



THE
DUAL
PURPOSE K9
Vs.
SINGLE
PURPOSE K9
DEBATE

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Many departments that are looking to start a K9 unit are torn between starting the unit with a full-service patrol/detection canine (normally referred to as a dual purpose dog – location and apprehension) versus a single purpose dog (which is strictly location and no apprehension). Location functions are normally tracking, and detection of contraband, commonly narcotics. Understandably agencies looking to begin a canine program are looking to get productivity (finding bad guys efficiently and locking them up) which K9s excel at doing, but they are also concerned about liability issues that arise from the apprehension functions in dual purpose K9s and having dogs in general.

When it comes to arresting someone, any use of force carries with it the reality that the subject on whom that force was used to effect the arrest might sue the arresting agency for injuries sustained during the arrest procedure. Whether the tool used is hands, a Taser, or a K9, the risk is there. In this article I hope to cover some of the issues that will help agencies think through the issues completely.

LOCATION TOOL

The vast majority of what every canine does in the line of duty involves location. Location of contraband, location of suspects fleeing capture, and even location of friendlies who may have become lost in the woods. Their amazing olfactory sense allows them to do this job quickly, efficiently and reliably. However to do this job properly, administrators must allow the unit to benefit from the best training, both initial training as well as maintenance training (16 hours a month is the minimum industry standard of training hours no matter what the dog is trained to do).

In other articles in this publication I have written about how administration can best support their K9 units so they can benefit from the productivity of this location device. Training is essential. Quality vendors are essential, and choosing motivated and dedicated handlers is essential to the success of a unit. As the number of dog

teams in the K9 unit grows, proper supervision, and training must take place to keep the unit cohesive and functional. Regardless of the kind of K9 you choose, dual or single purpose, the majority of its use will be as a location tool.

TO BITE OR NOT TO BITE

Many of the agencies I speak to about starting a new K9 unit are apprehensive of the controlled aggression functions of the dual purpose canine. The thinking is, if the canine is trained to bite, an accidental bite or even a good bite in an apprehension situation will possibly result in litigation, costing the agency time, and resources, and possibly money. It is no secret that a well-trained K9 that makes a proper apprehension will inflict some physical damage on the subject. A dog bite is a serious result if it happens during an apprehension. The more the subjects resists, and the longer the K9 is required to effect pain compliance allowing officers to safely arrest the subject, the more physical damage will result. Even with proper targeting training, grip training to keep the dog's apprehension stable for a proper bite and hold, and efficient handling, a dog bite will cause some damage. However, as patrol case law has held for many years, the use of properly trained K9s to locate and apprehend fleeing, unsearched felony subjects provides as much safety to the suspect being apprehended as to the officers involved in apprehending them, and without a K9 the result to the subject can be far worse than a dog bite. In many cases the agency would be avoiding a wrongful death lawsuit for a dog bite lawsuit, as the officers having to do a building search in the dark without a K9 must have deadly force at the ready in doing so, thus increasing the likelihood that it will ultimately be used. K9s save the lives of a lot of subjects not wanting to go to jail, who are willing to resist.

A 1988 Case in the 6th Federal Circuit *Robinette v. Barnes* (854 F. 2nd 909), which held that Police K9s in their apprehension functions are not considered deadly force, even though the suspect

in the case was killed in the process of apprehending him, stated the following:

"Indeed, instead of generally causing deadly force to be used to apprehend criminals, we believe that these dogs often can help prevent officers from having to resort to, or be subjected to such force....the use of dogs can make it more likely that the officers can apprehend suspects without the risks attendant to the use of firearms in the darkness, thus frequently enhancing the safety of the officers, bystanders, and the suspect."

It is important to remember that the location functions of a K9 (tracking or area and building searches) by necessity take K9 officers to danger. The likelihood of a K9 officer being involved in a shooting is significantly higher than a non-K9 patrol officer. Locating an unsearched felony subject who is accused of committing a felony offense carries with it the danger inherent in finding that person. In many cases the presence of a K9 has a deescalating effect on a suspect, as humans have a visceral reaction to the thought of getting bit by an animal, and in particular a dog.

In any tracking situation it is standard procedure for the K9 team to be accompanied by a security officer who moves with the handler on the track as the handler's security. This should be the case with either a single or dual purpose K9. However, this is even more important with a single purpose dog as the dog himself isn't capable of self-defense or apprehension. Many handlers of dual purpose dogs in rural areas may not have a security officer (while not recommended, it is a reality of police work) to run their tracks with them, however the dog has the capability to make an apprehension and assist in the process of bringing the subject into the control, care

and custody of the officer. Further the presence of the dog is likely to encourage the subject to more willingly give up as while they may be willing to go "hands on" in a fight with the officers they are less inclined to try out the dog.

No handler or trainer should ever send a non-biting dog to do a building search or area search. The dog could encounter the individual and that dog, not being trained and capable of defending himself, would be put into immediate serious jeopardy. In building and area searches, the dog will likely find the subject away from the handler's cover position, often out of sight. In a tracking situation with a single purpose K9 the officer is attached to the dog by a lead, and so when the K9 arrives at the subject, the handler and his security officer are the dog's protection.

An agency deciding between a single purpose K9 that can track, and a dual purpose canine, despite the additional perceived liability incurred from having a biting dog making apprehensions, a dual purpose K9 has the advantage, from an officer safety standpoint, suspect safety standpoint, and bystander safety standpoint. As the dog brings your officers to danger, the dog himself is an immeasurable asset for effecting the apprehension, or deescalating the situation, and allowing a safer arrest for all involved. If you decide to run a tracking dog without apprehension capability, security teams going with the dog are an absolute necessity.

