

# MINNESOTA DEPARTMENT OF NATURAL RESOURCES

## DIVISION OF ENFORCEMENT

### DIRECTIVE

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**DIRECTIVE NUMBER: A-12-24**

**SUBJECT: CANINE UNIT/PERSONAL CANINES**

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**EFFECTIVE DATE:** Oct. 9, 2024

**SPECIAL INSTRUCTIONS:** Replaces A-12-18 and A-23-09

**APPENDIX:** None

**REFERENCE:** None

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This directive is for division use only and does not modify or supersede any law and should not apply to any criminal or civil proceeding except for civil proceedings related to departmental administrative actions. This directive should not be viewed as creating a higher standard of safety or care in any evidentiary sense. Violations of this directive may form the basis for departmental administrative action.

#### I. PURPOSE

The purpose of this directive is to provide guidance and direction to the canine unit and officers with related canine activities.

#### II. POLICY

It is the policy of this division to utilize trained canine teams to assist officers and other law enforcement agencies.

#### III. DEFINITIONS

- A. Canine:** a specially trained dog owned by the division and assigned to a canine handler.
- B. Canine handler:** an officer assigned to the canine unit.
- C. Canine team:** a canine handler and their canine.
- D. Canine Unit Coordinator:** officer that is appointed by the director to manage the development and operations of the canine unit.
- E. Dual-purpose canine:** a canine trained in physical apprehension/officer protection, and tracking/area search and detection.
- F. Physical canine apprehension:** utilizing a dual-purpose canine to physically make contact with a suspect and hold or detain the suspect until the officer can detain them.

- G. **Single-purpose canine:** a canine trained in detection, area search, and tracking.
- H. **Serious Offense:** includes but is not limited to aggravated assault causing great bodily harm; carjacking; burglary with knowledge of a suspect who is believed to be armed and dangerous; criminal sexual conduct involving acts of violence; murder; and robbery involving a firearm or weapon capable of causing great bodily harm.

## IV CANINE SERVICES

The division canine unit may provide the following services:

- A. Apprehend and/or detect violators.
- B. Vehicle and building searches for evidence and suspects.
- C. Detection of evidence.
- D. Tracking/area search for suspects or other subjects who are lost or hiding.
- E. Officer protection.
- F. Assistance to other law enforcement agencies or DNR divisions.
- G. Public education and outreach.

## V. ADMINISTRATION OF CANINE UNIT

### A. General Responsibilities

1. The canine unit coordinator is responsible for the day-to-day operations related to the canine unit, including the following:
  - a. Provide liaison duties with division command staff.
  - b. Provide general guidance and direction to canine teams.
  - c. Perform all administrative, reporting, and operational functions.
  - d. Ensure all required training and certifications are maintained by members of the canine unit.
2. The supervisor of the district to which a canine handler is assigned is responsible for the supervision of the handler, however, canine duties will be managed by the canine unit coordinator.

### B. Assignment to Canine Handler Duties

1. The director will determine the division's complement of canine teams and will assign officers to canine handler duties. These duties are at the discretion of the director.
2. Officers selected for the program will be expected to commit to the working life of the canine once assigned a canine. Officers who are unwilling to commit to this obligation should refrain from applying for this position.

### C. Selection Criteria for Canine Handlers

1. Canine handlers will be assigned based upon the following criteria:
  - a) A minimum of two years' experience as a conservation officer. The director may exempt an officer from the two-year conservation officer requirement.
  - b) The candidate must have an overall satisfactory record of performance.
  - c) A strong desire and willingness to work with and train a canine.
  - d) A willingness to remain part of a canine team for the working career of the canine.
  - e) A willingness by the officer to care for and house a canine at their residence.
  - f) A willingness to respond to calls for canine services.
  - g) The officer must comply with division approved certification and membership standards.
  - h) A handler must be able to handle the day-to-day physical demands of a canine, including running, lifting, and carrying their canine partner.

#### D. Selection Process for Canine Handlers

1. A selection committee designated by the director will interview applicants seeking assignment to the canine unit.
2. As an exception to the above paragraph, the director may make an appointment for a canine team previously trained by another law enforcement agency.

#### E. Selection Process for Canines

The canine unit coordinator shall develop criteria for the selection of canines for team use. All canines within the unit shall be the property of the State of Minnesota, either by purchase or gift.

#### F. Canine Team Qualifications

1. After completing initial training, the canine team must be certified within 18 months according to division-approved certification standards on their specialty.
2. Canines may be authorized for service prior to certification at the discretion of the director.
3. Canine teams shall be recertified annually unless certification opportunities are not available on an annual basis. If such certification opportunities are not held annually, then canine teams shall recertify as the certifications are offered. Failure to participate in training or failure to qualify under established training standards will

result in deactivation of the team. The team may not be deployed until reactivated by the director.

