front door. The teams made it inside; however, the backyard was still unsecured. The dogs remained in the backyard. While conducting the search, two officers made their way to the backyard to look for the Rottweiler, while having their MP-5 automatic rifles drawn. According to Officer Manion of the San Jose City Police Department,

“[t]he [R]ottweiler suddenly appeared around the corner, approaching from the west at a distance of about ten to fifteen feet. It looked at me, gave me a low growl, and started advancing toward me. I feared that the dog was going to attack me and I immediately discharged my firearm pulling the trigger twice.” (para. 17)

Officer Manion’s two shots killed the dog instantly; however, they did not harm the small white dog also found within the yard. The officers claimed that this dog posed no threat to them.

A second residence that was searched was that of Lori and Robert Vieira. The supervisor in this search was Sergeant Carney, who was also given a week to prepare. Similar to the Souza household, the team conducted surveillance and background information prior to the execution. They learned three important things, one of which was that there might be dogs on the property, however the size and breed were unknown. With this knowledge in mind, Sergeant Carney assigned Officer Nieves to handle any dogs that may be on the scene. His plan involved the following steps;

“First, he hoped that the dogs would not appear at the gate. If they did, he planned to poke them through the fence with his shotgun and try to scare them...if that did not work, he planned to assess the situation and engage the dogs, to ensure the safety of the entry team”. (para. 20)

When officers arrived on scene on January 21, 1998, three large dogs approached the gate. Following the plan, Officer Nieves attempted to scare away the dogs by poking them with his gun and shouting at them. When this did not work, he feared their continuous barking would ruin the element of surprise. Officer Nieves shot the first dog once, then the second dog twice. The third dog retreated while the second dog was critically injured. The first dog that had been shot began attempting to get up and Officer Nieves testified that in an effort to ensure that he wasn't going to attack or be a problem for the team, he proceeded to shoot at the dog's head, killing it.

At the conclusion of the initial hearing, the United States District Court for the Northern District of California denied the officers motions for qualified immunity. The Court of Appeals for the Ninth Circuit upheld the following, regarding the death of the plaintiffs' dogs;

“We also hold that the shooting of the dogs at the Vieira and Souza residences was an unreasonable seizure, and an unreasonable execution of the search warrants, in violation of the Fourth Amendment. Exigent circumstances did not exist at either residence, as the SJPOs had a week to consider options and tactics available for an encounter with the dogs. Nonetheless, the officers failed to develop a realistic plan for incapacitating the dogs other than shooting them. Finally, we hold that the unlawfulness of the officers' conduct would have been apparent to a reasonable officer at the time the officers' planned for serving the search warrants.” (para. 4)

The actions and behaviors conducted by the officers while serving the warrants could have been avoided if they had received proper training. Not only is it important that an officer knows and understands canine body language, but they also need to be aware of the local resources within the area when it comes to canines on the scene. For example, there were no

non-lethal plans for dealing with the dogs, which was specially referenced in the court's findings. The officers also could have worked with the local dog pound or animal control prior to entering the Souza's backyard. If they were never trained or informed of the help that exists, how could we hold them fully accountable for situations like this? The additional support that stems from these resources is crucial in avoiding traumatic endings as presented within this case.

Brown v. Battle Creek Police Department, 844 F.3d 556 (6th Cir. 2016)

April 17, 2013, the City of Battle Creek Police Department (BCPD) obtained a warrant to search the residence of Danielle Nesbitt. After a trash pull, the police believed that Vincent Jones lived at the residence and was distributing controlled substances from inside. Prior to searching, the responding officers and CERT (City's Emergency Response Team) members held a meeting to discuss details pertaining to the case, such as Jones' criminal record and any potential children or dogs at the scene. By the end of the meeting, it was agreed that the officers did not know whether dogs would be present at the residence.

Prior to their arrival, members executing the search received notice that Mr. Jones had left the residence and was detained by officers. They were also informed that a second person was at the residence, along with a dog in the backyard. When they arrived on the scene, Mark Brown, the second person detained, informed the officers that he had a key to the door, and that his two dogs were loose in the house. Officers claimed to not hear this statement and headed for the front door. Officer Klein led the team to the door where he could see the dogs barking aggressively, "digging and pawing" and "jumping" at the window.

"Mark Brown testified that he was able to see the two dogs on the window standing on the couch before the door was breached. Mark Brown testified that, as the officers were approaching the residence, the dogs were not barking. Mark Brown also stated that the second dog did not bark at all, and that he had the second dog almost a year at that point and "she [had] never barked a day in her life." (p. 4)

When the officers breached the door, it was testified that one pit bull ran away from the officers and down the basement steps. The other pit bull barked aggressively at the officers and lunged. As soon as the dog lunged, Officer Klein fired his first shot at the dog. Officer Klein noted that the first pit bull had only moved a few inches between the time when he entered the residence and when he shot her, and that this movement was what he considered to be a “lunge”. He also testified that the first shot was not intended to be non-lethal, and that he was aiming for her head.

After being shot, the pit bull made its way down the basement with the other. As the officers made their way to the basement, Officer Klein testified that the first dog was at the bottom of the steps. He stated that the first pit bull obstructed the path to the basement, and that he did not feel the officers could safely clear the basement with the dogs being down there. Officer Klein shot two fatal rounds at the dog. He mentioned that after firing at the first dog, he saw the second was just standing there, barking and faced sideways, not moving towards them. At that moment, Officer Klein fired two shots at the dog, making her run to the back corner of the basement. Soon after, Officer Young claimed that she moved out of the corner and in his direction, so he shot her. As she hid behind the furnace, Officer Case mentioned that there was blood coming out of numerous holes in the dog and that he didn't want to see it suffer, so he fired the final fatal shot to end her misery.

The BCPD has the following policies with regard to the use of firearms when responding to resistance in various law enforcement situations:

“It is the policy of the Battle Creek Police Department that officers may use response to resistance when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger or serious physical injury.

Justification for the use of response to resistance is to be limited to what reasonably appears to be the facts known or perceived by an officer at the time he/she decides to use response to resistance... The authority to use this force carries with it the responsibility that only the level of force necessary to accomplish lawful objectives is used.

Dangerous Animal, defined; An animal that bites or attacks a person or another animal

Vicious Dog, defined: An animal of the *Canis familiaris* species which, when either unmuzzled or unleashed, or when not confined to the premises of the owner, menaces a person in a manner which an ordinary and reasonable person would conclude to be an apparent attitude of attack.” (p. 6)

In regards to the ruling,

“On March 17, 2015, Plaintiffs filed that action against Defendants, claiming violations of their constitutional rights pursuant to 42 U.S.C §1983. Specifically, Plaintiff’s alleged Defendants violated their Fourth Amendment right to be free from unreasonable search and seizure when the officers unconstitutionally seized their dogs and unreasonably forced entry into the residence”. (p. 7)

January of 2016, the Defendants moved the district court for summary judgment; they claimed that the officers were protected by the doctrine of qualified immunity, and in any event, the seizure of the dogs was reasonable. The Plaintiffs argued in return that they have the constitutional right that protects them from unreasonable seizure of their dogs and from unreasonable destruction.

On March 28, 2016, the district court held that Plaintiffs presented no evidence creating a genuine issue of material fact as to their Fourth Amendment claims of unreasonable seizure of their two dogs. They also ruled that the Plaintiffs failed to provide enough evidence surrounding the fact of the City’s inadequate training policy, which was the cause of the alleged constitutional violations. The court entered the judgment in favor of the Defendants on March 29, 2016. This

decision would then be upheld by the Court of Appeals for the Sixth Circuit on December 19, 2016.

The Response from the States

As the amount of case law pertaining to the puppycide increases, state officials have started to see the problem at large. There have been many different legal changes made through the years to attempt to rectify the issue. One noteworthy adjustment comes from the state of Tennessee within Senate Bill 374 introduced in 2003. This bill was created to amend different Tennessee Codes, but also to enact the “General Patton Act of 2003”. Within the proposed changes comes new sections, one of which specifically focuses on police training with animal encounters. Section 38-8-116 Section (a) states the following;

“Effective August 1, 2003, the course of training leading to the basic certificate of compliance issued by the Tennessee peace officer standards and training commission pursuant to §38-8-107, shall include a course of instruction in animal behavior generally and canine behavior specifically.” (General Patton Act of 2003, 2003, para. 3)

It is also described within this section what this training will entail in three simple sections;

“(1) Basic animal behavioral characteristics and traits and methods by which an officer can ascertain whether an animal is likely to be or become aggressive and thereby constitute a threat to the officer or other people.

(2) Situations and environments in which an animal is more likely to be or become aggressive and methods by which the officer can control or alter these situations or environments in order to best protect the officer and other people.

(3) Ways in which a law enforcement officer can control and neutralize an animal that is or becomes aggressive in a manner that utilizes the least amount of force or likelihood of harm to the animal necessary to protect the officer and other people;” (General Patton Act of 2003, 2003, para. 4)

Along with Tennessee’s attempt to bring change to officer training, the city of Los Angeles also created a training guide for their police officers in July of 2009. Included in the training are tips on how to avoid being bitten and the different options available to officers when dealing with hostile dogs (Los Angeles Police Department, 2009). They also discuss different tactics officers should avoid when faced with situations involving hostile dogs (Los Angeles Police Department, 2009). Within the Procedures section, the directive states that the officers must decide whether there is an urgent need to enter the location where a dog may be present or if there is sufficient time to contain the area until the animal is secured (Los Angeles Police Department, 2009). Immediately following are contact numbers for organizations within the area that can be called for assistance. Examples of these agencies include the Department of Animal Services and the Metropolitan Division's K-9 Unit.

The state of Colorado followed suit by creating and enacting new legislation titled “Dog Protection Act” (CO Code § 29-5, 112, 2021). This statute defines and requires the following;

“(a) Require training for officers of local law enforcement agencies on differentiating between canine behaviors that indicate immediate danger of attack to persons and benign behaviors commonly exhibited by dogs, such as barking, that do not suggest or pose imminent danger of attack;

(b) Require local law enforcement agencies in the state to adopt policies and procedures for use of lethal and nonlethal force against dogs, which policies and procedures must:

(I) Emphasize alternative methods that may be employed when dogs are encountered; and

(II) Allow a dog owner or animal control officer, whenever the owner or animal control officer is present and it is feasible, the opportunity to control or remove a dog from the immediate area in order to permit a local law enforcement officer to discharge his or her duties;

(c) Recognize the important work of the dog protection task force in developing the training and incorporating the specifics of the training into the statutes... The training includes instruction regarding a dog’s body language and how to interpret it, scene assessment, tools to use in dog encounters, situations involving multiple dogs, how to interact with a dog, and responses to dog behavior... The training is not intended to provide dangerous dog training... the training was designed

to limit, as much as feasible, the instances in which an officer would need to use deadly force against a dog,...” (CO Code § 29-5-112 , 2021, para. 3)

As mentioned within the subsections of this statute, the overall training required focuses on helping officers to better determine “what dog posture, barking and other vocalizations, and facial expressions typically signify, the options for distracting and escaping from a dog, options for safely capturing a dog, and defensive options in dealing with a dog” (CO Code § 29-5-112, 2021, para. 4). In accordance with the new law, it was required that each local law enforcement agency develop their training program by September 1, 2014, and that the current officers completed that training by June 30, 2015.

The *Animal Law Resource Center* is an advocacy website with the goal to provide access to legislation and legal matters pertaining to animals and the law (Biggs, 2020). This resource is a project created and maintained by the National Anti-Vivisection Society (NAVS). NAVS is a not-for-profit organization dedicated to advancing science without harming animals that operates out of Chicago, IL (Biggs, 2020). This website utilizes information from state and federal websites and provides direct access to pending legislation and current laws across the United States. On the website there are links to follow to make research simple and accessible. One helpful section is the Model Laws section.

“The Model Law tab provides suggested language that can serve as a template for drafting legislation. The topics provide model laws, additional commentary, and sources utilized by Chicago Law School advocates. These resources can be beneficial for research and may lead to other sources.” (Biggs, 2020, para. 8).

One piece of legislation that is relevant to the puppycide is the *Humane Canine Response Training Act*. In 2014 this Act was created to address the number of dogs that have died at the hands of law enforcement. The bill requires the following;

“...law enforcement agencies to include a humane response component in officer training that will provide guidelines for appropriate law enforcement response to animal abuse, cruelty, and neglect, or similar conditions, as well as training on canine behavior and nonlethal ways to subdue a canine.”
(Animal Law Resource Center, para. 2)

This resource could provide the baseline that would be helpful for the advancement of officer training related to companion animal encounters.

Dog Body Language Overview

Understanding the difference between a fearful canine and an aggressive one could be lifesaving, for both you and the canine. There are many different professions that exist where understanding and recognizing canine body language is important; policing is one. There are countless resources available that can explain and demonstrate different characteristics one should recognize while making contact with a companion canine. A quick guide created by the Community Oriented Policing Services (COPS) can be used to establish a brief understanding of the warning signs of canine body language. This quick reference guide goes along with a more detailed training toolkit that helps educate law enforcement personnel on canine interactions. This quick reference guide provides officers with a quick refreshment on the topic.

To begin, this reference guide reminds officers that, according to the American Society for the Prevention of Cruelty to Animals (ASPCA), when approaching a companion canine, they should focus on six different characteristics; the eyes, ears, mouth, tail, fur, and body posture (National Sheriffs' Association, 2019). When it comes to the canine's eyes, officers need to pay

close attention to both the size and the direction they are looking. Larger eyes typically indicate the feelings of being threatened or scared, which means the officer should approach cautiously. Smaller eyes, or squinting eyes, tend to send the message of non-threatening behavior (National Sheriffs' Association, 2019). Officers should still approach cautiously because it could also mean the dog is in pain. When a canine is staring in your direction, it does not mean they are going to attack. Some dogs are simply watching. When the stare is combined with tense features, officers should proceed cautiously. One keyway to remain safe is to look away from the dog while approaching. This shows the canine that you are not threatening (National Sheriffs' Association, 2019). If the dog looks away, it could mean one of two things; 1. The dog is attempting to look less threatening, and 2. The dog is indicating that it fears interacting with humans (National Sheriffs' Association, 2019). Either way, it remains safest to proceed with caution until the officer is comfortable with the canine. One important eye trait to be wary of is “whale eye”. This is where the whites of a dog’s eyes are very prevalent. This can be seen when a dog looks out the corner of their eye when their eye is open as wide as possible. This is typically seen when a canine is guarding, which usually leads to an immediate act of aggression (National Sheriffs' Association, 2019).

Another feature that is important to study would be the dog’s ears. Although this may be difficult or impossible in some cases, the ear position can be an important indicator of how the dog is feeling. There are five different ear positions that an officer should be aware of; naturally, high, up and forward, pulled back, and pulled back against the head (National Sheriffs' Association, 2019). When a dog holds their ears naturally, it typically means that the dog is relaxed, therefore nonthreatening. When the ears are held high, it means that the dog is alert. The officers should know to proceed cautiously; the dog could react aggressively if it feels

threatened. When the ears are held up and forward, the dog is showing aggressive behaviors and the officer should proceed slowly and cautiously. On the other hand, when the ears are pulled back the dog is communicating friendliness (National Sheriffs' Association, 2019). Finally, when a dog pulls their ears so far back that they touch their head, the dog is showing feelings of fear and submission. Although they seem unthreatening, nervous dogs do have the potential to act aggressively out of fear, so officers should approach slowly (National Sheriffs' Association, 2019).

