

AN EVIDENCE-BASED APPROACH TO REDUCING DOG SHOOTINGS IN ROUTINE POLICE ENCOUNTERS:

Regulations, Policies, Practices, and Training Implications

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Contents

| | |
|---|----|
| Project Summary | 1 |
| Goals and Objectives | 8 |
| Methodology and Approach..... | 8 |
| Focus Group Findings | 18 |
| Survey Results..... | 23 |
| Conclusion..... | 24 |
| References | 25 |
| About the Authors..... | 31 |
| Appendix A-1: Dog Shooting Headlines – A Sample from Across the U.S..... | 32 |
| Appendix A-2: Dog Shooting Headlines – Associated Jurisdictions | 34 |
| Appendix B: Table of Law Enforcement Settlements in Dog Shootings | 35 |
| Appendix C-1: Known State Legislation and Law Enforcement Training Requirements for Animal Encounters.... | 36 |
| Appendix C-2: State Level Legislation on Police – Dog Encounters | 39 |
| Appendix D: Training Resources | 40 |
| Appendix E: Focus Group Script..... | 42 |



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Project Summary

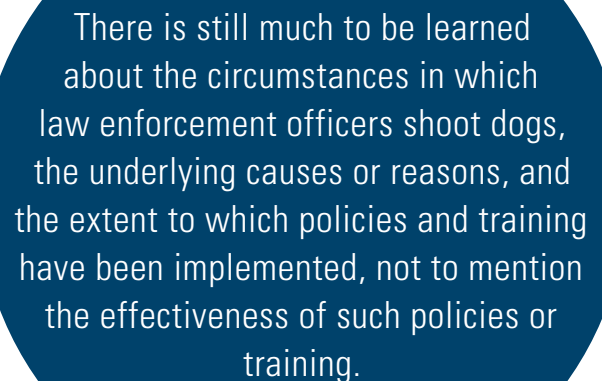
The Problem

National awareness and concern over shootings of dogs by law enforcement officers has been increasing in recent years. At the same time, national statistics on the prevalence of dog shootings by police officers and sheriffs' deputies are not yet available. This lack of data is not surprising as police shootings of people are also not well documented nationwide. The U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office) published a report in which the authors estimate that 20 - 30 dogs are killed by police each day in the U.S. (Bathurst, Cleary, Delise, VanKavage, & Rushing, 2011), or between 7,300 – 10,950 annually. The source of this estimate cannot be validated (Griffith, 2014), nor can the specific underlying causes for various shootings be determined. However, increased national media attention and liability concerns among law enforcement leaders demonstrate the importance of this issue as we near the decade of the 2020s.

While a number of special interest or advocacy groups have established websites dedicated to capturing incidents in which dogs are shot and killed by police, no authoritative source has properly documented the number of incidents or the associated circumstances or characteristics of these encounters.

Nonetheless, it is clear that the circumstances leading up to shootings of dogs by police often vary considerably, from dog shootings in which officers most certainly saved the lives of human beings, to those in which police officers could have avoided the shootings without significant risks to others or themselves. In many cases, the latter incidents seem to stem from misinterpretations or misconceptions about dog behavior, and/or concerns or fear about being attacked or bitten. In still other cases, some sources have reported cases in which dogs were leashed, tethered or behind secure fences when shot by police.

Despite these reports, there is still much to be learned about the circumstances in which law enforcement officers shoot dogs, the underlying causes or reasons, and the extent to which policies and training have been implemented, not to mention the effectiveness of such policies or training.



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Why should I be concerned about this issue?

Law enforcement leaders know that their agency's legitimacy and reputation are tied to community members' perceptions about fairness, trust, and confidence in the police. When pet dogs are shot by police, especially under questionable circumstances, this can erode public trust and legitimacy. In addition, a growing number of court cases are resulting in settlements between jurisdictions and residents or judgments against jurisdictions with some awards being considerable from the tens of thousands to over a million in some cases.

Public Pressure and Law Enforcement Response

There is increasing attention and pressure on law enforcement agencies and their personnel to avoid shooting dogs whenever possible. This pressure is exemplified through the growing number of court cases for unlawful search and seizure, civil cases involving “failure to train,” as well as growing media attention and advocacy by animal rights organizations, not to mention public outrage over what appear to be unnecessary shootings of pet dogs.

Importantly, this pressure has not been ignored by law enforcement. Two law enforcement leadership associations, the National Sheriffs Association (NSA), and the International Association of Chiefs of Police (IACP) have begun to recognize the concerns and complexities associated with dog encounters and dog shootings. As part of its National Law Enforcement Center on Animal Abuse (NLECCA), the NSA now also seeks “to train and educate officers on how to handle officer-dog encounters more safely.” The IACP developed a “concepts and issues paper” on law enforcement encounters with canines (IACP Policy Center, 2015a) that is comprehensive, detailed, and informative, with important information on dog behaviors such as the fact that “barking alone is not an indicator that an attack is likely” (IACP, 2015a, p. 5), and suggested measures that can reduce deadly force with dogs such as carrying dog treats or requesting that dogs be secured.¹ Further, IACP has also issued a model policy on law enforcement interactions with canines (IACP, 2015b). However, it is unclear the extent to which agencies have adopted this policy, and we were unable to find any national survey that addressed dog encounters or associated training and/or policy. Furthermore, a review of the trade publication, *Police: The Law Enforcement Magazine*² reveals a number of articles on the subject of dog encounters and shootings by police informing officers about the issues and associated concerns from an officer perspective.

Legislative Attention

Despite the increasing attention on dog shootings by police, states and local jurisdictions have generally been slow to adopt policies or training, despite the potential for liability, continued public scrutiny, and damage to police-community relationships when pet dogs are shot in questionable circumstances.³ Among the eight states with mandated training requirements are Colorado, Illinois, Ohio, Tennessee, and Texas. However, it is important to note that just because the states have mandated training on dog behavior for law enforcement does not mean the training programs being relied upon are evidence-based or consistent with professional standards for dog training. Regardless of whether or not a state has adopted such legislation, local police and sheriffs’ agencies can provide some minimal training on encounters with dogs to protect themselves and their communities. Dog training programs including those developed by the COPS Office (US Department of Justice) and their partners,⁴ as well as California Peace Officer Standards and Training (POST)-certified curricula⁵ are examples of evidence-based training programs that are consistent with dog training professional standards.

- ¹ While the IACP policy guidance document cited primarily magazine articles, pet advocacy organizations, and case law, it does appear that some of those sources relied on scientific evidence.
- ² Considered the #1 Trade Journal with a circulation of over 45,000 per month, and reported “pass along readership” of almost 175,000, according to the media kit: <https://protectionimages.bobitstudios.com/upload/files/advertise/police-media-kit.pdf>
- ³ It appears that little media attention has focused on police shootings of dogs when the dogs were attacking humans, especially children, except to hail officer behavior as heroic.
- ⁴ <https://learn.copstrainingportal.org> “Police and Dog Encounters: Tactical Strategies and Effective Tools to Keep Our Communities Safe.”
- ⁵ <https://spcala.com/programs-services/professional-training-courses/> “Dog Behavior for Law Enforcement Officers.”

In Colorado, State Bill 226 (2013) mandates a minimum of three hours of training for police in dog behavior and body language, as well as non-lethal methods of handling non-violent calls to allow dog owners or animal control professionals the opportunity to safely secure a dog. Illinois state law has also addressed these concerns under House Bill 3388 (2013), which passed guidelines for training officers on canine behavior and less lethal means for subduing dogs. In Texas, where it has been argued that law enforcement officers are likely to encounter dogs in one of every three houses they visit (Tobey, 2018), a 2015 law mandated at least four hours of training (including classroom-based training as well as officer interactions with dogs) which took effect in January 2016 under House Bill 593 (2015). Tennessee has also instituted an animal behavior component for peace officer certification in order to minimize force or harm to animals (known as the General Patton Act), and some states have attempted to adopt legislation, which has yet to be passed (e.g., Idaho, Maryland, and Oregon).

However, equally if not more important than providing training, is that the training be evidence-based and consistent with national standards for dog training. Even if agencies have adopted or implemented training on dog encounters and/or behavior,

not all training is created equal, and despite the thorough training of K-9 officers, the type of training necessary for understanding ‘pet dog’ behavior is markedly and significantly different from that of K-9 dogs (Bradley, 2018).

Some states have begun to pass legislation to require peace officers to receive training in dog behavior, but agencies do not have to wait for legislation to adopt common sense policies on dog encounters.

Regardless of whether or not states mandate training, local jurisdictions should certainly consider adopting policies and procedures, and at least some minimal training on avoidance tactics such as those described by IACP (IACP, 2015a, 2015b). Other common sense policies and/or procedures like asking dog owners to secure their dogs, and/or practicing avoidance whenever possible (when there is a “beware of dog sign” on a fence, not entering the yard when possible, or returning at another time in circumstances where that is possible) have been suggested by trainer and current report author, Cesar Perea of the Society for the Prevention of Cruelty to Animals, Los Angeles (spcaLA).

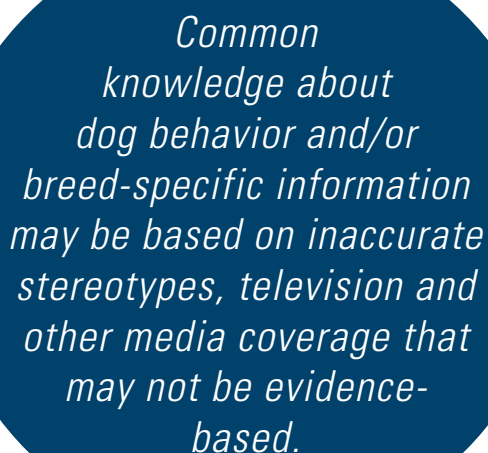
In fact, some local jurisdictions have also begun to institute at least some minimal training on animal and/or dog behavior, including the use of less-lethal tactics (e.g., impact munitions or baton strikes) for handling dog encounters; some in advance of legislation, to be proactive, and/or in response to highly publicized events in their jurisdictions. For example, several local Texas jurisdictions had instituted agency-wide training in advance of the legislation including Arlington, Austin, El Paso, Fort Worth, Leander, and Round Rock (see e.g., Borunda, 2015; Crampton, 2015; Petful, 2013; and Robards-Forbes, 2018). Also, in 2017, Minneapolis police recruits were receiving such training, something a commander suggested would be implemented agency-wide in the future (Jany, 2017). Furthermore, some jurisdictions may address dog shootings in their use of force policy, such as the New York City Police Department (NYPD) whose policy as of 2017 stated that “Members of the service shall not discharge [a] firearm at a dog or other animal, except to protect a member of the service or another person present from imminent physical injury and there is no opportunity *to retreat or other reasonable means to eliminate the threat.*” However, information from other departments is scant and we have not been able to identify any nationally representative data on local law enforcement training, policies, or procedures related to dog encounters or use of force with pet dogs.

In this review, we explore law enforcement perspectives on the issue of dog encounters against the backdrop of state legislation, increasing media attention, and public outrage over the shooting of pet dogs. As such, one purpose of this review is to capture officers' perspectives and experiences in dog encounters in order to generate context and content that will help to identify training needs. Another purpose is to identify state-level legislation, policies, and/or training requirements as well as any examples of local policies and/or practices. This was accomplished through a survey of all state Peace Officer Standards and Training (POST) Councils and/or Commissions, as well as other members of the International Association of Directors of Law Enforcement Standards and Training (IADLEST). In some cases, we have identified curriculum and/or training outlines that may be useful in identifying the extent to which the training content is well-grounded in current scientific evidence. However, the extent to which existing training is evidence-based or scientifically valid is outside the scope of this review.

Misinformation, Myths, and Stereotypes about Dog Behavior and Training

Commonly held knowledge about dog behavior and/or breed-specific information is often based on inaccurate stereotypes, and/or derived from sensationalized stories presented by the media, television programs and internet sites that perpetuate misinformation.⁶ Yet, widespread availability of mis-information, misleading information, and conflicting reports from the

internet, television, and even from some dog trainers can be dangerous to both dogs and people (although the misinformation is typically more damaging to dogs). Given the lack of sound information sources on appropriate handling of pet dogs, it is likely that some officers and the public have misconceptions about the meaning of various dog behaviors, as well as inaccurate beliefs about the dangerousness of some breeds.



Common knowledge about dog behavior and/or breed-specific information may be based on inaccurate stereotypes, television and other media coverage that may not be evidence-based.

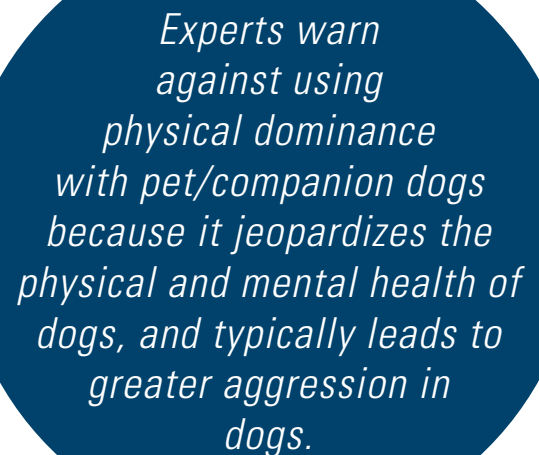
One commonly held belief that has been discredited by scientists and national dog training organizations, is based on a mid-century theory of social dynamics of wolf packs in captivity and has come to be known as "dominance." This theory grew in part from a misinterpretation and application of early research by Murie (1944) that dogs in the wild behave the same as wolves in captivity. In fact, Mech (1999) noted that "attempting to apply information about the behavior of assemblages of unrelated captive wolves to the familial structure of natural packs has resulted in considerable confusion."

