

Police Internal Audit Report



APD K9 Operations Part 1



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Auditor's Conclusion

April 27, 2021

Internal Audit has completed the APD-K9 Operations Part 1 engagement. We conducted this engagement at the request of the Chief of Police.

The audit objectives were:

- Determine if current K9 policies comply with laws, standards, and best practices.
- Review critical K9 operational processes for effectiveness and compliance with existing policies.

To these ends, Internal Audit:

- Interviewed APD management and staff,
- Reviewed APD policy, standards, and any laws related to K9,
- Reviewed leading practices,
- Reviewed critical K9 processes, and
- Applied other methods as necessary.

Based upon our engagement procedures, we conclude that some but not all K9 policies comply with leading practices and some K9 processes need improvement. We have detailed our issues and recommendations in the Milestone Reports sections of this report. We want to acknowledge the cooperation and assistance of the K9 unit during this engagement.

Wayne Sommer

Wayne C. Sommer, CPA, CGMA
Internal Audit Manager

Audit Profile

Audit Team

Wayne Sommer, CPA, CGMA – Internal Audit Manager
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Background

Aurora Police requested a review of the K9 unit's operations during the Police Audit Plan development. The review of K9 is a two-part engagement; this report focuses on reviewing policies and procedures. Part two is scheduled for the third quarter in 2021 and will assess deployments for compliance and determine if leading practices are followed in training, deployment, and reporting. The canine unit includes one Sergeant and six teams of handlers/canines.

Scope

Our work scope focused on current operations.

Milestone Reports

Milestone 1 Engagement Letter
Milestone 2 Client Evaluation
Milestone 3 Process Controls and Efficiency

Issued Date

October 2, 2020
March 2, 2021
April 27, 2021

City Manager Response

I have reviewed Part One of the Police Internal Audit Report: APD Canine Operations. This Audit was requested by Chief Wilson when we met with the Police Internal Auditor. Police use of canines has a national history that has not always been viewed as favorable. Perceptions of misuse and poor deployment decisions go back a long way in this country. There are many depictions of this happening in photos, news footage, and personal video.

The City of Aurora maintains a canine unit as a part of the Police Force. There are many good reasons for this. Duties for the dogs include drug, bomb, and weapon detection. Dogs are also used for backup, personal protection, tracking, apprehension, and sometimes to subdue suspects. It is these latter two uses that sometimes raise concerns.

It is important in Part One for the Police Auditor to help the Police Department in responding to the Chief's desire to have a close look at how our canine unit is governed by policies and review the processes used by the unit. While our Policies in some cases lack full conformity with national best practices with regard to deployments and use, selection, and training of canines; Management recognizes those issues and is committed to improvements to meet those best practices where needed and to document those practices that currently meet standards but are not reflected in policy. In terms of processes, while there were issues noted related to coordination with the Crime Lab, I believe that Management's response is thorough and recognizes the vulnerability identified. Auditor Recommendations regarding Training and use of Kanine software assure that weaknesses in those areas have been identified and Management has committed to improvements.

Part Two of the audit will be undertaken in the fall.

James Twombly
Aurora City Manager



Milestone 2 Report
APD - K9 Operations Part 1

March 2, 2021

BACKGROUND

In Milestone 2, we gain a deeper understanding of the client's operating environment and client issues that may affect the engagement objectives, influencing subsequent engagement procedures. We accomplish this by reviewing policies, procedures, and performance measures.

PROCEDURES	CONCLUSIONS
<ul style="list-style-type: none">Review policies and procedures	The canine policies address some, but not all, leading practices.
<ul style="list-style-type: none">Review performance measures	The canine unit uses performance measures to track deployment data and to adjust practices as necessary.

Wayne Sommer

Wayne C. Sommer, CPA, CGMA
Internal Audit Manager

Policies Lack Conformity with Leading Practices

There are no national standards for police canine units. We identified leading practices from professional associations, canine-related requirements from the Department of Justice consent decrees ¹, and internal reports, but no national standards.

APD policies consist of Directives and Standard Operating Procedures (SOPs.) Directives provide the guiding principles for critical activities across the Department. Standard Operating Procedures stipulate how to implement the directives.

We compared the APD canine policies to the identified leading practices. The table below summarizes our conformity assessment between APD policies and identified leading practices. Where applicable, the APD canine unit provided information for APD practices not documented in its policy. Overall, the Department's policies mostly conformed to leading practices.

Conformity Summary		
Full	Partial	No Conformity
Canine Care	Deployments	Terminology
	Canine Use	
	Data tracking and reporting	
	Handler Selection	
	Canine Selection	
	Training	

We used the following abbreviations throughout this report.

- Standard Operating Procedure (SOP)
- Aurora Police Department (APD)
- Canine (K9)
- International Association of Chiefs of Police (IACP)
- Police Executive Research Forum (PERF)
- Lieutenant (Lt.)
- Sergeant (Sgt.)

Deployments

This section identifies leading practices and policies related to the deployment of canines. Overall, APD's SOPs partially conform to leading practices for canine deployment.

¹ Consent decrees reviewed were formal agreements between law enforcement agencies and the Department of Justice. The decrees included agency requirements for policies, practices, and procedures specifically related to canine units.

Deployment Conformity Summary		
Full	Partial	No Conformity
When to Deploy	Announcement	Transport
Tactical Measures	Deployment	Removal of Canine from Scene
Injury	Off-Leash	
	Searches	
	Tracking	
	Force	

SOP(s) Conform to Leading Practices

When to deploy

The PERF recommends handlers consider all aspects of a situation and the possibility for non-canine options before deciding whether to deploy a canine. IACP recommends that decisions to deploy a canine shall be based on the following factors:

- the severity of the crime;
- whether the suspect poses an immediate threat to the safety of the officers or others; and
- whether the suspect is actively resisting arrest or attempting to evade arrest at the time.