A third notable feature is the dog's mouth, specifically the jaw placement, lips, and teeth. Typically, friendly dogs will have a relaxed jaw, where the mouth is closed or only slightly open (National Sheriffs' Association, 2019). A nervous dog will likely have its mouth closed. To best identify a scared dog, officers should observe their movements. Nervous dogs will often lick their lips. They may also pull their lips back, making a smile. Lastly, aggressive dogs will display their teeth and scrunch their muzzles. This is often accompanied with a growl. Officers should not approach a dog showing aggressive signs (National Sheriffs' Association, 2019). Along with the mouth, officers should also observe the canine's tail when possible. It is important to note that a wagging tail does not always mean a friendly dog. Friendly dogs typically wag their tails gently from side to side, and only wag harder when excited. Fearful dogs will typically tuck their tails between their legs. When the dog's tail is erect and wagging tensely, the canine is acting dominant or aggressive (National Sheriffs' Association, 2019).

Another notable aspect to pay attention to is the dog's fur. When the fur between the shoulders and down the spine is raised, an officer should proceed cautiously. This is an indication that the dog is uncomfortable. This could be either the dog is scared, nervous, or

aggressive (National Sheriffs' Association, 2019). The last notable indicator that officers should look at is the overall posture of the dog.

“Dr. Stanley Coren, a psychologist known for his research on dog behavior, presented the eight most relevant useful dog postures in an article for *Modern Dog*. These are relaxed and approachable, alert, dominant and aggressive, fearful and aggressive, stressed and distressed, fearful and worried, extremely playful, and playful. Learning these simplified postures allows officers to make a quick assessment of any potential threat posed by the dog.” (National Sheriffs' Association, 2019, p. 5)

Included after this information is a link to follow to see visual representations of the different postures. It is important that officers are given descriptions, but also visual aids for them to fully comprehend what is being addressed.

The Dangerous Dog and Policing

For the police to purposely shoot and kill a canine, they first must deem it dangerous. When it comes to the term “dangerous”, the area is gray. The general idea of a dangerous dog must place it in both of the following categories: 1. The dog must be a threat to the physical safety of a human; and 2. The dog must also pose a threat to society itself (Smith, 2021). If an officer is made aware of these threats prior to the scene, would the outcome be different? Or would the fear of being in that situation cause the officer to act impulsively before taking the time to assess the situation? It has been noted that canine fatalities by law enforcement officers typically happen in two different scenarios; the first being calls that are related to the canine, such as a dog running loose; the second being calls indirectly involving the canine, such as a call regarding the execution of a search warrant (Blaney, 2014).

When it comes to police work, the term “danger” could mean many different things. Although you may not realize it, lack of training within any aspect of the job makes a typically dangerous situation even more dangerous for the officer. Even situations that may not be deemed

“seriously dangerous” can become hazardous due to a lack of training. Canine interactions are a great example of this.

“Given the nature and scope of law enforcement officers’ responsibilities, it is inevitable that they will encounter companion canines in the course of attempting to execute their duties. Despite this inevitability, most police departments do not require that their officers undergo any type of training on canine behaviors, nor do they require that nondeadly instrumentalities, such as a Taser or baton, be the default mechanism (as opposed to a firearm) for subduing a companion canine whom a police officer believes poses a threat.” (Olsen, 2016, p. 66)

The inclusion of canine-based education for government officials is already in use. As pointed out by *The Atlantic’s* staff writer, Conor Friederdorf, United States Postal Service employees are an example of current government staff that is subjected to annual training on canine behavior and interactions (2014). One example of this training can be found in California. The United States Postal Service’s Los Angeles County office has hosted a canine safety event for their staff (Molina, 2017). The office provided its parking lot to animal behavior experts and their dogs. The Sit Means Sit Dog Training owner Allen Burnsworth said, the main points he want these postal workers to know are to be aware of their surroundings, how to de-escalate the attack and to remember dogs’ natural tendencies (Molina, 2017).

Even with the overwhelming amount of media attention directed at police officers currently, many departments still choose to not prioritize officer-canine interactions and provide little to no accountability for the officer or department when the interaction turns ugly (Olsen, 2016).

“One would tend to think that all of these shootings occur during dangerous police endeavors, that canine victims are always large, physically intimidating dogs, or that the canine victim is unrestrained and running loose, but this is simply not the case. Instead, police have killed dogs while going to notify a murder victim’s family of the victim’s death, while questioning neighbors about a crime in the area, while

responding to a false alarm, while pursuing a DUI suspect and cutting across an unrelated individual's private backyard, while stopping to ask for directions, while executing a warrant on or otherwise responding to the wrong house, and in a variety of other non-violent situations. Police officers have also shot and killed Jack Russell terriers, senior-aged cocker spaniels, miniature dachshunds, Chihuahuas, and other breeds of dogs that are so small as to render claims of their dangerousness specious.” (Olsen, 2016, p. 67)

If an officer were to apply a general understanding of canines and canine body language, would they still choose to draw their guns? Remember, there exists no documented report or case involving a police officer dying because of a dog bite-related injury (Bathurst et al., 2015). It is possible that changes within the education officers receive could help to keep them calm and level-headed during unplanned and planned companion animal interactions.

Chapter 3.

Current Officer-Canine Educational Materials and the Ohio Revised Code Regarding Companion Animal Encounters and Chemical Capture

After examining different cases and legislation as it pertains to the issue of officer-canine fatal interactions, it is evident that there is still a need for further education and regularly occurring training for police officers. COPS Office, otherwise known as the Office of Community Oriented Policing Services, is a "...component of the U.S. Department of Justice responsible for advancing the practice of community policing by the nation's state, local, territory, and tribal law enforcement agencies through information and grant resources" (Bathurst et al., 2015, p. ii). COPS Office published a book in 2015, *The Problem of Dog-Related Incidents and Encounters*, that examines why officer-canine interactions turn ugly, and proposes different ways this can be avoided. The National Sheriff's Association established the National Law Enforcement Center on Animal Abuse (NLECCA) in order to do the following;

"...provide law enforcement officers information on the realities of animal abuse and to promote their proactive involvement in the enforcement of animal abuse laws in their communities....Additionally, NLECCA seeks to train and educate officers on how to handle officer-dog encounters more safely" (Crosby & Rider, 2019, p. 75).

Effective Animal Safety Enforcement (E.A.S.E.), is another published tool designed to inform and educate officers on animal and canine interactions while on the job. These books, resources, and toolkits are published to allow other officers and future cadets to have more training and a better understanding of canine interactions. Even with this knowledge being readily available, the ideas seem to have not made an impact on the training some police academy cadets receive. This can be seen within the current Ohio Peace Officer Training Academy curriculum. Although the cadets are reminded that canine encounters are possible, they

are not taught fully what to do or who to turn to when these canine encounters happen to them. This is a problem officers are faced with all across the nation, and one of the reasons why the puppycide epidemic remains within the field. The following chapter will be used to analyze and discuss further the available resources mentioned above. Along with this, a detailed summary of the current curriculum within the Ohio Peace Officer Training Academy is provided. Finally, a brief look at the current Ohio Revised Code as it pertains to canines is discussed. These analyses will be utilized within this thesis to help create and defend the modifications and additions presented within the later chapters.

The Problem of Dog-Related Incidents and Encounters

Bernard K. Melekian, the director of the COPS office, provides some insight to the importance of the COPS published resource *The Problem of Dog-Related Incidents and Encounters*;

“In the United States, dogs are an integral part of society, which means police engage with dogs quite often in the line of duty. There are a variety of circumstances where a dog could be involved in a police call, and it is critical that police departments not only develop effective department strategies advocating for the proper handling of dog-related incidents and encounters, but also proactively create tactical-response strategies, ensuring humane treatment of dogs and safety for the public and officers...

This publication offers an in-depth look into developing effective strategies in assessing a dog’s environment; what dog posture, vocalization, and facial expressions mean; options for distracting and escaping from a dog; defensive options in dealing with a dog; asking the right questions in dog investigations; and effective gathering of dog evidence and report writing. Presented here are important findings as well as powerful recommendations for agencies to improve their dog encounter processes and illustrate those processes to the public in a way that promotes safety for officers, the public, and dogs they encounter.” (2015, p. iii)

As mentioned within the handbook, there are approximately 78 million owned dogs within the United States, which means that officers are likely to encounter them while responding to their calls (Bathurst et al., 2015). The authors go to great lengths to educate the

reader on the types of dog-related incidents and encounters officers face while on duty. They focus on situations where dogs are the central issue of the call, but they also look at calls that are not dog specific but could involve canine interactions.

“Most often, officers are called to respond to situations in which dogs are central to the incident:

- Reckless dog owners and serious dog-related incidents or threats to public safety
- Loose or stray dogs that may be perceived as threats to public safety
- Disputes between neighbors involving dogs

However, officers also encounter dog owners and dogs in a host of other settings:

- Traffic incidents (e.g., dogs in cars at routine traffic stops or traffic accidents, dogs on the street injured by vehicles)
- Residential settings (e.g., dogs encountered in homes and apartments when responding to calls for service, serving warrants, or investigating other situations)
- Commercial settings (e.g., dogs guarding a gated industrial facility)
- Streets and parks (e.g., dogs on leads, dogs running loose, dogs locked in a vehicle on a hot day)
- Public places (e.g., service dogs in restaurants)”

(Bathurst et al., 2015, p. 2)

When looking into injuries derived from dog bites, the need for medical attention and hospitalization is rare. Most dog bites result in little to no physical injury (Bathurst et al., 2015).

“Despite the increase in the number of dogs and people in the United States, dog bite-related fatalities are exceedingly rare and have not increased over the last two decades: 25 were reported in 1990 and 24 in 2008.” (Bathurst et al., 2015, p. 5) Along with this, it should also be noted that dog breed and size does not matter when it comes to the chance of being bitten. As the authors mention, there is no scientific evidence that a specific breed of dog is more likely to bite someone (2015). They argue that most factors that trigger aggression in dogs toward unfamiliar people and can result in bites fall squarely on owners and include the following:

- “Lack of socialization. Isolated dogs that have not had regular, positive interaction with people may be uncertain, fearful, or aggressive when encountering people or other animals.
- Lack of supervision and restraint. Dogs left alone on the premises are likely to see an intruder as a threat. This is made worse if the dog is chained and thus unable to flee.
- Reproductive status. Available public-health reports show that more bites are inflicted by unsterilized dogs.
- Pain and illness. Dogs who are in pain from injury, disease, or neglect are more likely to see any approach or contact with a human as a threat of more pain.
- Abuse. Dogs who have reason to fear humans may try to drive away the threat.”
(Bathurst et al., 2015, p. 5)

When you apply the knowledge of dog bite severity and aggression triggers, it remains in question why officers are still choosing deadly force over other alternatives. As previously mentioned, there exists no documented report or case involving a police officer dying as a result of dog bite-related injury (Bathurst et al., 2015). When analyzing the frequency of dog shootings by police officers, the authors found that in most departments, the majority of shooting incidents involve animals, more frequently canines (Bathurst et al., 2015). They provide the readers with a list of contributing factors that put the blame on both the owners and the police:

“Reckless, Uneducated, or Inhumane Owners

- Owners who allow dogs to run at large
- Owners who leave tethered or chained dogs unattended
- Owners who neglect or abuse dogs, either failing to provide for their basic health, shelter, and sustenance needs or actively abusing them
- Owners who keep dogs in a chronically unclean, unhealthy environment
- Owners who train or keep dogs exclusively for purposes of personal or property protection
- Owners who are largely absent
- Owners who irresponsibly breed dogs
- Owners who keep a large number of dogs in a small space
- Owners who fight dogs
- Owners who fail to sequester females in heat from males
- Owners who fail to sequester female dogs nursing young puppies
- Owners who are ignorant of laws or available resources

Insufficiently Trained Police Officers

- Officers who make judgements concerning a dog they encounter based on its presumed breed or physical appearance rather than its behavior
 - Officers who view a dog running towards them as a threat (the dog could be friendly and merely greeting the officer)
 - Officers who are unaware of leash laws or the laws governing potentially dangerous, dangerous, or vicious dogs in their city or state
 - Officers who lack knowledge of available animal welfare resources
 - Officers who lack skills in handling dogs or reading dog body language
 - Officers who lack needed canine-communication skills”
- (Bathurst et al., 2015, p.6)

It is also important to look at the consequences that can result from these dog-related incidents and encounters. Through the officer’s eyes, one of the most obvious harms that could arise from these situations is the injury an officer could suffer (Bathurst et al., 2015). However, if you look beyond the obvious potential harm, there are other serious consequences that could result. One example provided by the authors is the chance that bystanders or other officers in the area could be shot. The authors provide two examples of real-life situations where this occurred;

“For example, in Detroit in 2010, an animal control officer was injured when a police officer fired at two dogs that were running at large. An even more dramatic incident occurred on July 23, 2006, when New York police officers were called to mediate a tenant-landlord dispute. When a dog at the building began biting the leg of an officer, 26 shots were fired at the dog, and three officers were grazed by bullets.”

(Bathurst et al., 2015, p.7)

Along with the injuries and creating the potential for innocent victims being caught in the friendly fire, there does exist another form of negative outcome; the response of the community. When an officer kills or injures a dog that shows little to know threat, the trust between the community and the police can become damaged. The challenging idea of “imminent danger” can be controversial when challenging statements from witnesses and the dog’s owner are brought against the officer’s assessment (Bathurst et al., 2015). With technology being readily available, the inclusion of witness recordings or videos of the incident can also be used to challenge the

assessment made by the officer. This can open lawsuits against both the officer and the department in which they work.

The importance of having adequately trained officers for these encounters is rather obvious. “Trained officers can mitigate the harms to themselves, fellow officers, bystanders, and the community perception by learning to defuse potentially harmful situations.” (Bathurst et al., 2015, p.8)

Effective Animal Safety Enforcement (E.A.S.E.)

The Effective Animal Safety Enforcement (E.A.S.E.) is another resource available to police officers and departments that contains educational readings covering canine-police interactions.

“This booklet is an effort to generate communication between residents and sworn and elected officials in communities that recognize the need for change. We’ll discuss in more detail the ramifications of ‘business as usual’ as well as provide documentation and tips that can assist in developing an outline for training that may reduce negative press, costly civil suits and most importantly, ensure safety for communities and officers alike.

Whether in a traffic stop, where the dog was only along for the ride, in a yard or at the doorway to a dog’s home, law enforcement officers who consider the dog’s behavior and the context of the interaction appropriately will avoid injury to themselves. They will also avoid the negative publicity that inevitably attends an excessive use of force against man’s best friend”

(PitBulletin Legal News Network, 2012, p.3)

The E.A.S.E. publication starts by discussing the changes that are currently being made across the United States. Following the changes, the authors highlight a variety of cases that center on the puppycide. The inclusion of these sections is important in terms of creating the foundation for the officers. Prior to training, the officers may not be aware of the issue arising within their field. This booklet serves as a great starting point for that particular group of officers and departments. In terms of this thesis, the important discussions derived from this booklet can

be found within the sections titled “In The Line Of Duty” and “Being Pro-Active”. An explanation of their importance in terms of the puppycide can be found within this chapter.

Within the reading, it is mentioned that there are legal ramifications surrounding improper Officer-canine interactions that law enforcement personnel need to be aware.

