Search, Seizure, and Dogs:
"Woof, Woof, Judge, I Swear"

San Antonio Bar Association
46th Annual Criminal Law Institute
April 17-18, 2009

Presented by:
DONALD H. FLANARY, III
GOLDSTEIN, GOLDSTEIN & HILLEY
310 South St. Mary's Street, Suite 2900
San Antonio, Texas 78205
www.ggandhlaw.com
donflanary@hotmail.com

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Introduction

For over thirty years now, the United States has been fighting the war on drugs. One of the many tools in the government's arsenal in its efforts to interdict drug trafficking has been the use of narcotics-detection dogs. Law enforcement has relied on canines to detect narcotics during traffic stops, at vehicle checkpoints, on persons at ports-of-entry, in private homes and businesses, and while searching the luggage of travelers aboard buses, trains, and airplanes. When used appropriately and under the right conditions, canine teams can be very effective in detecting the odor of narcotics emanating from secreted locations. While narcotics detection dogs have been deployed to find narcotics in every imaginable scenario, this paper will focus primarily on the use of canine teams during traffic stops and checkpoints because these instances account for the most common use of narcotics-detection dogs.

The United States Supreme Court ruled in *United States vs. Place,* that the exposure of luggage to a trained narcotics detection dog is not a "search" for Fourth Amendment purposes, thereby opening the door to searches of citizen's property by law enforcement all over the country. *See* 462 U.S. 696 (1983). In 2005, the Supreme Court clarified further that where a "lawful" traffic stop does not extend beyond the time necessary to issue a ticket or conduct inquiries that are instant to the stop, another officer's arrival and use of a narcotics detection dog to sniff around the exterior of the vehicle also does not rise to the level of infringement of the Fourth Amendment. *See Illinois v. Caballes* 543 U.S. 405 (2005). For these reasons, when determining the legality of a canine sniff, it is important to focus attention on four main issues. First, was the narcotics-detection dog that was used properly trained to detect that particular narcotics? Second, did the reason for the traffic stop or encounter with law enforcement comply with the Fourth Amendment and did the encounter remain legal throughout the pendency of

the contact? Third, did the traffic stop extend beyond the time necessary to conduct the stop? Fourth, was the sniff limited to the exterior of the vehicle?

In order to evaluate a narcotics detection dog sniff case, great attention must be paid to the actions surrounding the detection. When litigating a Motion to Suppress the search of a vehicle or a container of some sort based on probable cause from a canine alert, you should focus on: (1) the actions of the "drug detection team," i.e., the actions of the handler and his relationship with the canine, (2) the alert itself, and (3) the reliability of the canine. It is very important to remember that the drug detection team includes not just the canine, but the handler as well, and the way in which the team interacts with each other during the course of the alert is crucial. If a videotape of the search is present, you will have the opportunity to allow your expert to evaluate the actions of the narcotics-detection team and the alert. If a video is not present, then a thoughtful and well-prepared cross-examination will be required to frame your argument that the sniff was insufficient to support probable cause.

Attacking the reliability of the dog is the second stage to evaluate the sniff and provides the opportunity for success even in light of a presumably credible alert. Scrutinizing the qualifications of the canine to adequately perform a legitimate narcotics detection can be an effective way to attack the reliability of the canine. By attacking the training of the dog and the handler, we can cast doubt on the reliability of the canine to provide a credible source for probable cause.

The practitioner must be mindful that, in the context of a state court setting, some judges and many prosecutors may have had little experience dealing with contesting the probable cause of a search based on a canine alert to narcotics. Often judges and prosecutors operate, to some degree, on the assumption that if a dog possibly alerted on narcotics then the

probable cause should not be called into question. In the federal context, be aware that the government will likely have well kept records regarding the qualifications of their canines and the government will put up many obstacles to your discovery of any adverse records. Whether you find success or not, hopefully, this paper will allow you to educate your audience sufficiently enough to dispel the mistaken belief that all alerts are valid. Remember that you face an uphill challenge and success will only come from a clear and persistent attack on the narcotics-detection team's alert.

A Dog Sniff Is Not a Search

In the *United States v. Place*, the Supreme Court determined that the exposure of luggage to a trained narcotics detection dog was not a search for Fourth Amendment purposes. *See* 462 U.S. 696 (1983). The Court reasoned, "the Fourth Amendment protects people from unreasonable government intrusions into their legitimate expectations of privacy. We have affirmed that a person possesses a privacy interest in the contents of personal luggage that is protected by the Fourth Amendment. A "canine sniff" by a well-trained narcotics detection dog, however, does not require opening the luggage. It does not expose non-contraband items that otherwise would remain hidden from public view, as does, for example, the officers rummaging through the contents of the luggage. Thus, the manner in which information is obtained through this investigative technique is much less intrusive than a typical search. Moreover, the sniff discloses only the presence or absence of narcotics, a contraband item. Thus, despite the fact that the sniff tells the authorities something about the contents of the luggage, the information obtained is limited. This limited disclosure also ensures that the owner of the property is not subject to the embarrassment and inconvenience entailed in less discriminate and more intrusive investigative methods. In these respects, the canine sniff is

sui generis. We are aware of no other investigative procedure that is so limited both in the manner in which the information is obtained and in the content of the information revealed by the procedure. Therefore, we conclude that the particular course of investigation that the agents intended to pursue here-exposure of respondent's luggage, which was located in a public place, to a trained canine-did not constitute a "search" within the meaning of the Fourth Amendment." *See id*.

Place, dealt with an individual who was traveling from Miami to New York and landed at La Guardia Airport. Prior to his departure, law enforcement officers approached the individual and requested consent to search two suitcases in his possession that he had checked. He consented to the search of those suitcases but because the flight was about to depart, the officers did not search the luggage. The officers found discrepancies in the address tags on the luggage and called Drug Enforcement Administration (DEA) authorities in New York and relayed the information. When the individual landed at La Guardia Airport, two DEA Agents approached him and asked him for identification. He was then asked to consent to a search of his luggage, but when he refused consent to search, Agents told the individual that they were going to take his luggage to a federal judge and obtain a search warrant. Instead, the Agents took the luggage to Kennedy International Airport and subjected the luggage to a "sniff test," by a trained narcotics-detection dog which reacted or "alerted" to the presence of contraband in one of the suitcases. At that point, ninety minutes had already elapsed since the luggage had been seized from the individual at La Guardia Airport. Using the alert from the narcotics-detection canine as probable cause to search the luggage, the Agents then obtained a search warrant for the suitcase and opened it discovering cocaine.

As a result the fact scenario presented, the Supreme Court held that when an officer's observation causes him to reasonably believe that a traveler is carrying luggage that contains narcotics, the principles of *Terry* and its progeny allows the officer to detain the luggage temporarily to investigate the circumstances that brought on the officer's suspicion (provided the investigative detention is properly limited in scope). Secondly, the Court found that the investigative procedure of subjecting the luggage to a sniff by a well-trained narcotics-detection dog does not constitute a search within the meaning of the Fourth Amendment.