The primary source of the confusion is the way in which alpha status is conveyed. After studying wolves in their natural settings in the Northwest Territories of Canada for well over a decade, Mech concluded that "labeling a high-ranking wolf alpha emphasizes its rank in a dominance hierarchy. However, in natural wolf packs, the alpha male and female are merely the breeding animals, the parents of the pack, and dominance contests with other wolves are rare, if they exist at all," (he didn't document a single case of dominance contests).

⁶ Much of what have become commonly held beliefs about dog behavior comes from perpetuation of beliefs that are not rooted in science, or were based on misleading information from various sources.

According to the American Veterinary Society of Animal Behavior (AVSAB), dominance is defined as “a relationship between individual animals that is established by force/aggression and submission to determine who has priority of access to multiple resources such as food, preferred resting spaces, and mates (Bernstein, 198; Drews, 1993).” However, the misunderstanding and application of dominance theory has generally been the source of confrontational training methods which are often met with fear and uncertainty by pet dogs, which can lead to aggressiveness by the animal as opposed to submission, despite the fact that many still believe that owners need to obtain submission. Current knowledge, however, suggests that behavior prevention and modification strategies “follow the scientifically based guidelines of positive reinforcement, operant conditioning, classical conditioning...” (AVSAB, 2018).

The perpetuation of the dominance-submission approach and the associated aversive methods such as physical punishment cause pain, fear, and anxiety in dogs, which frequently lead to greater aggression. Examples of aversive methods include hitting or kicking a dog for undesirable behavior, growling at a dog, using physical force to release of an item from a dog’s mouth, staring down a dog, forcing a dog to the ground, or grabbing a dog by the jowls and shaking them. Research has demonstrated that dogs subjected to physical punishment scored significantly higher on aggression towards dogs, owners, and strangers (Herron, Shofer, & Reisner 2009; Hsu & Sun, 2010). A recent review of 17 articles examining different forms of aversive tactics used on dogs demonstrated that they jeopardize the physical and mental health of dogs, as compared to positive reinforcement-based training (Ziv, 2017) or rewards-based conditioning.




*Experts warn
against using
physical dominance
with pet/companion dogs
because it jeopardizes the
physical and mental health of
dogs, and typically leads to
greater aggression in
dogs.*

Despite the characterization of pet dogs as akin to captive pack animals and the popularization of this concept in western cultures, that belief and all the assumptions and practices associated with dominance theory have been fully reconsidered. For example, according to the *Association of Pet Behaviour Counsellors* in the U.K., “as the groundswell of informed opinion moves against dominance theory, it exists only in the minds of the ‘most stubborn’ or ‘self-interested.’” The AVSAB also has issued a position statement against training using dominance beliefs and behaviors (2018). While the evidence against the dominance approach is significant, it continues to be espoused by some dog trainers (see e.g., Ryan, 2010). Herron, et al. (2009), in finding that aversive methods are ineffective and often backfire, noted that many of their study participants had been previously advised by dog trainers to use aversive methods in training their dogs. One popular television program even begins with as associated disclaimer to not try these practices at home, likely because they are known to be dangerous, not to mention ineffective.

Moreover, the Association of Professional Dog Trainers (APDT) has asserted a strong position against dominance due to the misinformation about dog behavior and the evidence against dominance, aggression, and hierarchy, not to mention the misuse of the term (APDT, 2019; see also Bradshaw, Blackwell, & Casey, 2009). Specifically, APDT clarifies that dominance is not a personality trait, but rather a descriptive term for relationships between two individuals, not among dogs, and that aggression is not a form of dominance it is an anxiety-based behavior. They too, disavow aggression towards animals in favor of more positive approaches, including reinforcement of desired behaviors through consistency and gently influencing and motivating the dog to follow rules. They also espouse that there is **no** validated data suggesting that dogs must never walk in front of their owners, must never sleep in an owner’s bed, or have to eat after their owners. These myths are also derived from dominance theory.

Furthermore, the Pet Professional Guild's position is that "dominance theory is an obsolete and aversive method of intervention with animals that has at its foundation incorrect and misinterpreted data which can result in damage to the animal-human relationship and cause behavioral problems in the animal." The Pet Professional Guild is a membership organization representing pet industry professionals who are committed to results based, science based, force-free training and pet care, see <https://www.petprofessionalguild.com/>. While some disagree, even those who have different interpretations of "dominance," still disavow human dominance with dogs (e.g., Bradshaw, 2016; Schilder, Vinke, & van der Borg, 2014).

In the literature review, there is a section entitled "What is a dangerous dog?" In this section, we describe research on breed-specific dangers, and the fact that many people have inaccurate beliefs about the dangerousness of some breeds, thereby allaying additional myths and stereotypes about dogs.



Law enforcement agencies should be aware of the fact that training for handling K-9s is very distinct and generally inappropriate for interactions with pet dogs.

Training for Law Enforcement Officers

Despite the fact that officers have numerous weekly encounters (or more often) with dogs, there still does not appear to be widespread training requirements or training programs nationwide. In a recent report (Petful, 2013), it was suggested that the biggest factor in dog shootings by police appears to be "insufficient training of officers in dog behavior and non-lethal conflict resolution when dealing with animals." (p. 4). While this may not be derived from evidence, it is hard to argue that there is sufficient training on how to handle companion dogs in routine encounters due to the limited evidence or standards on dog encounters training nationally.

However, the availability of resources is probably not to blame, as there are some limited training and related tools available (to be discussed later), but it appears that the lack of training in law

enforcement agencies may have more to do with either lack of awareness of its importance, limited concerns over dog shootings (perhaps due to their infrequency in some agencies), and/or local budgets for training, though no formal survey of agencies has been conducted on this issue to ascertain the reasons that dog encounter training is not more widespread.

Managing dog behavior, learning to interact appropriately with dogs or to avoid encounters with dogs, and dispelling myths are important to preventing unnecessary shootings of dogs, injuries (and even death) to officers and members of the public. However, the training available may vary widely in content and not all available training is consistent with current scientific evidence.

In addition, law enforcement agencies need to distinguish between training for encounters with pet dogs versus for K-9s. In many agencies, K-9 officers may be the only designated individuals authorized to attend training in dog behavior; this despite the fact that training of K-9s is quite distinct and generally inappropriate for interactions with pet dogs. K-9s are

a special kind of working dog, for whom the selection and training are quite specialized. According to Janis Bradley⁷, dog expert with the National Canine Research Council: “the skills and knowledge that make a K-9 trainer successful are precisely those that will lead to the worst possible outcomes with naive, unfamiliar dogs. K-9 trainers would have to “unlearn” many of the behaviors they have practiced for hundreds, even thousands, of hours in training and handling their working dogs if they are to become the primary trainers for peace officers in handling unfamiliar pet dogs. More specifically:

- K-9 trainers’ expertise is in training, not random encounters with unfamiliar dogs⁸
- K-9 dogs are carefully chosen for boldness and nurtured for success in protection and tracking behaviors in close relationships with their handlers; officers have no relationships with dogs in the community, who are likely to be fearful and cautious or simply rudely friendly.*
- K-9 trainers work with their dogs to teach them to withstand human behavior that most dogs find threatening.
- Naive, unfamiliar dogs are likely to respond defensively (with either fight or flight) to such pressure.
- K-9 trainers have extensively practiced inciting a dog to bite. Such practice yields almost automatic responses in people. All this would have to be “unlearned.”
- Practicing the completely different behaviors appropriate to interactions with naive, unfamiliar dogs might well compromise the K-9 trainers’ learned skills in his actual job with working K-9’s.”

Accordingly, it is quite possible that K-9 officers are more inclined to rely on that training when informing other officers about encountering dogs, and it appears that at least some of the personnel in agencies we met with tend to defer to the K-9 officers when it comes to information about dog behavior. However, this could be problematic, as K-9s are considered to be a tool of law enforcement, and training of these officers and their canines does not represent typical dog training for pet dogs and is not always consistent with current science. Ethnographic research has suggested that K-9 officers and police administrators often feel “uneasy” about the “potential conflict between treating the patrol dog as an effective weapon/deterrent and treating it as a reliable companion/ partner and docile family member” (Sanders, 2006). In any event, the reliance of agencies upon K-9 officers in understanding how patrol officers should interact with dogs, may be ill-advised without a better understanding of the specific curricula and training techniques being used by K-9 trainers. K-9 handlers’ training may overly focus on “vicious animals,” (see e.g., Schenk, 2013), which does not characterize most pet dogs. Importantly, there are specific characteristics sought in potential K-9s and their handlers, and the training process in some cases, may be based on the “dominance model” of dog training which has been heavily refuted.

In sum, despite the advanced skill level of most K-9 handlers based on very specific training and practice, K-9 handlers in law enforcement agencies may not be well- equipped to provide information about domestic dog encounters as their training generally focuses on working dogs, not companion dogs.

* Rudely friendly refers to dogs who jump on new people as a friendly greeting

⁷ Bradley, Janis. Personal statement (2018). Janis Bradley MA, CTC is co-author on several recent publications about dogs and dog bites, published in the Journal of Applied Animal Welfare Science and Journal of Veterinary Behavior: Clinical Applications and Research in 2016 and 2018. She has trained and certified more than 450 dog trainers between 2000 and 2009, working with 1,500 dogs. She has also made numerous presentations at professional conferences on dog behavior.

⁸ It may help to imagine the difference between an academy trainer who is an expert at teaching the carefully selected and attentive recruits very specific skills, say a self-defense technique like baton handling. One would not expect this training ability to transfer to dealing with a playground full of rambunctious teenagers. In fact, the expectations derived from working with recruits lined up and waiting for instruction would actually be counter productive and would require “untraining” for the individual to be successful in the new context.

Goals and Objectives

The ultimate goal of this project is to prevent unnecessary shootings of dogs by law enforcement personnel. It is important to note at the outset, that concerns over officer safety were weighed and balanced by the researchers in collecting the data and evidence associated with this report. The project's objectives focus is on the generation of data and information from the field about the issue of dog encounters and pet dogs shot by police in order to support the development of evidence-based, interactive training for law enforcement agencies and officers, as well as to promote the establishment of effective local policies and practices. Specific objectives include:

1. To document the current evidence on dog shootings by law enforcement officers (police and sheriffs) that could inform training and policy.
2. To identify available training and its use nationwide.
 - a. Survey Peace Officer Standards and Training (POST) organizations about dog encounters and/or dog behavior training; and
 - b. Survey members of the International Association of Directors of Law Enforcement Standards and Training (IADLEST) on their knowledge regarding the availability and/or use of dog encounter training and/or policies in their states or jurisdictions.
3. To conduct focus groups with officers from a range of agencies/agency types (county sheriffs, local and county police), ranks, experience, and amount of exposure to dogs.
 - a. Generate information about the existing beliefs and potential misinformation held by officers about dog behavior.
 - b. Identify the perceived causes and contributors to dog shootings among law enforcement personnel.
 - c. Understand the frequency with which officers encounter dogs in their everyday activities.
 - d. Obtain information from police commanders regarding their level of concern about dog shootings, liability, and cultural/organizational obstacles to reducing dog shootings, particularly the impact of dog shootings on community trust, ways to institutionalize training and associated barriers (limited training time, etc.), and the role of policy in reducing dog shootings.

Methodology and Approach

The project methodology involved a comprehensive, exploratory multi-method approach in which we examined the issue of dog encounters and police shootings of dogs using a range of data collection methods designed to shed light on the issue. Our approach was primarily qualitative as there has been little data available on police encounters with dogs. Our various exploratory approaches allowed us to examine the prevalence of dog encounters and shootings by police, media attention paid to the issue, scientific and legal perspectives, practitioner views from law enforcement personnel at all levels including concerns about officer and public safety, existing legislation and local policies, and training mandates and/or availability. This methodological approach is known as triangulation; an "attempt to map out, or explain more fully, the richness and complexity of behavior by studying it from more than one standpoint" (Cohen & Manion, 2000). Basically, in this context, we used methodological triangulation focusing on a within-method (qualitative) approach, but also used various methods to look at different aspects of the issue (see e.g., Carter, Bryant-Lukosius, DiCenso, Blythe & Neville, 2014). As an exploratory study, this project was designed to comprehensively summarize the existing scientific data on pet dog behavior, available training for law enforcement in dog behavior and/or encounters with

companion dogs, as well legal issues associated with shootings of pet dogs by non-owners and police. In addition, we documented information generated in focus group sessions with officers and command staff in select law enforcement organizations and also polled state Peace Officer Standards and Training (POST) organizations as well as the entire membership of the International Association of State Directors of Law Enforcement Standards and Training (IADLEST) to determine which states mandate dog behavior training to law enforcement, the availability of training curricula, and local policies and procedures.