SOP 3.1.23 states, "Prior to releasing the canine, the handler should make a determination as to whether a crime has in fact occurred, and its severity and the threat level of the suspect(s), and whether the subject(s) are actively resisting arresting or attempting to evade arrest by flight. If the handler releases the canine, and after release, the circumstances change so that the release is no longer justified, the handler will recall the canine. The handler will constantly reassess the situation and determine if the canine should or should not be employed and how."

Tactical Measures

The IACP recommends when a canine deploys, tactical measures used shall be at the discretion of the handler, including the authority to direct on-scene personnel. The APD K9 evaluation recommends only a direct supervisor with current K9 training and knowledge can overrule a handler's decision.

SOP 3.1.14 states, "K9 handlers are responsible for determining whether a situation justifies K9 use and the appropriate tactical measures which should be utilized. Determination will be based on accepted standards, certifications, and formal training. When the on-scene supervisor disagrees with the handler's tactical assessment, then either the Watch Commander, K9 Sergeant, or Operations Support Section Lieutenant will be notified. Where time does not permit such notification, the directions of the on-scene supervisor will be followed."

Injury

The Prince George's County consent decree requires, and IACP recommends canine officers notify their supervisor as soon as possible when: a canine deploys, an injury occurs, or complaint of injury resulting from canine contact. After notification, the supervisor should respond to the scene. Decrees from DC Metro, Cincinnati, and Prince George's County require, and the PERF recommends that officers seek immediate medical treatment and render first aid when a canine injury occurs.

SOP 3.1.15 states, "Whenever a canine injures an individual, on or off duty, the handler will:

- Notify the K9 Sergeant who should respond to the scene.
- Examine the affected area to determine the extent of the injury.
- Obtain medical treatment for the person in compliance with the Aurora Police Department Directives.
- If the canine physically contacts any individual, AFR will be requested and respond to the scene."

SOP(s) Partially Conform to Leading Practices

Announcement

Consent decrees for the District of Columbia Metropolitan Police Department (DC Metro), Cincinnati, Ferguson, Prince George's County, require and the IACP recommends officers make loud and clear announcements that an officer will deploy a K9 and advise surrendering before deployment. The handler should allow a reasonable period between each warning to enable an opportunity for surrender. The officer should repeat the warning on each level of multi-level structures or where barriers may inhibit sound.

The Prince George's County decree requires announcements in English and Spanish. When individuals frequently speak a language in a district, officers could use a warning tape in that language. PERF also recommends officers issue warnings in the language spoken by the suspect.

SOP 3.1.16 states, "Before commencing the search, the handler or other appropriate designee or officer will loudly announce and repeat the statement that there are police officers on the premises and a trained police canine will be released if the individual does not identify themselves. A reasonable amount of time will be allowed for the suspect to respond. This warning will be repeated on each level of multi-level structures. Where the element of surprise is essential, or exigent circumstances exist, the warning may be eliminated."

SOPs for announcements do not address issuing announcements in additional languages. Residents in Aurora speak over 130 languages; recording the announcement in common languages may reduce the likelihood someone does not understand the announcement.

Deployment

Consent decrees for DC Metro, Cincinnati, and Ferguson require that when a canine bites a suspect, the handler should call off the dog at the first possible moment, the canine can be safely released. The PERF recommends the officer remove the dog as quickly and safely as possible once the suspect no longer poses a threat to officers or others on the scene.

The Ferguson decree states that the handler must keep in mind that the average person will struggle when confronted by a dog; struggling will not be the cause for the handler not calling off the canine.

SOP 3.1.16 states, "When apprehending suspect(s) in these or related circumstances, canines will be taken off the suspect when deemed safe, or practical or until the suspect can be taken safely into custody." SOP 3.1.25 states, "If the handler releases the canine, and after release, the circumstances change so that the release is no longer justified, the handler will recall the canine."

SOPs do not address the impact of someone struggling on the canine's recall. While only one consent decree discussed the effects of struggling on recalling the dog, we believe it is vital that the SOP addresses whether struggling impacts recalling the canine. If the handler would otherwise recall the dog, but someone is struggling, the SOP should guide handling those situations.

Off-Leash Use of Canine during searches

Per the IACP, the officer may unleash their canine during a building search unless this creates an unreasonable risk of injury to innocent persons within the facility. Consent decrees for DC Metro, Cincinnati, and Prince George's County require, and PERF recommends limiting off-leash use during deployments, searches, or other instances where a significant risk of bite exists. The department should limit off-leash use to cases where the suspect is wanted for a serious felony or a misdemeanor where reasonable suspicion exists the suspect is armed.

According to PERF, anytime a handler takes a canine off-leash, the handler must be sure they would be justified in using force. The IACP also recommends police canines never be allowed off-leash unless engaged in agency-authorized work, training, or exercise in a controlled environment.

SOP 3.1.18 states, "Canines used to search for suspect/subjects shall be deployed on-lead unless the suspect/subject is believed to be armed and safety or tactical considerations outweigh the use of a leash. Regardless, the K9 Handler will always have their waist leash on their person when on duty and in deployment situations."

SOP 3.1.15 states, "Officers may only use that degree of force necessary to safely apprehend a suspect as governed by the Department's use of force policy."

The SOPs do not address the severity of the offense concerning off-leash use. In contrast, it does include consideration for armed suspects/subjects. Also, the SOPs do not address off-leash use outside of searching.

Searches

Search Operations

The PERF recommends policy should include search operations, such as building searches and off-lead searches. SOP 3.1.16 addresses building searches, and SOP 3.1.18 addresses off-lead searches. (See SOP sections below.)

Building Searches

During searches, the IACP recommends the building perimeter be secured, all exits secured, communications limited to a tactical nature, and no preliminary search by officers. It will interfere with the canine's ability to differentiate scents. They also recommend contacting the building's owner and evacuating all tenants, workers, or others. SOP 3.1.16 addresses all aspects listed except the evacuation of tenants. Current K9 unit practice is to evacuate tenants when safely able to do so.