“But what most officers are neither prepared nor informed of, is that at least as far back as 1994, federal appellate courts have been finding in favor of plaintiffs on a constitutional basis when a family pet is killed...Most of the rulings fall under the Fourth Amendment to the U.S. Constitution...Since family pets, specifically dogs, have been recognized by the courts to be included as ‘effects’, the need for specific training and policy is being recognized as necessary to safe-guard our law enforcement agencies and officers from civil liability” (PitBulletin Legal News Network, 2012, p. 8)

If we look at this from the perspective of the department leaders, it is evident that changes to the way officers are trained would help to alleviate the potential lawsuits and mistrust from the community in which they serve. Along with that, the officers would be more likely to be prepared and calm when approached by a companion animal while on duty. Now, to look at this from more of a legal perspective, changes the idea from we *should* train our officers better to, we *must* train our officers better. Since departments and agencies have been made aware of the problem, “...any agency that fails to provide their officers with adequate preparation are negligent, and thus civilly liable by disregarding the community’s right to secure ‘effects’ as guaranteed by the Fourth Amendment.” (PitBulletin Legal News Network, 2012, p.8). It should be understood that police departments serve the community. Proper training on companion animal encounters, specifically canines, should be made a priority.

To best explain how to be proactive in this situation, the PitBulletin Legal News Network leaves its readers with this very important statement:

“Materials have been made available through the Department of Justice providing agencies information to help with the development of canine officer education. This information includes alternatives to lethal force, such as proper use of a taser, effective sprays, clipboards, flashlights, nightsticks, hand-radios, and a number of other tools that every officer has at his/her disposal. Most importantly, experts share detailed information with illustrations showing officers how to read canine body language. Applying this knowledge, officers are empowered to exercise options that allow for appropriate voice control coupled with their own body language and control, thereby diffusing or preventing escalating situations with a dog while on a call. This information, when implemented into a training program, preserves the human-canine bond. It can also prevent negative attention and publicity to an agency, and avoid a public relation’s nightmare.”
(PitBulletin Legal News Network, 2012, p.10)

Law Enforcement Dog Encounters Training (LEDET): A Toolkit for Law Enforcement

James W. Crosby, a retired Police Lieutenant from Jacksonville Sheriff’s Office, has professionally trained dogs and addressed canine behavior problems since 1999 (Justice Clearinghouse). Crosby is recognized as an expert in the United States and Canada on dangerous dogs, canine aggression, fatal dog attacks, and other related issues. He is currently the Director-Canine Encounter Training for the National Law Enforcement Center on Animal Abuse and is the designer of the Law Enforcement Dog Encounter Training Course (Justice Clearinghouse). Chelsea Rider, co-author of the Law Enforcement Dog Encounters Training toolkit, currently serves as the Director of National Sheriffs’ Association’s National Law Enforcement Center on Animal Abuse and is a co-chair for the National Coalition on Violence Against Animals (Sheriff Biography, 2019). Together, these two individuals drafted and published a toolkit that is designed to arm law enforcement agencies and officers with the information, tools, and resources necessary to handle dog encounters, from prevention all the way through dealing with the aftermath of an unfortunate deadly dog encounter (Crosby & Rider, 2019).

The content found within the Law Enforcement Dog Encounters Training (LEDET) packet is very important to consider when attempting to alter the behaviors of officers. Within

the pages, the readers can find extensive literature reviews stemming from popular literature, law enforcement-based readings, legal decisions, and behavioral research (Crosby & Rider, 2019). Within this first section, the authors highlight how situations are reported, both traditionally and through the vast social media outlets. They also discuss some of the current training that is available for law enforcement officers. Along with the training, Crosby and Rider point out different legal decisions and how these decisions shape legal causes of action implementing current legislative principles (Crosby & Rider, 2019). The behavioral research element of their literature review section focuses on dog behavior, more specifically aggressive behaviors, why dogs bite, and how to respond to the different cues given by the canine (Crosby & Rider, 2019).

Although the literature review section fills the audience with a great understanding surrounding the issue at hand, it does not do well to educate them on the current laws. The following sections, *Current State Legislation Through 2018* and *Policy Considerations* clarifies this in simple terminology. Crosby and Rider examine the six states that currently have legislation mandating that law enforcement personnel receive training in handling dog encounters (2019). They also examine specific bills and elaborate on their similarities and differences. Along with current legislation, the authors also created a section that focuses on model legislation. This section provides states with a template when seeking to enact their own laws in the future (Crosby & Rider, 2019). Similar to this model template section, the authors also created a brief section that focuses on creating a policy within law enforcement agencies. This element of the toolkit is in place for the purpose of providing examples and ideas for different levels of law enforcement to consider when drafting and creating their own policies (Crosby & Rider, 2019).

Once the audience has read through and familiarized themselves with the importance of proper preparedness and training, the authors included a *Decoding Canine Body Language and Training Curriculum* for multiple levels of law enforcement (Crosby & Rider, 2019). Their first emphasis focuses on educating law enforcement personnel on the six different parts of a dog that one should observe in order to better handle the situation; eyes, ears, mouth, tails, fur, and overall posture (Crosby & Rider, 2019). Provided to the readers are both worded descriptions and photographs. These are provided in order to best explain and show the training cadets what to look for. This body language section is only useful when it is combined with the training curriculum provided. This training is "...intended to provide eight hours of coursework, separated into ten modules. The modules cover dog behavior, recognizing signals, understanding mission purpose and strategy, situational awareness, keys to a safer encounter, process and tactics, and using deadly force, and reasonability." (Crosby & Rider, 2019, p.14)

Current Ohio Peace Officer Training Academy Curriculum

For this thesis, Ohio's statewide Peace Officer Training Academy curriculum is analyzed to discuss different modifications and additions that could be made regarding officer-canine interactions. The state of Ohio was chosen for two reasons; the first being convenience. The program that I am currently enrolled in houses the Police Academy. If a question were to arise, or if information needed gathered, I have the direct source located down the hall from my office. The second reason is the location of the majority of the police academies. In Ohio, the police academy exists within nineteen colleges, eleven career and/or technical institutes, and five universities across the state (Yost, n.d.). The possibility that these Academies house younger Cadets and college students would help to educate the younger generations, as well as provide awareness to a diverse group of individuals.

Youngstown State University (YSU) located in Youngstown, Ohio, is a diverse, mid-sized state university with more than 150 programs for students to choose from to major in (Youngstown State University, 2022). For the students studying within the field of Criminal Justice, they are given the option to enroll in the Ohio Peace Officer Training Academy (OPOTA) for credit towards their degree. The program under study is from the Peace Officer Basic Training Curriculum which is standard across Ohio. Youngstown State utilizes more than sixty trained officers to teach the classes throughout the duration of the academy. During their time within the academy, cadets are instructed on a variety of topics pertaining to law enforcement. For the purposes of this thesis, one section covered within this training period relates the best. The class in reference is titled *Companion Animal Encounters*. A copy of the official course curriculum can be found in Appendix F. of this thesis. At the completion of the lesson, cadets should be able to assess a dog's behavior and describe available options when handling a threat from a companion animal (Ohio Peace Officer Training Commission, 2021).

When discussing dogs three common types are brought up; relaxed dog, defensively threatening, and offensively threatening (Ohio Peace Officer Training Commission, 2021). A discussion on what one may observe regarding the dog's body posture, tail, mouth, and eyes were noted. A relaxed dog was described as one whose body posture is relaxed, weight carried evenly, may observe a play bow/body wiggle. The tail sits relaxed and in a natural position; might be wagging. The mouth shape appears "soft" and may be open with the tongue hanging out or closed with the lips relaxed over the teeth. The eyes are "soft", eyebrows are neutral, contain a normal pupil size, and have a steady and relaxed gaze (Ohio Peace Officer Training Commission, 2021). The body posture of a defensively threatening dog appears with muscle tension, shifted weight to the back, low to the ground, may roll to expose belly while lifting one

paw up. The tail on these dogs is stiff, usually tucked or low to the ground, and may be wagging (either slowly or rapidly). The mouth tends to show the lips pulled back, with occasional growling or snarling. You often see excessive panting, lip licking, chewing, or yawning. The eyes on these dogs tend to be vigilant, with dilated pupils and furrowed eyebrows. The eyes are often described as “whale eyes”, this is where you can see the whites of a dog’s eyes (Coglianese, 2015). Along with noticeable changes to the posture, tail, mouth, and eyes, these dogs also have ears that are pulled back against their head and could show piloerection, or the “erection or bristling of hairs due to the involuntary contraction of small muscles at the base of hair follicles that occurs as a reflexive response of the sympathetic nervous system especially to cold, shock, or fright” (Merriam-Webster, 2021, para.1). Offensively threatening dogs have a body posture that is hard and stiff, where the muscles are tense, and the weight is shifted forward. They tend to be very still. The tail is usually carried high, often wagging slowly and methodically. The mouth usually has the top lip pulled back exposing only the top teeth, and the dog may be growling, snapping, or barking. The eyes of an offensively threatening dog commonly are wide open and staring hard, the eyebrows are tensed, and the pupils will be dilated. The ears tend to be forward and stand tall, with little movement, and the dogs tend to show piloerection. One big danger with offensively threatening dogs is that they can also be quiet and still. Even though they are quiet and still, they can still attack (Ohio Peace Officer Training Commission, 2021).

The body language of a dog is critical to know and recognize while in the field. The second half of this lesson is also very important for the officers; available options when handling a threat from a companion dog. The first thing taught is to find a distraction or escape option. Distraction options could be a ball or a stick. If your vehicle is close by and the dog is distracted,

begin backing up towards it. If your vehicle is not an option, put something between you and the dog (Ohio Peace Officer Training Commission, 2021). Intermediate weapon options are also discussed. These are specifically things that you have on your persons. Impact weapons could be used; however, some dogs view these actions as threats. Oleoresin Capsicum Spray (OC), otherwise known as pepper spray, is the only chemical weapon, but it is highly effective on dogs. Chloroacetophenone (CN)/ Orthochlorobenzalmalonitrile (CS), also known as tear gas, is not effective in situations like this (Ohio Peace Officer Training Commission, 2021). Electrical weapons are also taught during OPOTA for handling threatening dogs. The period of immobilization is shorter on dogs than humans, and it must be used sideways due to the build of a dog. Officers must also be within 10 feet and have a backup plan at this point (Ohio Peace Officer Training Commission, 2021). Environmental weapons can also be used to block or redirect a dog attack. The one example given is fire extinguishers because they create startling amounts of smoke (Ohio Peace Officer Training Commission, 2021). Lastly, Cadets are informed about lethal force. They are taught that the courts consider companion animals as personal property, and therefore apply the Fourth Amendment Reasonableness Standard. When this is the only option, they are told to be prepared to write a detailed report, be aware of the direction of the muzzle, and that if it is not a serious threat, legal action can be taken. The last point made on this topic of dog encounters is to always follow procedure (Ohio Peace Officer Training Commission, 2021).

Law Enforcement Resources Regarding Animal Encounters

Responding officers should be made aware of the out-of-department resources they have when encountering a companion animal or an animal in general, while responding to calls. Local animal control personnel, the office of the county Dog Warden, and the county humane society

are all examples. Although all three organizations perform different roles, each could be considered vital depending on the nature of the call. To begin, the officers should have contact for a local animal control professional that they can rely on. In a case where the officer cannot perform his or her task due to a wild animal encounter, they should have somebody to contact for assistance. Second, in the case of a stray dog or a dog running at large, the responding officer should reach out to the Dog Warden's office if help is needed. Similarly, if there is a dog residing on the property that inhibits an officer to respond to the call for service, the Dog Warden's office could assist, however the Humane Society would need to also be involved if the canine needs to be removed from the property. This removal could be due to lack of adequate care, potential abuse, or lack of proper guardianship. Humane Societies differ from the Dog Warden's office in that they handle animal mistreatment cases, not stray dogs. These three examples are all organizations that have properly trained and experienced people that could be helpful to law enforcement personnel.

Ohio Revised Code: Chapter 955- Dogs

In the Ohio Revised Code (ORC), information pertaining to dogs is found in Chapter 955. This is the chapter of the ORC that county dog pounds are to follow and enforce. This chapter contains rules and regulations that police officers should be aware of. The first statute officers should be mindful of is found in Section 955.03. This section is titled "Dogs are Personal Property" and states that "[a]ny dog...shall be considered as personal property and have all the rights and privileges and be subject to like restraints as other livestock." (Ohio Rev. Code, 1953, para.1). This is an important concept for responding officers. Prior to acting within certain situations, officers should consider this law, and remember to uphold it to the best of their

abilities. As discussed within the standard Ohio training, escaping can save your life as well as the dog's.

Another key section for law enforcement officers is 955.11. Although the majority of the section pertains to ownership transfers, the original definition for key terminology is located here. This Section defines a dangerous dog as "...a dog that, without provocation...has done any of the following: (i) caused injury, other than killing or serious injury, to any person; (ii) killed another dog; (iii) been subject of a third or subsequent violation of division (C) of Section 955.22 of the Revised Code." (Ohio Rev. Code, 2012, para. 1). It defines menacing fashion as "...a dog would cause a person being chased or approached to reasonably believe that the dog will cause physical injury to that person." (Ohio Rev. Code, 2012, para.2). The third definition provided within this part of the ORC is for a nuisance dog. A nuisance dog "...means a dog that without provocation and while off the premise of its owner, keeper, or harbinger has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person." (Ohio Rev. Code, 2012, para.3). The last relevant definition to be aware of as defined in this Section is a vicious dog. A vicious dog is "...a dog that, without provocation...has killed or caused serious injury to any person" (Ohio Rev. Code, 2012, para.6). Knowing the differences with this terminology, verbally and on-scene, may vary; however, officers should stay mindful that not all dogs are vicious, and that not all encounters need to end with shots fired.

Aside from terminology, Chapter 955 also provides officers with a general understanding of what roles and duties the county Dog Warden and dog pound are to uphold and enforce. Officers should be aware of the resources that the local dog pound and deputies that work there can provide when called for reinforcement. When an officer is aware of a dog on scene prior to

arriving, the county dog pound should be notified and respond. As stated within the ORC, specifically Section 955.12, “[t]he wardens and deputies shall have the same police powers as are conferred upon sheriffs and police officers in the performance of their duties...” (2014, para.6). Because this may not always be the case, responding officers should also be well educated on how to handle animal encounters in order to best protect their own lives and the animals.

Chemical Capture

Chemical capture is another term that can be found within Chapter 955 of the ORC. As described in Section 955.151- Chemical Capture of Companion Animals,

“[c]hemical capture means using an anesthetic drug or sedative on a companion animal to do any of the following:

- (1) Immobilize and capture;
- (2) Attempt to immobilize and capture;
- (3) Attempt to immobilize or capture.” (2021, para.1)

The addition of chemical capture resources for responding officers could go a long way in preventing injuries or death to companion animals they may encounter while responding to a call. Through proper usage and training, this form of defense could be utilized by officers as another resource when faced with danger or potential danger from a companion animal encounter.

A common chemical capture drug used on cats and dogs is Telazol. “T[elazol] is a nonnarcotic, nonbarbiturate, injectable anesthetic agent...that is recommended for deep intramuscular injection.” (ZOETIS Inc., 2019, para.1) For canines, this drug acts as a form of short-term sedation for the purpose of restraining. “Following a single, deep intramuscular injection of Telazol in cats and dogs, onset of anesthetic effect usually occurs within 5 to 12 minutes.” (ZOETIS Inc., 2019, para.9) It will typically last only an average of 30 minutes. The

standard dosage for a healthy dog is 3-4.5 mg/lb. Although judging the weight of a dog can be difficult, there is a large safety gap within the dosage - the maximum safe dose is 13.6 mg/lb (ZOETIS Inc., 2019).

“As with other injectable anesthetic agents, the individual response to T[elazol] is somewhat varied, depending upon the dose, general physical condition and age of the patient, duration of the surgical procedure, and any preanesthetic used. Therefore, recommendations for dosage regimens cannot be fixed absolutely. Specific dosage requirements must be determined by evaluation of the health status and condition of the patient...” (ZOETIS Inc., 2019, para.7)

To prepare the solution, a simple addition of 5mL is needed per vial. The unused solution can last up to seven days if stored at room temperature, and 56 days (about 2 months) when refrigerated (ZOETIS Inc., 2019). Another benefit to the drug is that there is no need for fasting prior to the administration. This helps to keep the canine safe if it comes from an unknown location. It should be noted that safe use of T[elazol] on pregnant canines has not been studied (ZOETIS Inc., 2019). Along with this, the injection of Telazol should be avoided on geriatric animals and animals in debilitated conditions.