4. Canine teams must certify according to division-approved certification standards on their specialty.

#### G. Canine Training

1. Canine teams will conduct an average minimum of 16 hours of training per month.
2. Training will consist of all disciplines that the canine and handler are trained in.
3. Canine teams are required to attend monthly training at the direction of the canine unit coordinator. If a handler is unable to attend monthly canine training, they will notify the canine unit coordinator as soon as possible.

#### H. Care of Canines

1. Canine handlers shall be responsible for training and care of their canine partners as specified by the canine unit coordinator. Handlers will notify the canine unit coordinator of any changes regarding the health and welfare, training, and utilization of the canine.
2. Canines shall not be used for non-program-related activities including, but not limited to breeding, participation in shows, field trials, exhibitions, or other demonstrations, or off-duty employment unless authorized by the director.
3. Officers shall maintain their canine both on and off-duty in a safe and controlled manner. Officers are responsible for their canine partner at all times.
4. Canine handlers will be provided with proper housing for their dog. The canine unit coordinator may conduct periodic inspections to ensure the housing is properly maintained.
5. Canine handlers are personally responsible for the daily care and feeding of their canine to include:
  - a) Provision of food, water, and general diet maintenance as prescribed by the division's authorized veterinarians.
  - b) Grooming.
  - c) Daily exercise.
  - d) General medical attention and maintenance of health care records.  
Veterinary costs will be the responsibility of the canine program.
6. Where the handler is unable to perform these and related duties due to illness, injury or leave:
  - a) Another canine handler may be assigned to temporarily care for the dog.

- b) Handlers will notify the canine unit coordinator when they need to board their dog. The canine may be housed in an approved boarding facility.
- c) Other accommodations for care and maintenance of the dog may be made with the authorization of the canine unit coordinator.
- d) Only authorized canine equipment will be used to care for, train, and work with the assigned canine.
- e) Handlers are responsible for maintaining all canine equipment. When an item becomes unserviceable, the handler must immediately notify the canine unit coordinator.

#### I. Retirement of Canines

The director, after consulting with the canine unit coordinator and the handler, shall decide when to retire a canine. A canine handler may apply to take possession of the dog where:

- 1. The dog is retired from duty or relieved due to injury. Officers will be required to complete and sign a canine waiver and a release of liability to take ownership of the retired canine.
- 2. The handler is transferred, promoted, or retires and a decision is made not to retain the dog for another handler.

#### J. Compensation of Canine Handlers

Canine handlers will be compensated in accordance with the work agreement between the State of Minnesota, the officer's respective collective bargaining unit, and the Fair Labor and Standards Act. Canine handlers must manage the routine care, feeding, and training of their assigned canines. Compensation is as follows:

##### 1. Workday

Canine handlers shall manage their time to spend approximately one-half hour of each workday feeding and caring for their assigned canines, and handlers may claim one-half hour per day for such activities. Except in emergency cases, canine handlers should take care of veterinary care, obtaining supplies and equipment, and other tasks relating to the care of their canine during work hours.

##### 2. Day Off

On a regular day off, canine handlers may claim up to one hour for the care and feeding of their canine.

##### 3. Leave

- a) While on authorized leave the handler may kennel the dog with approval from the Canine Unit Coordinator. Kenneling charges will be covered at the cost of the state. The handler will receive no compensation for kenneling fees.

- b) If on authorized leave and caring for the canine, the canine handler would use seven hours of leave time and receive compensation for one hour of work.

#### 4. Holiday Compensation

- a) Holiday worked. If the handler works a holiday, the handler shall receive compensation for the care and feeding of the canine in the same manner as specified in item a above, with one-half hour for the holiday.
- b) Holiday not worked. If the handler is off on the holiday, the handler shall receive one hour of compensation for the care and feeding of the canine.

#### K. Resignation from the Program

Canine handlers may only be released from the program with the approval of the director. Officers requesting release from the canine program shall submit a letter of resignation, through the chain of command, to the director outlining their reasons for doing so. Division canines may then be reassigned.