Back-up officer during searches

The IACP and PERF recommend the use of a back-up officer during searches. The IACP also recommends the back-up officer be familiar with or briefed on their responsibilities. SOP 3.1.18 states, "A cover officer will be assigned to the K9 team. This officer will deploy behind the K9 handler and should not move from this close position throughout the deployment." The SOP does not address the cover officer being familiar with canine operations or a canine officer briefing them on their responsibilities. Current K9 unit practice is for the handler to assign roles to officers on the scene and brief them on their parts.

Canine safety during searches

The IACP recommends canines not be used to search areas that contain substances potentially harmful to the dog unless an overriding risk to human life is present. SOP 3.1.16 mirrors the IACP language.

Tracking

Pursuit of suspect

The IACP recommends that when officers pursue a suspect and lose contact, before requesting a canine team, officers shall:

- pinpoint the location the suspect was last seen,
- shut off engines if possible,
- avoid vehicle or foot movement in the areas,
- secure the perimeter of the area to be searched,
- ensure the integrity of the area by keeping personnel out of the area, and
- protect items to be used for scent from being handled.

SOP 3.1.18 mirrors the IACP language.

Other tracking

The IACP recommends canines used for tracking lost, missing, or endangered persons should remain on a leash of sufficient length to provide a measure of safety to the search subject without compromising the canine tracking abilities. APD's SOPs do not address these types of searches.

The current K9 unit practice is to request search canines via mutual aid. APD canines are not used in searches of lost, missing, or endangered persons unless extreme circumstances dictate their use.

Force

IACP and PERF recommend the handler notify their supervisor when a canine has bitten or scratched someone or is alleged to have done so. The Prince George's County consent decree requires canine officers to notify supervisors following the use of force or upon receipt of a verbal allegation of excessive force. Medical attention should be provided to the individual, and the incident reported as a use of force.

The PERF also recommends canine policies use of force and general use of force be compatible; when one is updated, the other is reviewed.

APD SOP 3.1.15 states, "Whenever a canine injures an individual, on or off duty, the handler will:

- Notify the K9 Sergeant who should respond to the scene.
- Examine the affected area to determine the extent of injury.
- Obtain medical treatment for the person in compliance with the Aurora Police Department Directives.
- If the canine physically contacts any individual, AFR will be requested and respond to the scene.

If the canine makes contact with an individual, the incident will be documented in the manner requested by the K9 Supervisor. The documentation must detail the circumstances surrounding the incident, the identity of the individual involved, any known witnesses, the extent of injuries if known, and measures taken in response to the incident."

Directive 5.4.1 states, "Peace officers are required to report what they believe to be the use of excessive force, to a supervisor, pursuant to CRS § 18-8-802, before the end of his/her shift, or no later than ten days after the incident."

The SOP and Directive do not address notifying supervisors upon receipt of allegations of excessive force.

SOP(s) Do Not Conform to Leading Practices

Transport

The IACP recommends arrestees not be transported in the same vehicle with a police canine unless alternative transportation is not available and immediate transport is essential for safety or security.

APD SOP 3.1.20 states, "The K9 vehicle will be used only for canine transport, training, court, necessary maintenance, or for other K9 functions with prior approval of the K9 Sergeant or the Operations Support Section Lieutenant."

The SOP does not address transporting arrestees. The current canine unit practice is not to transport arrestees.

Removal of canine from scene

The PERF recommends that policy addresses removing the canine from the scene. There is no policy for removing the canine from the scene. The current canine unit practice is to remove the canine from the scene as soon as possible.

Canine Use

Canine use refers to how the Department uses the canine and canine team. Overall, the SOPs reviewed partially conformed to leading practices.

Canine Use Conformity Summary		
Full	Partial	No Conformity
Proportional threat	Use of canine	Intimidation
Under the influence or in crisis	Crowd control	Juveniles
Secondary employment	Request for service	Handler proximity
Other agencies		Calls for service

SOP(s) Conform to Leading Practices

Proportional threat

The PERF recommends that policies require the use of force to be proportional to the threat faced, given the totality of circumstances. SOP 3.1.15 states, "Officers may only use that degree of force necessary to safely apprehend a suspect as governed by the Department's use of force policy."

Under the influence or in crisis

Per the Ferguson consent decree, officers will not use canines to apprehend anyone suspected of being under the influence of drugs or alcohol if no other serious crime is involved. The decree also says absent exigent circumstances; officers will also avoid deploying canines to apprehend persons believed to be in a mental health crisis.

SOP 3.1.14 states, "The K9 team should not be used to apprehend severely intoxicated persons unless other charges or exigent circumstances exist." SOP 3.1.18 states, "K9 teams should not be used to apprehend anyone suspected to be under the influence of drugs or alcohol, or mentally disturbed, if no other crime is involved."

Secondary employment

The IACP recommends canine teams not be used for secondary employment assignments. Departments can make exceptions for events sanctioned by the department or governing jurisdictions that would be considered extra-duty assignments.

SOP 3.2 states, "Canines may not be used for off-duty employment purposes without written permission from the Operations Support Section Commander." SOP 3.3 says, "Canines will not be used for off-duty employment purposes without permission of the Operations Support Section Lieutenant."

Other Agencies

The PERF recommends coordinating with other agencies. SOP 3.1.22 says, "All inter-jurisdictional requests for an Aurora Police K9 team to conduct any law enforcement-related activity will be approved through the K9 Sergeant or the OSS Lieutenant. Any outside agency's request for K9 assistance will generally be governed under mutual aid. However, there may be incidents when the specific need of a requesting agency may not meet the mutual aid standards. Under these circumstances, the request for K9 unit assistance should be forwarded to the Operations Support Section Lieutenant or K9 Sergeant for review. The Operations Support Section Lieutenant will forward the request to the Operations Division Chief for additional review and approval."