The Supreme Court in *Illinois v. Caballes*, held that when a lawful traffic stop does not extend beyond the time necessary to conduct ordinary inquiries into the incident of the stop and issue a ticket, the arrival of a narcotics detection dog to sniff around the exterior of the vehicle does not rise to the level of an infringement on the motorist's Fourth Amendment rights. In *Caballes*, an Illinois State Trooper stopped Caballes for a speeding violation and in the process of issuing a warning ticket, another officer arrived having heard over the radio that Caballes' vehicle had been stopped. When the second officer arrived, he brought his narcotics detection dog. During the stop, the narcotics-detection team walked around the exterior of Caballes' vehicle. The dog alerted to the presence of narcotics in the trunk and based upon the alert the officer searched the trunk and found marijuana. The entire incident lasted less than ten minutes.

The Court reasoned that since the traffic stop was lawful, and the officer had not unnecessarily prolonged the stop, and that the dog alert was sufficiently reliable to provide probable cause, the search was justified. The Court points out that official conduct is not subject to the Fourth Amendment if it does not, "compromise any legitimate interest in privacy." The Court notes that any interest in possessing contraband cannot be deemed,

"legitimate and thus, governmental conduct that *only* reveals possession of contraband compromises no legitimate privacy interests." The reason is rationalized by the expectation, "that certain facts will not come to the attention of the authorities," is not the same as an interest in, "privacy that society is prepared to consider reasonable." The Court explains that in *United States v. Place*, they treated canine sniffs by well-trained narcotics dogs as *sui generis* because it, "discloses only the presence or absence of narcotics, a contraband item." Therefore, the use of a well-trained narcotics detection dog that, "does not expose non-contraband items that otherwise would have remained hidden from public view," during a lawful traffic stop, generally does not implicate legitimate privacy interests.

While *Place,* tells us that the submission of luggage to a canine sniff for narcotics does not constitute a Fourth Amendment search, a canine's alert to the presence of narcotics is sufficient to provide probable cause to search. *United States v. Williams*, 365 F.3d 399, 405 (5th Cir. 2004).

Exterior sniffs of objects by narcotics detection dog are almost always considered to be constitutional because they are not considered searches under the Fourth Amendment. The following are examples of legitimate uses of narcotics-detection teams that do not violate the Fourth Amendment:

The submission of luggage to a canine sniff for narcotics does not constitute a Fourth Amendment search. *United States v. Williams,* 365 F.3d 399 (5th Cir. 2004).

Border Patrol agents may stop motorists, question them about their citizenship, and selectively conduct dog sniffs of their vehicles, without reasonable suspicion because dog sniffs are not searches within the meaning of the Fourth Amendment. *United States v. Hernandez*, 976 F.2d 929 (5th Cir. 1992).

The use of a narcotics-detection dog at the exterior of a motel-room door that opens onto a public sidewalk and parking lot is not a search within the meaning of the Fourth Amendment. *United States v. Marlar,* 828 F.Supp 415 (N.D. Miss. 1993), dismissed, 68 F.3d 464 (5th Cir. 1995).

A canine sniff outside a package on a common air-carrier is not a search within the meaning of the Fourth Amendment. *United States v. Daniel*, 982 F.2d 146 (5th Cir. 1993).

A dog sniff of a student's locker at a school is not a search within the meaning of the Fourth Amendment. *United States v. Daniel*, 982 F.2d 146 (5th Cir. 1993).

The non-contact dog sniff of a passenger, after the dog had alerted to the presence of narcotics in the passenger compartment of a bus, was not a search within the meaning of the Fourth Amendment. The dog was four to five feet away from the passenger when sniffed, and the handler did not intend to have the dog sniff the passenger as he exited the bus. *United States v. Reyes*, 349 F.3d 219 (5th Cir. 2003).

<u>The Border Exception to the Fourth Amendment and Evaluating Canine Alerts</u>

Given the extensive use of narcotics-detection canines at international border points-of-entry [or their functional equivalent] and immigration checkpoints, any discussion of narcotics-detection dogs must necessarily include some background on the "border exception" to the warrant requirements of the Fourth Amendment. Under the border-search doctrine, government agents may conduct a routine search at the international border or its functional equivalent without probable cause, a warrant, or any suspicion to justify search. *United States v. Rivas*, 157 F.3d 364, at 367 (5th Cir. 1998). A stop and search at an international border that is not routine requires a reasonable suspicion of wrongdoing to pass constitutional muster, and reasonable suspicion of criminal activity must be based upon specific facts which, taken

together with rational inferences therein, would reasonably warrant an intrusion. *Id.* Routine searches, for purposes of border-search doctrine, are generally classified as those which do not seriously invade a traveler's privacy. *Id.* Reasonable suspicion required to conduct a non-routine, warrantless search at an international border is defined as a particularized and objective basis for suspecting the particular person of smuggling contraband. *Id.* In determining whether government agents possessed reasonable suspicion that criminal activity was occurring so as to justify a non-routine, warrantless search at an international boarder, the court must consider the totality of the particular circumstances. *Id.*

As one can see, it is quite important to examine whether the actions that involve the canine in the search equate to a routine search. In *Rivas,* the Court suppressed a search where Customs Agents drilled into the body of a vehicle based on sniff known as "casting" [an improper alert in which the handler claims that the canine smells contraband from a distance but the canine does not give an alert]. The alleged alert, or "casting" as its know, was later held to be invalid and not a basis for probable cause for the non-routine warrantless search. Since the drilling into the vehicle was not a routine search, the validity of the sniff [which formed the basis for the search] was crucial in spite of *Rivas's* close proximate to the border. This case highlights the importance of examining an alleged canine alert even though the event may take place in a location so devoid of Fourth Amendment protections as at an international border.

The Fifth Circuit in *United States v. Kelly*, has held that an up close sniffing of a person at the border by trained narcotics-detection dogs offends reasonable expectations of privacy and thus is a "search" under the Fourth Amendment. *See* 302 F.3d 291(5th Cir. 2002) *cert. denied,* 537 U.S. 1094 (2002). However, since border searches constitute one of the exceptions to the probable cause and warrant requirements of the Fourth Amendment, then searches at the

border are deemed reasonable simply by virtue of the fact that they occur at the border. Therefore, the canine sniff of a pedestrian entering the United States is a routine border search.

