

Weaponizing Dogs

The Brutal and Outdated
Practice of Police Attack Dogs

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ACLU CALIFORNIA
ACTION

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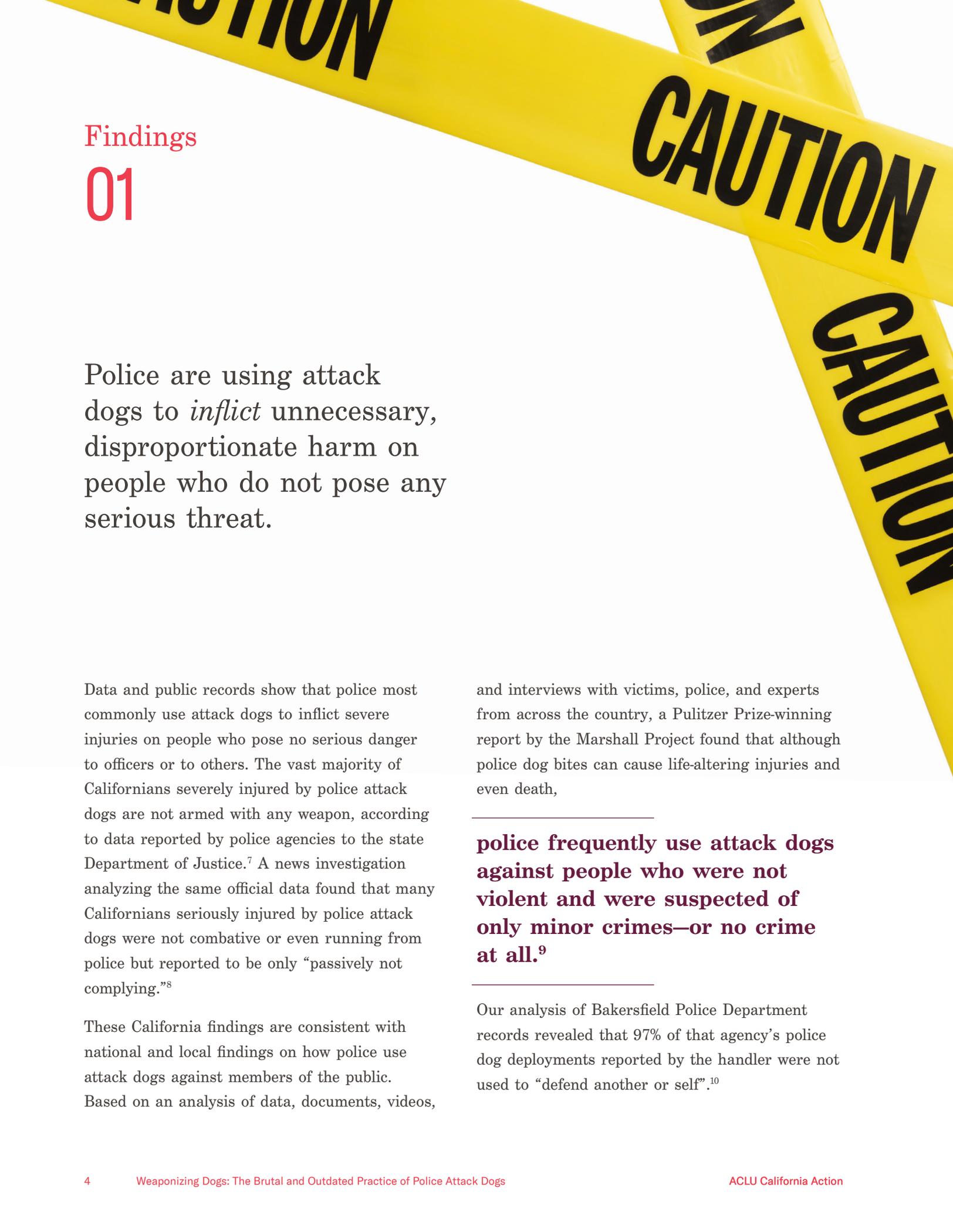
Executive Summary

This policy brief examines the outdated and dangerous police practice of using attack dogs to bite and maim members of the public; the significant harms caused by this practice; and the barriers to transparency and accountability for police use of attack dogs.

Based on analysis of official data, policies, and public records obtained from 37 police agencies across California,¹ we find:

- Police are using attack dogs to inflict serious injuries on people who do not pose a danger to officers or others.
- Police are using attack dogs specifically to bite and threaten people experiencing a behavioral health crisis.
- Police use attack dogs to perpetrate racialized violence.
- Police cannot adequately control their attack dogs, who regularly maul bystanders and fail to stop attacking when recalled.
- State law and police policies fail to prevent police attack dogs from unnecessarily inflicting violence against the public or provide accountability when individuals are harmed by their indiscriminate and unnecessary use.

In just the last few years, police have used attack dogs to injure *hundreds* of people across California so badly, that these individuals faced a significant risk of death or permanent impairment of a body part.² While law and police agency policy recognize weapons like batons or tasers as serious instruments of force, more Californians suffered life-threatening or life-altering injuries resulting from police dog attacks than those similarly harmed by batons or tasers.³ According to the California Department of Justice, police attack dogs account for more than one in ten uses of force that result in serious injury each year.⁴ In some individual departments, police dog attacks make up an even greater share of serious use of force cases: for example, in the city of Richmond, police attack dogs were involved in 60% of use of force cases which resulted in great bodily injury or death over a five-year period,⁵ and in the city of Sacramento, dog attacks constituted 30% of all police uses of force.⁶ Given the scale of this problem and the findings set out in this brief, the state of California must act with urgency to protect the public and enact legislation addressing police agencies' use of attack dogs.



Findings

01

Police are using attack dogs to *inflict* unnecessary, disproportionate harm on people who do not pose any serious threat.