Comprehensive Review of Information Sources⁹

The Police Foundation reviewed a number of informational sources in addition to collecting field-based data on dog encounters by police as well as dog shootings. This included relevant scientific literature, law reviews, and print media coverage, as well as some internet articles and blogs. This review served as the basis for facilitation of the focus groups by allowing us to identify broad issues. However, the information sources were routinely updated through the end of 2018. A summary of these reviews follows.

Media Review. In order to gain information about public scrutiny and the breadth of national coverage of dog shootings by police, we conducted an online review of news primarily from print media (newspapers and magazines). Our goal was not to capture every article in every jurisdiction in the U.S., but rather to get a sampling of how widespread the public concern is surrounding pet or companion dog shootings nationwide, as well as to understand how such incidents are being portrayed by the media and perceived by the public.

Legislative Review. We conducted searches on legislation related to dog encounters and shootings which included online searches, calls to state law enforcement training offices (POSTs), and a national inquiry to members of the International Association of Directors of Law Enforcement Standards and Training (IADLEST), which allowed us to increase our responses from the states over that achieved by making phone calls to POST commissions in states. The results are summarized in [Appendix C-1](#) to this report.

Examination of Legal Issues. Under the laws of all states, dogs are considered property, yet IACP reports that “the courts are increasingly imposing civil penalties and punitive damages on police departments” for failure to train in officer encounters with dogs in a “humane” manner (ICAP, 2015a). They further assert that some courts are considering Fourth Amendment prohibitions against unlawful seizures as legitimate causes of action, when dog shootings are considered ‘unjustified.’ When considering Fourth Amendment cases, punitive damages can be imposed for emotional distress. The IACP has accurately suggested in its guidance to agencies that the use of force with dogs should follow a similar rationale as that for human encounters, even suggesting de-escalation principles along with reliance on the use of force continuum and the legal standard of ‘reasonable force.’ We examined articles and law reviews that outlined these and related legal issues.

National Survey. In order to capture information about existing legislation, training, and potentially local policies and/or training, we surveyed the membership of IADLEST. Their membership includes all directors of state POSTs as well as many regional and local law enforcement directors and trainers. This survey took the form of an email inquiry to all members which included two follow-up reminders, one of which identified states that had not responded. This survey was designed to supplement our research on existing legislation, local policies, and the extent to which training on dog encounters was part of academy or in-service training in agencies, but not to delve deeper into questions, something that would require a representative sample of law enforcement agencies nationwide.

⁹ The title of this section replaces the intended “Literature Review” because the area of police and dog encounters has been addressed from various perspectives (e.g., legal, behavioral, etc.), and as such, our review differed from a traditional scientific literature review and incorporated a variety of informational sources, acknowledging that scientific literature on this topic is scant.

Focus Groups

The focus group method has become a well-established method of research since its roots in World War II, and later was espoused as a method for conducting group interviews (Merton & Kendall, 1946). While not designed to estimate population parameters or the prevalence of various phenomena, the focus group method allows for the identification of a range of issues and concerns of the identified participants as a means for gathering a range of opinions and depth of understanding, assessing sensitive topics, and ascertaining perspectives and experiences. Nagle and Williams (2013) noted that “focus groups provide insights into how people think and provide a deeper understanding of the phenomena being studied” (p. 2). According to the Robert Wood Johnson Foundation (Cohen & Crabtree, 2006), focus groups may be used to explore new research areas, explore topics that are difficult to observe, explore sensitive topics, gather preliminary data, and to aid in the development of surveys, among others. For the most part in this study the purpose was to examine a sensitive topic from the standpoint of officers, an area that has not been the typical focus of coverage on dog shootings by police.

In order to get a somewhat representative group of individuals, we conducted focus groups in several jurisdictions in the Northeast, Midwest, and South, along with two on-line focus groups with participants from across the U.S. (with a concentration from the West). In the focus groups, we explored a range of considerations about why participants believe officers shoot dogs, what they may know or not know about canine behavior, what influence the culture or agency has on the shootings of dogs, the impact of pet dog shootings on police-community relations, and other concerns they may have about incidents in which dogs are encountered by law enforcement, as well as to more broadly understand the context of ‘officer’ and ‘public’ safety as is typically the justification for officers in such situations.

We facilitated the focus groups with a pre-approved¹⁰ script of questions. The principal investigator facilitated each session, with support from the spcaLA’s law enforcement expert and practitioner, Captain Cesar Perea—who is also a co-author on this report.¹¹ Our focus groups generally consisted of between 6 and 16 participants, with a total of about 50–60¹² current or former law enforcement personnel. Rules of thumb have generally supported using four to six focus groups for any single project, and sessions of about 90 minutes.¹³ The sessions generally lasted 60 to 90 minutes, and input was voluntary.¹⁴

Literature and Media Review

What is a dangerous dog? There is little argument that some dogs are dangerous, but there is a folklore around perceptions of dangerous dogs, often based on breed type. In one analysis, it was suggested that over 75% of dogs shot by police are pit bulls (Petful, 2013). If accurate, it is likely due to the belief that pit bulls are the most dangerous dog breed, however, research suggests that this is not the case. In response to a study by Sacks, Sinclair, Gilchrist, Golab, and Lockwood (2000), the

¹⁰ By the National Canine Research Council and the Institutional Review Board of the Police Foundation, under Federal Wide Assurance (FWA) 00010152.

¹¹ Captain Perea attended all sessions except one phone session with fellows and the Greenville, SC site.

¹² We cannot provide an exact number as in several cases some people left the room or call, and others entered, while some remote participants logged in or phoned in without participating.

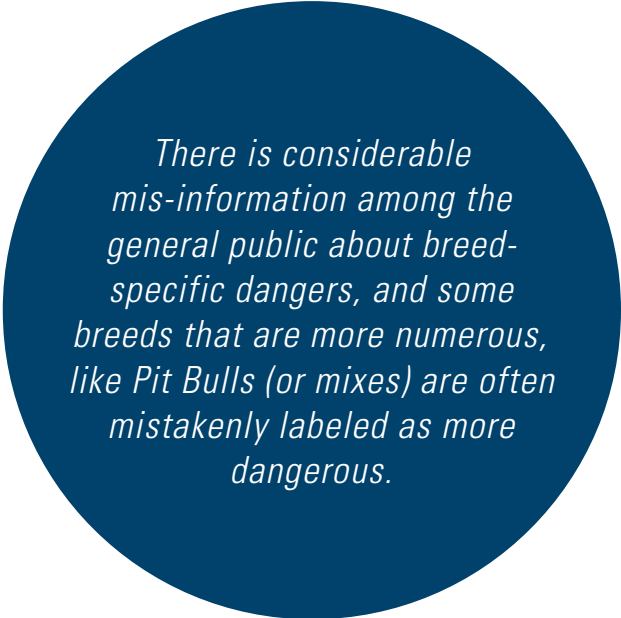
¹³ Per Morgan (1996).

¹⁴ Scholars have suggested that focus groups consist of six to ten participants, although Morgan (1996) suggested that such ‘rules of thumb’ may be too strict, and that the methods should be adapted by researchers.

American Veterinary Medical Association has asserted that “In contrast to what has been reported in the news media, [these data] CANNOT be used to infer any breed-specific risk for dog bite fatalities (e.g., neither pit bull-type dogs nor Rotweillers can be said to be more “dangerous” than any other breed based on the contents of this report).” The Sacks, et al. (2000) research found that over 25 dog breeds were involved in fatal attacks during the 20 years covered by their research. They also concluded that fatal attacks were a very small proportion of overall dog bite injuries.

A recent study of dog owners demonstrated some breed differences in aggression. Researchers found that aggression in dogs typically stems from fear (especially among Chihuahuas, Dachshunds, and Yorkshire Terriers). They also found that Chihuahuas and Dachshunds scored higher for aggression toward humans and dogs, while aggression toward other dogs was higher for Akitas and Pit Bulls (Duffy, Hsu, & Serpell, 2008), though some have questioned the instrument used to generate these results. Moreover, recent research demonstrates that even among over 900 experienced canine professionals, most could not agree on predominant breed types. Moreover, less than half were able to correctly identify any breed from the dogs’ DNA profiles for 70% of the 20 dogs in the study (Voith, et al., 2013).

As a result of these misconceptions about breed-specific dangers, many local jurisdictions had previously instituted ordinances banning ownership of specific breeds including pit bulls, without actual evidence as to their relative dangerousness. These restrictions led to increased advocacy on behalf of certain dog breeds, and counter-arguments by various organizations, that it is more important to punish the “deed” rather than the “breed.” According to Coile (2001), even though breed-specific legislation has been in place since the 1970s, most communities that enacted such legislation have since repealed the laws.



There is considerable mis-information among the general public about breed-specific dangers, and some breeds that are more numerous, like Pit Bulls (or mixes) are often mistakenly labeled as more dangerous.

Reasons police officers shoot dogs. According to the Animal Legal Defense Fund (2018b), there are eight primary reasons officers may shoot dogs, including: 1) actual threat; 2) beliefs about a breed being dangerous; 3) dogs acting protective; 4) miscommunication; 5) perceived threat; 6) poor planning; 7) unleashed; or 8) wrong address. While each of these can create the conditions for dogs being shot by police, it is likely that most of these involve some level of fear activated in an officer from a perceived or actual threat. Notably, perceived threats can result from lack of knowledge, past experience, or limited exposure to dogs. Not surprisingly, many officers faced with such threats or fears often lack the experience, knowledge, tools, and/or training to minimize the threat and as such may rely on their service weapons to ‘eliminate’ the threat.

Kilcommons, a dog behavioral counselor, has argued that dog shootings result from an over-prioritization of officer safety in officer decision making and behavior. Specifically, he has noted that officer safety has become so important that it ‘trumps’ the rights and safety of others. He was quoted as saying “it’s so important that an officer’s subjective fear of a minor wound from a dog bite is enough to justify using potentially lethal force” (Chappell, 2018). Arguably, a dog attack is not often perceived as a low risk condition (‘minor wound’). However, the National Sheriffs’ Association’s Law Enforcement Dog Encounters Training (LEDET), provides a number of alternatives to use of deadly force in such situations, and stop-gap measures designed to put time and distance between officers and dogs.

Dogs in society. Dogs have become a mainstay of existence for many people and are frequently thought of as family members (Albert & Bulcroft, 1987; Blouin, 2013). Research has suggested that many people are closer to their dogs than they are to other members of their families (Barker & Barker, 1988). Further, Payne, Bennett, & McGreevy (2015) found that human-dog bonds mimic those of human caregiver-infant relationships. Furthermore, dogs' participation in peoples' lives has demonstrated both physiological and psychological benefits according to the American Heart Association and others (Christian, et al., 2013; Knight & Edwards, 2008; Mubanga, et al., 2017; Pruchno, Heid, & Wilson-Genderson, 2018). Recent research has even demonstrated reductions in cortisol among dog owners who see their dogs as companions (Schöberl, et al. 2012). Despite mounting evidence as to the benefits of dog ownership, some have argued that there is scant evidence as to the health benefits (see e.g., Gillum & Obisesan, 2010; Pithecoff, 2018).

Pet loss. It should not be surprising that the loss of a dog is a very stressful and grief-ridden event for most, and it has been shown to have an association with depression (Gerwolls & Labott, 1994; Hunt & Padilla, 2006). Across the country there are pet loss support groups and referral sources that focus on loss regardless of when and how pets die. One organization, the Association for Pet Loss and Bereavement (<https://www.aplb.org/resources/related-websites/>) is a nonprofit organization that provides various resources, including books, hotlines, chatrooms, and referrals to pet loss support groups in many states, not to mention links to related websites. While pet loss is generally associated with some level of grieving, when dogs are killed intentionally, the grief can be even greater. This has led to wrongful death lawsuits in some places, and the recovery of damages regardless of who kills the dog. While this focus is on "killing a dog," it is important to understand that for most dog owners, someone intentionally causing any harm to their pet can be emotionally upsetting.

Can police shoot dogs without consequences? When the life of a dog is taken by a police officer (or even when an officer injures a dog), this can be particularly traumatic due to the owner's feelings of loss of personal power and protection, and may lead to reduced trust in the police, and a belief that police are abusing their authority. According to the American Society for the Prevention of Cruelty to Animals (ASPCA), "police department policies generally grant broad powers to officers to shoot animals if the officers feel that they are in 'imminent danger'" or in specific circumstances, but they further argue that "policies that require only that an officer 'feel' threatened set a very low threshold for justifying the killing of dogs," noting that they can "undermine the reputation of law enforcement agencies in the community." (ASPCA, 2018) According to Melekian, then Director of the COPS Office at the U.S. Department of Justice, "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." (see Bathurst et al., 2011, p. 1).

The loss of a dog at the hands of a police officer may be further exacerbated by the fact that killing of a law enforcement K-9 is a felony that can result in serious consequences including extended jail sentences,¹⁵ whereas police killings of pet dogs are not. This sends a mixed message and appears as a double standard; *the police can kill my dog without restraint, but if I kill their dog, I go to jail*. For example, an incident in Minneapolis led *The Atlantic* to assert that "If a non-cop were caught on camera shooting two dogs who approached in a park in the same manner, there is little doubt that they would find themselves charged with a crime, even if they possessed the gun legally and claimed self-defense" (Friderdorf, 2017). Indeed, under federal law enacted in 2000 (U.S. Code Title 18, Part I, Chapter 65, § 1368), maliciously or willfully harming animals used in law enforcement (dogs and horses) can lead to fines and up to ten years in prison. For a more detailed discussion of the differing status of K-9s to companion/pet dogs among police, see Lee, 2018.

