

Canine Assisted Arrests

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Basic Idea

- Dogs help police arrest difficult suspects
- Great for hidden, fleeing, dangerous suspects
- Dogs chase, tackle, bite, disarm, and hold suspect
- Protect police officer
- Increase likelihood of arrest

Police Dogs

- Frequently German Shepherds
- Aggressive, protective, intelligent breed
- Should be regularly re-certified with handler
- Descendants of wolves
- Wolves are carnivores, predators

Potential Problems

- Attack the wrong person
- Attack the wrong body part
- Amputation, infection, disfigurement, death
- Emotional trauma
- Releasing stuck dog causes more damage

Missing Accountability

- Problems more likely where accountability lacking
- City law 90.017 protects police dogs, officers
- “The provisions of this chapter shall not apply to any federal, state, or local law enforcement agency or dog used by or belonging to such agency ...”
- Government agents (almost) never arrested
- Basically impossible to sue government itself
- Qualified immunity prevents suing government agents

Wild West SD Arrest Law

- 22-16-32. Justifiable homicide
- "Homicide is justifiable ... If necessarily committed in arresting felons fleeing from justice."
- 22-16-31. Excusable homicide
- "Homicide is excusable if committed by accident and misfortune in the heat of passion, upon sudden and sufficient provocation, or upon a sudden combat ..."
- 22-16-33. "Homicide is justifiable ... in lawfully keeping and preserving the peace."
- Law identified by Mike Z, thanks

Protecting Police Animals

- 18 U.S. Code § 1368 - Harming animals used in law enforcement "Whoever willfully and maliciously harms any police animal ... the maximum term of imprisonment shall be 10 years."
- Illegal to defend against a vicious attacking police dog
- Special protection for government, not citizens
- Law should be repealed for violating Constitutional mandates "equal protection under the law" and no "cruel punishment"

Understated Danger

- “some attorneys said the law should treat police dogs as lethal weapons. 'I'd put being attacked by a dog just below being shot,' said Hank Sherrod, who has represented dog bite victims in Alabama.”
- See “When police violence is a dog bite” on www.themarshallproject.org

Modern Standards

- Okay to kill (shoot) escaping prisoners
- Not okay to shoot fleeing suspects unless imminent threat. See *Tennessee v. Garner* 1985
- Never okay for dogs to chew on suspects, too brutal
- Bite and release okay for dangerous armed assailants

Recommendations

- Be decent to other people, even when they don't deserve it
- Eliminate brutal dog-assisted arrests
- Limit police dogs to bite and release
- Retrain police dogs and handlers
- Regularly re-certify police dogs and handlers
- Update city, state, federal laws
- Revise SD law per Tennessee v Garner

Enjoy Nature



But Watch That Drop-Off

