

DEPARTMENT OF SAFETY AND HOMELAND SECURITY
DELAWARE COUNCIL ON POLICE TRAINING

Statutory Authority: 11 Delaware Code, Sections 8402 & 8404(a)(14) (11 Del.C. §§8402, 8404(a)(14))

PROPOSED

PUBLIC NOTICE

802 COPT K-9 Training Standards and Requirements

The Council on Police Training (COPT), pursuant to 11 Del.C. §8404(a)(14), proposes to create regulations. The proposed regulations, which were voted on in a regular meeting by the COPT on October 16, 2018, seek to establish basic training and qualification standards for police K-9 teams.

The COPT will allow for the submission of written comments, suggestions, or other materials regarding the proposed rules to the Department of Safety and Homeland Security Attn: Christopher Klein, Public Safety Building Suite 220, P.O. BOX 818, Dover, Delaware 19903-0818 or e-mail Christopherm.klein@state.de.us. Any written submission in response to this notice and the relevant proposed regulations must be received by the Department of Safety and Homeland Security no later than 4:30 p.m. (EST) on December 31, 2018. A copy of this regulation may be viewed online at the Registrar of Regulation's website, http://regulations.delaware.gov/services/current_issue.shtml.

DECISION AND ORDER CONCERNING THE REGULATIONS

NOW THEREFORE, under the statutory authority and for the reasons sent forth above, the Council on Police Training does hereby ORDER that the regulations be, and that they hereby are, proposed to be enacted as set forth below.

Robert M. Coupe, Chairman COPT

802 COPT K-9 Training Standards and Requirements

1.0 Intent and Purpose

To establish basic training and qualification standards for police K-9 teams and K-9 specialty teams that include performance objectives for the police officer handler and the police officer-police dog teams.

2.0 Definitions

As used in this regulation:

"Agility Training" means training during which the police dog must surmount or overcome obstacles, such as walls and tunnels, which are likely to be confronted in the performance of duty.

"In-Service Training" means training conducted by a K-9 trainer or Supervising K-9 trainer to maintain skills that must be performed during re-evaluation.

"K-9 Patrol Team" means a team consisting of a police officer handler and police dog used in law enforcement for routine patrol work, such as building searches, area searches article searches, tracking, and criminal apprehension.

"K-9 Specialty Team" means a team consisting of a police officer handler and specialty dog used in law enforcement specifically for scent work, detection or tracking work. Specialty teams are used for narcotics detection, arson accelerant detection, explosive detection, tracking, article searches, or cadaver detection.

"K-9 Team" means a team comprised of the police officer handler and the police dog.

"K-9 Trainer" means a trainer is qualified to conduct basic and in-service training for police officer handler-police dog teams and must meet the qualification requirements set forth herein.

"Law Enforcement Agency" means any police force or organization functioning within this state or any other state which has by statute or ordinance the responsibility of detecting crime and enforcing the criminal or penal laws of this state or any other state.

"Law Enforcement Officer" means any COPT certified employee of a law enforcement agency (not including a civilian employee), any member of a fire department or force who is assigned to an arson investigation unit.

"Police Dog" means a dog that has been trained by a Supervising K-9 trainer or K-9 trainer and is handled by a police officer handler in the performance of his/her duties used for law enforcement purposes or any law enforcement related activities.

"Police Officer Handler" means a COPT certified law enforcement officer who officially utilizes a police dog in the course of assigned duties and responsibilities.

"Police Specialty Dog (single purpose dog)" means a police dog used specifically for specialty work or specialized scent work such as detection and tracking in law enforcement, that is, narcotics detection, arson accelerant detection, explosive detection, tracking, article and cadaver detection.

"Supervising K-9 Trainer" means K-9 trainers that conduct basic and in-service K-9 training and qualifying exercises. They are responsible for supervising K-9 handlers who assist with any K-9 training, and for certifying qualified prospective handlers as K-9 trainers. Supervising K-9 trainers must meet the qualification requirements set forth herein.

3.0 K-9 Training Standards and Qualification Requirements

- 3.1 All law enforcement agencies with a K-9 program for COPT certified officers will establish clearly written policies and procedures that are consistent with the K-9 standards as approved by the COPT.
- 3.2 All Police Officer K-9 handlers will be trained under the same standards and curriculum for Basic training and qualification, in-service training and re-evaluation as approved by the COPT.
- 3.3 Instructors for K-9 trainers must meet the following:
 - 3.3.1 Satisfactory completion of COPT K-9 training or K-9 training equivalent to the basic training and qualification as approved by the COPT;
 - 3.3.2 Five (5) years of experience as a police dog handler;
 - 3.3.3 Must be a full-time law enforcement officer assigned to trainer's duties by his/her employing law enforcement agency;
 - 3.3.4 Satisfactory completion of a Certified Instructor Course approved by COPT or an equivalent course; and
 - 3.3.5 Experience assisting a Supervising K-9 Trainer in the delivery of one or more basic K-9 training courses satisfying the requirements as adopted by the COPT or courses having substantially equivalent requirements, during which a minimum of five (5) K-9 teams were successfully trained and qualified. The prospective trainer must have been present for and assisted with the majority of training time.
- 3.4 Supervising K-9 Trainers must meet the following:
 - 3.4.1 Satisfactory completion of COPT K-9 patrol training or K-9 patrol training equivalent to the training as approved by the COPT;
 - 3.4.2 Must be a full-time law enforcement officer assigned to trainer duties by his/her employing law enforcement agency;
 - 3.4.3 Satisfactory completion of a Certified Instructor Course approved by COPT or an equivalent course;
 - 3.4.4 Seven (7) years of experience as a police dog handler or trainer;
 - 3.4.5 Must have experience in conducting a minimum of two (2) basic K-9 training courses satisfying the requirements as adopted by the COPT (with the exception of those areas of instruction appropriately conducted by qualified specialists) or a course having substantially equivalent requirements, thereby successfully training and qualifying a minimum of ten (10) K-9 teams;
 - 3.4.6 A Supervising Patrol K-9 Trainer is responsible for all documentation and certification of prospective trainers. He/she must document the time the prospective trainer committed to the class training, the number of dogs trained, the areas of training, and what involvement the prospective trainer had with the class. Weekly evaluations recommending goals and objectives, as well as documentation of accomplishments are required; and
 - 3.4.7 All records pertaining to the certification of K-9 patrol trainers must be maintained by the Supervising K-9 Patrol Trainer for a period of no less than two (2) years, and by the newly certified K-9 patrol trainer for the duration of his/her career.
- 3.5 Training, Qualification and Re-evaluation Records
 - 3.5.1 Complete records should reflect all K-9 training, qualification and re-evaluation activities, as well as the performance and proficiency of the police officer handler, police K-9 patrol team, or K-9 specialty team during such activities.
 - 3.5.2 Copies of all training course schedules, curricula and lesson plans must be maintained along with the records of individual trainees.
- 3.6 Training Site or Facility Requirements. The training site or facility should provide the environment necessary to conduct all aspects of the training as approved by the COPT, including appropriate simulation exercises. The area used must be adequate to accommodate an agility course as well as various types of searches.