SOP(s) Partially Conform to Leading Practices

Use of Canine

The PERF recommends specifying the offenses for which officers should use a canine. PERF also recommends agencies provide officers guidance on the types of crimes for which it is appropriate to deploy a canine.

SOP 3.1.14 states, "The patrol K9 should not be used to apprehend persons wanted for status offenses only. The K9 team should not be used to apprehend severely intoxicated persons unless other charges or exigent circumstances exist." The SOP does not include guidance on specific crimes outside of when canines should not be used.

Crowd Control

Consent decrees for Albuquerque and Ferguson require, and the IACP recommends the prohibition of canines for crowd control.

The IACP recommends that canine teams respond as a back-up when appropriate but not be deployed for crowd control. Dogs shall remain in patrol vehicles or other secure locations and out of view of any crowd.

SOP 3.1.17 states, "K9 teams will not be used for crowd control at peaceful demonstrations unless approved by the Operations Support Section Lieutenant, Duty Captain/Executive or Command Officer in charge of the incident. In rare and extraordinary circumstances, K9 teams may be used for crowd control only upon approval of a supervisor to protect life or property during a riot or other civil disturbance that cannot be safely controlled by other means. In these situations, the canine will:

- Always be maintained under leash control unless no other means are reasonably available to protect an individual from serious bodily injury or death.

- Restrict their defensive action to the protection of officers or others.”

The SOP allows for canine use in crowd control, contrary to that recommended by the leading practice. We strongly believe Aurora Police should further restrict the circumstances in which officers deploy canines during protests, following leading practices. The use of dogs outside of leading practices could further erode the community trust in the Department. The IACP report on Crowd Management states, “Canines should not be deployed for crowd control or management of peaceful demonstrations—but may be deployed in isolated circumstances related to bomb detection, pursuit of suspects in buildings, and related situations².”

Request for service

The IACP recommends that if an officer requests canine team assistance, dispatch shall forward information concerning the incident to the canine supervisor, handler, or both. The IACP and PERF also recommend procedures for requesting the canine unit.

SOP 3.1.21 states, “Watch Commanders should request a K9 team by contacting the K9 Sergeant or the on-call K9 number. K9 handlers are required to answer the on-call phone number and be able to respond as quickly as possible.” The SOP does not address the role of dispatch in calls for canine service.

SOP(s) Do Not Conform to Leading Practices

Intimidation

The Ferguson consent decree requires that no handler uses their canine solely to intimidate or frighten any person. There are no SOPs that address intimidation. The SOPs should also define intimidation for handlers, distinguishing between the presence of a canine and using a canine solely to intimidate a person. The current canine unit practice is not to use dogs to solely intimidate individuals.

Juveniles

The Ferguson consent decree requires that officers do not deploy canines against persons believed to be juveniles unless a reasonable belief that such deployment is necessary to prevent imminent serious injury or death to any person, including an officer.

The APD SOPs do not address how to handle contacts with juveniles. We believe it is essential that Aurora Police specify in their SOPs their approach to using canines on juveniles, including guidance on what types of crimes deployment would be allowed for.

²IACP Report on Crowd Management, April 2019 <https://www.theiacp.org/sites/default/files/2020-08/Crowd%20Management%20FULL%20-%2008062020.pdf>

Handler proximity

The Ferguson consent decree requires that canine handlers always keep their canines within their visual or auditory range during deployments. An exception is when a dog clears a threshold, the handler should regain sight and hearing as quickly as possible. There are no SOPs that address handler proximity.

Calls for service

The IACP recommends canine teams not be dispatched to routine calls for service unless other officers are unavailable to respond. Officers should not self-dispatch to traffic accidents unless injuries or traffic conditions require immediate attention. Officers should return to service when patrol arrives. The SOPs do not address canine units responding to regular calls for service.

Data Tracking and Reporting

The SOPs related to data tracking and reporting partially conform to leading practices.

The PERF recommends that agencies record and review all canine actions. This documentation provides supervisors and command staff with an accurate picture of what is occurring in the field and demonstrates transparency to the public. By closely reviewing canine usage data and individual cases, supervisors can commend good work and correct mistakes. At a minimum, agencies should record:

- Every time a canine is deployed (i.e., has the potential to be used as a force option.)
- Every time a canine team searches, and whether the subject is located.
- Every time a subject surrenders as the result of a canine being Present on-scene.
- Every time a canine makes contact with a suspect other than a bite.
- Every time a canine bites a suspect.

The PERF also recommends that agencies conduct reviews regularly. The following should prompt a closer review: any outliers, significant increases in uses of force, or significant decreases in the rate at which subjects are found.

The IACP recommends that at least annually, the canine supervisor:

- compiles statistical summaries and analyses of canine deployments, and
- evaluates canine and handler performance and identifies incidents or trends that suggest the need to modify policy, procedures, or training.

Albuquerque and Cincinnati consent decrees require calculating and tracking bite ratios monthly to assess the K9 unit and individual teams. The Albuquerque, Cincinnati, and Prince George's County consent decrees also require using the bite ratios as an element of the early intervention system.

SOP 3.1.19 states, "The K9 Sergeant will: Process all K9 related reports and review all K9 related use of force incidents and recommend training and corrective measures as necessary."

The SOPs do not address what data officers must report or the frequency of reports and data reviews. The SOPs do not address the bite ratio calculation or inclusion of the information in evaluating the unit and individual teams. The SOPs also do not address using bite ratios as part of the early intervention system.

The current canine unit practice is to use their K9 specific software to track and report canine data. APD includes data on canine deployments and bites in the annual use of force report.

Handler Selection

The IACP recommends that the criteria for selecting canine handlers include sufficient patrol experience and successful completion of the approved canine training courses. SOP 3.1.7 covers handler selection but does not address patrol experience or canine training courses.