<u>Helping Courts Understand that the Narcotics-Detection Team is a Scientific Instrument Employed by Law Enforcement</u>

There are two areas to focus on when attacking searches with or without a warrant. The first area to focus on is the alleged alert by a trained narcotics-detection canine. The second area to focus on is the reliability of the narcotics-detection team. When looking to attack the reliability of the narcotics-detection team, it is important to demonstrate to the court that the reliability of the alert from the canine is directly dependent on the effectiveness of the handler. I reiterate that both the narcotics-detection canine and the handler compose the narcotics-detection team and each part must be reliable and valid in order to produce an effective alert to the presence of contraband. Therefore, it is relevant to recognize that the narcotics-detection team is an imperfect law enforcement tool.

Analyzing the parts of the narcotics-detection team, the handler must be qualified by his experience, training, and certifications to utilize a narcotics-detection canine. The other part is the canine and likewise, the experience, training, and qualifications of the canine determine the canine's reliability. It may be helpful to view this team in the framework of the principles of *Daubert,* and the 700's series of the Texas and Federal Rules of Evidence. The attacker of the narcotics-detection team should lead the court down the path of this framework because this can be a useful and familiar way to illustrate to the court the importance of this "technical and scientific" skill that the narcotics-detection team is employing. The court should understand that the techniques employed by the drug-detection team must be held to the same levels of scientific scrutiny as any other expert testimony. While a *Daubert* hearing is not necessarily the appropriate procedural vehicle to challenge the reliability of a canine

inspection, the court must recognize the importance of a "trained and certified canine unit."
See United States v. Outlaw, 134 F.Supp.2d 807 (W.D. Texas 2001) *citing United States v. Dovali-Avila,* 895 F.2d 206 at 207 (5th Cir. 1990). Probable cause to search a vehicle will be up held when a canine's trainer, the canine's handler, and the canine have successfully completed all standard training procedures and the canine is certified to detect the type of narcotics that it is alleged to be alerting. *United States v. Campos,* 237 Fed.Appx. 949 (5th Cir. 2007).

<u>Discovery of Canine Training and Certification Materials</u>

Since only a trained and certified canine unit can be relied upon by law enforcement to provide reliable probable cause to search for narcotics, then disclosure of the same is necessarily required to effectively investigate and defend canine alert cases. Under Rule 16 of the Federal Rules of Evidence, the Government is required to disclose materials pertaining to a narcotics-detection canine training and certification because these documents and records are crucial to a defendant's ability to assess the dog's reliability, which is very a important issue in the defense of a canine-sniff case as well as to conduct an effective cross-examination of the canine's handler. *Unites States v. Cedano-Arellano,* 332 F3d 568, 571 (9th Cir. 2003).

The "Alert", the Real Focus of Motions to Suppress

There are two main themes to be present in Motions to Suppress the probable cause for searches in narcotics-detection cases. First, was the narcotics-detection team properly trained and certified? Second, was the alert to the narcotics sufficiently reliable to establish probable cause for the search? The most fertile ground for a Motion to Suppress will be found in the answer to the second question. The main reason for this is that while the underlying training and certification of the narcotics-detection team must be vigorously attacked, *Place* and its

progeny have a very low threshold for showing that the team was trained and certified. With

proper documentation and testimony, the government will easily establish that the canine and

handler were reliable. The real fight will be specifically with the alert. For this reason, it will

most certainly be necessary to employ the use of a defense canine expert to evaluate the alert

in the case and testify that the alert was not reliable.

In attacking the training and certification of the narcotics-detection team, appropriate

and early discovery of these materials will be key. The practitioner should file a narrow and

targeted Motion for Discovery to obtain these particular materials. The following should be

discovered:

1. Verification that the canine was trained to detect the odors for the particular drug.
2. Verification of the canine's success rate.
3. The method used to train the canine to indicate an alert.
4. The type of alert used.
5. A statement showing that the canine positively alerted to the presence of narcotics in the proper fashion.
6. Proof of the canine's certification.
7. Proof that the canine has continued to meet all certification requirements and received necessary training on a regular basis.
8. Verification that the handler has been trained to handle narcotics-detection canines.

For a more exhaustive explanation of the training requisites for the narcotics-detection team see the Standard Operation Procedures for Narcotic Canine Teams.

<u>Attacking the "Alert"</u>

A dog's nose is uniquely equipped to detect the faintest of odors. *See* R.C. Bird, *An*

Examination of the Training and Reliability of the Narcotics Detection Dog, 85 Ky.L.J. 405

(1997). In order to know whether the alert was valid, an individual must have a canine expert

examine the police dash-cam video. Do not assume that just because the report does not

mention the existence of a video of the search that one does not, in fact, exist. Open records

requests, discovery requests, and subpoenas *duces tecum,* must all be issued to be certain that

a video is not in existence. If there is a video, the defense canine expert can view it and consult on the content of the record. If no video exists, the challenges will be greater, but not impossible. This means that the cross-examination of the handler will be paramount and therefore, the cross-examiner should be adequately prepared.

The canine should be trained to give an alert or a particular response when they come into contact with a scent cone of the particular substance they are trained to detect. Dogs can be trained to alert aggressively or passively. An aggressive alert is some sort of active signal to the handler that the dog is in the scent cone and the particular substance is in range. A passive alert will entail the dog sitting, lying down, or some other non-active signal to the handler to alert him to the presence of narcotics. A dog will only alert in the manner in which it is trained. A handler will be in a position to recognize the alert only if: (1) the handler knows what type of alert the dog is trained to give, (2) the handler is trained to work with narcotics-detection dogs, and (3) if the handler has lengthy history and experience working narcotics-detection with that particular dog. Even the most experienced handlers and canines will not make a reliable team unless they have had time to train and work together. The handler must insure that the canine is trained properly and receives regular consistent training exercises.

<u>Top 10 Things to Look for on a K-9 Video</u>

1. The actual response of the dog sitting is way over rated. It is the actions of the handler and canine in the 10 - 20 seconds before that which are important.

2. The canine should be showing "active sniffing behavior" and not just following along with the handler's hand presentations.

3. The canine should be exploring and curious about areas other than the specific spots that the handler points out to it.

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4. The canine should not be looking at the handler constantly. This is a sign of a very dependant and unreliable canine. This is also an indication of a canine looking for some sort of "cue" from the handler about where he is expected to respond.

5. Fluid motions of the handler. The handlers should keep moving without stuttering their step or hesitating when the canine is showing an interest in an area. Those actions on the part of the handler will become cues to the canine and cause a false or incarnate response.

6. Handlers doing a "tap back." This is going back to an area where a canine has already checked and making them do it again. The canine will take this as a cue and respond even if nothing is there.

7. The canine should be working almost independently of the handler and not actively paying much attention to him/her, other than checking the presentation areas on occasion. A good canine needs little or no presentations from the handler. A good metaphor for the job of the handler is to do as little as possible and stay out of the canine's way. Handlers are merely portable toy or food dispensers for when the canine does right.

8. Once a canine responds, it should become a statue until it is given its reward. If a canine is seen to respond or "sit", and then immediately get back up again, then this is a false response or a sign that the canine is weak in its task.