Data and public records show that police most commonly use attack dogs to inflict severe injuries on people who pose no serious danger to officers or to others. The vast majority of Californians severely injured by police attack dogs are not armed with any weapon, according to data reported by police agencies to the state Department of Justice.⁷ A news investigation analyzing the same official data found that many Californians seriously injured by police attack dogs were not combative or even running from police but reported to be only “passively not complying.”⁸

These California findings are consistent with national and local findings on how police use attack dogs against members of the public. Based on an analysis of data, documents, videos,

and interviews with victims, police, and experts from across the country, a Pulitzer Prize-winning report by the Marshall Project found that although police dog bites can cause life-altering injuries and even death,

police frequently use attack dogs against people who were not violent and were suspected of only minor crimes—or no crime at all.⁹

Our analysis of Bakersfield Police Department records revealed that 97% of that agency’s police dog deployments reported by the handler were not used to “defend another or self”.¹⁰

EXCERPT

THE MARSHALL PROJECT'S POLICE DOG BITE DATABASE RECORDS ATTACKS AGAINST CALIFORNIANS STOPPED FOR MINOR OFFENSES.¹¹

Los Angeles County

During a traffic stop for a broken taillight, a Sheriff's Department attack dog bit a man in the scrotum, causing him to lose a testicle.

Contra Costa County

Police pulled over a man for driving with a suspended registration, then released an attack dog, which bit the man on his arms and back.

San Diego County

After a traffic stop for a broken side mirror, deputies released a police dog to attack the couple that exited the car.

This indiscriminate use of police attack dogs for no public safety purpose is not an accident; rather it is explicitly permitted under California law and police agency policies. Many California police agencies authorize the use of attack dogs to bite and maim even where the person does not pose a threat. Out of the 37 California police department policies reviewed for this brief, only one clearly limited the use of attack dogs to situations involving a threat of serious injury to officers or someone else.¹² None of these policies limited the use of attack dogs to apprehend people suspected of committing a violent offense¹³ and none limited

the use of attack dogs to situations involving felonies.¹⁴ The actual use of police attack dogs reflects this absence of limits.

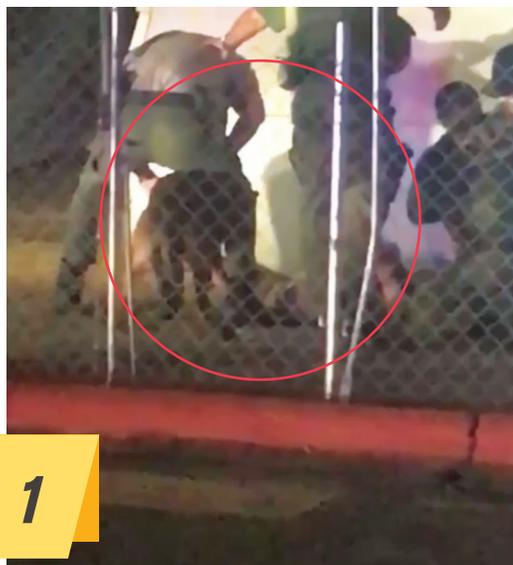
Current and former California police officials acknowledge that police do not usually use attack dogs to confront lethal threats. At a 2023 hearing on a bill addressing police attack dogs, Assemblymember Juan Alanis, a former Stanislaus County Sheriff's Department sergeant, acknowledged that a high number of Californians severely injured by police attack dogs are unarmed; he explained that police dog handlers "are not going to send a dog into a room where there is a known armed suspect."¹⁵ When asked by Alanis whether he would use a police dog to apprehend an armed suspect, Butte County Sheriff's Captain Brad Meyer, a police dog handler and witness at the hearing, confirmed: "Most of the time, no." Similarly, a former Los Angeles County Sheriff's Department handler and police dog trainer for many other California police agencies testified as an expert witness in official court proceedings that police agencies generally do not use dogs to respond to people armed with a gun or knife.¹⁶ Thus, their frequent use of attack dogs that often cause devastating physical injuries or death is intentionally limited primarily to instances where the civilian neither poses a serious threat nor is suspected of any serious crime.

Our review of police reports obtained via public records requests, legal filings, and publicly-reported incidents from across California corroborates that police often use dogs to bite and seriously injure people posing no threat to officers or others—including unarmed people who are already lying down, restrained, or with their hands in the air.

To summarize just a few examples of the incidents we found:¹⁷

TOP RIGHT

In an incident involving the California Highway Patrol and the Riverside County Sheriff's Department, a deputy guided a police dog to a man already in custody with his hands cuffed behind his back while at least two deputies restrained him. The attack dog bit the man's right calf repeatedly. In courtroom testimony, deputies claimed the man was resisting arrest and possibly armed, while bystander video showed the unarmed man was detained and had his arms behind his back when the police dog was guided to attack him.¹⁸



1

MIDDLE RIGHT

In an incident captured on body-worn camera and bystander video, Sonoma County Sheriff's deputies tased a man while he had his hands in the air, then released a police dog to attack him after he was already prone on the ground.¹⁹ The police dog handler encouraged the dog to bite the man and allowed the dog to continue tearing at the man's leg, even though the man had placed both of his hands in the small of his back and was not a threat. The dog's attack inflicted multiple puncture wounds and a large hole in the man's leg, requiring multiple reconstructive surgeries, and resulting in permanent nerve damage, loss of mobility, and scarring.