The PERF recommends handler selection includes:

PERF recommendation	SOP 3.1.7	SOP Conformity
A fair, uniform process open to everyone eligible in the agency.	Anticipated openings in the K9 unit will be announced in writing throughout the agency.	Conforms
A minimum number of years of experience with the department (generally 2-5 years.)	The applicant must have completed three (3) years with the Aurora Police Department.	Conforms
Review of performance evaluations.	Applicants must have received satisfactory or exceptional annual performance evaluations.	Conforms
A recommendation from a supervisor.	The SOP does not address.	Does not conform
No history of excessive force or other disciplinary concerns.	The SOP does not address.	Does not conform. Per APD, the current practice is to review the applicant's Internal Affairs file.
A demonstrated history of good decision-making.	The SOP does not address.	Does not conform
Good written and verbal communication skills for report-writing and testifying.	The SOP does not address.	Does not conform
Comfort around dogs.	The SOP does not address.	Does not conform

PERF recommendation	SOP 3.1.7	SOP Conformity
A written test of both canine-specific and general police knowledge.	The SOP does not address.	Does not conform
An interview with the canine unit and canine supervisor(s.)	Applicant must successfully complete an oral board examination and background check.	Conforms
Job-specific physical fitness testing.	Applicants must be in reasonably good physical condition in order to perform the physical duties required in the K9 unit.	Conforms
Scenario-based testing.	The SOP does not address.	Does not conform
An evaluation of driving ability.	The SOP does not address.	Does not conform
A home visit and an interview with the handler's family.	Applicants must own their own home or obtain written permission from their landlord to maintain the canine on the premises. This permission should include a provision for allowing alteration of property as needed for a kennel for the canine.	Partial conformity; does not require a home visit or family interview.

The SOPs address some, but not all, leading practices for handler selection. While APD is practicing most elements, written SOPs of all selection criteria ensure a consistent and standardized process.

Canine Selection

This section includes the review of leading practices related to the selection of canines for police service. Overall, the SOPs partially conform to leading practices.

SOP(s) Conform to Leading Practices

Approval of selection

The IACP recommends the canine unit supervisor be responsible for selecting, screening, and acquiring canines. SOP 3.1 states, "When the need arises for a new canine to be selected and purchased, it is the responsibility of the K9 unit trainer(s) or designee, to test and select new dogs for purchase." SOP 3.1.8 says the OSS Lt. is responsible for "Directing the selection, purchase, and ensuring adherence to adopted standards of qualified canines."

Testing

SHEEPDOG GUARDIAN CONSULTING, LLC ³ recommends sending two people to evaluate the dog—the trainer and the handler. They recommend testing multiple dogs and testing at neutral locations. SOP 3.1 states, “The trainer(s) should travel to the designated facility or vendor for testing and selection of canines. The selection process is thorough and rigorous. It may require testing dozens of available dogs at a facility to select just one suitable canine. The selection process requires a minimum of two persons to complete. The selection testing, criteria, and scoring will be based on the Utah POST canine selection process and scoring method.”

SOP(s) Partially Conform to Leading Practices

Canine purchases

Consent decrees for DC Metro and Cincinnati require only professionally bred canines to be purchased. The PERF recommends canines only be bought from established, reputable vendors. SOPs do not address standards for vendors when purchasing dogs. The SOPs vendor standards should include written guarantees for the workability and health of the canine in accordance with industry standards. The current APD practice is to purchase professionally bred canines from reputed vendors, but this practice is not included in the SOPs.

SOP(s) Do Not Conform to Leading Practices

Temperament

The PERF recommends selecting canines for their personalities and that their physicality and temperament is compatible with their handler. Current APD practice is to select a canine for its temperament and compatibility with the handler, but this requirement is not reflected in the SOPs.

Training

This section compares SOPs to leading practices related to training. Overall, SOPs partially conform to leading practices related to training.

SOP(s) Conform to Leading Practices

Certification

Certification and re-certification

Consent decrees for DC Metro, Cincinnati, Ferguson, and Prince George’s County, require, and the IACP recommends all canines meet certification requirements and receive annual re-certification training. Departments should not use untrained dogs for canine duty.

³US Police Canine Association site: <https://www.uspcak9.com/assets/docs/Agency%20Liability%20Issues%20-%20January%202020.pdf>

The Ferguson decree requires, and the PERF recommends the canine team supervisor maintain records that document the canine's use and proficiency. Documentation should be readily available to canine officers and others who may need it when seeking warrants.

SOP 3.1 states, "No police service canine will deploy in either a patrol or detection function unless the team is certified through a credible and recognized certifying body in each discipline. Prior to any real-world deployments in patrol or detection functions, each handler will be required to pass the Utah POST written examination in each of their disciplines with a passing score." Directive 5.8.8 states, "Each team will be certified through the Colorado Police Canine Association (CPCA), Utah POST, or a certification designed by a K9 supervisor."

[Deviations from requirements](#)

The DC Metro consent decree requires, and the IACP recommends removing the canine from service if there are deviations from certifications and training requirements until requirements have been fulfilled. The team may not be deployed unless re-certified. SOP 3.1.1 states, "If, for any reason, a canine/handler team becomes de-certified in either patrol or scent work, deployment is strictly prohibited until the circumstances are rectified, and the canine/handler team is re-certified."

SOP(s) Partially Conform to Leading Practices

[Canine unit training](#)

[Frequency of training](#)

The IACP recommends the canine supervisor ensure that basic and in-service training and certification occur regularly. The PERF recommends that in-service training be monthly and include recent incidents, scenarios, legal updates, and policy updates. SOP 3.1.25 states, "The K9 Sergeant will assure, prior to patrol service, each K9 team receives enough training hours to ensure the team can meet or exceed minimum K9 team standards." SOP 3.4.1 states, "K9 officers will plan training days, to include training scenarios demonstrating their knowledge of K9 methodology (3-6-year handler)."

[Requirements](#)

The PERF recommends that policies should include training requirements. The IACP recommends that handlers demonstrate specified skills and abilities to the canine supervisor periodically. The Prince George's County decree requires developing in-classroom instruction for the canine section to include: canine deployment policy, canine search tactics, back-up officer tactics, responsibilities, and establishing perimeters.

