



December 16, 2021

Interim Chief Adrian Diaz
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

Dear Chief Diaz:

Please see the below Management Action Recommendation.

Case Number

- 2021OPA-0223 / 2021COMP-0045

Topic

- Canine Deployment

Summary

- An SPD supervisor reported that the named employee (NE) deployed his canine in a manner that was inconsistent with SPD policy or the result of unclear policy.

Analysis

- The NE and canine responded to an in-progress commercial burglary call. Patrol officers briefed the NE that there were two suspects inside, including one in possession of a weapon. The NE conducted an off-lead search of the building, during which the canine identified and bit a tarp. At the time of the bite, officers did not see that there was a subject hiding under the tarp who was bit.
- Under SPD Manual [8.300-POL-1\(3\)](#), felony burglary is the only property crime for which a canine may be deployed. After this incident, the policy language was modified to “completed” felony burglary.
- SPD Manual [8.300-POL-1\(8\)](#) states that direct apprehension of a subject through a canine bite may only be used when the officer has probable cause that a subject committed one of the crimes listed in 8.300-POL-1(3).
- A lieutenant and captain who reviewed the incident questioned whether officers had probable cause for burglary, rather than trespass, at the time of the canine search and bite. They stated that interpretations of the policy vary within the Canine Unit and the chain of command.
- OPA agrees that the addition of the term “completed” to modify burglary in the policy is confusing.
- The lieutenant further questioned whether it is appropriate to locate a suspect through a canine bite, rather than the canine alerting its handler that the suspect was likely within the room.

Recommendation(s)

- Modify 8.300-POL-1(3) to either eliminate “completed” or provide additional guidance as to what this means.
- Have the Canine Unit chain of command assess how it would like off-lead building searches to be conducted. Once a consensus is reached, ensure all unit employees receive appropriate training and understand the policy.

Thank you for your consideration of this matter. I look forward to your response.



Sincerely,

AM

Andrew Myerberg
Director, Office of Police Accountability