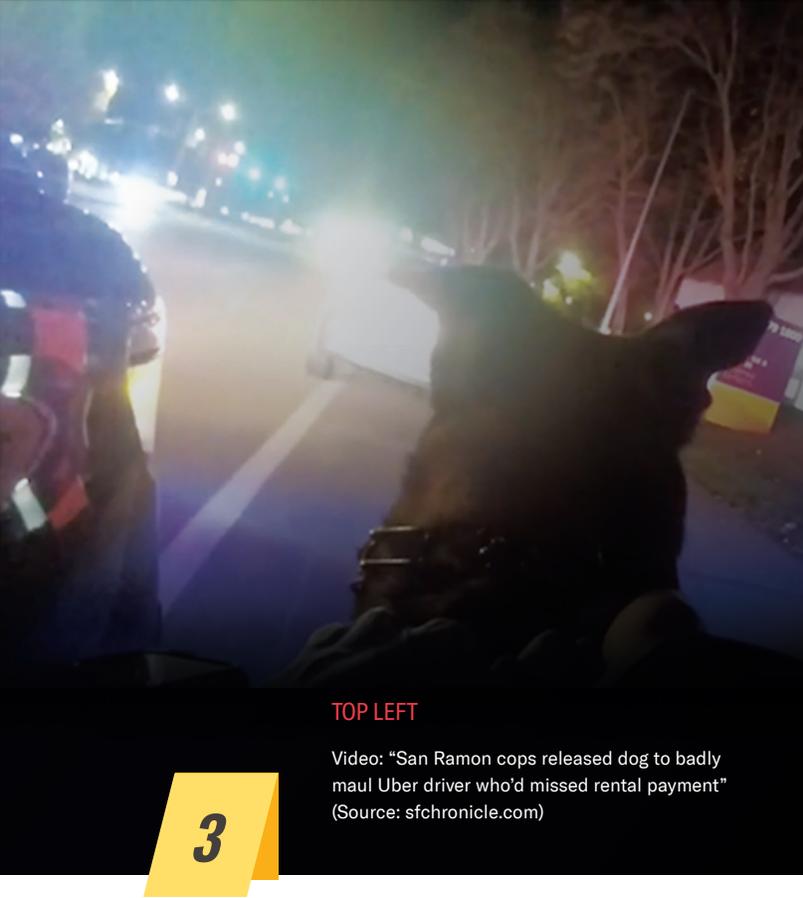


2

BOTTOM RIGHT

A San Mateo County Sheriff's deputy released a police dog to attack a 62-year-old man when he attempted to rescue his neighbor's lost cat from a nearby construction site, triggering an alarm—even though the man had nothing in his hands, which were clearly visible, and he was neither fleeing nor resisting.²⁰ The attack dog's bites inflicted serious injuries on the man, which required that he be transported to the hospital for treatment. While in the hospital, the Sheriff's deputy handed the man a sticker with a depiction of the attack dog that had attacked him and text that read: "I met Riggs."





TOP LEFT

Video: “San Ramon cops released dog to badly maul Uber driver who’d missed rental payment” (Source: sfchronicle.com)

3

In another incident captured on video, a San Ramon Police Department handler deployed his police dog to attack an unarmed Uber driver who offered no resistance and was attempting to comply with officers’ conflicting orders with his hands visible.²¹ The man—who police stopped for missing car rental payments—was severely mauled by the dog, which latched onto his arm and bit him for more than a minute as he screamed in pain, causing deep wounds that required 32 stitches and multiple surgeries.

EXCERPT

EVIDENCE SHOWS STOPPING THE USE OF POLICE ATTACK DOGS DOES *NOT* MAKE THE PUBLIC LESS SAFE.

A peer-reviewed research study published in 2023 found that a large municipal policing agency’s termination of its canine apprehension program “was not associated with a statistical increase in officer or suspect injury, or suspect resistance, during felony arrests.”²² The authors also noted that there was no empirical support for claims that police canines deter potential criminals, assist in arrest, protect officers, or reduce disorderly behavior through psychological intimidation; other than their study, they found these claims were “entirely untested” and had not been quantitatively evaluated. The authors concluded, based on their review of available evidence, that “constraints on using police K9s are unlikely to impact aggregate officer or suspect safety negatively.”

In New Orleans, where a federal civil rights consent decree significantly limited the use of attack dogs, resulting in three straight years with no police attack dog bites at all, a representative of the Fraternal Order of Police in New Orleans admitted that policy constraints on canine use “[hadn’t] put officers at greater risk” but instead “warded off unsuitable requests for the dogs,” including “unsafe deployments.”²³

Attack dogs are also not used as a “lesser” form of force when deadly force is warranted, and California data supports the conclusion that limiting the use of police attack dogs does not lead to an increase in injuries from police use of even deadlier weapons, such as firearms, against members of the public. Use of force data from California indicates that police agencies that seriously injure people with attack dogs the most also shoot people more—whereas agencies that don’t use attack dogs have far lower rates of police-involved shootings.²⁴

Findings

02

Police are using attack dogs *specifically* to bite and threaten people experiencing a behavioral health crisis.

Official data and public statements by California police officials show that police specifically use attack dogs to respond to people experiencing a behavioral health crisis. Use of force data reported by California police agencies to the state Department of Justice indicates that

nearly half of Californians severely injured or killed by police attack dogs showed signs of a mental health disability or crisis.²⁵ None of the California police department policies we reviewed prohibited the use of attack dogs to respond to behavioral health crisis.²⁶

Police agencies' failure to resolve incidents involving persons experiencing a mental health disability or crisis underscores the need for statewide regulation of police attack dogs.

Again, this approach to using attack dogs to inflict serious injury on mentally ill individuals unable to respond to police commands and in need of medical care is not an unintentional use of attack dogs; rather it is currently permitted under California law and incorporated into police agency policy. In a recent letter addressed to the Assembly Public Safety Committee and on his social media, the Chief of the Palm Springs Police Department argued that police need to be able to deploy attack dogs specifically to address behavioral health crisis situations.²⁷ He asserted that he had seen police dogs “subdue subjects” who “could not listen to police commands due to mental disability or intoxication” and argued that attack dogs are needed by police who “confront people experiencing a mental health crisis.”²⁸

A federal Department of Justice, Civil Rights Division investigation found that the Bakersfield Police Department maintained a policy of using police attack dog units “primarily” to “apprehend persons under the influence of drugs and/or alcohol or persons with mental illness.”²⁹ In 2020, more than half of all people severely injured by an attack dog deployed by the Bakersfield Police Department were exhibiting signs of mental illness or impairment.³⁰

DAVID SILVA'S STORY, AS TOLD BY HIS BROTHER CHRIS SILVA.