9. If a canine does not get its reward in a timely manner, within 1 - 3 seconds, a good one will go back, sniff again and respond again and start getting antsy. A weak canine will get up and walk off.

10. The handler should believe the canine the first time, whether it is a response or not. If the canine responds and the handler has it check that area again, then rewards the response, this is a sign of a weak or poor handler that does not know how to read or trust his canine. In

most cases, once a canine checks an area, the handler should not have it go back and check again. The only exception to this is if the handler recognizes that his canine is not actively searching, they may go back and do an area again.

11. (One More) Wind direction is CRITICAL!!! Odor from drugs or whatever the dog is trained to find is heaver than air and will drop in low wind currents. Likewise, the odors will follow the wind currents. This is the biggest issue in vehicle searches, large open buildings such as warehouses, or any other outdoor environment. For example, if it can be see that the wind is blowing from the left to the right, and the canine responds on the door seam on the left side of the vehicle, but shows no interest on the right side, go back and look for cues from the handlers. The most probable spot for a response in that situation would be on the right side of the vehicle.

<p style="text-align:center"><u>Other Important Issues</u></p>

There are no national or state requirements for any type of certification or training standards. It is the responsibility of each individual police department or law enforcement agency to develop its own standards. This allows for the agencies to create as stringent or relaxed policies or standard operating procedures as the individual departments and agencies want to create. The problem with this situation is that smaller agencies may send officers to receive specialized narcotics-detection training, but there may be no follow up with retraining or recertification of the handler or the canine.

Generally, most canine officers, who are not trained by state or government agencies, receive their training from some sort of private training program. These schools can be very abbreviated in comparison to other governmental agencies. They give handlers

"recommendations" as to how training and handling should be conducted and documented. Therefore, it is important to establish were a particular officer received his training.

Without adequate training and conditioning, a canine looses reliability quickly. For this reason, training should be maintained on a regular basis and documented properly. Proper training for the handler is also very important. As illustration of his importance, an experienced and well-trained handler is *capable* of cueing a response from the canine, even when no narcotics are present, however, a poorly trained and inadequately supervised handler *will* cue a response from the canine inadvertently, even when no narcotics are present.

The industry standard for a narcotics-detection canine alert proficiency should be a ninety percent detection rating. This is based on trials conducted and supervised by a third person where the handler goes into the scenario with no advance knowledge of the location of the training aids. All too often, handlers have to hide their own training narcotics. This improper technique will invalidate a proficiency trial, and therefore, if all training is conducted in that way, the narcotics-detection canine's proficiency is unreliable.

STANDARD OPERATING PROCEDURE FOR NARCOTIC CANINE TEAMS

CHAPTER 1

DRUG/EXPLOSIVE DETECTOR DOG CERTIFICATION REQUIREMENTS

1-1. Probable Cause Folder.

1-2. Training Folder.

1-3 Legal Considerations

1-4 Certification/Recertification Requirements.

DRUG DOG CERTIFICATION REQUIREMENTS

1-1. Probable Cause Folder. Information and records must be maintained on all drug detector dogs to provide a legal basis for the establishment of probable cause to authorize further searches of suspect items, areas, or persons. The agencies designated person must be confident of the detector dog's ability to successfully detect the odor of drugs. To provide this assurance, a probable cause history will be maintained for each detector dog team in the following manner :

(1) Drug Detector Initial Dog Certification Letter

(2) Quarterly Review. A quarterly review record (figure 1-1), showing when the designee reviewed these records. The authority should review detector dog folders and document the results by date, signature, and granting authority each quarter.

(3)Resume of training/experience for handler (figure 1-2) . A brief summary of the background training of the-handler which includes courses attended, graduation dates, substances for which the team is trained to detect, and type of response/reward. The resume should be signed by the kennel master/supervisor.

(4) Department Validity Certification/Demonstration Record (figure 1-3). A certification letter which shows the designee witnessed a detection demonstration including the date, the substances used, and results of the team's effort. The demonstration should include each substance the dog is trained to detect and a residual odor test.

(5) Training Records (figures B-4 and B-5) . This record provides documentation of detector dog proficiency trials/actual search situations. The past 12 months of this record will be kept in the probable cause folder. Older records will be filed in the dogs archive folder.

1-2. Dog Training Folder. All training documentation must be maintained on detector dogs. The past 12 months of records will be kept in the training folder and the remainder in the dogs archive folder. The training folder will be set up in the following manner:

Section 1. Drug Detector Training Record (figure B-7).

Section 2. Dog Training/Utilization Record (figure B-2).

1-3. Legal Aspects. There are several legal considerations in using drug detector dog teams since the apprehension or arrest of offenders is involved.

a. Initial certification of drug detection teams is done at various training facilities prior to shipment to user departments. To meet the legal requirements permitting their operational use, drug detection dog team must undergo validity certification when first assigned to the department.

b. All teams must maintain 95 percent accuracy on each odor that the dog is certified to detect. Proficiency trials will include at least 5 trials per month for each drug the dog is trained to detect. Drug detector dogs may not have a false response rate higher than 4 percent (formula: number of aid: multiplied by .04 equals the allowable number of false responses).

1-4. Certification/Recertification Requirements

a. When drug detection teams are first assigned, designee (preferably the department Chief of Police) must witness a demonstration of the team. After the demonstration, the designee must review the dogs probable cause folder certifying the team as reliable and credible. After the initial department certification, recertification requirements are as follows:

(1) The designee must review the probable cause folders at least once a quarter. A demonstration of the team's capabilities is not required for quarterly recertification unless the records reflect a lessening of the team's reliability.

(2) When a new handler is assigned, the new team must be recertified as in paragraph 6-3 before being assigned to operational duty.

(3) When proficiency training/trials has bean interrupted for 30 consecutive days or more, designees recertification is required.

(4) Drug detector teams that fail to maintain 95 percent proficiency for each of the required odors for a period of 30 days are considered decertified. Detailed documentation concerning the suspected reason for substandard proficiency and results of retraining efforts will be documented in the training folder and forwarded to the Chief of Police via the chain of command. In all cases, detector dog teams failing to maintain required proficiency standards for more than 60 days will require full recertification.

(5) Full/partial recertification may be required any time the designated authority has reason to doubt the team's reliability.

(6) Full recertification is required each year in the absence of any of the circumstances listed in paragraphs 1-4a(1) through 1-4a(5).

b. To prevent a requirement for recertification following a handler's extended absence, the canine supervisor or other qualified detector dog handler should conduct proficiency training/trials at least once a week, using all required odors.

1-5. Disposition of dogs failing to Certify/ Recertify

    a. If a detector dog is not able to continue its duties for any reason, or fails to maintain certification, and concentrated retraining efforts fail to correct the situation within 30 days, the circumstances must be thoroughly documented.