¹⁵ According to the Crime Report, a Florida teen received a 23-year prison sentence for fatally shooting a retired police dog. In addition, a Virginia judge ruled that a teen charged with wounding an officer's pit bull should be charged as an adult (Mckenzie, 2018).

Despite the general categorization of dogs as property in state laws, law enforcement organizations are not absolved from all responsibility or consequences for shooting pet dogs. In Colorado, an officer was charged with aggravated cruelty to animals in the shooting of a dog, a case in which the officer claimed the dog had made repeated attempts to attack him, but video footage suggested otherwise (Handzel, VanKavage, & Wilson, 2013). This is not the only case in which an officer's report differed from video footage, leading some dog owners to call for disciplinary action in some cases (including termination) on the basis that it is illegal for peace officers to file a false report. And it is hard to know how far reaching the consequences of shooting a dog can be to an officer or the agency in which he/she works. In one extreme case, an officer shot a dog in the street in front of its owner in 2013, and shortly after it was reported that in response, the "hacker group 'Anonymous' shut down the city's computer network" (Chappell, 2018).

In fact, numerous headlines from around the country have emerged in recent years demonstrating concerns over a variety of circumstances in which law enforcement officers have shot pet dogs. A sample of just *some* of the headlines and links to their sources are provided in [Appendix A-1](#), followed by a map highlighting the various locations from which these are sourced in [Appendix A-2](#). However, it is clear that this issue is not isolated to specific jurisdictions, although there have been reports of some cities having particularly high rates of shootings of dogs by police at various times (e.g., Buffalo, Chicago, Detroit, Houston, and Milwaukee, among others), many for which the agencies took steps to reduce these rates, with some demonstrated reductions. For example, training in Milwaukee in 2012 apparently resulted in a reduction from 48 dogs shot annually, to 26 (Blaney, Chou, and Pang, 2014). It is also important to note that it is not just the local police, but there have been incidents with other types of officers as well. For example, private security officers with Securitas (airport police officers) have also been involved. A specific case at the Honolulu airport in early 2017 led State Senator Will Espero to question the type of training the armed officers receive (Inefku, 2017).

When dog shootings by police go awry. Not only do shootings of dogs by police often lead to the death of the animals, but sometimes unintentionally lead to the death or serious injury of humans. *The Atlantic* reported that an L.A. County Sheriff's deputy accidentally killed a 17-year old when he shot at a dog that had bitten a deputy and the bullet "ricocheted off the ground and struck the teen" (Friederhoffer, 2017). *The Washington Post* noted that "an Iowa cop shot and killed a woman by mistake while trying to kill her dog," and added that "... cops have shot other kids, bystanders, their partners, their supervisors, or even themselves while firing their guns at a dog" (Balko, 2015). Also, *Police Magazine* reported that an officer with the U.S. Marshals service was accidentally shot by an NYPD officer when he fired at a large, aggressive dog 'attacking' one of the marshals (2017). These and other similar incidents emphasize the risks associated with using firearms as opposed to other forms of force, or avoidance or aversion tactics.

Public scrutiny. There are numerous accounts and emotionally disturbing videos and photos of dogs shot by police in numerous jurisdictions. And, in at least some agencies, there are officers who have shot numerous dogs. For example, *Reason* found that two Detroit police officers alone had jointly killed over 100 dogs in their careers (Ciaramella, 2016); a more recent article (just two years later) updated that number for one of those officers to 80 dogs (Ciaramella, 2018). Another example is that a single officer in Buffalo, NY is purported to have been responsible for almost one-quarter of all the dog shootings during a four-year period (Spewak, 2016), and these are not likely the only cases of excessive dog shootings by a small number of officers. Nevertheless, according to Griffith (2014), even when officers are justified in killing a dog, an officer "... should expect a hell storm... the owner will go the press. He or she will also post on social media. Then the animal activists and cop haters will rally to the cause. People will protest and demand the officer be fired. Maybe the officer will be prosecuted. And most certainly the officer and the agency will be sued." Although this is a particularly cynical view, it does underscore the scrutiny that may occur when someone's dog is shot, particularly if there is associated video that demonstrates potential wrong-doing and/or is perceived by the public as unnecessary and/or unreasonable.

The increasing amount of media attention and internet ‘buzz’ around the issue of dogs shot by police has begun to erode public trust in some places, especially when members of the public see the shootings as unwarranted. The divide between police and community in some places may often result from the actions of a few officers, although some members of the public may wrongfully assume that one officer’s actions are representative of all officers. At the same time, the agency’s position or response may be mitigating or could further escalate the tensions with the community in these cases. As such, the increased attention on the issue of pet dogs being shot by police has some organizations keenly focused on this issue. The law’s general treatment of dogs as mere property may send the message that dogs are no different than other disposable property, a sentiment that is largely not shared by the public, and certainly not by dog lovers, and is now also being reconsidered by some law enforcement experts, officials, advocacy organizations, and even the courts.

Are police liable for killing dogs? While it is clear that there are growing consequences associated with dogs being shot by police, the legal consequences are quite variable nationwide. Not only do some shootings of dogs (especially pet and companion dogs) by police result in public outrage and poor public relations, liability claims and payouts have sometimes been particularly high, despite the fact that dogs are legally considered to be property. At the same time, judgments and payouts for killing dogs (by any person) are often limited to “market value” and for dogs that are full bred, that can reach \$1,000 or more, but for all other dogs, there is often considered to be no value. However, according to the Animal Legal Defense Fund (2018a, 2016), a few states (Alaska, Florida, Hawaii, and New York) are willing to consider cases that request relief beyond the “market value” of the pet, noting that claims of ‘emotional distress’ and ‘intrinsic value’ may be considered, as well as loss of companionship and and/or loss of enjoyment of life. Handzel and associates (2013) noted that “the law continues to be pushed in the direction of giving animals an elevated classification within the property realm.” (p. 10). This is consistent with case law involving civilians killing other civilians’ pets. This variability is exemplified in the following statement, “While some courts have held that the owner of a wrongfully killed pet can recover only its market value, others have held that the owner is entitled to recover a sum representing the value of the animal to its owner” (Martin, 2011).

The basis for legal action against an officer and/or agency is often the U.S. Constitution’s Fourth Amendment as an illegal “search and seizure,” as stipulated below:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. (U. S. Const., amend. IV).

Some cases have included claims of illegal property seizure without due process under the 4th Amendment. Plaintiffs in these cases are often entitled to reasonable attorney fees, and expert witness fees per 42 U.S.C. § 1988. Judgments (under Title 44, section 1983) stemming from 4th amendment seizures have, at times, been significant (Handzel, et al., 2013), reaching to over a million (see **Figure 1**; see [Appendix B](#) for links). One example is the 1998 case in which some California police officers shot three dogs belonging to members of the Hell’s Angels motorcycle gang in a planned raid resulting in a \$1.8 million initial settlement.¹⁶ The court ruled that the law enforcement officers should have been more prepared knowing there were dogs on

¹⁶ A settlement was reached with Santa Clara County in the amount of \$990,000 and the City of San Jose in the amount of \$800,000 along with damages paid by the Cities of Santa Clara, and Gilroy in the amount of \$50,000 during this multi-agency effort to serve a search warrant.

the property with the Ninth Circuit *not* granting the officers qualified immunity.¹⁷ Furthermore, an attorney representing law enforcement agencies and officers in civil suits noted that over half of federal circuit court appeals have found that pet killings represent fourth amendment seizures (see MacLatchie in Griffith, 2014).

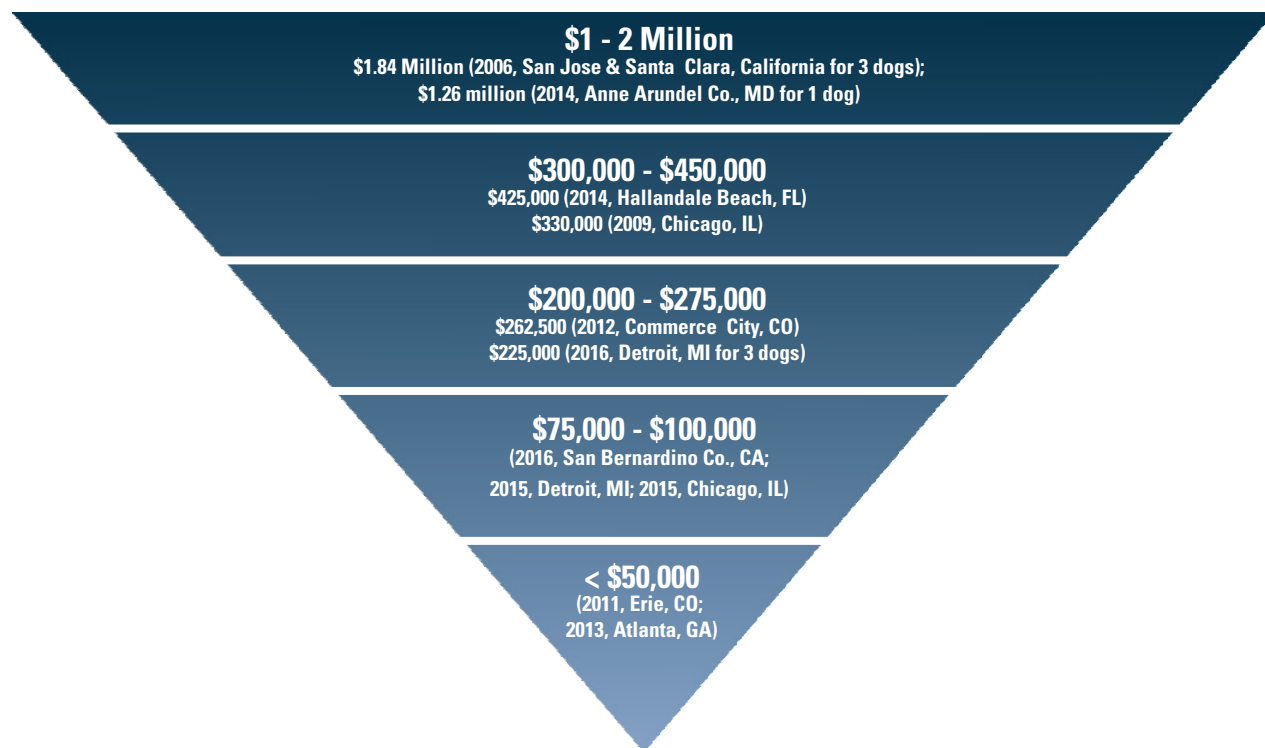


Figure 1. Range of settlements in some dog shootings by police

Other controversies under the law. In a recent and unique case, the police claimed that unlicensed dogs are not property of the alleged owner. Specifically, in October 2018, a Detroit Metro Times headline read “*Detroit police officers can’t shoot unlicensed dogs without consequences, court rules*” (Culham, 2018). This came in response to a sixth circuit court of appeals ruling to overturn a lower court ruling that found unlicensed dogs were not considered property under the fourth amendment. Nevertheless, the City of Detroit has petitioned the court for a re-hearing as they argue the government has a greater claim to ownership of the city’s unlicensed dogs than do private citizens, arguing that as unlicensed dogs, they are contraband (despite the fact that they may be living at the purported owner’s residence).

Law Reviews

A number of important law reviews have covered issues related to dogs as property, including their value under law, willful and malicious harming of dogs (or other animals), and damages awarded. Those covered herein date from 1989 (Barton & Hill) to 2018 (Lee). Each is summarized below, and relevant issues are presented.

¹⁷ *Qualified immunity* is a legal doctrine in United States federal law that shields government officials from being sued for discretionary actions performed within their official capacity, unless their actions violated “clearly established” federal law or constitutional rights.

Barton & Hill (New York Law School Law Review, 1989): This review focused on damages from negligent or intentional killing of one's pet dog or cat and did not address law enforcement officers specifically. At the time of this law review, there were four different forms of damages: 1) market value of the animal (which was considered so low as to not warrant law suits); 2) actual or intrinsic value as allowed by some states which focused on the relationship between owner and pet; 3) emotional distress suffered by a pet owner as a result of the pet's death; and 4) punitive damages allowable in some jurisdictions if the killing of the pet was malicious or intentional. This review dating back 30 years did provide some groundwork for understanding claims filed by pet owners, and their basis going forward in law suits.