The Seattle Office of Inspector General, in their review of the Seattle canine unit, recommended the development of a comprehensive training program with set benchmarks. They also recommended that if the unit delegated training responsibility to handlers, the unit should establish a formal handler training

program and empower the designated handlers to develop curriculum and conduct training with unit personnel's cooperation.⁴

SOP 3.4.1 states, "K9 officers will regularly participate in unit training. K9 officers will successfully pass the annual internal re-certification conducted by the training officer."

The SOP does not address who is responsible for the unit training, what the training includes, such as required skills, or adequately define the term "regularly."

Without a comprehensive training program on a set basis, training may not be consistent, and handlers may only meet the minimum skills as required by certification standards.

Equipment

The APD K9 evaluation recommends that the canine unit have the same equipment as the groups it deploys with, such as SWAT. SOP 3.1.23 states, "Each K9 handler will be issued assignment-specific departmental equipment." The SOP does not address if the canine unit's equipment is the same as the groups with which it deploys.

SOP(s) Do Not Conform to Leading Practices

Training with other divisions

Prince George's County consent decree requires, and the APD K9 evaluation recommends in-service training on canine SOPs and methodology to all SWAT supervisors and joint training between canine and SWAT. Prince George's County consent decree requires, and the APD K9 evaluation and the PERF recommends training the rest of the agency on the canine team's capabilities and limitations. PERF recommends guidance on how the unit operates, how the unit can assist patrol, and safety considerations when working with the canine team.

SOP 3.4.1 states, "K9 officers will exhibit skills required to give presentations to Police Academy recruits, Citizen Police Academy participants, fundraising and other activities to enhance the reputation of the Aurora Police Department."

SOPs do not address joint training and do not address providing department-wide training. A lack of formal training and guidance could result in inconsistent deployment tactics, creating safety concerns during high-risk calls.

Decoy training

The APD K9 evaluation recommends that individuals serving as decoys receive training. SOP 3.1.26 states, "Generally, the only persons allowed to perform as a police decoy are law enforcement officers."

⁴ Seattle Office of Inspector General Audit of SPD Canine Teams
<https://www.seattle.gov/Documents/Departments/OIG/Audits/CanineAudit06242020.pdf>

The SOPs do not address decoy training; current APD practice provides training to decoys, but this is not specifically addressed in the SOP.

Canine Care

Listed below are the IACP recommendations for canine care. Overall, SOPs conform to leading practices.

SOP(s) Conform to Leading Practices

Use of canine

Police canines should not be used for breeding, participation in shows, field trials, other demonstrations, or on-or-off duty employment unless authorized by the agency's chief executive or designee. SOP 3.1.15 mirrors the IACP language.

Teasing

Teasing, agitating, or roughhousing with a police canine is strictly prohibited unless performed as part of a training exercise. SOP 3.1.5 mirrors the IACP language.

Permission

Handlers shall not permit anyone to pet or hug the canine without the handler's prior permission and supervision. SOP 3.1.5 mirrors the IACP language.

Housing

When an officer cannot provide housing for their canine at home, suitable kennel housing will be provided, subject to periodic inspections. SOP 3.1.5 states, "When the handler is unable to perform these and other related duties due to illness, injury, or leave, another K9 handler may be assigned to temporarily care for the animal. If the K9 handler elects to kennel the canine, a Departmentally-approved facility must be used."

Daily care

Canine handlers are personally responsible for the daily care and overall welfare of their animal, including:

- a. maintenance and cleaning of the kennel and yard area where the canine is housed;
- b. provision of food, water, and general diet maintenance as prescribed by the department's authorized veterinarian;
- c. grooming daily or more often as required by weather, working conditions, or other factors;
- d. daily exercise; and
- e. general medical attention and maintenance of health care records.

SOP 3.1.5 mirrors the IACP language.

Changes

Canine handlers shall immediately notify the canine supervisor of any changes that would affect their dogs' care and housing conditions.

Another canine handler may temporarily care for the canine if the handler cannot perform these and related duties due to illness, injury, or leave.

Section 3.1.5 states, "When the handler is unable to perform these and other related duties due to illness, injury, or leave, another K9 handler may be assigned to temporarily care for the animal."

Canine Retirement

A canine handler may apply to take possession of the dog where:

- a. the dog is retired from duty or relieved due to injury; or
- b. the handler is transferred or promoted or retires, and a decision is made not to retrain the dog for another handler.

SOP 3.1.11 states, "The unit trainer(s) in conjunction with unit supervisor and Lieutenant shall conduct a frank and honest evaluation of the health and fitness for duty of all unit canines on an annual midyear (summer) basis. When it is determined a police canine should be retired, it is the responsibility of the Lieutenant to alert executive staff and plan accordingly for the replacement process. When it becomes necessary to retire a canine from active duty, the Department may transfer ownership to the handler with the permission of the Chief of Police. Any costs associated with the transfer will be determined by the Operations Support Section Lieutenant."

Terminology

The consent decrees and the PERF include definitions of common terminology such as canine apprehension, canine bite ratio, canine deployment, deployment, apprehension, apprehension with contact, contact, surrender, etc. The SOPs and directives do not define any of these terms. The SOPs should include definitions of terminology that may be interpreted differently by different parties. Clear definitions allow for a consistent, common understanding of terminology.

Update related SOPs

Our review included SOP 3.02 for Explosive Detection Canines and SOP 3.03 Narcotics Detection Canines. These SOPs have similar sections, but we identified some differences in wording.

For example, SOP 3.2.8 addresses the completion of a deployment form for each explosive canine deployment, but SOP 3.03 does not address the use of the form for narcotics canine deployments. APD should compare both SOPs to identify any other inconsistencies and correct them.

Written policies and procedures conforming to leading practices ensure that procedures and practices meet minimum accepted standards. They provide a basis for smooth transitions when personnel changes occur, allowing new personnel to be aware of current requirements.