FIGURE 1-1

MEMORANDUM FOR THE RECORD

From: Chief of Police

To : Any Agency or Judicial Authority

Subj : QUARTERLY REVIEW RECORD OFFICER JOHN D. DOE, 123-61-6283 AND DRUG DETECTION DOG RICO, 300J.

1. The detector dog trial/use records, quarterly reports, and demonstration records contained within this folder were reviewed as indicated below per Department S.O.P.

_____   _____   _____
DATE REVIEWED   REVIEWING AUTHORITY   SIGNATURE

_____   _____   _____
DATE REVIEWED   REVIEWING AUTHORITY   SIGNATURE

_____   _____   _____
DATE REVIEWED   REVIEWING AUTHORITY   SIGNATURE

_____   _____   _____
DATE REVIEWED   REVIEWING AUTHORITY   SIGNATURE

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_____   _____   _____
DATE REVIEWED   REVIEWING AUTHORITY   SIGNATURE

_____   _____   _____
DATE REVIEWED   REVIEWING AUTHORITY   SIGNATURE

Figure 1-2

Resume of handlers training and experience

HANDLER: Officer John D. Doe, 123-45-6789

Academy Graduation Date:

Drug Detection Dog Training Graduation Date:

Assigned Rico, Tattoo 300J:

Handler experience: Officer Doe was awarded trained at Global Training Academy and began service on 6 Jun 93. He was assigned to handle Rico, 300J and completed department validity certification on 1 Jul 95.

NOTE : Seizures since command certification: Marijuana 100 grams., cocaine 10 kilos.

Dog Historv/Traininq: Rico was purchased from Global Training Academy on 16 May 92 as an already trained and proficient Drug Detection Dog. Rico demonstrated no major deficiencies during
Certification and has detected marijuana, hashish, heroin, cocaine and methamphetamines.

Rico is a passive (sit) response for he receives a reward of a kong.

Officer Joe Schmuck
Canine Supervisor

Figure 1-3

Certification Letter

From: Chief of Police

To : Any Agency or Judicial Authority

Subj : DETECTOR DOG DEMONSTWTION ICO OFFICER JOHN D. DOE, 199-36-2300 AND RICO, TATTOO 300J

1. At approximately 0900, 29 June 1995, I witnessed a detector dog demonstration at 1234 Main St. The Canine Supervisor was also present for the demonstration.

2. The team of Officer Doe and Rico demonstrated their ability to detect and respond to the following:

TRAINING AID # TYPE WEIGHT LOCATION

0001 Marijuana 5 gms Room 121, Under pillow, Bunk "A"

0009 Hashish 5 gms Room 125, Right side of top dresser drawer

0111 Cocaine 2 gms Room 129, Duffle bag

2022 Heroin 5 gms Room 133, Left side of bathroom cabinet

Residual odor Marijuana Lounge end table.

NOTE : The marijuana was placed in a plastic cup on an end table in the lounge area. This aid was left in position for approximately 10 minutes and then removed.

Results of search: Rico successfully located and passively responded to each training aid/residual.

3. All training aids were placed by the Canine Supervisor, Officer John Schmuck, approximately 30 minutes prior to the initiation of this demonstration.

JOCELYN E. BRATTON
Chief of Police

CHAPTER 2

DRUG DETECTOR DOG TRAINING AND USE

2-1. The Purpose of training detector dog teams (DDTs) is to maintain continual proficiency training of skills necessary to perform required tasks. Without frequent reward reinforcement for correctly performing a task, the dog would lose its proficiency rapidly. Likewise, the ability of the handler to identify and respond to the dog's behavior is lessened.

2-2. Where to Train. Training should be conducted in areas that closely simulate actual tasks required to perform. Due to the lingering scent of people, recently vacated facilities add realism to detection training. To ensure all officers understand the capability/uniqueness of DDTs, demonstrations should be provided for non-handler personnel. The following factors should be varied for each training period to avoid repetitious patterns:

a. The general training area.
b. The time of day of the exercise.
c. The number, type, and amount of training aids used.
d. The specific location of the training aid placement within the training area.
e. The type of training aid container, i.e., cloth bag, cigar box, paper bag, etc.
f. The type of distracter material planted with the training aid.
9. The length of time the training aid is left in place before the search.
h. The person used to handle/plant training aids.
i. Disposable clear plastic food handlers gloves should be used to prevent contamination.
j. The height/depth training aids are planted.
k. The size of the room/area in which the aids are planted, i.e., auditorium, office, closet, desk drawer, etc.
k. The handler's attire to parallel realistic situations.

2-3. When to Train. Training exercises should be conducted during the handler's normal shift and as often as needed to prevent loss of proficiency. Important factors are the quality of training and the length of time lapsed between task performances. Establish a training schedule that maintains peak proficiency.

2-4. Proficiency Trials. Proficiency trials are conducted at least once per week by the kennel supervisor to test the reliability of assigned dogs. Training aids will be planted within the dogs current proficiency level by someone other than the assigned handler. Proficiency levels are outlined in appendix H. The handler will not know the location of trial aids. During

proficiency trials, the dog will receive a positive or negative score for each aid. Drug detector dogs (DDDs) should receive 5 aids per odor per month. The dogs monthly proficiency percentage is derived from the results of proficiency trials. Documentation requirements are described in appendix B.

2-5. Proficiency Training Plan. The canine supervisor/handler should identify existing deficiencies/corrective actions and develop a proficiency training plan. Additionally, the training plan should include the necessary criteria to increase detection proficiency capabilities as outlined in appendix H.

The training sessions should follow the guidelines described in the training plan to achieve desired goals.

2-6. Proficiency Training. Proficiency training is conducted by the canine supervisor/handler to correct deficiencies, and to increase the level of detection. Initial training taught the dog to follow a search pattern and to recognize/respond to a learned odor. Detector dogs possessing only these basic skills are not fully prepared for real world situations. They will be required to search for long periods of time, under adverse conditions, locating drug odor that has been masked, sealed or otherwise concealed. Once assigned to a department, it is the canine supervisor/handler's responsibility to conduct advanced training to ensure the dog is fully proficient and effective to meet the required mission.

a. The first step in dog training is to define a goal and establish the criteria to achieve that goal. Using the successive approximation method, the handler establishes the criteria necessary for the dog to meet before it is considered to have learned the new task. For example, in order for the dog to be considered proficient at a new task, it must successively locate and respond to a training aid, planted at a predetermined height and depth, five times per day for 5 consecutive days.

b. During proficiency training, the handler must know the exact location of each training aid and assist the dog in locating the substance by using the training technique that produces the optimum result. During training sessions, handlers will not allow the dog to "walk" a training aid at anytime. If the handler notices a positive change in the dog's sniffing behavior, he/she will wait until the dog locates source (training aid location) and responds to the substance. If the response is not at source, a sufficient amount of time should be allowed for the dog to locate source on its own. Handlers should not use hand presentation to solve this problem as it conditions the dog to rely on the handler to locate source. An effective method is for handlers to shorten up on the leash and position their bodies preventing dogs to leave the odor. For high areas, the command such as "hup," with a verbal reinforcement of seek, may be used.

c. Proficiency training will not be used to calculate a DOGS monthly proficiency percentage. However, proficiency training time will be documented as outlined in appendix B.

d. Proficiency training/trials may be conducted during the same session. The training aids used for trials will be identified by an asterisk or yellow highlighted on the Canine Validity Test Data Sheet, to allow for easy reference during proficiency percentage/time calculations.