Kirk (Whittier Law Review, 2003): This review also focused on damages awarded, specifically when a companion pet is wrongfully killed. Kirk argued that "the property status [of pets under law] prevents family members from being made whole when something unthinkable happens to their companion animal." (p. 116). Kirk noted that non-pure-bred animals were not considered to have any value whatsoever under existing laws. A case in Florida in the 1960s allowed for recovery of "sentimental value" of the dog. While most cases charging "loss of companionship" had previously been rejected, a 1980 case allowed the consideration of companionship when estimating the dog's actual value, although this case involved a dog that was given to the plaintiff after her husband passed away, thereby elevating the meaning of "companionship." An emotional distress claim was considered by the courts when a 2001 killing of a pet dog by a Capitol Police officer led to her inability to work due to post-traumatic stress disorder. However, associated damages were not recovered because she was not in danger herself. Kirk noted in this review that courts in some states had begun to reverse the trend to not allow emotional distress stemming from loss of animal companions. And at the time of the review, the courts had yet to allow for causes of action for pain and suffering of an animal. Finally, punitive damages had been awarded when a plaintiff could demonstrate an extreme disregard and indifference to the dog *owner's* rights. Kirk pointed out contradictions of the courts in concluding that courts must begin to recognize that pets are something "beyond inanimate objects" (p. 137).

Scott (University of Missouri—Kansas City Law Review, 2006): This review also involved the methods used by courts to determine value when assessing damages in pet injury of death cases. Punitive damages, under the "Restatement (Second) of Torts" law, are intended to punish outrageous conduct due to evil motives or reckless indifference to others' rights. Scott notes that dog owners are becoming more frustrated with courts given the changing role of dogs in society. He summarized the recourses for plaintiffs (causes of action) as including intentional infliction of emotional distress, negligent infliction of emotional distress, and damages for property loss. Yet, he argues that the two former causes are rarely upheld. It is important to note that in Scott's review, he argued that courts should not play the role of legislators and further focused on two states (IL and TN) that had enacted statutes addressing the death or injury of pet dogs.

Kaatz (San Diego Law Review, 2015): This review focused specifically on Colorado's approach to insufficient training and seizures of canines by law enforcement officers. Kaatz noted that as of 2013, less than ten police departments nationwide had mandatory canine behavior training for officers, noting the agencies as: Milwaukee, Nashville, New York, Omaha, and three Texas cities including Arlington, Austin, and Fort Worth. This review was a call to advocate for California adopting the Colorado Dog Protection Act or something similar. Kaatz notes that the primary cause of action when police shoot their dog is that contained within 42 U.S.C. section 1983 under deprivation of constitutional rights for unreasonable seizure of property. This liability only extends to individuals when they act in concert with public officials. Kaatz notes, however, that even when dog owners prove all three elements required under section 1983, they may not recover damages in some cases, especially where qualified immunity applies, such as in cases where officers are able to demonstrate an imminent safety threat. Breed considerations are not sufficient to justify a reasonable shooting.

Olsen (Animal Law, 2016): This review focuses on the insufficiency of relying on civil litigation to address officer-involved shootings of pet dogs due to dogs' characterization as property under law. Olsen examines alternative legal strategies such as issuing an injunction or writ of mandamus. In addition, it is argued that seeking a change in department policy prospectively allows legal standing as a taxpayer. Olsen argues that because officers are entitled to protect themselves from serious threats to their lives, "should not mean that their judgments regarding the threat posed by a companion canine and the degree of force necessary to assuage the threat should be insulated from review and thus entitled to absolute deference" (p. 80). Because many owners would rather have the dog shooting prevented than collect damages after the dog has died, has led Olsen to conclude that if owners' intentions are to prevent these unnecessary shootings, they have stronger standing as a taxpaying citizen in terms of engendering trust and legitimacy of the police. Olsen concludes by noting that "the lack of guidance to both civilians and officers, woefully deficient or non-existent canine behavior training programs, and absence of meaningful oversight other than through civil litigation renders humans and dogs alike incapable of modifying their behavior so as to prevent these [police shootings of dogs] tragedies" (p. 102).

Lee (University of New Hampshire Law Review, 2018): In this review, Lee asserts at the outset that "studies show that some officers shoot pets unnecessarily, recklessly, or in retaliation, and that subsequent civilian complaints are investigated inadequately" (p. 1). Lee raises considerations of the consequences of dog shootings on police-community relations and financial penalties, among others. Lee recommends that breed-specific legislation be repealed, and that more specific guidance be provided to officers about the meaning of "reasonableness" in these cases. Another recommendation is that states adopt laws requiring animal encounter training by law enforcement personnel and mandate more accurate record-keeping by law enforcement in the areas of use of force with humans as well as pets.

Focus Group Findings

Approach. As noted in the methods section, we developed a script in advance and then sometimes probed more deeply on responses. This script is provided as [Appendix E](#). The principal investigator facilitated each session, with support from Captain Cesar Perea of the *Society for the Prevention of Cruelty to Animals, Los Angeles* (spcaLA).^{18, 19} We conducted a total of six focus groups (covering more than six agencies); four were conducted in person on site in the: South (Greenville, SC police and sheriffs personnel), Northeast (Cambridge, MA police), and Midwest (Kansas City, KS police and Lenexa, KS police), and two focus groups were conducted via live phone/video-conference with officers and commanders from a number of agencies nationwide. Participants were provided with an informed consent (in writing and verbally) to advise them of the voluntary and confidential nature of their participation. As a result, no particular responses are attributed to individuals or their associated agencies.

For the two remote focus groups, one was an *executive focus group* with commanders (Captains, Deputy/Assistant Chiefs, Chiefs/Sheriffs, etc.) who were drawn from multiple U.S. jurisdictions, most of whom were Executive Fellows of the Police Foundation. This focus group tapped the same questions and content as that of other groups but also allowed for discussion of organizational policy and cultural change around the issue of dog shootings and officer safety. The other focus group consisted primarily of supervisors who were either members of the American Society for Evidence-Based Policing (ASEBP), an organization of science-minded professionals in law enforcement that the Police Foundation helped establish, or Police Foundation Fellows (non-executive) from various jurisdictions nationwide. Our focus groups generally consisted of between 6 and 16 participants,²⁰ with a total of about 50 - 60²¹ current or former law enforcement personnel included overall. The sessions generally lasted 60 to 90 minutes, and input was voluntary.

Identified Themes and Issues. The same script was used across groups, with some additional inquiries made specific to the information generated in each, as well as for the executive level focus group. Across groups, some information was repeated, although some unique issues came from individual participants across sites and focus group sessions.

Frequency of encounters. While there is not a reliable, nationwide estimate of how frequently police officers and sheriffs' deputies encounter dogs, our focus group participants generally agreed that encounters with dogs are routine and frequent, with some stating they encounter dogs two to three times a week, although most respondents said it was "daily" (almost every day, or more than once in a normal shift). Specifically, responses we received about frequency of encounters with dogs included from "at least once a week" to "hundreds of times per month." Even though it is commonplace to come across dogs on a regular basis, some officers worked in agencies where packs of 'wild' (free roaming) dogs were reported to roam the streets; a dangerous situation as packs of dogs may often behave differently and more aggressively than pet dogs.

¹⁸ Society for the Prevention of Cruelty to Animals Los Angeles (spcaLA) is an independent, nonprofit animal welfare organization serving Southern California since 1877.

¹⁹ Captain Perea helped facilitate most of the meetings with the exception of those in Greenville, SC and one of the phone sessions

²⁰ Scholars have suggested that focus groups consist of six to ten participants, although Morgan (1996) suggested that such 'rules of thumb' may be too strict, and that the methods should be adapted by researchers.

²¹ We cannot provide an exact number as in several cases some people left the room or call, and others entered, while some remote participants logged in or phoned in without participating.

Problems with owners. One officer noted that sometimes there are children walking large dogs that have not been fully trained and yet the owner allows the child to walk it. Some commented that owners are sometimes not in control of their dogs, or even encourage aggressiveness, perhaps more so when law enforcement officers are involved. It was noted that some even give commands to dogs in another language which can be reason for concern. Another common concern is over owners whose dogs get out and run at large, either through charging through the front door, escaping through a fence, or are allowed to wander about unleashed.

Signs that a dog may attack. When asked to describe behaviors by dogs that pose a serious threat to officers, there were many officers who weighed in. Their responses included: dogs' hair standing on end, baring their teeth, growling, barking, and charging. Clearly the latter two may be interpreted quite differently based on the type of bark, and the distinction between what constitutes running toward or "charging," though it was suggested that many officers can't tell the difference. Many officers we met with did not express concerns over specific breeds or believe that some breeds were more dangerous by nature, although at least one officer referred to concern over the smaller dogs that are "ankle biters," and of the few that did have concerns, their primary concerns were over German Shepherds and pit bulls.

Possible reasons why dogs are shot. When asked about what they believe may lead to dog shootings, a number of responses were given across groups to include the following:

- Avoiding interaction/confrontation
- Being caught "off-guard"
- Dog is not under control of owner
- Don't know how to interpret dog behavior
- Fear
- Lack of exposure
- No experience with dogs
- Unrestrained dogs

Specifically, participants across groups said it was generally "fear" coming from "lack of exposure" or "no experience around dogs" by some officers; this despite the fact that many officers who participated had their own family dog(s) and believed that many other officers did also. Another reason provided was that officers may be caught "off-guard" due to lack of information that there would be a dog(s) on the property (especially if there is a history of dogs at a given location that is not available to them). A few officers reported that dogs may in some cases, be shot to "get them out of the way" or similar reasons like trying to avoid contact with the animal.²²

While we met with 50-60 officers, only one officer expressed a serious fear of/dislike for dogs and the likelihood that if the dog was in the way, it would get shot. Most participants indicated that they had not shot dogs and were hence basing their input on their impressions about why dogs may be shot in some cases or had been shot by other officers in their agencies. Other examples that were cited as possibilities for dog shootings were dogs running loose in open yards, as well as not knowing whether a dog is aggressively charging or approaching in a friendly fashion. One officer in particular expressed a concern that "when an officer ramps up, so does a dog," emphasizing the notion that an officer's own behavior can provoke a dog. Many

²² It is important to note, however, that these reasons were provided but did not necessarily reflect any individuals' beliefs about what they themselves would do, but rather what 'may be' the reason some officers shoot dogs.

of these responses are consistent with the reasons suggested by the Animal Legal Defense Fund although the latter has not been readily discussed in other research.

Post-shooting Intervention. Many participants noted that their agencies require ‘use of force’ reports when a dog is shot. There were some interesting approaches to dealing with the aftermath, including asking owners to come outside to tell them about the injury or death. Some suggested that owners often want to transport their dog to their veterinarian, but not all agencies allow that, which in some cases can lead to very emotional responses from owners. Most said that ‘discharge of weapons’ reports are required in any instance of a gun being fired, and at least one noted that the agency requires a “shooting review.”

Planning. SWAT teams often prepare for dogs on property by having catch poles, snares, bite sleeves, especially when effecting a search warrant, as they conduct in-house briefings before executing a warrant. Failure to do so can be a safety risk, according to several officers, and because some are aware of potential complaints or other liabilities that may stem from these incidents.

How many have been trained. In all of our sessions, we found that the majority of participants had not received training, and for those few that had, it was fairly limited. One participant said “in 25 years of training on use of force, there has been nothing on dog-specific encounters.” Another officer noted that in the past decade, there was a two-hour session at the academy and a one-hour in-service training on dog encounters. And yet another officer indicated that there is simplified training provided in their roll calls. Finally, in one agency where a participant worked, there is a two-hour training block on how to avoid a confrontation, create distance and space, and use a snare or catch-pole when necessary. It also includes information on signs that a dog may attack. It seems as though the length of the class is far less important than simply providing some training.

Importantly, several participants mentioned that they had gotten some ‘informal’ training from their K-9 officers (and some K-9 officers were in attendance at our meetings). One person also suggested collaborative training with the K-9 officers. In light of previously addressed concerns over the content and type of training provided for handling K-9s, these issues should be further researched. In fact, some K-9 officers who participated in the focus groups mentioned training tips that they recommend in their agencies, despite our knowledge that some of these approaches are no longer accepted practice based on more recent scientific evidence. One person also mentioned that the K-9 officer influences training on encounters with dogs in their agency, which may also lead to misconceptions about animal behavior. Again, the main issue here is that trained K-9s are quite a bit different from most pet dogs in terms of breeding, training, mission, and behavior. As such, while K-9 officers are most certainly trained professionals, the knowledge and the training they get may only provide them with limited, if any, relevant data on *pet* dog behavior, and current guidance on effective and safe practices. There is also a question of the content and consistency of K-9 training nationwide.

With regard to policy, most participants across groups were not aware of any policies in their agencies. Perhaps not surprisingly, one participant noted that the agency adopted a policy in the aftermath of a dog shooting with public attention. The lack of widespread policies may be surprising in light of the fact that the IACP offers a model policy that agencies could easily adopt.

Suggestions from participants. Many focus group participants offered suggestions for reducing dog shootings and improving response to them. Our purpose in presenting this information is not to globally endorse or recommend these actions, though many may in fact be good solutions, nor to criticize them. These suggestions offered should provide information as to the knowledge of various officers as well as providing a jumping-off point for further discussions about policy and training. These are detailed below:

- **Assess whether a dog is present at a home or business before entering and/or attempt to ensure that a dog is restrained before approaching**

One officer said it should be common sense to pay attention the “beware of dog” signs, and to “rattle” a fence to see if any dogs are behind it, as well as to whistle or make noise to identify if a dog is present. This not only is likely to promote officer safety, it should protect a dog’s life. Simply going into a fenced yard without warning is too risky for officers and dogs. There is almost always time to ascertain the presence of a dog(s), and often an officer can simply ask an owner if there is a dog on property (and instruct them to restrain the dog in a crate or locked room). One officer commented that he loves dogs so he just makes friends with them, but another officer warned him that it was not a good idea, because if something changes and you have to “go hands-on” with the owner, the dog may not be as friendly. Others suggested coming back at another time, checking to see if prior calls to a particular address have dogs (via computer or asking the dispatcher, having dispatchers routinely convey presence of pets, with one noting that in his agency, they have a data base of dog licenses with associated addresses).