## VI. CANINE UNIT OPERATIONS

- A. A canine's primary purpose is to be used as a locating tool. A canine can locate suspects, evidence, and lost or missing people. In using division canines, the department's first and foremost priority is the safety of the public and our communities. In certain situations, the use of specially trained police canines for law enforcement responsibilities can constitute a real or implied use of force. In these, as in other cases, officers may only use that degree of force that reasonably appears necessary to apprehend or secure a suspect, as governed by the division's use of force directive (O-1).
- B. The use of police-trained canines by the division is unique given they support a traditional law enforcement role and provide unique skills for conservation law enforcement related to game and fish violations. The DNR utilizes dual-purpose canines and single-purpose canines. Dual-purpose canines are trained to make a physical apprehension when directed to by the handler. Single-purposes-canines are not trained in physical apprehension.
- C. Apprehension Guidelines
  - 1. A dual-purpose canine may be used to locate and apprehend a suspect if the canine handler reasonably believes the individual has either committed or is threatening to commit a serious offense and if any of the following exist:
    - a) There is reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer or the handler;
    - b) The suspect is physically resisting arrest, threatening to resist arrest or evading arrest and the use of a canine reasonably appears to be

necessary to overcome such resistance or evasion;

- c) The suspect is believed to be concealed in an area where the entry by anyone other than the canine would pose an imminent threat to the safety of officers or the public.
2. It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.
3. Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer without any of the above conditions shall not serve as the basis for the use of a canine to apprehend a suspect.
4. Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from a supervisor. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.
5. In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler shall secure the canine as soon as it becomes reasonably practicable. If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler shall promptly command the canine to release and be removed from the suspect.

#### D. Preparation for Deployment

1. Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:
  - a) The nature and seriousness of the suspected offense.
  - b) Whether violence or weapons were used or are anticipated.
  - c) The degree of resistance or threatened resistance, if any, the suspect has shown.
  - d) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
  - e) Any potential danger to the public and/or other officers at the scene if the canine is released.

Additionally, when feasible, the handler should take into consideration the following

factors based on information known at the time of deployment:

- a) Approximate age of the suspect.
  - b) Any known mental illness.
  - c) Any known developmental disability (i.e., autism spectrum disorder).
  - d) Any other material considerations or factors.
1. As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.
  2. It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.
  3. A supervisor who is sufficiently apprised of the situation may prohibit deployment of the canine.
  4. Unless otherwise directed by a supervisor, assisting members should take direction from the handler to minimize interference with the canine.

#### E. Announcement and Warnings

1. A clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.
2. In exceptional circumstances where giving the canine announcement or warning would create an imminent threat of physical harm to officers, or public, the canine officer may allow the canine to apprehend without warning. If a canine announcement is not made, the facts supporting the decision must be included in the canine handler's incident report.

#### F. Searching Without Physical Apprehension Authorization

1. When using a dual-purpose canine as a searching (locating) tool under circumstances where a physical apprehension is NOT authorized, the dual-purpose canine handler must do the following:
  - a) Give appropriate warnings to individuals in the search area pursuant to this policy, before and throughout the search.
  - b) Conduct the search with the canine on-lead and with the assistance of a cover officer if one is available.



- c) Handlers must search safely, taking all reasonable measures to prevent human contact.
- d) Once the individual has been located, the canine will be kept a safe distance away from the individual to prevent contact between the person and the canine. Cover officer(s) are responsible for taking individuals into custody if custody is justified and appropriate.

G. Searching for a person(s) with a single-purpose canine:

- 1. May be used on or off leash to search for people.
- 2. May choose to give an announcement or warning prior to searching for an individual.
- 3. Canines can be used to search for and locate criminal suspects who have committed a serious offense. However, special tactical considerations shall be taken (i.e., cover officers, arrest team, etc.).

H. Game, AIS Detection, and Evidence/Article Search

- 1. Canines are trained to detect and locate game, fish, firearms, shell casings, and/or aquatic invasive species.
- 2. Canines will be trained to locate evidence/articles containing human odor.
- 3. Canines will not be used to search a person.
- 4. Handlers are responsible to conduct searches in a safe manner and to prevent contact between the canine, the public and other officers.

I. Canine-Related Injuries

- 1. Except for training, whenever a canine is alleged to have, or injures an individual, whether or not in the line of duty, the handler shall perform the following:
  - a) Where there is a complaint or evidence of injury, offer to provide medical care and treatment by a qualified medical professional.
  - b) Take color photographs of the affected area, if possible, prior to and following medical treatment.
  - c) Prepare and submit an incident report.
- 2. As soon as practical, canine handlers shall notify the canine unit coordinator and/or the handler's immediate supervisor of any canine use injury. The immediate supervisor shall notify the appropriate regional manager in which the incident occurred.
- 3. The circumstances surrounding all canine bites shall be reviewed by the handler's supervisor, the canine unit coordinator, and the regional manager of the region in

which the bite occurred.

4. Injuries sustained in training will be handled through the first report of injury process.

#### J. Canine Unit Reports

Canine handlers are responsible for preparing and submitting all reports required by the canine unit coordinator. The canine unit coordinator and canine handlers will work closely with the division's communications coordinator to promote the division.

### **VII. Personal Canines**

Personal canines will not be allowed to accompany officers while on duty. Officers shall not transport or leave personal canines in state-owned vehicles without written permission from the director.

**By Authority of:**

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**COL Rodmen Smith  
Division Director  
Division of Enforcement**