2-7. Training Definitions/Common Deficiencies/Corrective Actions. All dogs are different and the handler should determine and apply the training techniques that produce the optimum behavior. The following definitions are provided to assist in applying techniques:

a. The Conditioning Model. This model is used to train a dog new tasks and handlers/trainers must be able to apply it at all times. The model is described below:

(1) Stimulus Discriminative (SD) - input the dog receives from any of its senses i.e., command.

(2) Response (R) - action the dog takes as a result of that input.

(3) Reinforcement (RF) - what the handler does as a result of that action, i.e. reward.

b. Just Noticeable Difference (JND). JND is the dog's ability to be able to detect slight changes/differences pertaining to a specific sense, i.e., smelling of a weak odor as opposed to a stronger odor, the hearing of low volume noises as opposed to louder volumes, and the feeling of light pressure as opposed to progressively heavier pressure.

c. Absolute Threshold (AT). There must be a certain amount of odor concentration for the dog to detect. This minimal level of odor is referred to as the dogs AT and it is a JND between no detectable odor and enough for the dog to recognize. The AT is a fixed amount of odor that is required in order for the dog to recognize it.

d. Point of Saturation. This means that when a stimulus concentration is raised to or beyond that point the dog can no longer detect an increase/decrease in the concentration of that stimulus. When a dog locates a higher JND, it will search for one still higher and so on until it either reaches source or the point of saturation.

e. Successive Approximation. This is a method used to train a dog to perform a new task. The dog is taught a more complex task through a series of simpler tasks using intermediate goals. Never advance the dog until proficient at each step. The handler/trainer should identify the final desired behavior, break that behavior down into a series of simpler behaviors, and teach the behaviors one at a time. The final goal will be achieved as the dogs learns the simpler tasks. To keep from confusing the DOG, change only one variable at a time, i.e., height/depth.

f. Some of the common deficiencies with detector dogs and the corrective action is listed below:

(1) Fringe Response. The dog does not respond (sit) at the source of the odor.

Conditioning Model Example #1

SD	R	RF
Dog encounters absolute threshold	Dog sits at absolute threshold	(a)Reward the dog (b) Work the dog closer using presentation, and reward the dog when it responds on source (c) Withhold reward until dog responds on its own.

If the training aid is placed in locker #3, the dog may encounter fringe odor and respond on locker #1 or #2. If the dog does this in training, it probably does it in actual searches. This might account for why the dog has non-productive responses in locations where drugs are probable. In the example above there are three different RFs to choose from.

In (a), the handler rewards the dog for the response and using successive approximation ensures that each subsequent response given by the dog is closer to the source before rewarding. Handlers choosing (a) may eventually achieve the desired results; however, this method may take longer to reach the desired behavior as the dog is rewarded for sitting on fringe odor.

In (b), the dog is conditioned to rely on the handler to present the area where it is supposed to sit. If this is done in actual searches where the handler does not know the location of the substance, the dog will still rely on the handler to make a hand presentation. To eliminate this problem, apply the learning model.

The only portion of the learning model that the handler can change is the reinforcement. Handlers should think about how the dog is affected by their actions and what can be done to change the information given to the dog. The dog is conditioned each time it's rewarded that the response was correct and will continue to make similar responses for further rewards. The goal is to reward the dog for responding on source not fringe, and without handler assistance. The best solution is (c), withholding the reinforcement until the dog displays the optimum behavior. By withholding the reinforcement, the dog is conditioned to solve the problem on its own and will eventually start searching in an attempt to locate the exact location of the training aid. This technique should not be done to the point that it frustrates the dog. Find a balance in your corrective actions.

(2) False Response. The dog has a problem with false responding (FR). Detector dog teams that are prone to FRs lose probable cause reliability and credibility.

Conditioning Model Example #2

SD	R	RF
unknown	Dog sits, no odor present	(a) Escape dog away (b) Do not allow the dog to sit (c) Stand still and wait for the dog to get up and begin searching on its own.

Handlers choosing RFs (a) or (b) above are conditioning the dog to rely on the handler to provide information. Statistics indicate that normally these reinforcements do not solve the FR problem. The most effective method, while the dog is in the FR position is (c),the handler should stand perfectly still and watch the dog. After no reward is received, the dog will start searching again on its own. This is called extinction training whereby the dog learns that the FR behavior yields no positive reinforcement.

(3) Walking the Training Aid. The dog has a problem with smelling a learned odor and not responding. During actual searches this could be disastrous.

Conditioning Model Example #3

SD	R	RF
Dog encounters AT	Dog does not respond	(a) Circle dog back to aid (b) Tap back (c) Do not allow Dog to leave the odor.

Dogs must be conditioned to respond on source the first time they comes to it. Selecting RFs (a) or (b) above, the dog learns not to respond at AT the first time because it is conditioned to rely on the handler to bring it back to the training aid. The correct RF is (c), to not allow the dog to walk out of odor once its encountered. The handler must know the exact location of the training aid and once the dog indicates it is on odor, hold position giving the dog only enough leash to work to source.

(4) Scanning. The dog does not search using a methodical pattern missing productive areas.

Conditioning Model Example #4

SD	R	RF
Seek	Dog searches, using no pattern missing productive areas	(a) Use hand presentations (b) Block the dog using handler's body (c) Use systematic aid placement.

The RF in (a) and (b) are incorrect. This conditions the dog to rely on the handler for all areas to be searched. Hand
presentations are distracting and introduce a variety of novel
odors directly to the dogs nose. The dog must then discriminate between the odors on the hand and that of a training aid. Blocking the dog with the handlers body tends to frustrate the dog and only provides a temporary solution. The correct RF is (c), to systematically use aid placement to condition the dog to search productive areas. Scanning is often caused by handlers placing the first training aid 10 or more feet into the training session causing the dog to forge ahead in an attempt to locate the first aid. Aid placement helps keep the dog in the proper search pattern, sniffing productive areas along the way. It also helps to reduce/eliminate presentation and handler blocking. It
is important that handlers do not exceed the time/distance that the DOG must work before receiving RF.