- **Conduct after-action investigations/shooting reviews**

In the event that an officer shoots a dog, one person recommended that the agency conduct an after-action investigation or shooting review. This officer also suggested that these include policy, training, and outcome details.

- **Consider non-lethal methods**

Among the suggested possible methods were the use of baton strikes (with wooden baton), using bean bags, inert pepper ball rounds, pepper spray, and tasers. There has been some limited research on some of these methods.

- **Employ De-Escalation Techniques**

One officer suggested adapting de-escalation principles to encounters with dogs. For example, in standoffs, it may be better to return later than to engage with the animal.

- **Expose officers to dogs and encourage interaction**

The participant offering this suggestion noted that any and all training should include as much contact with dogs as possible to alleviate fears for those who have not had any dogs or little exposure to them. One officer also recommended that the agency engage the assistance of a local animal shelter to provide exposure to dogs for officers with little exposure.

- **Give the Dog an Escape**

One officer who participated in the focus group emphasized the need to provide the dog with an opportunity to escape, as many dogs are not looking for a confrontation and will run away if given the opportunity. Many officers indicated that most cops do not want to harm a pet dog, but don’t have enough tips or tools to get the dog to retreat.

- **“Humanize” the situation**

The person who used the term “humanize” suggested that an officer should let the owner know that “we don’t want to hurt your dog” or a similar expression of empathy which switches the gears and demonstrates concern, to avoid the situation from escalating.

- **Improve Communication**

Among the suggestions, was to notify officers about dogs being on property (via dispatch), with some noting the rather discretionary nature of communications. One respondent noted that in his agency, dispatchers have access to dog licenses and are able to inform officers of licensed dogs at various addresses. It was also suggested that dispatchers inform callers that if there is a dog (or other pet) in the home, to request they be put in a locked room or crate for their safety.

Dog Encounters Training—Survey

One of our goals in this effort was to identify how many and which states have dog behavior training requirements and identify existing training at the state and/or local levels. A number of states now have some training requirements (as shown in [Appendix C-1](#) and an associated map in [Appendix C-2](#)), and a number of organizations provide training to police departments.²³ Although police are not expected to become dog experts, there is a dearth of research demonstrating how much training is sufficient to reduce deadly force with dogs, although we can say the same for deadly force training with people as well. While postal carriers are known to have even higher rates of contact with family dogs, they are all provided some minimal training (including an annual two-hour video of on dog behavior, and training on how to distract dogs with toys and treats, among other skills like using mace or OC spray when necessary). Yet far fewer law enforcement officers receive training, although this is not likely due to a lack of resources. Some of the training materials available are detailed in [Appendix D](#). Even when training is available to officers, it is not clear that such training is evidence-based or consistent with professional standards. Indeed, a senior attorney at the Animal Legal Defense Fund argued that poor training is one reason for unjustified police shootings of dogs.

²³ The ASPCA and Humane Society of the U.S. apparently provide free training classes for dealing with dogs, although few agencies choose to participate (Petful, 2013).

Survey Results

In an effort to understand which states have mandated law enforcement officer training on dog behavior and encounters, and identify state and local training sources, curricula, and/or policies, we conducted an email poll/survey of members of the International Association of Directors of Law Enforcement Standards and Training (IADLEST). IADLEST consists of all state directors of Peace Officer Standards and Training (POST) Commissions, and nationwide members representing training and standards professionals nationwide. In the July 2018 Newsletter of IADLEST (vol. 29, 3), we indicated that a survey on training and/or policies related to law enforcement encounters with dogs would be forthcoming. Shortly thereafter we circulated an email to all members on the list serve (in our role as a member) requesting information. We continued to circulate this request to those from states in which we had not received responses. Finally, in October (IADLEST Newsletter, 2018, vol. 29, 4), we sent another email thanking all of those who had participated and allowing a final opportunity for agencies to provide information.

We also searched the internet to try to fill in the gaps in the data. Twelve states did not respond to our inquiries (see [Appendix C-1](#)), nor could we identify any laws in those states. Of the remaining, 38 states, 8 had legislation on training or policies related to dog encounters. In 2019, for example, **California** began requiring local officer training programs statewide under the Police-Canine Encounters Protection Act + Training. In 2013, **Colorado** introduced the Dog Protection Act + Training Requirement, which was enacted in 2015, and provides an associated Guidebook for officers that is password protected. **Georgia** has established a standard operating procedure on use of force when dealing with animals, and offers an online, on-demand course title “Law Enforcement Officers and Animal Encounters.”

In 2014, **Illinois** amended its house bill on “Animal Fighting Awareness” to include a requirement that officers be trained on canine behavior and “non-lethal ways to subdue a canine.” In 2017, **Nevada**’s revised statutes required law enforcement agencies to adopt policies on when officers are required to be trained in effective responses to incidents involving dogs or where dogs are present. **Ohio**’s revised code 109.747 has also been adopted. In addition, **Tennessee** enacted Code SS 38-8-117, requiring training on canine behavior. **Texas** introduced House Bill 593 +Training Course mandating at least four hours of training on dog and animal encounters every four years, a course that was adopted in 2016.

A number of local agencies provided information about policies, practices, and available training in their agencies, some of which is reflected in [Appendix D](#)—Training Resources which also includes some of the states’ curriculum resources.

Conclusion

This report has served as a summary of knowledge and practice on police encounters with dogs and the many issues associated with dog shootings by police. We used a variety of methods to explore the essential issues through existing data, information, media, and both scientific research and law reviews. Wherever possible, we provided appendices that summarized discrete information and sources in order to gain an understanding of the work yet to be done to improve training, promote policy adoption, and inform agencies about the public concerns, legal and practical consequences, and available guidance. It is hoped that the information gleaned from these sources, as well as the themes generated from focus group sessions and suggestions can help to inform the development of widely available training resources for agencies who are interested in promoting positive police-community relations through raising awareness of, preventing, and best handling the aftermath of family /pet dogs being shot and injured or killed by police. The issues and viewpoints often are emotionally-charged, and complex. Also, the documentation of available and state-mandated training and policies in law enforcement can serve as a baseline for understanding this issue of growing national concern. We hope that researchers, too, will begin to address some of the issues associated with assessing effectiveness of policies and/or training to guide the field in the future.

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Note: Links were all current at the time of publication, but we cannot guarantee that these will not change over time.

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About the Authors

Karen L. Amendola, PhD serves as *Chief Behavioral Scientist* at the National Police Foundation where she has served for over two decades. With almost 30 years of experience in public safety technical assistance, training, and research, Dr. Amendola also currently serves as the President of the Division of Experimental Criminology (DEC) of the American Society of Criminology (ASC), and served as Associate Editor for *Psychology and Law* for the ten-volume Encyclopedia of Criminology and Criminal Justice published by Springer Verlag, New York (2014). With her colleagues, Amendola won the 2012 award for Outstanding Experimental Field Trial from the DEC for her work on the impact of officer shift length on various outcomes. Amendola has recently published in the areas of procedural justice (Owens, Weisburd, Amendola, & Alpert, 2018), eyewitness identification (Amendola & Wixted, 2017; 2015) and conducts research on officer safety, health, and wellness. An invited and/or accepted presenter or keynote speaker at dozens of conferences, training sessions, and other meetings, her areas of expertise span a broad range of topics from human resources management, hiring standards, recruitment, to ethics, performance management and measurement, community policing, and officer safety.

Maria Valdovinos, MA is a Senior Research Associate at the National Police Foundation, where she supports a portfolio of domestic and international projects in law enforcement and criminal justice. An experienced researcher and project manager, Ms. Valdovinos has published in the areas of unmanned technologies for law enforcement, eyewitness identification procedures, critical incident reviews within corrections, and targeted violence on college campuses. Current projects span the areas of safety and wellness within police and corrections, community policing in the United States and Mexico, and the impact of a procedural justice intervention on crime hotspots and police legitimacy.

Cesar Perea serves as Captain in Animal Cruelty Investigations at the Society for Prevention of Cruelty to Animals, Los Angeles (spcaLA). His career spans more than 20 years including a diverse law enforcement background in the areas of patrol, investigative and specialized assignments with the San Diego Sheriff's Department, the San Diego Police Department, and the San Diego Humane Society & SPCA. In his current assignment he oversees the spcaLA's Animal Cruelty Investigations, Disaster Animal Response Team and is part of the organization's Senior Management Team.

Following a local officer-involved shooting of a dog that drew national attention, Captain Perea took the lead in developing a training course entitled "Dog Behavior for Law Enforcement." The purpose of the course was to affect more positive outcomes for officers who come face to face with family dogs, likely reducing the number of deadly force incidents, and recognizing behaviors that may negate the need for force. The course content is reinforced with the most current and credible information available from an array of recognized, respected leaders in animal science fields, and teaches the officers to assess a credible threat, and to use the equipment they have available. Also, Dog Behavior for Law Enforcement is the only California Commission on Peace Officers Standards and Training (POST)-certified course concerning police and dog encounters.

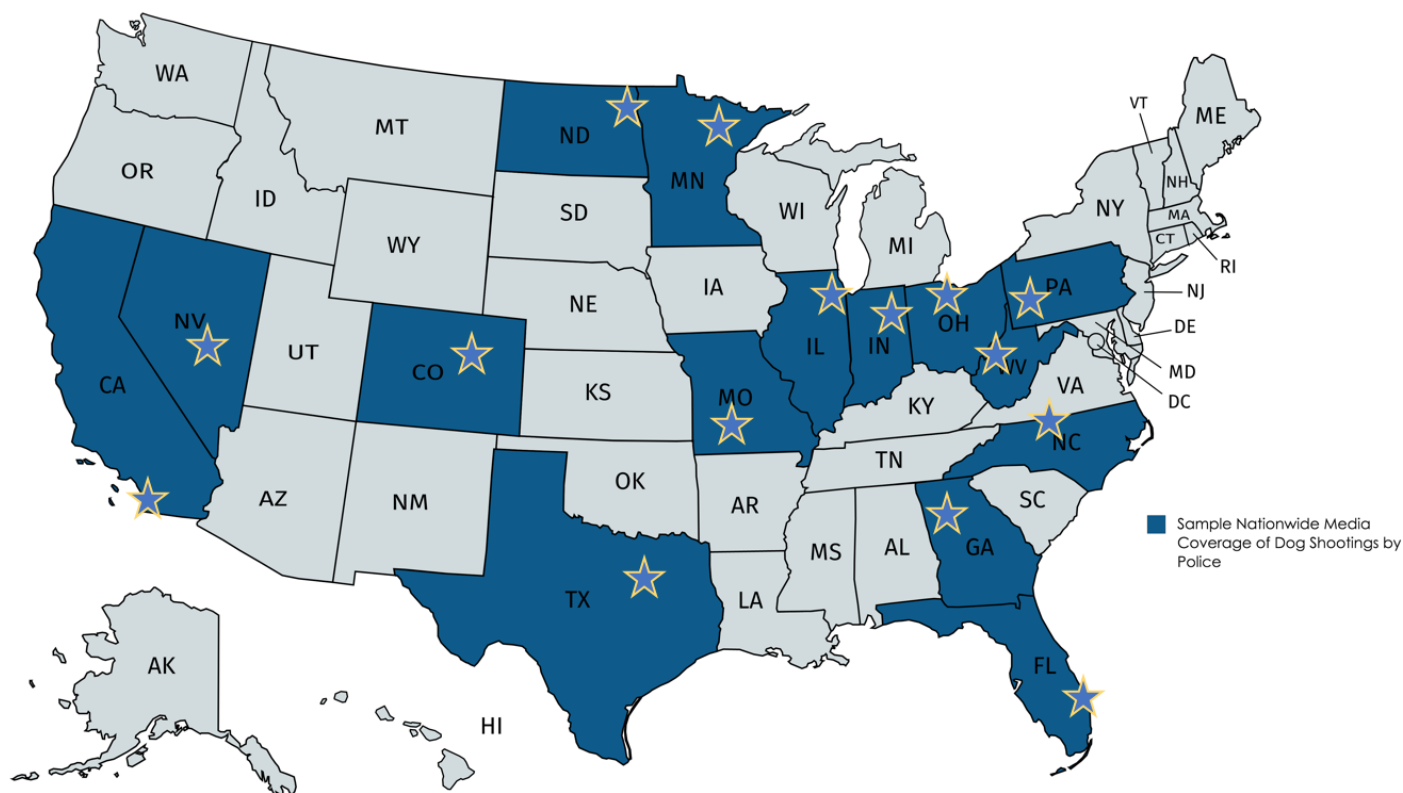
In 2016, Captain Perea was invited to a Law Enforcement and Canine Encounters Forum hosted by President Obama's Task Force on 21st Century Policing in partnership with the Department of Justice Office of Community Oriented Policing Services (COPS Office). As a result of his participation, Captain Perea entered into an innovative collaboration with the National Canine Research Council (NCRC) that produced a revolutionary, interactive scenario-based force option simulator training program that can transform the way law enforcement officers interact with dogs, tremendously enhancing safety for the officers, the animals and the public.