Chapter 4.
Ohio Peace Officer Training Academy Curriculum Modifications, Report Log and Database Creation, Continual Education and Limitations

Rationale for Changes

After reading through numerous training guides for law enforcement, I realize that the education the cadets receive within the basic OPOTA course is subpar when compared to the vast array of resources available for training officers. To only receive definitions and basic de-escalation methods during a short time is just not enough. The men and women who put their lives on the line every day deserve to be educated and prepared to the fullest in all aspects of the job. Given the prevalence of dogs in society, canine encounters should be included. It is impossible to prepare the cadets for every possible situation; however it is invaluable to provide them with the knowledge and tools for the most likely incidents.

Along with simple additions to the current curriculum, there are other modifications that can be made to prepare new cadets and current sworn personnel for an inevitable canine encounter. The creation of a database in order to track and review canine encounters would be a useful tool for departments and law enforcement management. This database would be used as a learning device, as well as a research tool. Along with the database, departments can also include annual continued learning on the topic of companion animals, specifically canines. They can bring in canine body language experts, canine trainers, even the county Dog Warden to speak and refresh the content within the minds of the officers. This would help to keep the information current.

Ohio Peace Officer Training Academy Curriculum Modifications

As mentioned previously, the education cadets receive in regard to canines is not comprehensive. Currently, they are provided definitions and simple retreating methods when a

canine approaches them. Although the material within the lecture is important for the cadets to know, it can be very difficult to fully understand. For these individuals that will soon be putting their own lives at risk in order to protect the community, they deserve better. They should feel confident and sure about what they learned, and ready to interact with a canine while on the job. After reading through and examining what resources already exist for officer-canine interactions, it is fair to mention that certain changes could be made for the better. The following proposed modifications stem from the array of current available officer-canine interaction educational materials described prior.

The first change to be proposed is simple; the lecturer should be knowledgeable with canines. This individual could be a canine trainer, body language expert, evaluator, a canine officer, or even a Deputy Dog Warden or Dog Warden. The cadets deserve to be educated by somebody that fully understands what they are talking about. This also helps to build credibility for the information being taught, as well as an outlet for questions and answers after the lecture. The additional resources this provides for the cadets are very important. As an expert within the field, they are to bring with them stories and experiences that lecture material lacks. Their firsthand perspectives could help to properly train the men and women on canine encounters. Along with the stories comes a simple relationship between the cadets and the instructor. This relationship provides them with a resource to use when they need assistance. They will likely be comfortable enough to reach out for questions or concerns, or to request assistance from the organization to which they belong.

The second proposed modification would be the delivery style of the canine lecture. Although everybody learns differently, the lecture-based style employed for this topic is not enough. When discussing things such as canine body posture, piloerection, and whale-eyes, it

would be easier to understand with visual aids, such as photographs and videos. Examples that could be utilized can be found in Appendix C of this thesis. The photographic examples provided are pulled directly from a police officer resource regarding canine encounters. As discussed previously within this paper, this resource is titled Decoding Canine Body Language Quick Reference Guide, which is the shorthand version of the LEDET Toolkit. A simple presentation would be a great addition to the lecture. This presentation can include photograph examples and short clips that go along with the material. The combination of the lecture notes and provided visual aids would be a simple way to educate the cadets fully. Another addition that could be made would be the inclusion of police or law enforcement body-camera footage. This would help show the cadets certain situations that they may find themselves in while responding to calls. It would also be helpful in terms of what to do and what not to do. Again, with the educated instructor reviewing and teaching the material, in combination with the presentation full of visual aids, the cadets should be more prepared for when a canine interaction happens.

The final alteration that is proposed is the lecture time frame and proposed additional content. Currently, the cadets receive their canine interaction training in one hour and fifty minutes. With the additional materials and a properly trained instructor, it is only fair to give more time. The total time spent covering the officer-canine interaction section should be no less than four hours (not including mandated breaks). This provides the cadets with a four-part instruction session with three breaks. Within the adjusted time frame, the cadets will learn about the different resources they can turn to for help, canine body language, different defense tactics they can use against a canine, and a few local examples and first-hand encounters police departments within the area have been involved in. A more in depth look at this new curriculum outline can be found in Appendix D. The additional information added, such as the difference

between humane societies and the dog warden, as well as various local contact information, is important for the cadets to understand prior to engaging in companion animal encounters. Along with this, the added real-world examples and local cases help to show these new officers that these encounters can and most likely will happen to them. This outline, as mentioned previously, could be used across the state of Ohio to make changes to the “Companion Animal Encounters” portion of the current Ohio Peace Officer Training Academy curriculum. Appendix E. provides an example of how the outline can translate into an educational presentation. This example is specific to the Youngstown State University academy, therefore tailored to Mahoning County. Although the additional time may disrupt the timeline of the Academy, the change would be beneficial. With the increase of companion animals comes an increased chance of officer-canine interaction. These cadets should be, and need to be, more confident and comfortable when these interactions happen.

With any change come setbacks. There may be officers who are reluctant to embrace this new material due to fear or a variety of other reasons. There could be others who are not as concerned with de-escalation tactics for canines. Another possibility is that the fear associated with the canine-officer interactions will keep officers from performing what they learned. Money and budgeting also seem to be an issue when attempting to move forward and grow. However, the means to overcome these setbacks exist; departments just need to be aware of them.

Understandably, the role of a police officer is not the same as a Deputy Dog Warden or animal control officer; therefore they do not need as much instruction on animal encounters. However, it is important to remind officers of the odds of having one while responding to calls. For this reason, enhancing the instruction materials is a good first step. Officers should know what to do and who to call in the case of an unplanned encounter. They should be given the

proper resources and education to help them perform their duties to the best of their ability, including interacting with wildlife and companion animals.

Officer-Canine Interaction Report Log and Database Creation

As mentioned previously, there exists no current database that records officer-canine interactions simply, and more specifically, the outcome of these interactions. This is one reason why conducting proper research and evaluations can be difficult. The establishment of a database could help reduce the number of fatal canine-officer interactions in conjunction with the increased training. When the officer is required to create accurate documentation of a situation, there is a better chance that they will think twice before acting out of character.

Police departments should create and provide their officers with a specific report template for calls that contain canine interaction. These report logs would help to ensure that the officer properly documents the interaction. This report log can be similar to that of the local Dog Warden's office. An example of what that report log could look like is provided to model the simplicity. Officers should report the location of the incident, the call type that brought them there, and the outcome. Along with this, the officer should note where the canine was located, whether they were tethered or running loose, and their judgment of the dog's behavior. If the officer used any means of force in order to protect themselves, the community, or likewise, they should mark what means were used and why. Along with this, the officer should report the condition of the dog when they clear the scene. It should also be reported whether the officer required the assistance of another officer, local animal control, the local humane society, or the Dog Warden's office, and why.

The image provided in Appendix A: Officer-Canine Interaction Report, is an example of what a canine-officer interaction report log could look like. The example report contains

information related to the call in general, as well as the interaction between the officer and the canine. Elements found within PART I, such as the Call-Type and ZIP Code, are important in terms of research and departmental annual education. Including a brief background could help justify any actions taken in regard to restraining or using force on the canine(s). In PART II, officers are asked to provide a brief description of the canine(s) as well as their location while on the scene. This section would be important regarding why use of force or back-up was required. In PART III, officers are asked to report whether they requested back-up, and what department they requested it from. From there, a simple narrative focusing on the officer-canine interaction is needed, along with any other important notes or observations from the officer or responding back-up.

The important elements contained within the official report should be input into a database that can be accessed by the department, researchers, and the public. This should be done at the local level, therefore creating another tool to help educate officers annually. An outline of what the database could look like is provided in Appendix B: Officer-Canine Interaction Report Database Example. This database was designed to work best in small local departments. However, this design could be modified and used to create and maintain a statewide database to track officer-canine interactions. With the development and success of both the local and state database, the final phase would be to create a national database.

Although deciphering the officer reports may prove to be a challenge for some, the input of the data overall would be simple and to the point. With the creation of this tool, departments will now have the ability to look back on local canine-officer encounters more easily and help rectify where they may have gone wrong. Local trainers and experts can also evaluate the incidents and records in order to create more specific learning materials for the given call-types

the officers typically find themselves on. Learning from our mistakes is much simpler when we are aware of the specific mistakes that were made.

Continual Education

When the cadets leave the police academy, they have been provided with different resources, techniques, and certifications that allow them to perform their duties to the best of their ability. Outside of the physical objects, they are also given the feelings of accomplishment, confidence, and success, which play a key role in how they grow and develop within an organization. After all of the training and lectures, they move forward in their careers by working alongside and training with a fellow officer. This probationary period within the field is a very important element in their education. This period allows them to take what they learned from the Academy, and put it to use in real-life situations- while being supervised and directed by an experienced officer. Once this probationary period is completed, the officers are expected to be fully educated and ready to handle any situations that come their way. This is where annual education comes into play. The use of continuing education within any profession can be an asset to the daily operations and duties of the organization. One important element that comes with continuous learning is that the information stays current and up to date. It also keeps the staff learning and growing, thus creating more well-rounded employees within the organization. The use of annual education is already in use for law enforcement, therefore implementing continual education on officer-canine encounters could be simple.

To ensure that our officers are ready and prepared for the inevitable canine encounter, the addition of canine-based education should be implemented into the learning the officers receive. This refresher course could be beneficial for both new officers and seasoned ones. The material covered within the course would serve solely as a refresher, to simply reinstate what the officers

have learned in the past. If new material or changes have been made, it would be best to supply the officers with a printed version, in order for them to learn more in their own time. These new additions or changes could be resource numbers, extensions, and newly found techniques to best handle a specific encounter.

To help with departmental funding and time-management, the training that the officers receive would be administered within a set timeframe established by the state. For example, rather than mandating it annually, departments could be given a multi-year span to educate or re-educate their officers. This period would allow departments time to plan and prepare for the course. By providing departments with a multi-year time span, the number of problems and issues that could arise would hopefully be minimal. This time gives them the opportunity to plan, budget, and prepare their officers for the course. With the time varying between courses, the information and resources the officers receive could be different, therefore keeping the refresher course interesting for them.

Other Trainings and Proposed Ideas

Featured within the Sheriff Magazine is an article titled *Officer Involved Shootings with Dogs*, which highlights what proper training and education can do for the officer and the canines they find themselves interacting with. One example mentioned within the article featured a story involving officer Waskiewicz and Bo, the canine that he interacted with while responding to the call.

“When Baltimore Police Officer Dan Waskiewicz responded to a call about a “vicious dog” chasing children in the area, his careful observations and familiarity with dog body language told him that the dog was no threat...Officer Waskiewicz called to the dog, who quickly came over, tail between his legs, and sat by him. Officer Waskiewicz didn’t just spare this dog’s life, but he also gave him a new one – when he adopted Bo.” (Blaney, 2014, para.2)

What makes this heroic tale of Officer Waskiewicz so notable is how he handled the potentially vicious canine. This officer was able to be successful on the call because he knew how to read Bo's body language, he was aware of how to approach a possible vicious dog, and he was able to address the situation with confidence, not fear (Blaney, 2014). This small amount of effort and education resulted in a canine's life being spared, a group of children being spared of witnessing a traumatic scene, and an officer who now leads as an example for other officers.

For more and more police officers to have safe and successful interactions with canines in the field, adjustments need to be made. Outside of the proposed ideas discussed above, other researchers have provided their insights on how to better prepare law enforcement personnel. One proposal for change can be found within the Sheriff Magazine article, following the story of Dan Waskiewicz and Bo. Author Nancy Blaney, with the help from research interns Linda Chou and Jamie Pang, suggest the following for all law enforcement agencies,

“To the extent that these shootings occur when it is known that a dog is involved, there is no excuse for those calls not being handled properly. If possible, animal control should be involved. If resources don't permit that, or animal control is short-staffed, or if law enforcement is also animal control, then those being sent on such calls must have proper training in dog behavior and psychology, and be equipped to use nonlethal responses (behavioral tactics or physical means) first. Chemical repellents and disabling agents are cheap enough and small enough that all officers should be able to carry some with them. Departments must institute, support, and reinforce policies on using nonlethal means first, and using lethal means as only a last resort.” (Blaney, 2014, para.15)

Another recommendation comes from a student's graduation paper from the Leadership Command College in the state of Texas. Within his paper, author Michael Tobey analyzed officer-canine interactions and included some of his recommendations at the end. He discussed

how lobbying from victims and the Texas Humane Legislative Network helped to pass House Bill 953. He documented the following;

“In Texas, and in a handful of other states, it is now mandatory for peace officers seeking a basic, intermediate, or advanced peace officer certification to attend a minimum of 4-hour of canine encounter training. Officers should eagerly search for training opportunities and departments should enthusiastically take whatever measures are necessary to ensure all of their officers receive this crucial and important training. Officers are given vehicles, weapons, and training, in order to carry out their daily functions and safely prevent and investigate crimes and make arrests of law breakers. The same attention should be given to seeing that these officers are prepared mentally and physically for other encounters that could have as devastating an outcome for the officer’s safety, the safety of the community, the department’s vicarious liability, and the department’s reputation.”
(Tobey, 2018, p.9)

Tobey goes on to mention how other departments within the state have begun enforcing policies and creating new rules when it comes to officer-canine interactions. He notes that within the Austin Police Department it is now a revised rule that officers cannot take action upon a canine unless there is an immediate threat of bodily injury (Tobey, 2018). The changes made within one department could hopefully spread to surrounding departments, therefore creating better policies and procedures when it comes to officer-canine interactions on the job.

Outside of the vast ideas provided by research, there are already many different programs and outlets in use by law enforcement in order to help improve officer-canine encounters. As discussed earlier in the paper, there are different ways to educate officers without having to start from scratch. Examples include different online learning courses, free handbooks and manuals on canine-officer interactions, and different digital resources that provide officers with a first-hand experienced perception of common canine interactions. Although the cost of these different outlets varies, there are many that are free for police officers and departments. Along with this, there could also be local options as well. Officers could seek education from local canine

trainers, the office of the Dog Warden, or even canine body language experts if they are local. Learning from experts locally can bring personal encounter stories, live demonstrations, and a new resource for officers if they find themselves with questions or problems. The multitude of resources that exist make it hard to explain why officers still feel the need to reach for their gun when a canine interaction happens.

Within their findings, Blaney and her research team discovered a recommendation from the COPS office. The advice given is simple, yet powerful. Bernard Melekian, the director of the Department of Justice's COPS program, states that "Law enforcement officers must advance beyond automatically using their weapons when encountered by a dog. There are many other ways to ensure public and officer safety through diffusing dog encounters." (2014, para.13)

Potential Limitations

In the case of the proposed changes made above, setbacks are almost inevitable. One major setback that could be anticipated is resistance. This can be from both the department management and the police officers. Management may be resistant to the change due to the added training the officers will need. This change can be costly and would require officers to have time off to complete the material. Along with this, management may not feel the need for the change. If they rarely find their officers encountering companion animals, they may see it as worthless and time-consuming. When it comes to the officers, resistance could be showing no interest in learning and not willing to change what they already know. These officers may think that they do not need to learn the new material. Others may decide that the puppycide is not a huge problem. Although resistance from the department as a whole is to be expected, there are ways to help alleviate it when it happens. For example, providing the department with incentives for completion would be a start. Also, revising policies and procedures regarding animal

encounters would force compliance from these individuals. Furthermore, providing proof that the issues exist could be enough to help sway officers' ideas, as well as solidify why the changes need to be made.