CHAPTER 3

UTILISATION OF DETECTOR DOG TEAMS

3-1. Use of Detector Dog Teams(DDTs). DDTs are the most capable and versatile resource for the detection of illegal drugs. Dog use is coordinated at each department within the constraints imposed by local, state and federal law. The local District Attorneys office can provide advice and updated guidelines pertaining to proper search/seizure. All searches will be conducted within these guidelines without exception.

a. Publicity of the presence and effective use of DDTs may help reduce illegal drug use/trafficking.

c. For safety purposes, only those individuals trained to assist a dog team will be permitted to actively participate in training scenarios/operational evolutions. Additionally, for safety and liability purposes dog teams will not be used to conduct searches of individuals. All personnel will be advised to maintain a safe distance from the dogs.

d. The areas to be searched should be cleared of all nonessential personnel. No one should be allowed to remove suitcases, bags, parcels or other items. Personnel who must dress to leave the area should be observed to prevent the removal of small parcels/contraband.

e. All vents, fans, windows and air conditioning units should be secured prior to the arrival of the dog team in order to permit maximum retention of scent.

f. The area to be searched should be cleared of all toxic/volatile substances, paints, metal/wood shavings, broken glass, oil/grease spills powdered substances, cured foods and other items which might distract or be harmful to the dog team. The dog handler may refuse to search any space not considered safe.

g. Photography will not be permitted during actual searches; however, demonstrations may be arranged through the canine supervisor/public affairs office.

h. In order to avoid possible injury, all routes used by the dog team should be cleared of personnel.

i. Dog handlers are available for testimony concerning their operations at judicial, or administrative proceedings.

3-2. Services Not Provided By DDTs . The DDTs sole function is to indicate, on the basis the dog's response, the suspected location of controlled substances. The team will not provide the following services:

a. Laboratory testing services for suspected contraband.

b. Legal advice, other than to testify to the dogs' abilities.

3-3. Detection in Vehicles. Most vehicle searches are conducted in an open area environment and have many distracters such as passing autos, people working in and around the area, and curious bystanders. Ensure driver and passengers exit and remain away from the vehicle.

a. The handler must be able to distinguish the dog's interest in extraneous odors in and about the vehicle, i.e., dog urine, human odors, etc., from an actual response.
b. When searching the exterior of a vehicle ensure the dog sniffs door seams, undercarriage, engine compartment and trunk.
c. Do not allow the dog to enter the vehicle unless the DOG detects odor from the outside and further inspection is necessary.

3-4. Detection in Warehouses homes or other buildings. These areas present unusual problems because of wind circulation, distractions, and inaccessibility to all productive areas. Large areas should be broken down into several smaller areas. The handler must ensure that the DOG maintains a high-low systematic pattern. Non–essential personnel and other distractions should be kept to a minimum to enhance the team's efforts.

CHAPTER 4

Records

The importance of quality and accurate records cannot be overemphasized. The following guidelines will be followed for maintaining all records.

4-1. Maintenance of Accurate Records. The maintenance of accurate records is of paramount importance and should be prepared with the same care as other official documents. Entries should be made in blue/black ball point ink. Records must be maintained throughout the active service life of DOGS. These records document trends in areas such as training and use, performance and proficiency levels, medical history, and final disposition. All records forms, reports, and records are divided into three basic categories :

a. Administrative Records
b. Training and Use Records
c. Reports and Evaluations

4-2. Detector Dog Training and Utilization Record. This form provides a method of documenting detector dog performance during proficiency trials and actual search situations. It is used in conjunction with Utilization Record Supplemental and is maintained by the respective handler.

NOTE : DOG proficiency training will not be recorded on this record. Use the Detector Dog Training Record to document all training.

Block 1. Enter the year and month of training.
Block 2. Enter the organization and location to which the DOG is assigned.
Block 2 (Name of Dog) Also, enter the name of the DOG in the second
Block 3. Enter the DOGS tattoo number which can be found on the inside of the left ear.
Block 4. Enter the dogs age, in years, rounded to the nearest half year.
Block 5. Enter the type of dog (i.e., patrol/drug detector, drug detector).
Legend (no block number) -
Block 7. Enter the type of search being conducted (e.g., vehicle, building, house, etc.).
Block 8. There are three boxes for each type of search under every day of the month: time in hours, positive, and response. Enter the amount of search time, number of positive responses, and the total number of responses. For example, if the dog searched for two and one half hours, had four positive responses out of four total responses, the entries would be as follows:

Day one 2.5 (search time)
4 (positive responses)

4 (total responses) .

Search time will be recorded as the time a team commences a search until the search is completed. Search time will be rounded to the nearest quarter hour.

Examples: .25 = 15 minutes
.50 = 30 minutes
.75 = 45 minutes
1.0 = 60 minutes

Block 9. Enter the total numbers for the month.
Block 10. Enter a daily score of "S" for satisfactory or "U" for unsatisfactory performance.
Block 11. Enter the total search time in hours for each day with the total time in the far right box.
Block 12. This block is used to record the dogs proficiency percentage for each individual odor that the dog is certified to detect. All drug detection dogs are required to maintain 95 percent proficiency per odor.

NOTE : DOG percentages are obtained from proficiency trials only. A minimum of five aids per odor per month will be used to determine proficiency percentages .
Blocks 13 through 19 are self explanatory.
Block 20. Enter the type of area that the proficiency trials were conducted (e.g., vehicles, buildings, house etc.).
21. Enter under the appropriate day in the top box the number of aids hidden. The middle box will be used to enter positive responses and the bottom box will be used to document the sniff time. Sniff time will be recorded, in actual minutes, from the time each team starts the proficiency trial until completion.
Block 22. Enter the totals for the month for each of the categories .
Block 23. Enter the total number of non-productive residual odor) responses in the upper triangle and total number of false responses (from detection trials only) in the lower triangle for each day.
Block 24. Enter the daily performance rating for each day as "s" for satisfactory and "U" for unsatisfactory.
Block 25. Enter the total training time in minutes for each day and the monthly total in the far right box.
NOTE : Remarks concerning deficiencies or health problems with the dog will be documented on a separate sheet of bond paper and attached to training record.

Rico 300J
June 2005
Deficiency (DEF)/Corrective Action (C/A)Report:
DEF-1 : On 8 June 1995, while conducting a trial, Rico failed to detect 5 grams of heroin planted 6 feet high/3 feet deep concealed in an office supply cabinet for approximately 1 hour. Rico sniffed within 2 feet of the training aid. Dog was acclimated to the selected training area. No environmental distractions (ventilation/temperature) were noted at the time of the missed training aid.