Recommendation

We recommend APD update its policies to reflect leading practices as identified above. We also recommend APD compare the Narcotics and Explosive SOPs and make updates as needed.

Management Response

The executive management team that oversees the K9 unit conducted a review of the K9 Milestone 2 Report. The K9 Milestone 2 Report was authored as part of an ongoing audit process conducted by the City of Aurora. This report contains an assessment and review of policies and procedures, along with performance measures. This signifies Part 1 of the audit process, with the second part occurring later this calendar year. In the review of the report, it is acknowledged that the current policies address some, but not all, leading practices.

In addition, the canine unit uses performance measures to track deployment data and adjust practices as necessary. It was also important to note that many practices were being utilized and conformed with leading practices but just were not reflected in written policy. In consultation with City Auditor Michelle Crawford, we discussed the report and accepted the recommendations. The executive team will monitor the rewrite and implementation of these recommendations. The Operations Support Section Lieutenant and the K9 Sergeant will draft and develop written Special Operations Procedures in accordance with the recommendations during the timeframe set by the City of Aurora Auditor's office. Once the policies are developed, they will be reviewed by the executive management team and implemented.

The best leading practices will be adopted by the K9 unit, at this time, based on the recommendations contained in this report and will be documented in the SOPs in accordance with the Aurora Police Department's policies for procedural (SOB) approval and the implementation process.

Estimated Implementation Date: June 30, 2021

Issue Owner: OSS Lt.

Issue Final Approver: Metro Division Chief



Milestone 3 Report
APD - K9 Operations Part 1

April 27, 2021

Internal Controls

In Milestone 3, we determine whether appropriate process controls exist for key processes and whether processes are efficient. We accomplish this by flowcharting and performing walkthroughs of critical processes and identifying missing controls and process inefficiencies.

PROCEDURES	CONCLUSIONS
<ul style="list-style-type: none">• Flowchart critical processes and evaluate for missing or weak internal controls, efficiency issues, and IT-related issues.	Controls are missing from some of the critical processes. We have included recommendations below.
<ul style="list-style-type: none">• Determine any impact on testwork procedures.	We will update the testwork objectives to include reviewing the Kanine software's use and validating the accuracy of data within the system.

Wayne Sommer

Wayne C. Sommer, CPA, CGMA
Internal Audit Manager

Issue Details

Policy recommendations were included in Milestone 2.

Inventory discrepancy

The K9 unit changed Sergeants in December 2020, and the new Sergeant conducted an inventory of training aids on December 29, 2020. The inventory identified discrepancies in the weight of narcotics aids. Some aids were more than the documented weight; two aids were less than the documented weight.

The Sergeant reported the difference through the chain of command. The SOPs for the K9 unit include that the Crime Lab Chemist should conduct an unannounced inspection of the narcotics aids. There is no evidence that this has occurred. The correct weights and integrity of the narcotics aids need to be verified by someone independent from the unit.

Recommendation

We recommend APD immediately directs the Crime Lab to verify the weights and contents of all Narcotics aids. APD should update the checkout forms based on the verified weights and contents. If the review identifies differences, APD should determine if those differences warrant an investigation.

Management Response

APD K9 agrees with this recommendation. A meeting was conducted with the K9 chain of command, Crime Lab command, and the Chief's office to find a viable solution. APD will either complete the analysis by the crime lab chemist and verify the training aid weights or destroy current narcotics and obtain new narcotics to be issued and properly documented and maintained.

Estimated Implementation Date: July 1, 2021

Issue Owner: OSS Lt.

Issue Final Approver: Metro Division Chief

Training Aid Process

The process for tracking and monitoring training aids needs to be improved.

Checkout and inventory process

The K9 unit uses narcotics and explosives as aids to train the canines. Handlers document the removal and return of aids from safes in a log, including the weight as applicable.

The inventory of aids occurs using the logs. The unit Sgt. or Lt. verifies the safe contents monthly or quarterly as required by SOPs. Using a manual system for inventories is less efficient, and reporting is more complicated. Utilizing an inventory management system to check aids in and out and for inventory would allow for easier record keeping and reporting.

Security

The unit stores narcotics aids in secure safes in a restricted area; however, it is accessible to units other than K9. While an access badge is required to enter the general area, the safes area does not need an access badge. There are no cameras in the safe area. The unit stores its explosive aids in a secure safe in a restricted area. The site is also accessible to units other than K9; this site includes security cameras.

A security camera in the room with the narcotic aid safes would allow a means for investigating if any discrepancies or aids go missing.

Independent review

The SOP 3.3.4 states, "The crime lab chemist will check the quantity of the training aids as necessary. The chemist will also inspect the integrity of the packaging and verify the gross weight of the training aids on an unannounced basis. The chemist will forward their findings to the Operations Support Section Lieutenant. If the chemist detects any discrepancy, the Crime Lab Supervisor, the Operations Support Section Lieutenant, and the Metro Division Chief will be notified."

The Chemist does not document when a review has occurred. There are no procedures to ensure that a Chemist review occurs. A certified Chemist provides independent analysis to verify the narcotics are still intact; without this review, there are no controls in place to ensure the narcotics inventory's integrity or accuracy.

There is no independent review of explosive aids or the inventory of the explosives and narcotics aids. An annual audit by Internal Affairs verifying the existence of aids and inventories would increase accountability and ensure accurate records.

Recommendation

We recommend:

- APD update the SOP to require a specified frequency (of at least annually) for the Crime Lab Chemist or a certified Chemist inspection.
- APD update the SOP to require an annual audit by Internal Affairs verifying the existence and accuracy of explosive and narcotics aids and inventory records.
- APD updates the SOP to include a Command level review to ensure the Chemist inspections occur.
- APD utilizes the APD inventory management system for checking in/out aids and inventories.
- APD evaluates adding a security camera to the area with the narcotics aid safe or identifying a location for their storage with stricter access.