David Silva was experiencing a mental health crisis and sought assistance from a local hospital who referred him to a nearby mental health center, but while waiting to be seen he fell asleep outside the mental health center, after which the security guards tried moving him. David then crossed the street and fell asleep on the sidewalk opposite the mental health center. A Kern County Sheriff's Office (KCSO) responded to a call regarding an allegedly "intoxicated" person. However, no information was provided indicating that David was armed or posed an immediate threat of serious bodily injury or death to other deputies and or the community. Rather, the KCSO deputy observed David lying on the sidewalk in an apparent deep sleep and subsequently attempted to wake him up by rubbing David's chest. David awoke and attempted to stand but fell more than once. The KCSO deputy, acknowledging David's



state of deep sleep and difficulty waking him, nevertheless deemed his actions to constitute being "uncooperative" and escalated the situation by commanding his police dog to attack David repeatedly. Additional deputies arrived and joined in using various methods of force against David, including striking him with batons, hogtying him with a hobble restraint, and placing a spit hood on him. David began vomiting and "went unresponsive," and ultimately passed away.

My brother, David, was experiencing a mental health crisis and sought medical help, but instead, the KCSO deputies deployed their police dog that bit him several times. The unanswered question lingers—why, when David was experiencing some kind of pain or trauma, was the police called to respond instead of someone with mental health expertise and why did the deputy release its police dog to attack David who was deep asleep.

The system in place depends on victims and their families remaining silent. But we owe it to our loved ones, I owe it to David, to share his story and shine the light on police agencies' failure to adequately respond to individuals in crisis and the life-altering injuries (or death) that results from the use of canines. Ending the use of police dogs, or at the very least restricting their use, will undoubtedly save lives.

David might still be with us if a law preventing police from using attack dogs against the mentally ill and others was in place,

but I hope David's story can safeguard community members from sustaining life-altering injuries.

Our review of police use of force reports, news reports, and legal filings from across California indicates that police often use attack dogs not to de-escalate encounters with people in crisis, but to violently bite and maim them when responding to requests for help from family and friends. For example:

- Clovis police responded with a police dog unit to a 911 welfare check call from the friend of a woman experiencing a behavioral health crisis. Though there was no indication the woman was armed and no report of any crime, police decided to deploy an attack dog in the process of placing her under a psychiatric hold. The police dog handler commanded the dog to attack the woman, causing bite wounds to her face, ear, and armpit.³²
- In Visalia, police responded with a police dog unit to a mother’s 911 call for help to transport her son to the hospital for a psychiatric crisis, though she informed the dispatcher and then officers her son was not armed. As a video of the incident shows, two officers held her son’s arms behind his back as the handler commanded the dog to bite and allowed the dog to jump up and tear open the son’s face and neck.³³

The practice of deploying attack dogs to respond to a behavioral health crisis is not consistent with de-escalation and crisis intervention principles set out in state law and in related police standards and training. State law mandates crisis intervention training (Penal Code secs. 13515.27-13515.28) as well as “de-escalation and

interpersonal communication training . . . to avoid escalating situations that lead to violence.” (Penal Code sec. 13519.10.) Neither the state’s “De-escalation Strategies & Techniques” training nor the “Crisis Intervention Behavioral Health Training” mandated by law includes deploying a police dog to bite someone among recognized de-escalation strategies. Both trainings recognize that the use of force—which includes a dog bite—is not de-escalation, stating: “The full potential and benefit of successful de-escalation is only realized in its everyday use by officers to . . . safely manage a situation *without the need to use force*.”³⁴ And it defines successful de-escalation as the proper mindset, methods, and actions taken by officers “that result in a problem successfully resolved *without the use of force*.”³⁵ Further, attack dogs are a potentially-deadly form of force and at a minimum are likely to result in serious injury. Employing such significant force in encounters where no force or only minimal force may be justified cannot be viewed as de-escalation under any standard.

In addition, the state’s trainings recognize that empathy and effective, strategic communication skills, rather than any use of force, are the foundation of de-escalation. Actual de-escalation skills set out in the training include using “Proper volume, tone, pace, and demeanor”; and “Respect and dignity (civility),” in line with procedural justice principles.

These practices are at odds with deploying an attack dog to create panic and terror and to inflict terrible pain and injury.³⁶

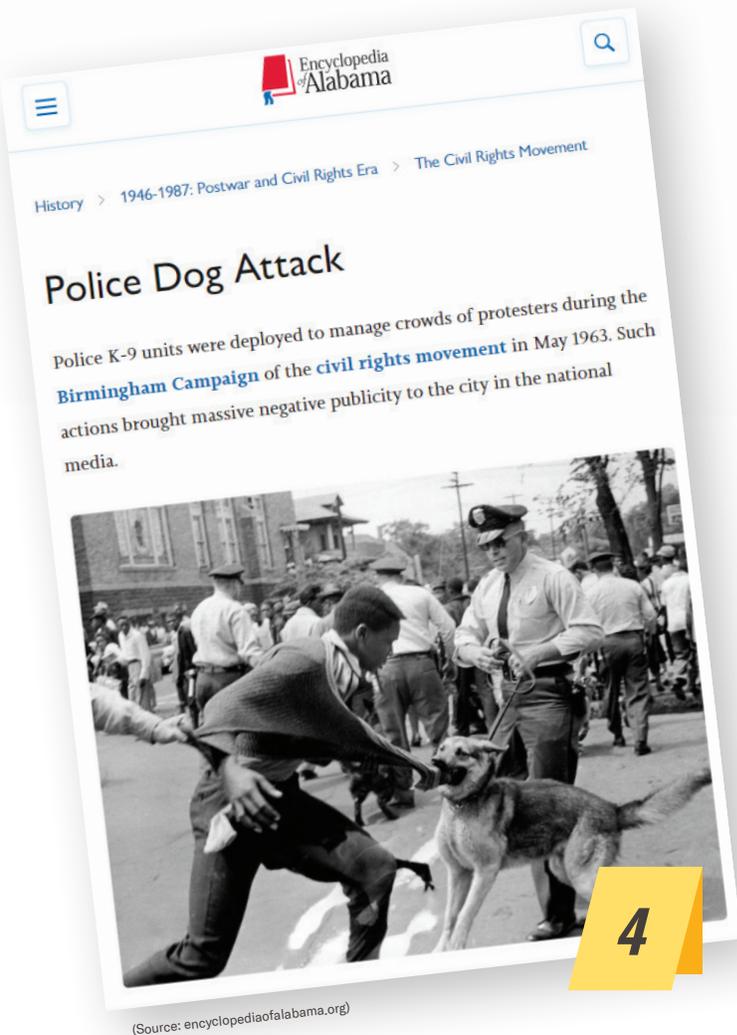
Use of force experts, psychologists, and cognitive scientists confirm that communication and compliance with police commands is made more difficult, if not impossible, by the fear, pain, and frenzy of a police dog attack.³⁷ And there is nothing respectful about assaulting the dignity of a human being by subjecting them to being attacked by an animal.³⁸