A second potential limitation that could come from these changes deals with fear. Not everybody is a “dog person”, and that is something that could be problematic for officers. If an officer is nervous or fearful around a canine, then there is a chance that the encounter could turn ugly. Even if the officer is educated and shown examples of canine body language, the fear associated with the encounter could cause them to freeze or forget. Although it is hard to break a person’s fear, there are ways to help alleviate the tension. To start, educating officers with first-hand experiences is important. Although photos and videos do well at showcasing body language, seeing it in person is better. Second, exposing the fearful officers to canines more frequently could also help them to become more comfortable. Lastly, avoiding dispatching these individuals to calls related to canines would be best until they are more comfortable with the interactions.

Lastly, a common setback with change is the funding. For most departments, the budget is tight, therefore including another element in it may be difficult. Paying an instructor, the cost of supplies, paying officers for the time could all be examples of funding setbacks. There are, however, ways around this dilemma. To quickly educate officers without an instructor, departments can shop around online and provide their officers with different resources. There are plenty of handbooks and manuals written on canine-officer interactions and encounters. As a plus, most of these are free! This allows the officers to begin the self-learning process. Along with this, there are many different local resources that could be used in order to help train and educate the department. For example, locally there could be humane society agents, dog warden

staff, canine trainers, and body language experts. These resources would be cheaper to bring in and are considered experts within the field. After the first year, the department should be more aware of the costs needed, therefore able to squeeze it within their budget. If this is not feasible, there are resources they can turn to for funding, like fundraising and grants. The community might be excited about the changes that come with the newly educated officers, therefore willing to help support the cause.

Future Directions

Now that the proposed changes to the curriculum have been finalized, the next step in getting it implemented would be to complete the OPOTA Basic Training Lesson Plan Modification Form. This form is provided within Appendix G. of this thesis. This form is used in order to address any changes or errors the instructor has found while administering the content. Once this form has been submitted, I recommend moving forward with attempting to gather more proof for the needed changes. To start, I would create a spreadsheet for each local police department within my county for a more organized approach for the data collection. From there, I would do a localized search for canine-officer encounters. The first place I would go to is the county Dog Warden. I would ask to acquire a record for all of the canines brought to the facility by a police officer within a two year time period. From there, I would input the date, time, and department into my spreadsheet. This list alone will showcase how many officer-canine encounters occur when the Dog Warden's office is closed. My next step would be to work with each police department in order to obtain their officer-canine encounter data within the same two year time period. This data would then get entered into the spreadsheet as well. Although it may take some time, the numbers that arise will be valuable and proof that there is room for change.

Along with obtaining numbers, I personally feel that it is important to include personal opinions from current officers and cadets regarding the change. I would be interested to know what they think about the curriculum that is currently taught compared to the proposed modified one. I would also ask them an array of questions regarding canine encounters, and note what each person had to say. I would ask questions such as what they wish they would have known prior to having an encounter, if they have had one, and what tactics they used during the interaction. Feedback from actual officers and cadets would be important because the changes directly impact them, and the field in which they work. These local findings and interview notes, in conjunction with the broad scope of research, could be enough to defend the rationale for the changes.

Chapter 5. Conclusion

Within the field of policing there exists an unpopular, misunderstood, and undiscussed problem that many people are unaware of or do not understand. This problem is referred to as the puppycide. Contributing factors to the lack of knowledge could be the absence of, and difficulty finding, collected and published data or the lack of reports made by officers when involved with a canine encounter. As the ratio of companion animals within households increases, the more likely it is for police officers to find themselves in contact with them while serving their community. For this reason, adjustments in law enforcement education should be prioritized. Law enforcement officers are made aware of the danger they are putting themselves in each and every day. They also know and trust that the education they receive properly trains and prepares them for being in the line of duty. They deserve to know all aspects of the job, as well as feel confident in any situation they may find themselves in while serving the community. Included should be interactions with companion animals, specifically canines.

When you look at this issue from a legal viewpoint, there are numerous cases that portray the need for change. Among those cases are the ones discussed within Chapter 2 of this document. These specific cases were chosen to show how canine breeds, sizes, location, and call type all differ, however the behaviors from the responding officers remained the same. Law enforcement personnel should be aware that the killing of a pet could amount to an illegal seizure under the Fourth Amendment, as ruled in *Fuller v. Vines*, 36 F.3d 65 (9th Cir. 1994). To protect officers from this type of lawsuit, *Pierson v. Ray*, 386 U.S. 547 (U.S. 1967) established the qualified immunity doctrine. This doctrine holds officers accountable unless they “...can prove that his or her killing of a dog “[1] does not violate clearly established statutory or constitutional rights [(2)] of which a reasonable

person would have known” is granted immunity.” (Gaffney, 2018, p.200). Although this is important, is it something that is now being taken advantage of in order to protect officers from their careless mistakes?

After reading through and researching training guides for law enforcement officers that already exist, I fear that the education the cadets receive within the basic Ohio Peace Officer Training Academy is not comprehensive. The short, lecture-style education the men and women receive is inconsistent with the amount of interaction law enforcement officers will have with canines while performing their duties. These cadets are willing to put their lives on the line after successful completion, therefore they deserve to be educated and prepared to the fullest in *all* aspects of the job, including officer-canine interactions. Although it may be impossible to prepare the cadets for every possible situation, it is invaluable to provide them with the knowledge and tools for the more likely incidents. Within this, canine interactions should be included. A detailed glance into the education received by the cadets enrolled at Youngstown State University’s Ohio Peace Officer Training Academy was discussed. The current curriculum and the other police officer-canine interaction tool kits were analyzed and used to create the proposed curriculum modifications found in this document.

The changes and modifications discussed would start within the police academies and end with individual departments across the state of Ohio. The current material that is covered is important and useful, however it is difficult to fully understand without visual aids. With this in mind, adjustments in the classroom could include lengthening the amount of time and content dedicated to canine interactions, changes to the delivery method of the companion animal lecture, the inclusion of photos and videos to provide a visual aid for the cadets, as well as having the instructor have experience on the topic. For example, having the county Dog Warden

or Deputy Dog Warden instruct the cadets would allow for stories of first-hand experiences and provide the class with a more educated question and answer session. The experiences and first-hand stories from these seasoned individuals would be very beneficial for the cadets. They can provide more knowledge and examples of what to do and what not to do. They can also provide the class with personal encounters and tricks they use to make sure everyone is safe, including the canine. The knowledge and resources that these individuals could bring into the OPOTA classroom for the cadets is invaluable.

Other changes addressed within this thesis pertain to department adjustments. Introduced is a template for an officer-canine interaction report log. This example is provided within the appendix. Important elements found on the log are where the canine was located while arriving on scene, whether or not the canine was tethered or restrained, and if assistance was requested by the officer(s). These reports could then be used in order to create and maintain a database for officer-canine interactions. Also found within the appendix is an example of what this database could look like. The simplicity of both templates is important to note. Police departments across the state could utilize these, and the state could then, in turn, use the databases to produce a statewide database of officer-canine interactions. For the departments, the reports could be helpful in a variety of ways, such as what to cover within the officer's continual education on canine encounters and observing officers acting inconsistent with the proposed training and dealing with it appropriately. As mentioned previously, how can departments and police officers learn from their mistakes if they are not aware of the mistakes in the first place. The introduction of the report log and database could help show them where the problem may be.

As with any change, setbacks are always a possibility. When it comes to the changes addressed within this thesis, potential setbacks that could arise from them are discussed. Officer

push-back, lack of awareness regarding the issue, and budgeting are a few examples that were analyzed within this paper. Although it may be difficult, overcoming these setbacks could help to alleviate the puppycide issues that the department could be facing. Along with that, the officers within that department become more educated and professional when encountering a canine, which could in turn strengthen the relationship they have with their community. Even though the goals of the modifications and adjustments center around canine wellbeing, the ripple effect it has makes it so much more.

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**Appendix A.
Officer-Canine Interaction Report Example**

Officer-Canine Interaction Report		
PART I - GENERAL INFORMATION		
Responding Officer's Name		Badge Number
Incident Number	Call-Type	
Date	Time	Report Number
Address		
City	State	ZIP Code
PART II - CANINE INFORMATION		
Number of Canines	Location of Canine(s)	
Canine(s) Tethered?	Canine(s) Displaying Proper Tags?	Canine(s) Showing Aggression?
Likely Breed		Size
Coloring	Sex	Wearing ID/Tags
Likely Breed		Size
Coloring	Sex	Wearing ID/Tags
Likely Breed		Size
Coloring	Sex	Wearing ID/Tags
PART III - NARRATIVE & ADDITIONAL OBSERVATIONS		
Additional Support Requested		Additional Support's Department
Officer Narrative		
Additional Notes or Observations		
Officer Signature		Date

Image 1: Officer-Canine Interaction Report Example

**Appendix B.
Officer-Canine Interaction Report Database Example**

Officer-Canine Interaction Report			
Report Number	Date of incident	Officer's Last Name	Call-Type
001			
002			
003			
004			

Image 2. Officer-Canine Interaction Report Database Example Part 1

Officer-Canine Interaction Report				
Number of canines on scene	Was the officer aware of the canine(s) prior to arrival?	Were the canine(s) restrained/tethered?	Were the canine(s) showing aggression?	If so, explain.
	Yes or No	Yes or No	Yes or No	

Image 3. Officer-Canine Interaction Report Database Example Part 2

Officer-Canine Interaction Report					
Was there any use of force exerted on the canine(s) by the officer?	If so, explain.	Did the officer call for back-up?	If so, who responded?	What department/company do they belong to?	Additional Notes and Observations
Yes or No		Yes or No			

Image 4. Officer-Canine Interaction Report Database Example Part 3

Appendix C.
Visual Aid Examples for Police Academy Companion Animal Curriculum Modifications



Image 5. Canine demonstrating “Whale Eyes”



Image 6. Canine demonstrating “Alert Ears”



Image 7. Canine demonstrating an “Aggressive Mouth”



Image 8. Canine demonstrating a “Fearful and Worried Posture”

Appendix D.
Adjusted Companion Animal Encounters OPOTA Curriculum

Hour One: Humane Society v. County Dog Warden's Office

- Part I. Difference between a Humane Society and the Dog Warden's Office
- Part II. Explain what role each department will play when called onto a scene
- Part III. Discuss examples for when to request assistance from each department
- Part IV. Contacts provided for each department

Hour Two: Canine Body Language Overview → LEDET Quick Reference Guide

- Part I. Eyes
- Part II. Ears
- Part III. Mouth
- Part IV. Tails
- Part V. Fur
- Part VI. Overall Posture

Hour Three: Defense Tactics Regarding Canine Encounters

- Part I. Distractions and Escape Options
- Part II. Intermediate Weapon Options
- Part III. Electrical Weapons
- Part IV. Environmental Weapons
- Part V. Lethal Force

Hour Four: Case Studies and First-Hand Canine Encounters

- Part I. Discuss different cases that local police have been involved in with canines
- Part II. First-hand encounters for the lecturer
- Part III. Question and Answer Section

Appendix E.
Example of the Modified Companion Animal Encounters Curriculum

Companion Animal Encounters



Ohio Peace Officer Training Commission
Section 8.2
Curriculum Code: BAS-040



Course Outline

Part One: Humane Society v. County Dog Warden's Office

Part Two: Canine Body Language Overview

Part Three: Defense Tactics Regarding Canine Encounters

Part Four: Case Studies and First-Hand Canine Encounters



Part One: Humane Society v. County Dog Warden's Office

Part One Overview

- I. Analyze differences between a Humane Society and the Dog Warden's Office
- II. Discuss what role each department will play when called onto a scene
- III. Look at provided examples for when to request assistance from each department
- IV. Contacts given for each department

Humane Society- Mahoning County

Animal Charity is a 501c3 registered non-profit organization with a veterinary clinic and is the only humane society in Mahoning County.

- Humane Agents are certified through the State of Ohio and appointed by the court to enforce Ohio animal protection laws.
- Humane Agents are available 24/7 to all police departments with the county when they suspect abuse, abandonment, or neglect.



Section I

Dog Warden's Office- Mahoning County

The office of the Dog Warden is committed to providing protective services for the county residents in accordance with the 955 sections of the Ohio Revised Code with compassion and professionalism to ensure the safety and well being of the community. This shall be accomplished through the licensing of the dog population, and the collection and disposal of stray dogs in Mahoning County.

- The Dog Warden and Deputy Wardens are law enforcement agents under the 955 sections of the Ohio Revised Code
- They offer proactive services to the citizens of Mahoning County by patrolling, seizing, and impounding dogs running at large
- They can issue court citations for violations of the Ohio Revised Code sections in 955



Section I

The easiest way to remember what your humane society does versus the dog warden is simple:

Humane Societies protect animals from people, and the Dog Warden protects people from animals

On Scene with the Humane Society

- Evaluate the situation and post notice for contact
- Obtain search warrants to enter a residence
- Seize neglected, abused, or abandoned animals legally



On Scene with the Dog Warden's Office

- Help to capture dogs running at large
- Enforce dog license and rabies vaccination laws
- Complete bite reports
- Post notices for contact



Section II

When to Request the Humane Society

- Complaints of animals being abused, starved, abandoned (when the animal is confined to a property)
- Animals left exposed to the elements
- Animals in need of veterinary treatment
- Hoarding cases involving companion animals



Section III

When to Request the Dog Warden's Office

- Dogs running at large (strays)
- Dog Licence and rabies vaccination enforcement
- Nuisance/Dangerous/Vicious Dogs as it relates to the Ohio Revised Code
- Injured stray dogs
- Bite cases of stray dogs (owned dogs by request)
- Lost and Found Dogs



Section III

Dog Warden's Office (Mahoning County)

1230 N. Meridian Road
Youngstown, OH 44509

(330)-740-2205

Section IV

Animal Charity of Ohio Humane Society (Mahoning County)

4140 Market Street
Youngstown, OH 44512

(330)-788-1064

Part Two: Canine Body Language Overview

Part Two Overview

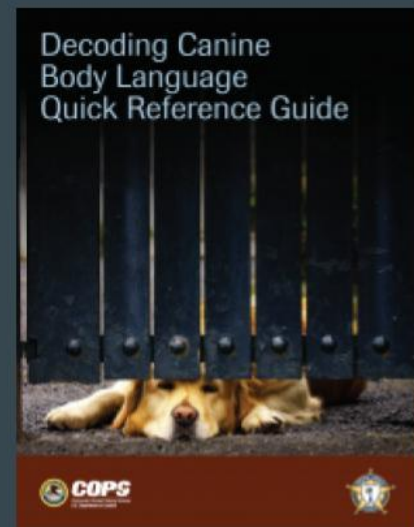
- I. Law Enforcement Dog Encounters Toolkit – Introduction
- II. Eyes
- III. Ears
- IV. Mouth
- V. Tails
- VI. Fur
- VII. Overall Posture



Law Enforcement Dog Encounters Toolkit

The purpose of this toolkit is to arm law enforcement agencies and officers with the information, tools, and resources necessary to handle dog encounters...

When approaching an unfamiliar dog, officers should take note of six different characteristics – **eyes, ears, mouth, tails, fur, and overall posture** – and alter their behavior based on those characteristics,



Section I

Eyes

When approaching a dog, officers should take note of both the **size** and **direction** of its gaze.