Because the decision to go with the single purpose dog over the dual purpose dog are often made by smaller departments with less manpower, or limited funding, the tracking function on your single purpose dog may not get much use if you don't have the manpower to provide the needed cover officers on a track (and remember these cover officers need to be trained to work around the dog and handler which also takes time and resources). Nobody should ever track a felony subject without at least a cover officer or cover team (depending on the situation, and the topic of another discussion). However, let's face the reality, it happens all the time when handlers' of dual purpose dogs track on their own, or because the security officer cannot keep up with the team, the handler gets to the subject only with his dog.

Tracking is the single most dangerous function of a canine team. The moving team is often operating without cover or concealment, both of which are enjoyed by the subject being sought. Good decisions must be used if a single purpose dog is used to track a felony subject, employing proper back-up and proper training of these back-up officers to function with the dog.

MAKING THE DECISION

One of the reasons to employ a K9 team is for efficiency. Less manpower to do a given job. Most tracking situations aren't SWAT tracking calls, but they are dangerous and risky nonetheless. The dual purpose K9 not only provides the apprehension function on tracks, but offers this handler protection function during all manner of police-citizen encounters. With a door popper, the



dog can be brought out to the handler to assist in many potential life-threatening situations. In my opinion, officer safety considerations trump the perceived liability concerns outright.

Having said this, departments that get a dual purpose dog but don't allow the officer/K9 sufficient training hours, continuing education with seminars on K9 usage, decoy skills, or using the K9 in high risk encounters are the ones that run the risk of increasing their liability exposure. Negligent training (not enough hours allocated) and negligent supervision (not auditing the training records and progress or mandating certification) are exposures for poor supervision. Proper decision making that is taught in the initial handler course and throughout in service training by experienced professionals versed in K9 usage and deployment is critical to keeping efficiency of usage up and liability exposure minimized. If you don't have access to these resources, consider sending one of your K9 handlers through an instructor school so they can learn how to set up proper in service training, set up proper scenario-based training to practice for routine and high risk encounters.

In the end, when I speak to a department that is hesitant to buy a dual purpose K9 and prefers to buy a single purpose K9, I want them to understand that the dog can track, but the deployments will be limited based on the situation and the availability of back up. It is important to remember that an accidental bite, from any police k9 be it a single purpose dog or dual purpose dog results in 100% liability on the agency. It is possible for any dog, no matter how friendly, if it is frightened or tormented to bite and inflict damage. If the bite is accidental the department is liable. With dual purpose dogs, the aggression inherent in the dog is understood to be there, and is manipulated in training to be under command control of the officer. The level of control over a dual purpose dog's behavior is significantly higher, because the apprehension functions must be maintained by proper training.

BREED

The last issue I want to bring up is breed. Many departments ask for Labrador's or other floppy ear dogs when they buy a single purpose dog, but it is not necessary. There is a very large pool of both Belgian Malinois and German Shepherd Dogs that are as social as any Labrador. Breed should not determine the selection of a single purpose dog, but rather an individual dog should be chosen to best fit the totality of the dog's usage mission. In many cases a single purpose Malinois or Shepherd is a better choice than a Labrador. Most vendors stock more Malinois and Shepherd single purpose dogs than they do Labradors. Also, remember there are other breeds as well, German Shorthair Pointers, Springer Spaniels, and other hunting breeds can often make great single purpose dogs. Go into the selection with an open mind and pick the dog based on temperament and drives without a pre-conception.

If you are going to choose the dual purpose dog the Belgian Malinois and German shepherd or crosses of these two breeds are the possible choices. Before you ask your vendor about Doberman Pinchers or a Rottweiler, put these ideas out of your mind. No serious vendor sells or trains for police work anything other than the GSD or Malinois or crosses for dual purpose work. These dogs have the availability, drive, temperament and clear headedness for the work.

One last caveat, if you choose a Malinois or GSD as a single purpose dog, make sure these dogs do not have the drive and ability for the controlled aggression. You do not want a single purpose dog

with the genetic ability and predisposition for aggression as a single purpose dog. That would mean the dog has the ability but you failed to do the training to assure the dog is under control of the officer for its aggression. If you choose a dual purpose dog, however, there is no question that the dog has been trained to do the work and the control work has been trained, tested and certified.

CONCLUSION

In the end, the decision will come down to the factors mentioned here as well as funding and community support. Often agencies start with a single purpose K9 that can do demonstrations, make appearances in the community for community relations, and as that dog shows its value with seizures, arrests, and location of suspects the town and agency will see the value of expanding the program and consider a dual purpose dog. Do what it takes to get the program off the ground and then revisit the question of single v. dual purpose. Enhanced officer safety, suspect safety, and likely de-escalation of situations by the mere threat of the dog will be noticed once the dog is employed in its full measure. Until then, get a program off the ground any way you can. K9 programs build community support, enhance community safety, increase the efficiency of all aspects of patrol work, and save time and resources.



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Tarheel Canine Training Inc. is a nationally renowned training facility for police service dogs, and has placed trained police dogs at federal, state and local law enforcement agencies nationally and internationally since 1993. Jerry is often a featured speaker at national police K9 conferences, and travels extensively giving seminars to police departments, the US Military, and sport trainers across the United States. Jerry has written a book, *Controlled Aggression*, which is rapidly becoming the standard text for understanding the fundamentals of canine aggression training for police service, personal protection, and competitive dog sports. Jerry also maintains a free blog at www.tarheelcanine.com.

Many of the training concepts mentioned in this article are covered in depth in published articles available on the Tarheel Canine website at www.tarheelcanine.com/media-area/training-articles/

Please feel free to make your handlers, trainers, and training groups aware of this resource.