Findings

03

Police use attack dogs to *perpetrate* racialized violence



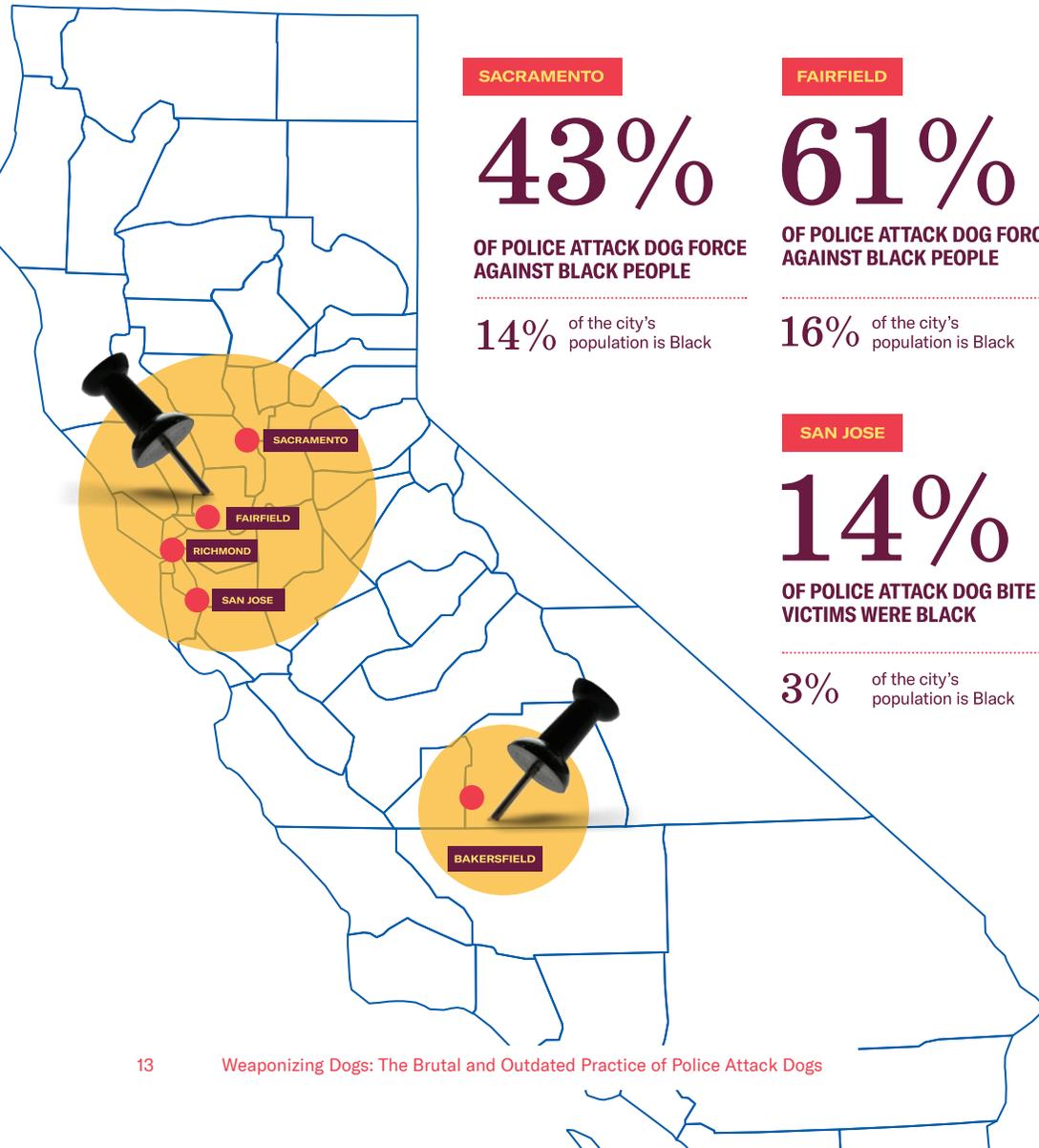
State use of force data shows that people of color, particularly Black Californians, are significantly more likely to suffer the grievous injuries inflicted by police attack dogs.

Statewide, two-thirds of Californians severely injured by police dogs are people of color.³⁹ Black Californians are 2.6 times more likely to be seriously injured by police attack dogs than white people.⁴⁰

National use of force data also shows that police most frequently use attack dogs to bite Black boys and men.⁴¹

This pattern of racialized violence can be observed locally as well. In Sacramento, police directed 43% of police attack dog force against Black people, who make up only 14% of the city's population.⁴² According to Census data and use of force data collected by a Bay Area news outlet, police across the Bay Area disproportionately use attack dogs against Black residents. In San Jose, 14% of police attack dog bite victims were Black, though Black residents are 3% of the city's population.⁴³ In Richmond, over a five-year

period, over 54% of people bitten by police attack dogs were Black, in a city that is 18.4% Black.⁴⁴ In Fairfield, in the same time period, over 61% of people bitten by police attack dogs were Black, in a city whose population is 16% Black.⁴⁵ Similarly, in Bakersfield, in 2020, 89% of police dog attacks resulting in severe injuries were against a Black or Latine individual, though Black and Latine residents collectively make up 59% of the city's population.⁴⁶ Bakersfield Police Department's racialized use of police attack dogs is also evidenced by the fact that its officers' use of attack dogs is clustered in its communities that are predominantly Black and Latine.⁴⁷