CA-1: I will reduce the height in l-foot increments until the dog is able to detect/respond to the training aid. Once the dog is responding to the aid, I will conduct 10 trials at concealment level using various locations and times. If Rico maintains proficiency at this level I will increase the height by 1 foot. My target date for completion of this training task is 30 days. Dog will be evaluated by canine supervisor/trainer upon completion of 30-day training period for effectiveness of selected corrective action.

c. Detector Dog Training Record. This form provides a method of documenting detector dog performance during proficiency training. Documentation requirements are as follows:
Block 1. Enter the month and year of period being documented.
Block 2. Enter the organization and location to which the dog is assigned (i.e., San Antonio Police Department) .
Block 3. Enter the name of the dog.
Block 4. Enter the tattoo located inside the left ear.
Block 5. Enter the dogs age rounded to the nearest half year.

Block 5. Enter the type of area that the proficiency training was conducted (vehicles, buildings, house etc.).
Block 8. Enter under the appropriate day in the top box the number of aids hidden. The middle box will be used to enter the number of positive responses and the bottom box will be used to document the sniff time. Sniff time will be recorded in actual minutes from the time each team starts the proficiency training until the team has completed.
Block 9. Enter the totals for the month under each of the categories.
Block 10. Enter the daily performance rating for each day as "S" for satisfactory and "U" for unsatisfactory.
Block 11. Enter the total training time in minutes for each day and the monthly total in the far right box.
Blocks 12 through 18 are self explanatory. Enter the required information.

4-3 Detector Dog Utilization Record (Supplemental). This form is applicable to all detector dogs and is maintained by the respective handler. Residual odor responses are not to be documented on this form. It provides a method to record each positive response and

document the results of field and lab tests for all substances seized as a result of the dogs response.

Blocks 1 through 6. Enter the requested information similar to previous forms in this appendix.

Column A. Enter the date of the first positive response for the month and each subsequent positive response.

Column B. Enter the time of the response.

Column C. Enter the exact location of the response, e.g. , glove compartment of vehicle, Missouri license number JO-71O8.

Column D. Enter a brief description of the evidence obtained, e.g. , suspected cocaine, suspected marijuana, etc.

Column E. Enter the approximate quantity of substance in the upper triangle and the unit of measure in the lower triangle, e.g., 25/grams.

Column F. Enter the type of field test performed and the results of that test. The date of the test is to be entered in the second half of this column.

Column G. Enter the lab that performed the test and the results of the test. Enter the date of the test in the second half of this column.

Column H. Enter the case control number assigned to the incident report.

Column I. Enter two asterisks (**) in this column co denoting any remarks on the reverse side of the form.

Blocks 7 through 13 are self explanatory.

4-4 Canine Validity Test Data. This form will be used during training/trials of drug detector dogs.

Block 1. Enter the type of test being annotated.

Block 2. Enter year, month and day of test.

Block 3. Enter location of test (i.e. 1234 Main Street, house).

Blocks 4 and 5 are self explanatory.

Block 6. Enter the type of training aid planted.

Block 7. Enter the height and depth in feet and inches.

Block 8. Enter the quantity of each training aid.

Block 9. Enter the time each training aid was planted.

Block 10. Enter the location of each training aid planted.

Block 11 and 12 are self explanatory.

Block 13. Enter the beginning and ending times that the trial/training problem was performed (i.e., sniff time).

Block 14. Enter appropriate score for each training aid.

NOTE : The only recognized symbols for documenting proficiency training are positive responses (+) and handler assisted positive responses (a plus symbol with a circle around it). The only recognized symbols for documenting proficiency trials are positive responses (+) and missed training aids (-).

4-5 Dog Quarterly Summary Statement. This summary is applicable to all drug detector dogs. Handlers will submit Quarterly summary Statements to the Chief of Police no later than 15 days after the end of the reporting quarter.

Block 1. Enter fiscal year and quarter.
Blocks 2 through 8. Self explanatory.
Block 9. Enter total hours per week of detector dog use for reporting period.
Block 10. Enter total hours per week training/trial times for reporting period.
Block 13. Enter number of actual searches conducted for reporting period.
Block 15. Enter the quantity (in pounds or grams), and value for
each drug (or each piece of paraphernalia) found for reporting period.
Block 16(E). Enter number of responses (both productive and non-productive).
Block 16(F). Enter all seizures in suspected drug money, property etc.
Block 17(G). Enter date of last command certification.
Block 17. Self explanatory.

CHAPTER 5

FOOD MODIFICATION PROGRAM

5-1. Purpose. The food modification program is a problem solving technique used to enhance the "sniffing behavior" in detector dogs. It allows the handler to have complete control over the reward. Food should not be used in place of other rewards that motivate the dog, i.e. , ball, "kong," or toy.

2. Background. The food modification program is used on food reward detector dogs experiencing a decline in search drive during detector training and use. The reward of food is not meaningful enough to some dogs to produce the optimum behavior when it knows it will be fed in the kennel anyway. Therefore, feeding the dog in the kennel is eliminated and the dog is only fed when responding to odors it was trained to detect during daily training evolutions. A conditioned stimulus based upon a survival instinct provides a strong motivator. Through the use of this program, the proficiency capabilities of detector dogs can be increased significantly.

3. Implementation. To implement the food modification program follow the below guidelines:

a. Initially, the dog will only be fed during training sessions and not in the kennel. Training will be conducted 7 days a week until the dog demonstrates a substantially increased "sniffing behavior" and all inconsistencies in performance are extinguished.

b. During detection training, the dog should be rewarded using small increments of the standard diet for each positive response. Any remaining food will be fed at the last training aid for the day.
c. The dog should be exposed to enough training aids during the day to allow for consumption of the normal daily ration.
d. Weekly weights will be maintained to ensure the dog remains within the prescribed working weight.

e. The training session should be terminated if the dog demonstrates a lessening in motivation/drive. To continue would result in the handler rewarding less than the optimum behavior.
f. The process is continued until the desired "sniffing" behavior is achieved, at which time, on non-training days the dog can be fed in the kennel. Further feeding through training sessions only is extremely labor intensive to maintain. Avoid conducting short training sessions at the end of the day just to satisfy the food modification process. This conditions the dog to expect a training aid at short intervals, affecting its ability to conduct realistic searches for extended periods of time without false responding.

DETECTOR DOG PROFICIENCY LEVELS

1. The height/depth criteria for planting training aids for each
detector dog proficiency level is listed below. The higher the
level achieved by the detector dog team, the more capable the dog
is to locate and respond to real world drugs.

Level Three O - 6 feet high O - l-foot deep
Level Five 6 - 7 feet high 1 - 2 feet deep
Level Seven 7- 8 feet high 2 - 3 feet deep
Level Nine 8 - 9 feet high 3 - 4 feet deep
Level Twelve 9 feet + high 5 feet + deep

2. Before training to a higher level is conducted, the dog must be proficient on all odors at the
current level. Depending on the quality/quantity of training, the average time frame for
detector dogs to achieve the next higher level is 1 year.

3. During proficiency trials, training aids should be planted, varying the size, at all levels for
which the dog is proficient.