Size of the Canine's Eyes

- Larger eyes; could indicate that the dog may be feeling threatened or scared
- Smaller eyes; could indicate a nonthreatening dog, or a dog in pain
- Whale eyes; officers should be cautious when a dog looks at them out of the corners of their eye, where most of the white is showing – this usually indicates an imminent act of aggression

Direction of the Canine's Gaze

- Some dogs may look directly at an individual without any threatening or challenging intent
- When that direct stare is accompanied by noticeable tense facial features or body language, officers should proceed cautiously, and not make direct eye contact

Section II

Eyes- Example Photographes



Direct Stare (friendly) Example



Large Eye Example

Section II

Eyes- Example Photographes



Whale Eye Examples

Section II

Ears

There are generally five positions at which a dog may hold its ears

1. Naturally – generally relaxed and nonthreatening
2. Held High – the dog is alert to what is happening around it; not generally an indications of a threat
3. Held Up and Forward – indicating that the dog is feeling aggressive
4. Pulled Back – a way to communicate friendliness and a nonthreatening attitude
5. Completely Pulled Back Against Head – indicates fear or submission; frightened dogs may act aggressively out of fear

Section III

Ears- Example Photographs



Natural Example



Held High Example



High and Forward Example

Section III

Ears- Example Photographs



Pulled Back Example



Completely Pulled Back Example

Section III

Mouth

The positioning of a dog's jaw and lips, and how prominently it displays its teeth, are all behavioral cues as to its attitude.

Friendly and Approachable Dog – relaxed mouth (closed or slightly opened)

Frightened Dog – closed mouth (may also stick their tongue out or lick, or they may pull their lips back in what looks like a grin)

Aggressive Dog – displays its teeth, wrinkling of the muzzle, or growling

Section IV

Mouth- Example Photographs



Relaxed Mouth Example



Closed Mouth Example

Section IV

Tails

It is a mistaken assumption that a wagging tail *always* indicates a friendly dog. A wagging tail can often indicate whether a dog is friendly, fearful, and even aggressive.

Friendly Dogs – gently wag their tails side-to-side, or more forcefully when excited

Frightened Dogs – tuck their tails between their rear legs; the tighter the tuck, the more fearful they are

Aggressive or Dominant Dogs – hold their tails high and wag them tensley

Section V

Tails- Example Photographs



Frightened Dog Example

Section V



Friendly Dog Example

Fur

A dog's fur may not be much of a communicator, but officers should take precautions when they notice something different with it.

Piloerection – the bristling or raising of hairs. A dog's hackles that stand up along their backs have a specialized muscle called arrector pili muscles that cause piloerection. Piloerection is due to a reflexive trigger of the sympathetic nervous system—the fight or flight response.

This can be an indication that the dog is **frightened**, **nervous**, or **aggressive**.

Section VI

Fur- Example Photograph

Piloerection Example
on a fearful canine



Section VI

Overall Posture

Dr. Stanley Coren, a psychologist known for his research on dog behavior, presented the eight most relevant and useful dog postures in an article for *Modern Dog*

1. Relaxed and Approachable
2. Alert
3. Dominant and Aggressive
4. Fearful and Aggressive
5. Stressed and Distressed
6. Fearful and Worried
7. Extremely Fearful
8. Playful

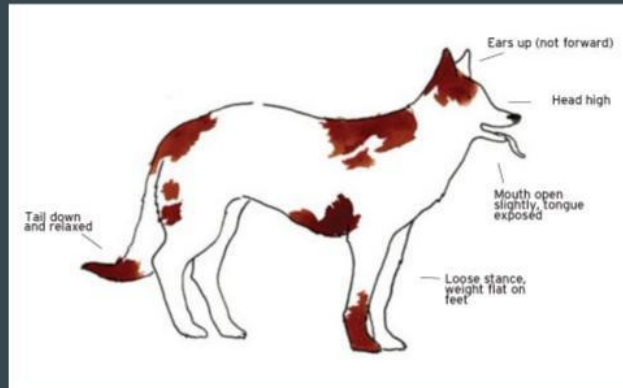


Section VII

Overall Posture- Example Photographs

RELAXED POSTURE

The relaxed approachable posture, as shown, is generally a non-threatening stance and indicates the dog is relaxed. Heightened officer concern is not necessary, as dogs with this posture are generally safe and approachable.

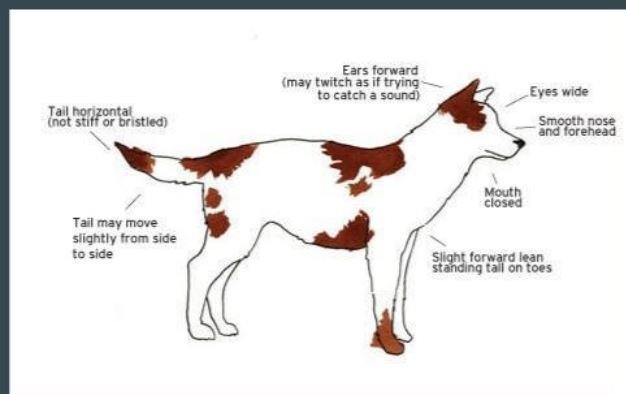


Section VII

Overall Posture- Example Photographs

ALERT POSTURE

The alert posture indicates the dog is interested by something within his range of vision and is paying attention to things going on around him. Generally, officers should be more cautious than with a relaxed dog, but a defensive posture by the officer is unnecessary.

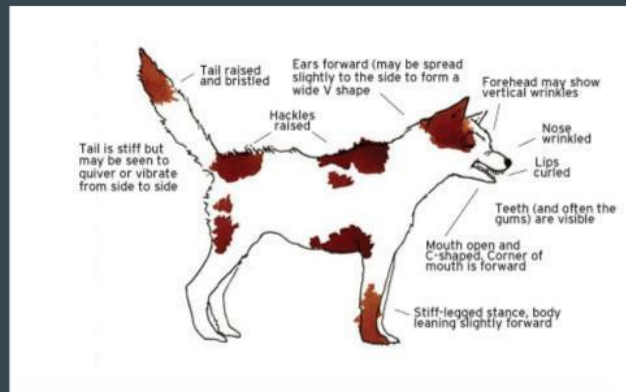


Section VII

Overall Posture- Example Photographs

DOMINANT AGGRESSIVE POSTURE

The dominant aggressive posture occurs as a dog attempts to assert his dominance over anything or anyone in his area of control. Officers should be extremely cautious when approaching a dog with this posture, as the dog may act aggressively towards any threats he perceives, including the officer.

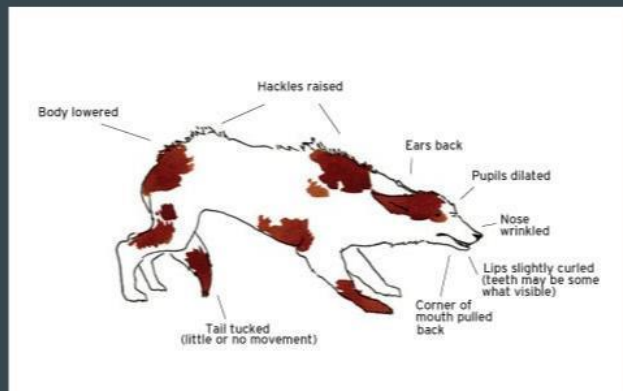


Section VII

Overall Posture- Example Photographs

FEARFUL AGGRESSIVE POSTURE

A fearful and aggressive dog will exhibit similar positioning as a dominant aggressive dog, but his action arises from his fear, rather than perceived dominance. However, dogs with this posture will still act aggressively if threatened, and extreme caution should be exercised by officers confronted by a fearful and aggressive dog.

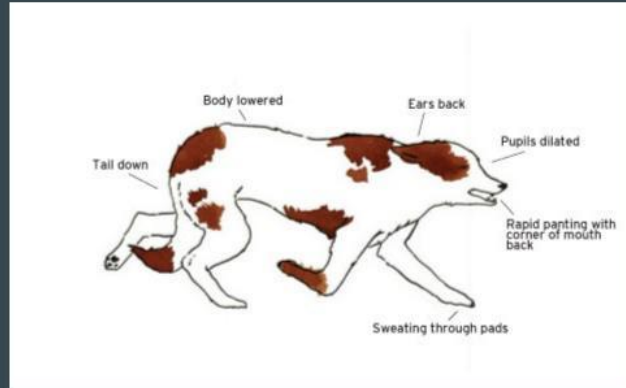


Section VII

Overall Posture- Example Photographs

STRESSED POSTURE

Stressed/distressed dogs are reacting to a social or environmental stressor. These dogs are generally not a threat but may become one based on his perception of actions taken against him. Officers should proceed cautiously and attempt to relax the dog through actions or words.

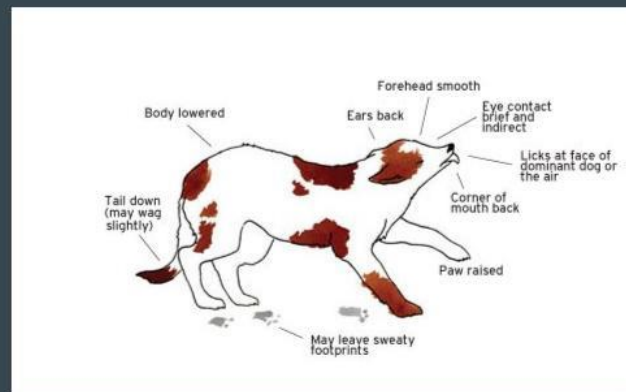


Section VII

Overall Posture- Example Photographs

FEARFUL AND WORRIED POSTURE

A fearful and worried dog is generally in a position of submission. His actions are usually an attempt to avoid conflict with anyone he views as dominant. Officers are in advantageous position with these dogs and should verbally assert their dominance, while not acting too aggressively or this dog could turn from fearful and worried to fearful and aggressive.

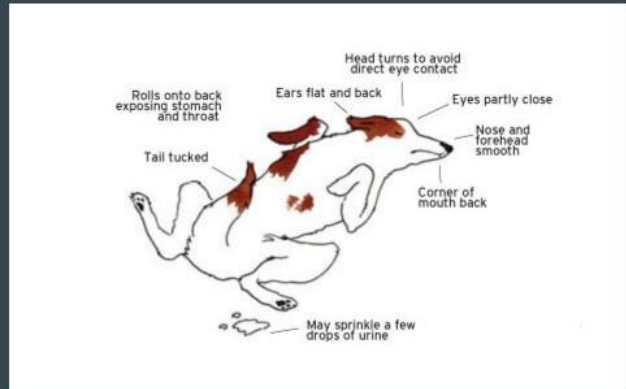


Section VII

Overall Posture- Example Photographs

EXTREME FEAR POSTURE

An extremely fearful dog will immediately show submission and surrender to anyone he views as dominant. Coren says this posture is the equivalent to an inferior groveling at the feet of a superior. As such, officers should affirm their dominance, yet approach gently and nonthreateningly.

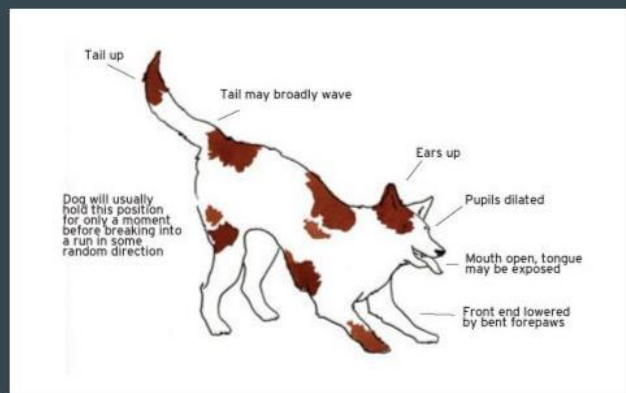


Section VII

Overall Posture- Example Photographs

PLAYFUL POSTURE

Playful dogs are just that – playful. They may excitedly bark or advance towards another dog or human, but their intentions are not threatening or challenging. Officers should be alert to this posture and be careful not to confuse it with a dominant aggressive dog. Playful dogs are not usually a threat to officers.



Section VII

Part Three: Defense Tactics Regarding Canine Encounters

Part Three Overview

- I. Distractions and Escape Options
- II. Intermediate Weapon Options
- III. Electrical Weapons
- IV. Environmental Weapons
- V. Lethal Force



Distractions and Escape Options

- Look for distraction options
 - Ball
 - Stick
 - Dog treats or food
- If your vehicle is close and the dog is distracted, consider backing up towards protection/vehicle
- If your vehicle is not an option, put something between you and the dog
 - Garbage can and/or lid
 - Clipboard
 - Chair

Section I

Intermediate Weapon Options

- If distractions and/or escaping is impractical or unavailable, you may need to use items on your persons
 - Flashlight
 - Knightstick
- Impact weapons can be used defensively to avoid an attack
 - The motions involved in opening these weapons could be seen as threatening by some dogs
- The use of Oleoresin Capsicum (pepper spray) on canines is an option, however the size and aggression level of the canine should be considered prior to use
 - Orthochlorobenzalmalononitrile (OC) – Type of tear gas – should **not** be used on canines
 - Chloroacetophenone (CS) – Type of tear gas – should **not** be used on canines

Section II

Electrical Weapons

- When used on canines, the period of immobilization is short compared to humans
- When using an electrical weapon on canines, officers may deploy it differently
 - Most of the dog's body mass is horizontal, therefore the weapon needs to be turned sideways to let the probes spread horizontally when fired
- Due to the fact that dogs are smaller than humans, officers need to be closer to a dog (within 10 feet)
- Be sure to have a back up plan if you find yourself in this situation

Section III

Environmental Weapons

These types of weapons can be used for blocking or redirecting a dog attack

- Examples include flashlights, clipboards, and fire extinguishers
- **Fire Extinguishers** – make a great weapon
 - They produce a startling, expanding, and cold cloud
 - They produce an adverse noise and have a bad taste and odor

Section IV

Lethal Force

- As for the legal standards, the companion animals do not independently have legal rights; but their owners certainly do
 - The courts consider companion animals to be property
 - Use of force against a companion animal is considered a seizure under the 4th Amendment, subject to the reasonableness standard
- Be prepared to submit a very detailed report of the encounter
- Keep in mind that most dogs are much smaller than humans; always be aware of the direction of your muzzle and what is beyond the threat
- When an officer shoots a dog that does not constitute a serious threat, community trust is eroded
 - The department is now also open to potential lawsuits or other legal actions
- Always follow your agency's policy and procedures!

Section V

Part Four: Case Studies and First-Hand Canine Encounters

Part Four Overview

I. Cases that local police have been involved in with canines

II. First-Hand Encounters

III. Question and Answer Section



North Side Dog Attack

Youngstown Police Department
October 10, 2022

Police arrived on scene early in the morning to find a man being brutally attacked by five bull terriers

***** View Discretion Is Advised *****

Section I

Buddha

Austintown Police Department
April 2, 2023

- A woman was being attacked by a dog, that was being attacked by other dogs
- While on scene, an officer put a tourniquet on the woman's leg to help slow the bleeding of severe bites around her knee
- All three dogs were placed back into the home by officers once the owners were notified of the situation



Section I

Hazel and Maeve

...They're not *always* bad interactions!