SACRAMENTO

43%

OF POLICE ATTACK DOG FORCE AGAINST BLACK PEOPLE

14% of the city's population is Black

FAIRFIELD

61%

OF POLICE ATTACK DOG FORCE AGAINST BLACK PEOPLE

16% of the city's population is Black

RICHMOND

54%

OF POLICE ATTACK DOG FORCE AGAINST BLACK PEOPLE

18.4% of the city's population is Black

SAN JOSE

14%

OF POLICE ATTACK DOG BITE VICTIMS WERE BLACK

3% of the city's population is Black

BAKERSFIELD

89%

OF POLICE DOG ATTACKS RESULTING IN SEVERE INJURIES WERE AGAINST A BLACK OR LATINE INDIVIDUAL

59% of the city's population is Black or latine

The racialized use of police dog attacks is demonstrated not only by these statistical disparities, but also by the language and symbolism used by the police agency who deploy the dogs. Public records document a San Diego Police Department handler joking that his dog “only likes dark meat.”⁴⁸ A police dog training facility that trains and supplies police attack dogs to many California police agencies, including

the Los Angeles Police Department, shares its name—Adlerhorst—with a Nazi command post and bunker used by Adolf Hitler.⁴⁹ And text messages obtained by federal investigators show an Antioch handler making derogatory and racist comments as he sent other officers trophy photos he collected of injuries inflicted by his attack dog (shown below).⁵⁰

9 26. As an additional example, **AMIRI** and **ROMBOUGH** exchanged the following
10 messages on November 26, 2021, about an individual in Antioch:

11 **ROMBOUGH:** Nice stop on the “211”³ turd
12 **AMIRI:** thanks bro. throat bite
13 **ROMBOUGH:** Lmao fucking perfect
14 **AMIRI:** don’t share
15 [Photograph from body-worn camera video]
16 **ROMBOUGH:** [...] I won’t
17 Going for the jugular
18 **AMIRI:** imagine fat ass purey on your fucking throat 🤔
19 **ROMBOUGH:** That’s perfect I love it
20 **AMIRI:** i shit myself when i saw that. i thought he was gonna
21 kill her
22 **ROMBOUGH:** Oh well one less gorilla pro-curating
23 [Image of smiling gorilla with lips making kissing face]
24 **AMIRI:** lmao!
 ROMBOUGH: Stay safe bro.



Legal scholars, historians, and even the California Reparations Task Force all note that attack dogs have consistently been part of racist police violence in this country and this state.⁵¹ As the Reparations Task Force report recounts:

“ Slave patrols . . . used dogs to attack enslaved people by biting them but also to instill fear, and used bloodhounds to track down enslaved people. Much like slave patrols, police have

continued to use dogs against African Americans in the 20th century through the present. Police used dogs against demonstrators during the civil rights movement. The United States Department of Justice noted in its 2015 report that the Ferguson Police Department “exclusively set their dogs against black individuals, often in cases where doing so was not justified by the danger presented.” In Baton Rouge, Louisiana, police dogs bit at least 146 people from 2017 to 2019 and almost all of whom were Black....

In the 1980s, the Los Angeles Police Department, which is the largest police department in California and one of the largest in the country, referred to African American suspects as “dog biscuits.” Victims of police dogs sued and alleged that the department disproportionately used dogs in minority neighborhoods, which resulted in police dogs inflicting 90 percent of their reported bites on African Americans or Latinos. In 2013, the Special Counsel to the Los Angeles County Sheriff’s Department, which is the largest sheriff’s department in California and the country, found that African Americans and Latinos comprised 89 percent of the total individuals who were bitten by the department’s dogs from 2004 to 2012. During the same time, the Special Counsel found that the number of African Americans that police dogs bit increased 33 percent.⁵²



In this context, the use of police attack dogs in communities of color also inflicts heightened psychological injury and trauma, as researchers confirm⁵³ and public officials and police agency leaders have recognized. Jiles Ship, who served over 30 years in the field of law enforcement, and head of the New Jersey chapter of the National Organization of Black Law Enforcement Executives (NOBLE) stated, even a police dog’s presence can traumatize minority communities.⁵⁴ New Jersey Attorney General Gurbir Grewal acknowledged this when he issued a state directive limiting police use of attack dogs, stating, “the use of dogs against people of color has a long and horrific history,” and “the psychological and physical injuries that occur from dog bites are severe and have a particularly strong negative effect on the relationship between communities of color and law enforcement.”⁵⁵

EXCERPT

USE OF POLICE ATTACK DOGS AT PROTESTS AND DEMONSTRATIONS

Despite the racist history in this country connected to police use of attack dogs at protests and demonstrations in support of racial justice, the practice persists in California. Indeed, in recent years, California police have used attack dogs specifically at demonstrations against police brutality, ironically resulting in police dogs injuring protestors. In Walnut Creek, police deployed an attack dog at a Black Lives Matter demonstration; a protestor mauled by the dog described feeling like he “was being eaten.”⁵⁶ In Anaheim, when police brought an attack dog to residents’ protest against the police shooting of an unarmed man, the dog got loose and charged at the crowd, which included a woman with a child, before it attacked a man attempting to shield his child in her stroller, biting his arm.⁵⁷

Although law enforcement professionals recognize that “police canines are not an efficient or appropriate tool for riot control or crowd control purposes,”⁵⁸ the vast majority of California police agencies still do not have policies limiting the use of police attack dogs for crowd control—and the few that do generally still allow for such use in limited circumstances or with higher-level approval.⁵⁹ Some California agencies’ attack dog handbooks specifically approve the use of attack dogs at protests and demonstrations, to operate as a “psychological deterrent.”⁶⁰