Management Response

APD K9 agrees with the recommendations listed in this section. The K9 SOP has been drafted and updated to include Annual inspection of narcotics and explosives

by either the Crime lab or Internal Affairs (still yet to be determined which unit will complete this). Additions will be made to the SOP to include annual command level review to ensure Narcotics and explosives training aids are audited by IA or Crime lab. The SOP will be modified to incorporate the use of the Department inventory management software as soon as it is available and online. Cost analysis is being conducted on which option management would like to take on the security of the narcotics training aids. Either a camera will be added in the current location, or the narcotics will be moved to a more secure location that complies with the recommendation.

Estimated Implementation Date: July 1, 2021

Issue Owner: OSS Lt.

Issue Final Approver: Metro Division Chief

Training

The K9 unit can make improvements to improving training and its documentation.

Curriculum

The K9 unit follows standards from Utah POST and the Colorado Police Canine Association. While the unit uses these agencies and their standards for certifications, they have not used the standards to develop a training curriculum. A canine curriculum would incorporate the standards into training areas. A curriculum should include the frequency of training on topics and benchmarks/assessments for each training ensures mastery of skills by handler and canine. Developing a curriculum would ensure the adequacy of training and ensure training is standardized. Training is essential; it is also important not to meet just the basic skill level but to continue to develop and master skillsets.

Trainer

The standard operating procedures (SOPs) do not address the trainer selection process, including qualifications. It does not include responsibilities for K9 trainers. Also, SOPs do not address if a trainer can train and evaluate their own canine. Based on our review, trainers have additional responsibilities above handlers. The SOPs address additional compensation for handlers but do not address whether trainers receive any additional compensation.

Without written qualifications and responsibilities, trainers may not be qualified or may be unaware of their duties. This could result in training not meeting standards. There is also no policy or procedure for evaluations of trainers. The Sgt. should evaluate the trainers on a set basis to ensure they meet their responsibilities and standards.

Training Evaluations

SOP 3.1.25 states, "Each K9 team will be evaluated on a monthly basis by a K9 trainer and K9 Sergeant for the team's first 12 months of service to assure a continued acceptable level of performance. Once the team has completed 12 months of continuous service, evaluations will be conducted quarterly.

The trainers will submit the K9 team evaluations to the K9 Sergeant along with any recommendations pertaining to their abilities as they apply to the performance of their duties."

The K9 unit was unable to provide copies of recent training evaluations. The unit Sgt. is responsible for ensuring unit compliance. The SOPs should include a review of the trainer evaluations for completeness and timeliness by the unit Sgt. at least annually. Updating the SOPs for these areas would ensure compliance with SOPs and allow for any required training adjustments.

Documentation

The handler documents their training in the Kanine system on the training detail report form. The report includes the day/time, location, type of training, and details on the specific activities; the handler signs the form. The Sgt. approves it. The training form does not include whether a Trainer observed or led the training. This data helps ensure trainers are meeting their responsibilities, monitoring the types of training, and ensuring the trainers can evaluate the canine teams.

Recommendation

We recommend:

- APD develops a formal training curriculum including frequency of skills and benchmarks of various skills to be used in evaluations.
- APD updates its SOPs to address who evaluates a trainer's canine, trainer selection, qualifications, responsibilities, and responsibilities for the Sgt. to perform trainer evaluations.
- APD complies with its SOPs, including quarterly training evaluations.
- APD captures data, including if it was handler or trainer led.

Management Response

APD K9 agrees with the recommendations in the training section. SOP has been drafted to include a basic training checkoff book to achieve benchmarks through basic training for new handlers and dog teams. Drafted amendments to the SOP to include minimum requirements to be trained to a satisfactory level within an outlined timeframe. Drafted an amendment to the SOP to include clarification as to how trainers are selected, who evaluates their canine, trainer's responsibilities, and Sergeant responsibility to complete trainer evaluations. A form has already been created to address and comply with the current SOP for quarterly evaluations on K9 teams by the trainer. Added verbiage in the amended SOP to include direction to document within the tracking software if the K9 training was trainer or handler led.

Estimated Implementation Date: July 1, 2021

Issue Owner: OSS Lt.

Issue Final Approver: Metro Division Chief

Data

There is no documented guidance or formal training on how to use the Kanine software. The K9 unit uses the Kanine system to track all their data, including

deployments, training, and certifications. There is no formal guidance on utilizing the software, and there is no training, such as "how-to" guides on the software. As a result, data use and input between the unit members may not be consistent, and the unit may not fully utilize the software.

There is currently no process to review source records such as reports, body-worn camera footage, training observations, or other records/materials to verify data in the system is complete and accurate.

Recommendation

We recommend the APD develop guidance on using the software and identifying training opportunities, either internal or external. We also recommend APD develop procedures to validate data within the system periodically. Procedures could include observations to compare to the handler entry, reviewing reports, or body-worn camera footage to compare to deployment information.

Management Response

APD K9 agrees with the recommendation in the data section. APD K9 is currently researching a solution to better train the handlers and the supervisors on the intricacies of this tracking software and how current and new members can be efficiently trained. Additionally, evaluating other tracking software that is available and if other software would be a better fit for APD.

Estimated Implementation Date: September 30, 2021

Issue Owner: OSS Lt.

Issue Final Approver: Metro Division Chief

Appendix

Sources for our policy comparison:

- Police Executive Research Forum (PERF) Guidance on Policies and Practices for Patrol Canines, May 2020
- International Association of Chiefs of Police (IACP) report on Patrol Canines, May 2015
- SHEEPDOG GUARDIAN CONSULTING, LLC, Report on Agency Liability Issues, January 2020
- Consent Decrees from the Department of Justice: Prince George's County, District of Columbia, Cincinnati, Ferguson, and Albuquerque
- APD K9 Evaluation by TopDog Police K9 Training and HITS K9 Training, April 2018