Youngstown Police Department
February 15, 2023

- Two officers helped to bring these two girls to safety while patrolling



Section I

First-Hand Encounters

Police Officer: points they can discuss within this section

Experience with officer-canine interactions, both personal and inter-department
Explain how/what they have learned, discuss what could have been done differently

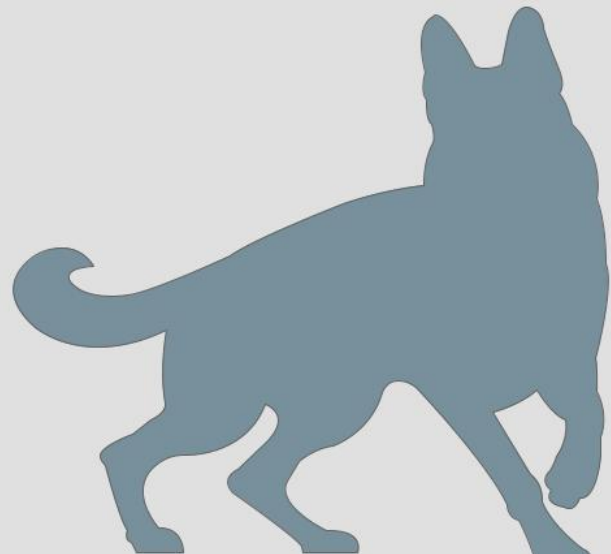
Deputy Dog Warden: points they can discuss within this section

Techniques they use while working with stray/unknown dogs in the field
Safety measures they are taught and follow regarding handling these dogs

Section II

Companion Animal Encounters

Questions?



Section III

Appendix F.
Peace Officer Basic Training: Companion Animal Encounters, Unit 8-Topic 2

Peace Officer Basic Training
Companion Animal Encounters
Unit 8 – Topic 2



Ohio Peace Officer Training Commission
Education & Policy Section

1650 State Route 56, SW • P.O. Box 309 • London, Ohio 43140
Phone: 800-346-7682 • Fax: 866-393-1275
OPOTCEducationandPolicy@OhioAttorneyGeneral.gov

Effective Date: January 1, 2017

Course Hours: Two (2)

Student Goal: The student will understand common companion animal behaviors.

OPOTC CURRICULUM COMMITTEE

Chief Clayton A. Harris, Cuyahoga Community College Police Department, OPOTC
Commissioner

Sergeant Troy Mineard, Akron Police Department, OPOTC Commissioner and Curriculum
Committee Chairman

SUBJECT MATTER EXPERT COMMITTEE

Meghan Herron, DVM, DACVB, Ohio State University, College of Veterinary Medicine

Randal Lockwood, Ph.D., Senior Vice President, Forensic Science and Anti-Cruelty Projects,
American Society for the Prevention of Cruelty to Animals

James Straley, Executive Director, Clark County Humane Society

Curriculum Coordinator:

Sarah Thomas, Instructional Designer – Law Enforcement Training Officer, OPOTC

Legal Reviewer:

Justin Hykes, Esq., Director of Administration, OPOTC

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Assessment 14
Responding to Dog Related Incidents 25
Conclusion 27
Practice Exercise 28

REFERENCES

This lesson plan is based on the following sources. However, it is the responsibility of the instructor to use the most recent references.

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ADDITIONAL RESOURCES

Videos referenced in lesson plan are available at www.ohleg.org under the current Peace Officer Basic Training curriculum, Unit 8-2 companion animal encounters, Additional Resources folder.

- An Overview: Assessing the Situation
- Communicating with Dogs: Police and Dog Body Language
- Use of Force Considerations

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COURSE MATERIALS

TEACHING AIDS

- | | |
|--|---|
| <input checked="" type="checkbox"/> Erasable Board/Markers | <input type="checkbox"/> Easel/Notepads |
| <input checked="" type="checkbox"/> AV Equipment | <input checked="" type="checkbox"/> Lectern/Table |
| <input checked="" type="checkbox"/> Practice Exercise | <input type="checkbox"/> Proficiency Testing Record |
| <input type="checkbox"/> Other _____ | |
| <input type="checkbox"/> Handouts | |

INSTRUCTIONAL TECHNIQUES

- | | |
|--|--|
| <input checked="" type="checkbox"/> Lecture | <input checked="" type="checkbox"/> Group Discussion |
| <input type="checkbox"/> Demonstration | <input type="checkbox"/> Scenario-based Training |
| <input type="checkbox"/> Individual Exercise | <input type="checkbox"/> Hands-on Techniques |
| <input type="checkbox"/> Role Play | <input type="checkbox"/> Problem Solving |
| <input type="checkbox"/> Other _____ | |
| _____ | |

NOTE TO INSTRUCTOR

Instructors are expected to:

- Bear in mind the legal, moral, professional, and ethical implications of instructing in a commission-approved program.
- Follow student-to-instructor ratios (if applicable)
- Follow student-to-equipment ratios (if applicable)
- Use opportunities which may arise during instruction of the required material to point out to the students the legal, moral, professional, and ethical responsibilities they will bear to their employers and communities while serving in an official capacity.
- Understand that this information provided is the minimum standard. Instructors are expected to go above the minimum.
- Incorporate as many principles of adult learning as possible to include Problem Based Learning (PBL), Student Centered Learning (SCL), active group discussions, scenario activities, and other responsible adult learning techniques. Emphasis should be placed on the benefits of ethical behavior and the consequences of unethical behavior throughout.

POWERPOINT PRESENTATIONS

Many lesson plans are accompanied by a very basic PowerPoint Presentation. These are most often a series of slides that include a title slide and the SPOs for the topic. This is intended to be a baseline presentation that instructors are expected to use as a starting point while preparing to teach the topic. Instructors may save the file locally and add slides in support of their teaching efforts. These may include instructor biographical information, expansion of the SPOs, information pertinent to the topic, illustrations, group exercises, and other items that will enhance student learning.

Any skills required to be demonstrated may also be tested on the written state certification examination (SCE).

PREPARATION

- A. Introduction
 - 1. Instructor
 - 2. Course
- B. The purpose of this topic is to provide an overview of companion animal behavior and appropriate officer response
- C. SPOs

Intro – PPT #1

*List of SPOs
PPT #2*

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STUDENT PERFORMANCE OBJECTIVES

At the end of this topic, the student will be able to:

1. Assess a dog's behavior.
2. Describe available options when handling a threat from a companion animal.

COMPANION ANIMALS

A. Overview

1. There are approximately 77.8 million owned dogs in the United States and dogs are likely to be encountered in 44% of residential locations
2. Unfortunately, not all owners maintain their dogs with the same level of positive, humane care
3. Some owners deny their dogs the opportunity for positive interaction with humans by keeping them exclusively on chains, in kennels, or in yards
4. They may have obtained dogs for functions such as guarding, fighting, or protection

Question to Students – As an officer, when might you encounter dogs?

Anticipated answers below.

5. An officer may encounter a dog in a wide array of situations
 - a. Situations in which dogs are central to the incident
 - (1) Reckless dog owners and serious dog-related incidents
 - (2) Loose or stray dogs that may be perceived as threats to public safety
 - (3) Disputes between neighbors involving dogs
 - b. Officers also encounter dog owners and dogs in a host of other settings
 - (1) Traffic situations include encountering dogs in cars during traffic stops, traffic accidents, and dogs injured by vehicles
 - (2) Patrol situations include dogs encountered in houses and apartments when responding to calls
 - (3) Commercial settings include dogs guarding a gated industrial facility

***Bathurst, Cleary,
Delise, VanKavage,
& Rushing (2011)
APPA (2015)***

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- (4) Streets and park settings include dogs on leads, dogs running loose, and dogs locked in a vehicle on a hot day
- (5) Public places include service dogs in restaurants, stores, and other public venues
- 6. There is no scientific evidence that one breed of dog is more likely to bite or injure a human being than another breed of dog
 - a. The responsibility of most dog bites falls directly on owners
 - b. Factors that trigger aggression in dogs, that owners can generally prevent, include the following
 - c. Lack of socialization – isolated dogs that have not had regular, positive interaction with people may be uncertain, fearful, or aggressive when encountering people or other animals
 - d. Lack of supervision and restraint – dogs left alone on the premises are likely to see an intruder as a threat; this is made worse if the dog is chained and unable to flee
 - e. Pain and illness – dogs who are in pain are more likely to see any approach or contact with a human as threat of more pain
 - f. Abuse – dogs who have reason to fear humans may try to drive away the threat
- B. Companion animal statutes
 - 1. Companion animal defined
 - a. Any animal that is kept inside a residential dwelling and any dog or cat regardless of where it is kept, including a pet store as defined in R.C. 956.01. It does not include livestock or any wild animal
 - b. Livestock means horses, mules, and other equidae; cattle, sheep, goats, and other bovidae; swine, and other suidae; poultry; alpacas; llamas; captive white-tailed deer; and any other animal that is raised or maintained domestically for food or fiber
 - 2. Serious physical harm defined as any of the following
 - a. Physical harm that carries an unnecessary or unjustifiable substantial risk of death

AVMA (2001)

While the R.C. includes many types of animals, our focus is on dogs
R.C. 959.131(A)(1)

R.C. 959.131(A)(10)

R.C. 959.131(A)(12)

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- b. Physical harm that involves either partial or total permanent incapacity
 - c. Physical harm that involves acute pain of a duration that results in substantial suffering or that involves any degree of prolonged or intractable pain
 - d. Physical harm that results from a person who confines or who is the custodian or caretaker of a companion animal depriving the companion animal of good, wholesome food and water that proximately caused the death of the companion animal
3. Prohibitions Concerning Companion Animals **R.C. 959.131**
- a. Statutory Elements
 - (1) No person shall knowingly...
 - (a) Torture, torment, needlessly mutilate or maim, cruelly beat, poison, needlessly kill, or commit an act of cruelty against a companion animal **R.C. 959.131(B)**
 - (b) Cause serious physical harm to a companion animal **R.C. 959.131(C)**
 - (2) No person who confines or who is the custodian or caretaker of a companion animal shall negligently do any of the following **R.C. 959.131(D)**
 - (a) Torture, torment, or commit an act of cruelty against the companion animal
 - (b) Deprive the companion animal of necessary sustenance or confine the companion animal without supplying it during the confinement with sufficient quantities of good, wholesome food and water if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the deprivation, or confinement
 - (c) Impound or confine the companion animal without affording it, during the impoundment or confinement, with access to shelter from heat, cold, wind, rain, snow, or excessive direct sunlight if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the lack of adequate shelter

- (3) No owner, manager, or employee of a dog kennel who confines or is the custodian or caretaker of a companion animal shall knowingly do any of the following
- (a) Torture, torment, needlessly mutilate or maim, cruelly beat, poison, needlessly kill, or commit an act of cruelty against the companion animal
 - (b) Deprive the companion animal of necessary sustenance or confine the companion animal without supplying it, during the confinement, with sufficient quantities of good, wholesome food and water if it is reasonably expected that the companion animal would die or experience unnecessary or unjustifiable pain or suffering as a result of the deprivation or confinement
 - (c) Impound or confine the companion animal without affording it, during the impoundment or confinement, with access to shelter from heat, cold, wind, rain, snow or excessive direct sunlight if it is reasonably expected that the companion animal would die or experience unnecessary or unjustifiable pain or suffering as a result of or due to the lack of adequate shelter

R.C. 959.131(E)

- (4) No owner, manager, or employee of a dog kennel who confines or is the custodian or caretaker of a companion animal shall negligently do any of the following
- (a) Torture, torment, or commit an act of cruelty against the companion animal
 - (b) Deprive the companion animal of necessary sustenance or confine the companion animal without supplying it, during the confinement, with sufficient quantities of good, wholesome food and water if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the deprivation or confinement
 - (c) Impound or confine the companion animal without affording it during the impoundment or confinement, with access to shelter from heat, cold, wind, rain, snow, or excessive direct sunlight if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result or due to the lack of adequate shelter

R.C. 959.131(F)

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b. Degree of Offense

R.C. 959.99(E)

(1) If violation of Division (B)

(a) M-1, if first offense

(b) F-5, on each subsequent offense

(2) If violation of Division (C), F-5

(3) If violation of Division (D)

(a) M-2, if first offense

(b) M-1, on each subsequent offense

(4) If violation of Division (E) – F-5

(5) If violation of Division (F) – M-1

4. Dog May be Killed for Certain Acts

R.C. 955.28

a. Subject to R.C. 955.261(A)(2) and (3), a dog that is chasing or approaching in a menacing fashion or apparent attitude of attack, that attempts to bite or otherwise endanger, or that kills or injures a person or

R.C. 955.28(A)

b. A dog that chases, threatens, harasses, injures, or kills livestock, poultry, other domestic animal, or other animal, that is the property of another person, except a cat or another dog...

c. Can be killed at the time of the chasing, threatening, harassment, approaching, attempt, killing, or injury

d. If, in attempting to kill such a dog, a person wounds it, the person is not liable to prosecution under cruelty to animals

e. The owner, keeper, or harbinger of a dog is liable in damages for any injury, death, or loss to the person or property that is caused by the dog unless

R.C. 955.28(B)

(1) The injury, death, or loss was caused to the person or property of an individual who, at the time, was committing or attempting to commit a criminal offense other than a minor misdemeanor or

(2) Was teasing, tormenting, or abusing the dog on the property of the owner, keeper, or harbinger

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ASSESSMENT

A. Assessing the scene

Show the video "An Overview: Assessing the Situation" located in the Additional Resources folder.

1. In the law enforcement profession, you are guaranteed to have some type of encounter with dogs
 - a. Knowing this, you can take some common sense actions to prepare for the encounter
 - b. Considerations include the following
 - (1) Have dispatch tell the resident to contain the dog before you arrive
 - (2) Keep a leash in your car to secure a dog; just because a dog is nice upon your arrival doesn't mean he/she will stay nice if you end up arresting his/her owner
 - (3) Keep a box of dog treats in your trunk and use them if able
2. Always look for signs that indicate a dog may be present
 - a. Signs, posters, or window stickers that alert people to the presence of a dog
 - b. Food or water bowls in the yard
 - c. Dog toys or bones
 - d. Worn trails along the fence line
 - e. Chains or tie-outs
 - f. Dog waste
 - g. Barking, whining, or growling
3. If an officer determines that a dog is present, it poses a potential threat, and there's sufficient time, animal control should be called to handle the dog; if that's not an option, the officer should take several steps to minimize the risk

**Bathurst et al.
(2011)**

Be aware of animal control resources available in your area

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- a. If you are entering a yard and see signs of a dog, you should alert the dog to your presence when possible
 - b. This can be done by calling out to the dog in a friendly voice and then waiting to assess the dog's response
 - c. Recognize that dogs are territorial and may defend their turf; they often use the same landmarks as people do to decide where their territory starts and stops (e.g., fences, gates, sidewalks, houses)
 - d. Many dogs will have learned that certain sounds (e.g., gate latches opening, footsteps on porches) predict the approach of a person
 - e. If there are signs of a dog, the officer should try to amplify his/her noises in case the dog is sleeping and wait several seconds after making those noises to see whether a dog appears and what the response is
 - f. Only the most desperately fearful or deaf dog will fail to make an appearance when indicators of a human approach become evident to the dog
 - g. The extremely fearful dog who is hiding may escalate to trying to drive the intruder away if the officer inadvertently approaches the hiding place, so it's advisable to be aware of places where dogs might seek refuge (e.g., behind debris and bushes, under porches and in crawl spaces, in dog houses or shelters, back into the house via open doors or windows)
 - h. Dogs will often become upset and even protective of their family when people in their presence are behaving in an agitated or confrontational way
 - i. Make every effort to not conduct interviews in the vicinity of an unrestrained dog
 - j. When practical, the owner should be asked to contain a dog that is in the yard before the officer enters the area
 - k. When entering a residence, ask the owner to contain the dog
- B. Assessing the risk – assess the officer's risk by first giving attention to behavior of the dog(s) and the situation
- 1. An injured dog (e.g., from a traffic accident)

Bathurst et al.
(2011)