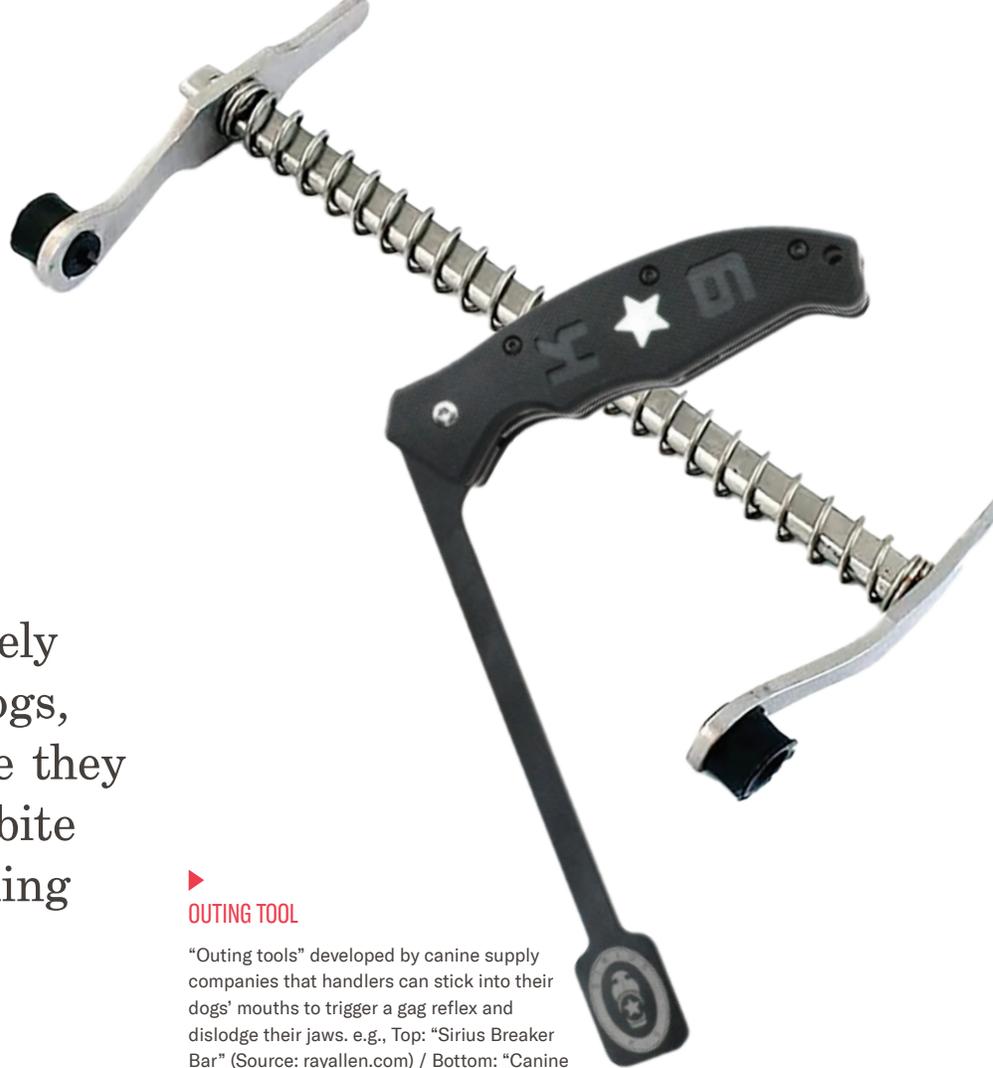
Findings

04

Police cannot adequately control their attack dogs, who often maul people they are not instructed to bite and *fail to stop* attacking when recalled.

In California, police attack dogs regularly maul people they are not instructed to bite, including bystanders, people surrendering to police, people peacefully going about their lives in their own homes, and even people who are sleeping.^{61,62} This results, in large part, from California law that permits the unfettered use of attack dogs and agency policy that allows them to be used in ways that are highly likely to cause significant harm to the public.

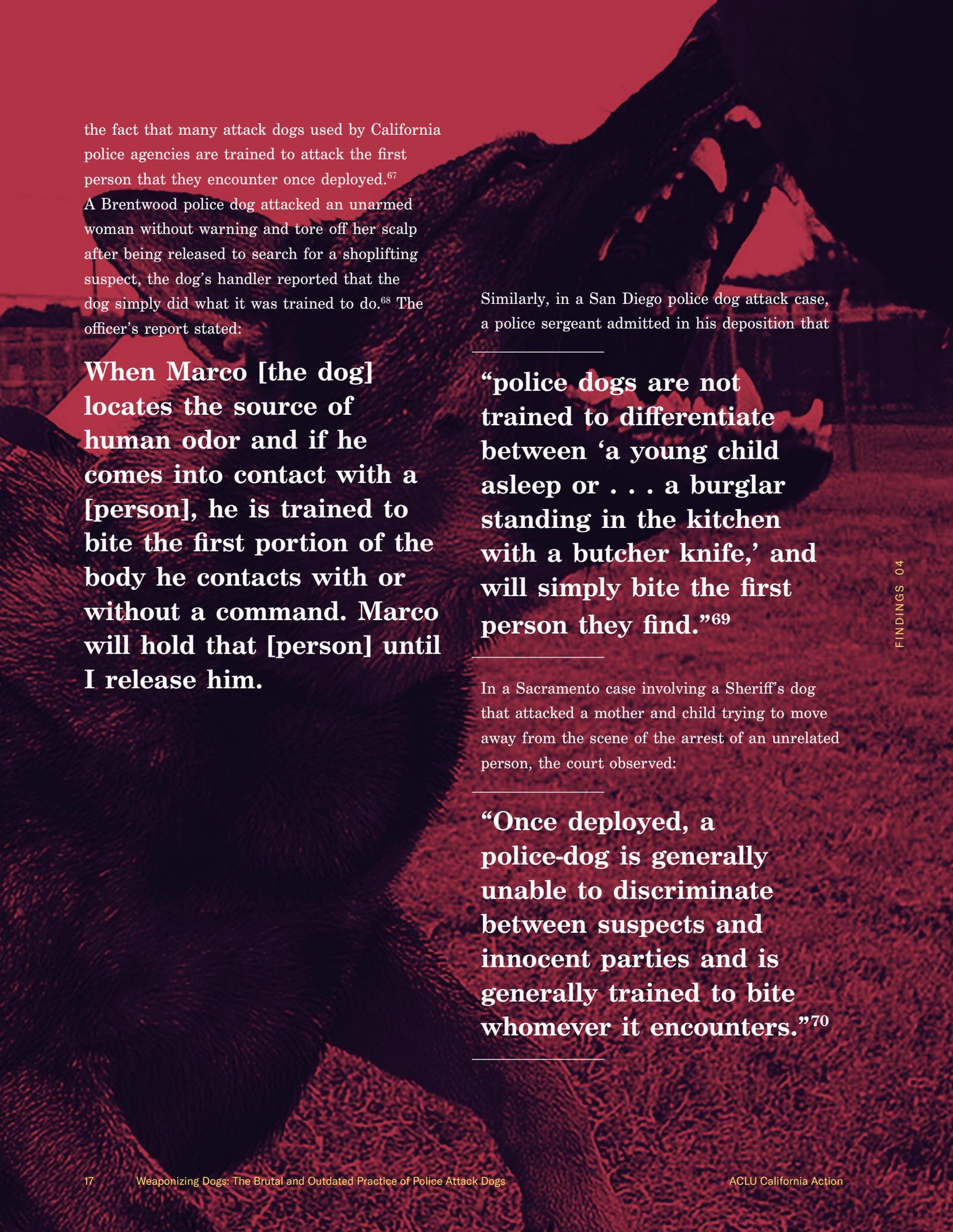
California police agencies use attack dogs in ways that are extremely dangerous to the general public – unleashing the dogs into buildings or open areas to search for suspects, sometimes in response to nothing more than a tripped security alarm. This often results in the dogs attacking people they encounter in their searches who