Appendix A-1: Dog Shooting Headlines — A Sample from Across the U.S.

| Headline/Link | Location | Publication Date | Journal Title |
|---|----------------|------------------|--|
| Merrillville police defend actions after woman's dog shot, killed | Indiana | 31-Oct-18 | Northwest Indiana Times (Merrillville, IN) |
| Family wants answers after dog shot, killed by Reidsville Police Officer | North Carolina | 17-Aug-18 | WFMY News2 |
| 700 dogs have been shot or shot at by police in Chicago in the past decade | Illinois | 23-Mar-18 | Chicago Sun Times |
| Off-duty North Texas police officer shoots and kills great dane in front of family | Texas | 31-Oct-17 | News Talk 1290 (Mansfield, TX) |
| What do shootings reveal about American policing | | 13-Jul-17 | The Atlantic |
| Disturbing new details uncovered in death of dog shot by deputy | Nevada | 12-Jun-17 | KTNV Las Vegas |
| Anderson man says police officer didn't have to shoot dog | Indiana | 21-Feb-17 | Herald Bulletin, The (Anderson, IN) |
| Dog shot by officer mourned by family | Indiana | 21-Feb-17 | Herald Bulletin, The (Anderson, IN) |
| US police shoot dogs so often that a Justice Department expert calls it an "epidemic" | | 23-Dec-16 | Quartz |
| Court: Police can shoot dog if it moves or barks when cop enters home | Washington DC | 20-Dec-16 | Washington Examiner |
| South Florida cops shoot scores of pet dogs | Florida | 2-Aug-16 | The Broward & Palm Beach New Times |
| Police kill nearly 25 dogs each day | | 5-Jul-16 | The Nation |
| Family outraged over fatal shooting of dog | California | 22-Feb-16 | San Diego Union-Tribune, The (CA) |
| Commerce City pays \$262,500 to family whose dog was killed by cop | Colorado | 25-Jan-16 | The Denver Post |
| Town upset after dog shot by police chief | Missouri | 23-Nov-15 | Ozarks First |
| How to keep your dog from being shot by police | | 19-Nov-15 | The Daily Dot |
| Police can shoot your dog for no reason. It doesn't have to be that way | | 13-Nov-15 | The Washington Post |
| Elkhart family's pit bull shot, killed by police | Indiana | 1-Nov-15 | ABC 57 News (IN) |
| Owner of dog shot, killed by police files lawsuit for \$2 million | | 20-Oct-15 | 2 KUTV |
| Buffalo police shot 92 dogs since 2011: More than a quarter by one cop alone | | 21-Nov-14 | Reason |

| Headline/Link | Location | Publication Date | Journal Title |
|--|---------------|------------------|------------------------------|
| Woodville officer shoots, wounds dog at traffic stop | Ohio | 5-Nov-14 | Blade, The (OH) |
| Pet owners look to muzzle police who shoot dogs | | 26-Sep-14 | Time Magazine |
| State Police defend shooting of dog | West Virginia | 2-Jul-14 | Charleston Gazette, The (WV) |
| Palacios police shoot, kill family dog | Texas | 6-Mar-14 | Victoria Advocate (TX) |
| Killing of dogs by police becoming an issue | Pennsylvania | 9-Feb-14 | Pittsburgh Post-Gazette (PA) |
| Horrific video is just the tip of the iceberg of cops killing dogs | | 2-Jul-13 | Business Insider |
| Half of intentional shootings by police involve dogs, study says | Washington | 2-Dec-12 | The Seattle Times |
| 2 Investigates: Nearly 100 dogs shot by metro police since 2010 | Georgia | 30-Oct-12 | WSB-TV 2 |
| Debate rages after St. Louis County deputy shoots family's dog | Minnesota | 21-Jul-12 | Duluth News-Tribune (MN) |
| Owners of shot dog may sue city: Owners of a pit bull shot by a Grand Forks police officer are threatening to sue the city | North Dakota | 8-Sep-09 | Grand Forks Herald (ND) |
| Dogs in a deadly crossfire | | 19-Jul-09 | Daily Beast |
| Shooting highlights the risks dogs pose to police, and vice versa | New York | 9-Jul-09 | The New York Times |
| Shootings of dogs by police not unusual | California | 12-Mar-05 | The Los Angeles Times |

Appendix A-2: Dog Shooting Headlines — Associated Jurisdictions



Created with mapchart.net ©

Appendix B: Table of Law Enforcement Settlements in Dog Shootings

| Date/Source | Settlement amount | Location/Dept. | Type of dog | Officer Injury? | Other details | Source |
|-------------|-------------------------------|--|---------------------------------|-----------------|---|--|
| 2016 | \$225,000-250,000 (3 dogs) | Detroit, MI | Pitbull | No | Largest settlement made by the city; officers shot dogs through fence instead of waiting for animal control; in other previous suit the city argued that because the dogs were unlicensed they were considered contraband and therefore not protected by 4th Amendment. | metrotimes.com |
| June 2016 | \$98,000 | San Bernardino Co, CA | Senior Husky/ Lab Mix | | Wrong address in domestic | dogintonpost.com |
| 2015 | \$100,000 | Detroit, MI | French Mastiff | No | Dog was tethered to a fence when shot | detroitnews.com |
| 2015 | \$88,500 | Chicago, IL | Mixed breed | No | Shot during a raid looking for drugs, none were found | chicago.suntimes.com |
| Feb 2014 | \$1.26 million (1 dog) | Anne Arundel County, MD | Chesapeake Bay Retriever | No | Officer did not use less than lethal; lied about being bitten | baltimore.cbslocal.com |
| 2014 | \$425,000 | Hallandale Beach, FL | Unknown | No | Botched police raid in which family dog was killed | law.com |
| 2013 | \$25,000 | Atlanta, GA | Labrador Retriever | | Dogs ran toward officers who were leaving a house call. Officers turned around and immediately shot the dog. | saporta.com |
| 2012 | \$262,500 | Commerce City, CO | Unknown | No | Tried to capture dog using catchpoles, tasered, then shot dog 5 times | thisdogslife.co |
| May 2011 | \$40,000 | Erie, CO | German Shephard | No | Dog wasn't being aggressive and had rawhide in mouth when shot. | thedenverchannel.com |
| 2009 | \$330,000 | Chicago | Labrador Retriever | No | Dog with wagging tail ran up to officer | chicago.suntimes.com |
| 2006 | \$1.84 million (3 dogs) | San Jose, CA (\$800,000); Santa Clara County, CA (\$990,000); Santa Clara City and Gilroy (\$50,000) | 1 Rottweiler; 2 Bullmastiffs | No | Belonged to Hell's Angeles motorcycle gang member(s) | sfgate.com caselaw.findlaw.com scribd.com overlawyered.com |

Appendix C-1: Known State Legislation and Law Enforcement Training Requirements for Animal Encounters*

For each of the states below, we have included information we were able to obtain through an internet canvas, our email survey of IADLEST members, or phone calls to state POST directors. Those agencies highlighted in grey were non-responsive to our email survey or phone calls. Finally, for those states in which we note “none identified,” it meant that we had contact with a state POST representative via phone or email (the IADLEST email survey) but were told either that they did not have or were not aware of any legislation or policies within their state.

This chart is intended to highlight the findings of our survey efforts, which indicate a trend starting in recognizing the problem of dog shootings by police. It is important to note, however, that having legislation or a local policy does not ensure that the content of the training is valid or accurate. An evaluation of the evidence-based nature of these trainings was not within the scope of this project.

| State | Legislation/Policy | Training Requirements and/or Availability |
|-------------|--|---|
| AL | None identified | None – This topic would be subject to individual agency policy/regulation. |
| AK | None identified | None – However, Alaska State Troopers are taught extensively about how to assess aggressive behavior in animals, including dogs. |
| AZ** | | |
| AR | None identified | None – Mentioned only in passing in patrol procedures for basic students. |
| CA | 2017 – California Assembly Bill 1199 Police-Canine Encounters Protection Act + Training | 2019 – Required for local officer training programs across California beginning January 2019. |
| CO | 2013 – Senate Bill 13-226 Dog Protection Act + Training Requirement | 2015 – Colorado Dog Protection Act Training – Canine Encounter Guidebook (password protected) |
| CT | None identified | None – However, there is some limited training on “handling animals” in basic training. |
| DE | None identified | None |
| FL | None identified | Animal complaints covered in the law enforcement basic recruit training program. |
| GA | Standard Operating Procedure 11-6 for Georgia law enforcement on Use of force when dealing with animals. | Online, on demand course titled “Law Enforcement Officers and Animal Encounters” offered by the Georgia Public Safety Training Center |
| HI** | | |
| ID | None identified | None |

| State | Legislation/Policy | Training Requirements and/or Availability |
|-------|--|---|
| IL | 2013 – HB 3388 Animal Fighting Awareness | Requires the Illinois Law Enforcement Training and Standards Board to approve guidelines for training officers on canine behavior and nonlethal ways to subdue dogs. |
| | 2014 – Amendment to Illinois Police Training Act, Section 10.14 | Includes training component requiring training on canine behavior and “non-lethal ways to subdue a canine.” |
| IN | None identified | None |
| IA** | | |
| KS | None identified | None |
| KY | None identified | None |
| LA | None identified | None in basic academy curriculum. Select academies address topic in electives under community policing. |
| ME | None identified | None |
| MD | None identified | None – Such training and/or policies, if any, are developed and implemented by each agency individually. |
| MA | None identified | None |
| MI | None identified | 2015 – Michigan Commission on Law Enforcement Standards: Discharging a Firearm at Targets Other than a Person (e.g. Animals). |
| MN | None identified | None – Only one small requirement in the MN POST learning objectives for professional peace officer education to discuss response that involve animals (no set amount of training time assigned). |
| MS** | | |
| MO | None identified | None |
| MT** | | |
| NE | None identified | None |
| NV | 2015 – Senate Bill 147 – Statute requiring training for peace officers who encounter companion animals. | Online training hosted on POST site related to companion animal encounters. |
| | NRS 289.595 – Training in effective responses to incidents involving dogs or where dogs are present; adoption of policies and regulations. | Training used is “The Problem of Dog-Related Incidents and Encounters” (2011 COPS publication). |
| NH** | | |

| State | Legislation/Policy | Training Requirements and/or Availability |
|-------------|--|--|
| NJ | None identified | None – Dog encounters are referenced in basic training manual but does not detail dog behavior in training. |
| NM | None identified | None |
| NY | None identified | None |
| NC | None identified | None |
| ND | None identified | None |
| OH | 2015 – House Bill HB 64 Ohio Revised Code: 109.747 Rules governing training of peace officers on companion animal encounters and companion animal behavior. | Peace Officer Basic Training – Companion Animal Encounters (Unit 8 – Topic 2). |
| OK | None identified | None |
| OR | None identified | Basic Parole and Probation Training includes 5 slides on encountering dogs in the community. |
| PA | None identified | Accredited trainings after basic training are referred to. No way to know about unrequired trainings because they are not recorded by the office. |
| RI | None identified | None |
| SC | None identified | None |
| SD** | | |
| TN | Tenn. Code Ann. SS 38-8-117: Training in animal and canine behavior. | Tennessee Law Enforcement Training Academy Course: Dealing with Dangerous Dogs – L.E. Multiple Topics: Countering Canine Attacks Canine Behavioral Characteristics |
| | 2003 – Tennessee Senate Bill 374 General Patton Act | 2003 – Would require basic training for TN peace officers to include a course of instruction in animal behavior generally and canine behavior specifically. |
| TX | 2015 – Texas 84 (R) House Bill 593 + Training Course | 2016 – Texas Commission on Law Enforcement Course #4065 – Canine Encounters Minimum of 4 hours of training based on seven components to understand dog and animal encounters. Training to be updated at four year intervals and required for an officer to obtain intermediate or advanced proficiency certificates. |
| UT** | | |
| VT** | | |