- a. Even a friendly, well-socialized dog may bite if injured
 - b. Dogs do not understand that a person touching them when they are in pain might be trying to help
 - c. Therefore, an injured dog should be muzzled before handled or moved
 - d. Improvised muzzles can be created by a leash, belt, or first aid gauze
2. A frightened dog
- a. Fearful dogs are usually low to the ground with their tail tucked between their legs and may exhibit the whale eye (i.e., when you can see the whites of the dog's eyes)
 - b. Their ears may be flat on their head; the best strategy is to not approach this dog
3. An approaching dog
- a. Most dogs happily greet humans approaching them
 - b. Some will be so enthusiastic about greeting that they do this at a full run and then launch themselves at the officer
 - c. Absent any of the warning signals described later, an approaching dog is almost always friendly
 - d. A dog who feels threatened will usually try to keep his distance
4. A barking and lunging dog
- a. The dog is usually restrained by a barrier (e.g., fence, door) or a tie-out (e.g., chain, rope, leash)
 - b. The restrained dog that barks and lunges at the approaching officer is the highest risk to bite if the officer enters the area the dog can access
 - c. The best strategy with a restrained dog is to maintain as great a distance as possible
 - d. You should take note of what is restraining the dog

- (1) Look at the type of material that the dog is tethered to (e.g., rope, chain) and what is at the other end (e.g., tree, piece of wood, cinder block)
- (2) If items are not immobile or heavy enough, or if the tethering material is not strong enough, they will not restrain a motivated dog for long
- (3) Some dogs are attached to a wire or line that allows them to run the length of the wire or line
- e. Some dogs will bark and lunge out of simple frustration at not being able to access people and the behavior will not occur if the dog is at liberty
- f. The dog straining at the end of a chain or rope may simply be trying to greet the person, particularly if the dog is not barking or displaying any warning signs
- g. The unrestrained dog that barks, snarls, or growls but does not approach or stops approaching before actual contact is clearly communicating a warning, not an intent to bite
- h. This dog is only likely to bite if the warning is not successful in driving away the intruder (i.e., if the officer continues to approach the dog or fails to retreat despite the warning)
- 5. A dog stimulated by quick movement
 - a. Most dogs will chase any rapidly moving object
 - b. Some dogs are too fearful to approach a person by whom they feel threatened unless the person's back is turned; if a dog is barking in a threatening manner, stand still, keep your arms at your side, and avoid turning your back to the dog
 - c. A running officer is likely to be chased by any dog in the vicinity, and the chasing behavior can escalate to biting
 - d. In some cases, this is not a sign of aggression, but rather is a game for the dog; it is a response to the same impulse that causes a dog to chase a tennis ball or toy
 - e. Therefore, running in an area that a dog can access should be avoided whenever possible

C. ASSESSING A DOG'S BEHAVIOR

1. Overview

- a. Dogs respond to us through their own body postures, facial expressions, and voice tones
- b. Without staring at the dog, you should assess the entire dog, checking for both behaviors that show the dog is uncomfortable and feeling threatened, and for behaviors that signal comfort and friendliness

2. Signs of a relaxed dog

- a. **Body posture – relaxed, weight carried evenly, may observe a play bow or body wiggle**
- b. **Tail – relaxed and in neutral position, may be wagging**
- c. **Ears – relaxed and in neutral position**
- d. **Mouth – appears “soft,” may be open, tongue hanging out, mouth may be closed with lips relaxed over teeth**
- e. **Eyes – “soft,” relaxed, eyebrows neutral, normal pupil size, steady, relaxed gaze**

3. Signs of a defensively threatening dog

- a. **Body posture – muscles tense, weight shifted back, low to ground, may roll to expose belly, holding one paw up**
- b. **Tail – stiff, usually tucked or low to the ground, may be wagging (slowly or rapidly)**
- c. **Piloerection (i.e., goosebumps) – may or may not be present, may be seen as a “blowing coat”**
- d. **Ears – pulling back against head**
- e. **Mouth – lips pulled back, may be growling or snarling, often see excessive panting, lip licking, chewing, yawning**
- f. **Eyes – vigilant with pupils dilated, eyebrows furrowed, scanning/darting eyes, “whale eye”**

4. Signs of an offensively threatening dog

SPO #1

**Bathurst et al.
(2011)**

**Herron & Shreyer
(n.d.)
SPO #1
PPT #3 – #4**

**SPO #1
PPT #5 – #6**

SPO #1 – PPT #7

**SPO #1
PPT #8 – #9**

OHIO PEACE OFFICER TRAINING COMMISSION

PEACE OFFICER BASIC TRAINING CURRICULUM
Companion Animal Encounters, 8-2
Effective Date: 2017/01/01

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- a. **Body posture – “hard and stiff,” muscles tensed, weight forward, may be very still**
 - b. **Tail – carried high, often wagging slowly and methodically**
 - c. **Piloerection – usually present**
 - d. **Ears – erect and forward, little movement**
 - e. **Mouth – top lip pulled up, baring front teeth only, growling, snapping, barking**
 - f. **Eyes – hard stare, wide open or squinted/hooded, eyebrows tensed, pupils dilated**
 - g. **Be aware that the offensively threatening dog could exhibit all of these behaviors and still be quiet and still; be aware that quiet dogs can still attack**
- D. Assessing your behavior – human behaviors that can increase/decrease the likelihood of a bite

**SPO #1
PPT #10 – #11**

NACA (2009)

Show the video “Communicating with Dogs: Police and Dog Body Language” located in the Additional Resources folder.

The instructor should anchor the video presentation with the information below.

1. Not paying attention – careful observation of what is going on around you and planning ahead is the best hedge against dog attacks
2. Eye contact – establishing prolonged eye contact with a dog is likely to arouse a dog or even provoke one to an attack (e.g., a “fear-biter” animal may become even more fearful and defensive if a person stares as he/she approaches)
 - a. An angry dog may become more angry and assertive if the officer stares as he/she approaches
 - b. Staring increases the bite likelihood for dogs exhibiting defensive aggression and offensive aggression
 - c. Looking toward the dog, then down at the ground is referred to as a “look away”

- d. Diverting gaze in this way is perceived by many dogs to be an appropriate signal for greeting and the approaching officer is not as likely to be perceived as a threat
3. Standing over animal/posture
- a. Bending over or reaching for a dog may make a fearful dog more defensive or make an angry dog more assertive
 - b. Directly facing a dog increases arousal, but standing about 15° off-center and looking toward the dog is not as arousing
4. Inappropriate voice tones
- a. Speaking to a dog in a low, stern voice with pursed lips may be interpreted as a threat
 - b. Depending on the dog, responses vary from increased submissive behavior, to a lunging attack
 - c. Talking to the dog in an expressive friendly voice with a modulating pitch usually elicits a positive emotional response from the dog
 - d. Dogs are more compliant when they are happy, so it is easier to control a dog if you can influence the emotional state with the tone of your voice
5. Movement
- a. Exaggerated arm motions (i.e., reaching toward) and other quick movements in the direction of a dog are often interpreted as a threat
 - b. The response to a threat, whether verbal or from unexpected movement, is fight or flight
 - c. Running across an unfamiliar dog's territory, running away from a dog, or any sudden unexpected movement proximate to the dog is a good way to elicit an attack
 - d. A person that continues to run from a dog attack is more likely to suffer repeated and serious bites

Show the video "Use of Force Considerations" located in the Additional Resources folder.

NACA (2009)

E. OPTIONS FOR HANDLING A THREAT FROM A COMPANION ANIMAL

*Bathurst et al.
(2011)
SPO #2 – PPT #12*

1. Distractions and escape options

- a. **If a dog encounter turns threatening, determine if any distractions are available (e.g., ball or stick lying on the ground, dog treat)**
- b. **If your vehicle is close by and you have distracted the dog, consider slowly backing up toward protection or get in your vehicle**
- c. **If you are not able to get to your vehicle, determine if there is something in your surroundings that you can put between you and the dog**

NACA (2009)

SPO #2 – PPT #13

- (1) **Garbage can**
- (2) **Garbage can lid**
- (3) **Clipboard**
- (4) **Chair**

2. Intermediate weapon options

SPO #2 – PPT #14

- a. **If distractions or escaping the situation are impractical or unavailable, you may need to use other items that are available on your person**
- b. **Impact weapons can be used for blocking, redirecting a dog attack, or used as a bite stick; be aware that the motions involved in opening, may be seen as threatening by some dogs**
- c. **OC is the only chemical weapon that can be highly effective on dogs and, therefore, is the only chemical weapon that should be considered for use on dogs**

*Edwards,
Granfield, & Onnen
(1997)
SPO #2 – PPT #15*

- (1) **Because of differences in anatomy and physiology of animals, dogs experience few, if any, of the symptoms induced by CN in humans**
- (2) **Likewise, CS is virtually ineffective on non-human animals**

- (3) In a study conducted by the Baltimore Police Department, dogs were sprayed with OC in 20 incidents where the animals posed a danger to officers
 - (a) Officers sprayed at a distance greater than those from which they sprayed people, with the majority sprayed from a distance of three to eight feet
 - (b) Ten of the dogs weighed between 25 and 50 pounds and six weighed more than 50 pounds
 - (c) OC was effective nearly 100 percent of the time, and only one officer was bitten, but required no medical attention

Since the use of chemical and electrical weapons are not a part of peace officer basic training, officers must receive additional training in the use of these options

d. Electrical weapon

SPO #2 – PPT #16

- (1) **In field reports of electrical weapon use on dogs, most officers reported that the period of immobilization was shorter than for people**
- (2) **When using an electrical weapon on dogs, officers must deploy it differently than when using it on people**
- (3) **Most of a dog’s body mass is horizontal or parallel to the ground, therefore, the electrical weapon needs to be held sideways so that the probes spread horizontally when fired**
- (4) **Due to the fact that dogs are smaller than people, officers firing electrical weapons must be closer to a dog than to a person, preferably less than 10 feet**
- (5) **Have a backup plan because animals can move fast, and you are very close to the animal at this point**

SPO #2 – PPT #17

- 3. **Environmental weapons (e.g., flashlights, clipboards, fire extinguishers) can be used for blocking or redirecting a dog attack**
 - a. **Fire extinguishers serve a dual purpose as they are also a highly effective tool if discharged toward the dog**
 - b. **Not only can fire extinguishers produce a startling expanding and cold cloud, but they also produce an aversive noise and have a bad taste and odor**

SPO #2 – PPT #18

4. **Lethal force**

- a. **As for the legal standards regarding the use of force and animals, the companion animals do not, themselves, independently have legal rights; their owners certainly do**
- b. **Because the courts consider companion animals to be personal property, they consider use of force against a companion animal a seizure under the Fourth Amendment subject to the reasonableness standard**
- c. **You should be prepared to submit a detailed report of the encounter, just like you would do with other incidents**
- d. **Keep in mind that most dogs are much smaller than a human threat; always be aware of the direction of your muzzle and what is beyond the threat**
- e. **When a law enforcement officer shoots a dog that does not constitute a serious threat, community trust is eroded and the department is opened to potential lawsuits or other legal action**
- f. **Always follow your agency policy and procedures**

SPO #2 – PPT #19

2014 (10) AELE Mo. L. J. 101

SPO #2 – PPT #20

F. **If attacked**

- 1. Although it is normal to want to get away from a large biting dog or pack of dogs, fighting, running, or continual movement will encourage the dog(s) to bite
- 2. If you are attacked, you should use the reasonable amount of force necessary to stop the attack
- 3. Try and put something between your body and the dog's teeth (e.g., stick, impact weapon, garbage can, jacket)
- 4. If you cannot use a weapon (e.g., the area beyond your target is not clear) or the force you are using isn't working and...
 - a. You are in a standing position
 - (1) Remain standing
 - (2) Try hard not to exaggerate your physical movement because this will encourage the natural predatory instinct of the dog

- (3) Keeping your hands down may serve to calm the dog and show that you are not a threat
- b. You are on the ground
 - (1) Roll over to face the ground
 - (2) Use your arms to cover your face and neck to protect those vital areas as dogs may lunge toward your throat
 - (3) Do not exaggerate your physical movement
 - (4) If the dog does not release, you need to use any means necessary to stop the attack (e.g., environmental weapons, attacking soft tissue)

RESPONDING TO DOG RELATED INCIDENTS

A. Overview

1. Dog-related incidents should be investigated in the same manner as any other incident to which you are called
2. This includes interviewing witnesses and gathering evidence to determine what was occurring immediately before and during the incident
3. If you are responding to a serious dog bite or dog bite related fatality, you should document and collect items that link an individual dog to the victim and attempt to re-create the actions between the dog and others at the scene of the incident

*Bathurst et al.
(2011)*

B. Physical evidence

1. Is especially important in the following situations
 - a. A person who has been seriously injured is unable to identify the exact dog
 - b. An incident happens in a setting where there are multiple dogs; in pack situations, it's important to identify the individual dog or dogs responsible for the injuries
 - c. A dog owner refuses to cooperate with an investigation
2. Items to collect include clothing fibers, victim's hair, fur, blood, soil, grass, and dog DNA, which can be extracted from blood, clothing, or skin wounds on the victim, dog feces or hair, or items with which the dog has come in contact (e.g., fences or gates and collars, tags, leashes, and chains)
 - a. Photos should be taken that thoroughly record the incident, including the dog, the scene, and the environment
 - b. Photos of the dog should be taken from all angles, including the top
 - c. Items should also be collected to link the dog to its owner (e.g., license, tags, id)
 - d. Some dogs have a microchip imbedded in them that give owner information; many veterinary clinics have scanners
3. Document the dog's appearance

*Bathurst et al.
(2011)*

OHIO PEACE OFFICER TRAINING COMMISSION

- a. Describe by the dog's physical characteristics, not its perceived breed
- b. An example of this might be the dog was short-haired, muscular, reddish-brown female dog with cropped ears and tail, weighing approximately 50 pounds
4. Document the dog's environment – note the conditions in which the dog lived
5. Document the dog's care – general information about the dog's condition (e.g., good health, matted, neglected)
6. Document the dog's behavior – the manner in which the dog behaved while in the officer's presence
7. According to studies, animal abuse is more prevalent in homes that experience child abuse and domestic violence
8. Recognizing that animal abuse has occurred may give you additional clues when determining if other crimes have occurred

ASPCA (2014)

CONCLUSION

- A. Summarize material
- B. Practice
 - 1. Distribute Practice Exercise to students
 - 2. Have students complete Practice Exercise
 - 3. Review Practice Exercise with students
 - 4. Be available for questions
- C. Test SPOs (if applicable)

Appendix G. OPOTA Basic Training Lesson Plan Modification Form



Submit to OPOTC

OPOTC BASIC TRAINING LESSON PLAN MODIFICATION FORM

PLEASE USE THIS FORM TO INDICATE ANY PROPOSED CHANGES OR ERRORS WHICH REQUIRE MODIFICATION TO THE LESSON PLAN FOR THE COMMISSION-APPROVED PROGRAM IN WHICH YOU ARE TEACHING.

PROGRAM/CURRICULUM NAME:	UNIT NUMBER:	TOPIC NUMBER:
LESSON PLAN EFFECTIVE DATE:	PAGE NUMBER TO BE MODIFIED:	COPY OF MODIFIED PAGE ATTACHED: (CHECK ONE) <div style="text-align: center;"> <input type="checkbox"/> YES <input type="checkbox"/> NO </div>
REASON(S) FOR MODIFICATION: CONTENT ISSUE: _____ GRAMMATICAL ERROR: _____ LAW CHANGE: _____ TYPOGRAPHICAL ERROR: _____ OTHER (PLEASE SPECIFY): _____		
RATIONALE FOR MODIFICATION (ATTACH DOCUMENTATION IF NEEDED): <div style="border: 1px solid black; height: 100px; width: 100%;"></div>		

Commander or Instructor Name _____
Date

Contact Phone Number: _____

Email Address: _____

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