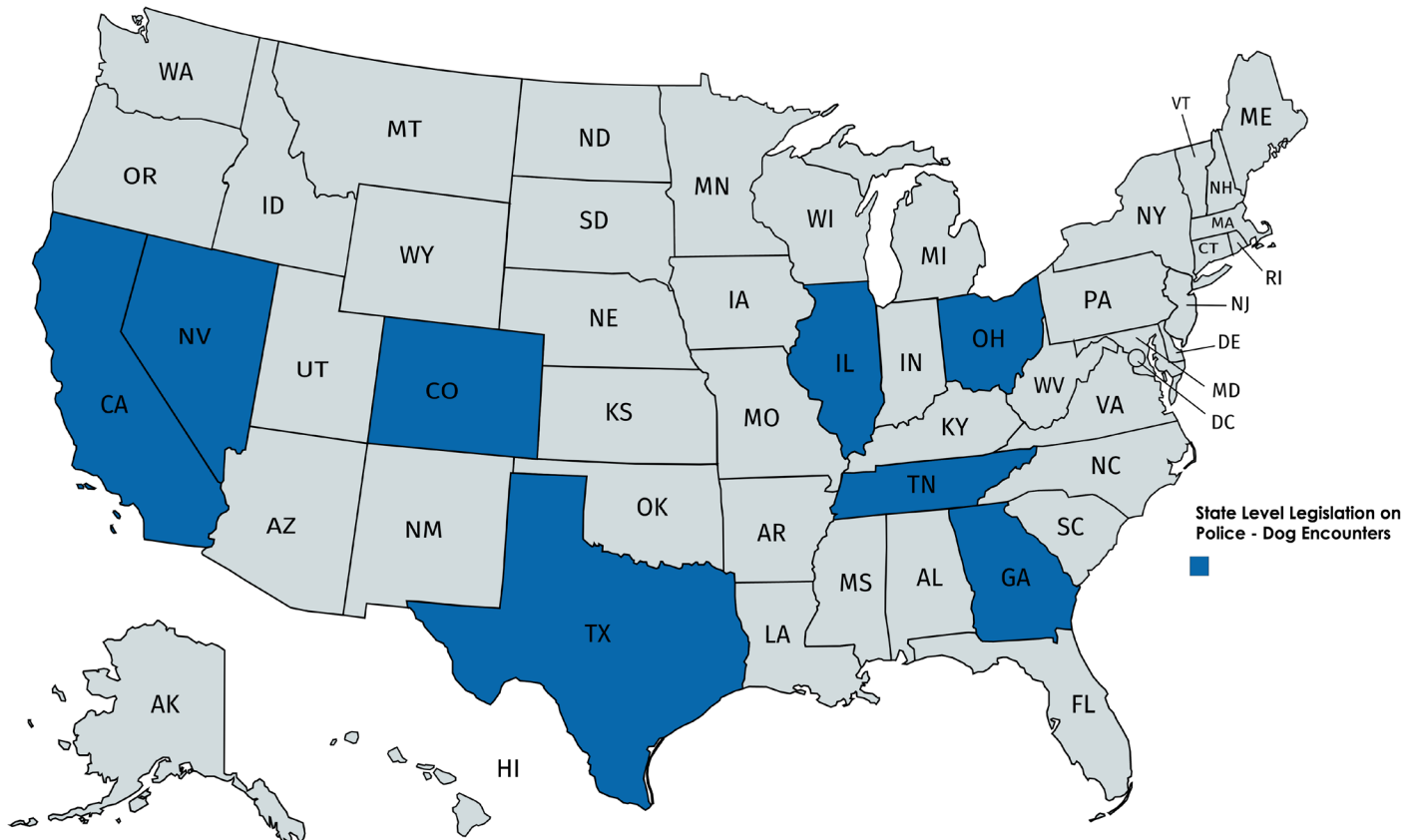
| State | Legislation/Policy | Training Requirements and/or Availability |
|-------|--------------------|---|
| VA** | | |
| WA | None identified | None |
| WV** | | |
| WI** | | |
| WY | None identified | None |

*** In many cases, state legislation covers multiple types of animals, and in others there may be dog-specific legislation, policies, and/or training**

**** States queried for whom there was no response to multiple inquiries via IADLEST survey or individual phone calls.**

Information Sources: Internet Canvas; Phone call queries to POST agency offices; Agency Response via IADLEST listserv inquiry (included all POST Directors).

Appendix C-2: State Level Legislation on Police – Dog Encounters



Appendix D: Training Resources

"The following represent a variety of available training resources. While we cannot validate the quality of each training, "Dog Behavior for Law Enforcement" is the only evidence-based training certified by CA POST.

1. **Bathurst, Cleary, Delise, VanKavage, & Rushing (2011). The Problem of Dog-Related Incidents and Encounters. Washington, D.C.: U.S. Department of Justice, Office of Community Oriented Policing Services. ISBN: 978-1-935676-31-7.** A guidebook developed under the auspices of the University of Illinois Center for Public Safety and Justice, Institute of Government and Public Affairs, under a grant from the National Canine Research Council. The guidebook is intended as a resource for law enforcement officers *to help them improve incidents involving dogs...and to build the knowledge, skills, and awareness necessary to succeed in these encounters. The publication offers an in-depth look into developing effective strategies in assessing a dog's environment, options for distracting and escaping from a dog; defensive options; dog investigations; and effective gathering of evidence and report writing in cases involving dogs.* For more information visit: <http://www.nationalcanineresearchcouncil.com/sites/default/files/The-Problem-of-Dog-Related-Incidents-and-Encounters-2011.pdf>

Includes a 5-part video series, **Police & Dog Encounters: Tactical Strategies and Effective Tools to Keep Our Communities Safe and Humane**. Produced by Safe Humane and the National Canine Research Council. Distributed by COPS: For more information visit: <https://learn.copstrainingportal.org/>

2. **"Dog Behavior for Law Enforcement"** was created to address the specific needs of law enforcement when encountering dogs in the course of their duties. The course was developed by spcala's Captain of Animal Cruelty Investigations, Cesar Perea. spcala's "Dog Behavior for Law Enforcement" is the only California Commission on Peace Officers Standards and Training (POST)-certified course concerning law enforcement and canines which is fully evidence-based. The course is also approved by the State Humane Association of California (SHAC). "This course is designed for Officers to properly evaluate dog behavior and modify their own actions and appearance in accordance with a dog's perspective to maintain their safety, the safety of the public, and the well-being of the family pet involved." Information about the training can be accessed at: <https://spcala.com/programs-services/professional-training-courses/>

Below are links to training flyers and press releases:

<https://spcala.com/press-release/spcala-presents-dog-behavior-for-law-enforcement-seminar-to-local-state-and-national-law-enforcement-personnel/>

[https://www.sogtraining.org/files/EBF/DogBehaviorLawEnforcement_Flyer2016%20\(2\).pdf](https://www.sogtraining.org/files/EBF/DogBehaviorLawEnforcement_Flyer2016%20(2).pdf)

3. **Law Enforcement Dog Encounters Training (LEDET).** A partnership between the National Law Enforcement Center on Animal Abuse (NLECAA), its parent organization, the National Sheriff's Association and VirTra, Inc resulting in *a training program for law enforcement that includes structured coursework on engaging and deescalating dog encounters, along with simulation training.*

For more information visit: <https://www.sheriffs.org/ledet> and for resources visit: https://www.sheriffs.org/dog_encounters

4. **Dealing with Dangerous Dogs.** A companion program to *Recognizing Dangerous Dogs*, a training developed by a former police officer, K-9 handler, and animal control officer accessible via PoliceOne. Available to member only. For more information visit: <https://www.policeone.com/police-training/videos/8685310-dealing-with-dangerous-dogs/>
5. **Law Enforcement Encounters with Canines Concepts and Issues Paper.** From the International Association of Chiefs of Police Law Enforcement Policy Center, a paper accompaniment to the IACP's Model Policy on Law Enforcement Encounters with Canines. The Concepts and Issues paper provides essential background material supporting documentation for agencies to guide them in the implementation of the model policy. Also, see **Officer Safety Corner: Dogs and the Police Response: A Guide for Safe, Successful, and Humane Encounters.** For more information visit: <http://www.policechiefmagazine.org/officer-safety-corner-dogs-and-the-police-response-a-guide-for-safe-successful-and-humane-encounters/> (Must be an IACP member to gain full access). Author: Gary P. Maddox.

6. State-Level Training Resources

Illinois: A two- to four- hour course on *Animal Abuse and Cruelty; Canine Behavior and Police Response* pursuant to statute P.A. 098-0311 50 ILCS 705/10.14. Topics include: components of animal abuse and cruelty, impact of animal abuse, cruelty, and police response, basic dog behavior, defining the threat, and officer response.

Michigan: Canine encounter training focused on the following: when to shoot an animal or pet and managing canine aggressions. The training *recognizes that some dogs may pose a serious threat and deadly force is allowed but taking a few extra moments to fully assess an encounter can possibly prevent an attack or shooting.*

Nevada: In response to a statute that requires peace officers “who are likely to encounter companion animals” to attend companion animal encounters training, Nevada utilizes **The Problem of Dog-Related Incidents and Encounters** COPS guidebook. The training is delivered online and includes training videos and a test.

Ohio: The Ohio Peace Officer Training Commission offers a two-hour course for officers on understanding common companion animal behaviors. Topics include: assessing the situation, communicating with dogs, police and dog body language, use of force considerations.

Texas: The Texas Commission on Law Enforcement offers a four-hour Canine Encounters Course (course #4065) which is a legislatively mandated course to be completed by the second year for new officers and as part of intermediate and advanced proficiency certifications for existing officers. The course includes lecture, group discussion, scenario training and equipment demonstration.

Oregon: Includes a few slides on dogs in the community for Basic Parole and Probation Field Considerations training only.

Tennessee: The Tennessee Law Enforcement Training Academy offers a two-hour course on dealing with dangerous dogs and countering canine attacks. Course focus is on identifying basic animal behavioral characteristics; situations and environments in which an animal is more likely to be or become aggressive; and learning the techniques to counter and survive a canine attack.

Note: This is not an exhaustive list and just represents some of the identified training materials available to the field.

Appendix E: Focus Group Script

Introduction

The National Police Foundation, established in 1970, is an independent, nonprofit research organization that works to improve policing through generating evidence as to what works and providing agencies and officers with information, tools, training, and technical assistance. We are currently working with the National Canine Research Council to gather information to inform training on police encounters with dogs, so as to improve officer safety and prevent deadly force against pet dogs. In a recent study supported by the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office), researchers estimated that 20 - 30 dogs are killed by law enforcement each day in the U.S. (Griffith, 2014). The authors argued that in most policing agencies, the majority of shootings by officers involve animals (mostly dogs), and in some specific agencies these numbers have skyrocketed during certain periods of time. For example, they noted that data from Milwaukee from 2000 - 2002, demonstrated that 75% of shootings involved shots fired at dogs, resulting in 44 dog killings, significantly more than in New York City during the same time period. Similarly, during a five-year period also beginning in 2000, they noted that at least 50% of intentional shootings by California law enforcement agencies involved animals. Even so, scientists have noted that, as of 2014 “there [has] not [been] one documented case of a peace or police officer dying as the result of a dog bite-related injury” (Bathurst, Cleary, Delise, Van Kavage, Rushing, 2015, p. 6). In any event, there is little information available about the circumstances under which dogs are shot, and the reasons that prompt dog shootings.

It is clear that there are some situations in which an officer must use force and/or deadly force against a dog such as when the dog is attacking the officer or someone else. At the same time, there are also cases in which dogs have been shot even if they are behind fences or restrained by leashes or chains, or not acting aggressively. We can speculate that this may be based on officer’s interpretation of the threat of some dog behaviors (showing teeth, barking, approaching, etc.) or beliefs about the dangerousness of some dog breeds or types. In any event, little is known about the factors that officers consider when making these often-split-second decisions about how to respond to dogs they encounter in carrying out their duties.

As such, the Police Foundation is conducting a two-part study that will include a national survey of law enforcement training personnel on whether they provide any dog behavior training on how to deal with dog encounters, as well as any agency policies related to dog encounters. The second part of our research is a series of focus groups with officers and command staff which are being designed to get a general understanding of the factors police may consider in making decisions about how to approach dogs, what may necessitate deadly force, and whether alternatives may be viable. We are particularly interested in officers’ understandings of what dog factors/behaviors may represent danger or pose an immediate threat.

The primary purpose of these focus groups is to get a better understanding of the factors that contribute to dog shootings to include perceived threats or interference by dogs, policies, and rationales for shooting dogs in various situations. The information gained from these focus groups will inform field-based training for increasing officer safety in encounters with dogs, and options for potentially saving the lives of dogs wherever possible.

Voluntary Participation and Consent

Thank you for taking the time to participate in this focus group. While you may have been sent to this group by your agency, no one is required to answer any specific questions during the session. However, we are hoping to learn something about officer safety in encounters with dogs as well as what you perceive as threats posed by dogs, so that we can better understand what factors are evaluated when encountering dogs in the field. While the Police Foundation will not share information about you (your name or other things that could identify you personally), we do know that there are other officers present, and while we trust law enforcement officers implicitly, we cannot guarantee that other participants won't share something you said. However, we encourage all officers to keep what is said in this room private. Our only goal is to aggregate our findings across officers from a range of agencies in identifying factors influencing dog shootings. We appreciate your willingness to share your thoughts or perceptions in this forum to whatever extent you feel comfortable.

Some Questions to Consider

- How frequently do you encounter dogs on a typical shift and in what types of encounters/calls?
- What types of dogs, if any, do you feel pose a significant threat to your safety on the job?
- What types of dog behaviors have you observed on the job that signal a threat to your safety?
- What do you think contributes to dog shootings by police?
- What types of non-lethal actions have you taken to ensure your safety around dogs you encounter?
- Are there any behaviors by dog owners that you feel either increase or decrease the level of threat you experience from their dog(s)?
- Have you had any formal training (academy or in-service) on dog behavior or interacting with dogs?
- Are you aware of any agency-level policies on dog encounters, and if so, can you share any specifics you recall about that policy?

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