▶ OUTING TOOL

“Outing tools” developed by canine supply companies that handlers can stick into their dogs’ mouths to trigger a gag reflex and dislodge their jaws. e.g., Top: “Sirius Breaker Bar” (Source: rayallen.com) / Bottom: “Canine Mouth Gag” (Source: amazon.com),

are not involved in any crime and who are not posing any threat. Indeed, police dogs deployed in this way to search for suspects *maul people who are asleep with shocking frequency*.⁶³ In San Diego, for example, a police dog mauled a woman who had returned to her office after going out for drinks with coworkers and inadvertently triggered the building’s security alarm before falling asleep.⁶⁴ A sleeping woman was similarly mauled by a police attack dog released into a building to investigate a possible burglary in Los Angeles County.⁶⁵ Despite the danger of indiscriminate violence created by this practice, California police agency policies generally do not bar it, and many canine handbooks specifically instruct handlers to use it.⁶⁶



the fact that many attack dogs used by California police agencies are trained to attack the first person that they encounter once deployed.⁶⁷

A Brentwood police dog attacked an unarmed woman without warning and tore off her scalp after being released to search for a shoplifting suspect, the dog's handler reported that the dog simply did what it was trained to do.⁶⁸ The officer's report stated:

When Marco [the dog] locates the source of human odor and if he comes into contact with a [person], he is trained to bite the first portion of the body he contacts with or without a command. Marco will hold that [person] until I release him.

Similarly, in a San Diego police dog attack case, a police sergeant admitted in his deposition that

“police dogs are not trained to differentiate between ‘a young child asleep or . . . a burglar standing in the kitchen with a butcher knife,’ and will simply bite the first person they find.”⁶⁹

In a Sacramento case involving a Sheriff's dog that attacked a mother and child trying to move away from the scene of the arrest of an unrelated person, the court observed:

“Once deployed, a police-dog is generally unable to discriminate between suspects and innocent parties and is generally trained to bite whomever it encounters.”⁷⁰

RIGHT

A court order finds that Riverside Sheriff’s Department attack dogs are “trained to seek and bite any person it comes into contact with once released”—to “indiscriminately attack.”⁷¹ The Plaintiff in this lawsuit had complied with officers’ orders and was lying down on the ground with his hands behind his back when the police dog attacked him.⁷² He suffered significant wounds when the dog tore through his skin and flesh, causing him permanent nerve damage.

At all times the canine was under the control and command of Morton and the RCSD. *See id.* at 20. The canine is trained to seek and bite any person he comes into contact with once released by the officer. *See id.* Because the canine is trained to indiscriminately attack, proper police procedure requires that a warning must be given to any suspect or individual in the search area

1

Case 5:18-cv-01053-GW-SP Document 58 Filed 06/06/19 Page 3 of 14 Page ID #:660

before the canine may be released. *See id.* The officers failed to give any warnings of the canine’s release. *See id.* The canine tore into Plaintiff’s left arm, causing pain and “torture.” *See id.* ¶ 21.

Although in 2020, then-California Attorney General Xavier Becerra called on all agencies to “discontinue the use of ‘find and bite’ and ‘bite and hold’ techniques . . . where canines are trained and deployed to . . . bit[e] . . . as a first response,” this recommendation was non-binding and has met with resistance from police agencies.⁷³ Moreover, even when police dogs are trained to “find and bark”—i.e., to bark when they locate a person, rather than to immediately bite—they are still trained to attack if the person makes any movement. Even a person’s movement to comply with an officer’s orders (such as raising their hands in the air) will provoke a police dog to bite, as an Oakland use of force investigation report noted.⁷⁴

Because police dogs are animals, they inherently lack the judgment of human officers, which inevitably leads to them attacking the wrong people or inflicting excessive force. A police attack dog deployed for apprehension has no

ability to tell the difference between an innocent child and someone that matches a suspect’s description, nor to distinguish rapid physical movements that are threatening from those instinctually resulting from a person’s terror. And while a police officer has a legal duty to stop using force when a person is not resisting or the force is no longer necessary, a police dog does not have the ability to know to stop biting in such circumstances. As Kern County Sheriff Donny Youngblood stated at a press conference about an incident where a man complying with deputies’ commands was mauled by a police attack dog that a deputy “inadvertently” released:

“These are dogs, and sometimes we have a lot of chaos. The dog gets confused.”⁷⁵

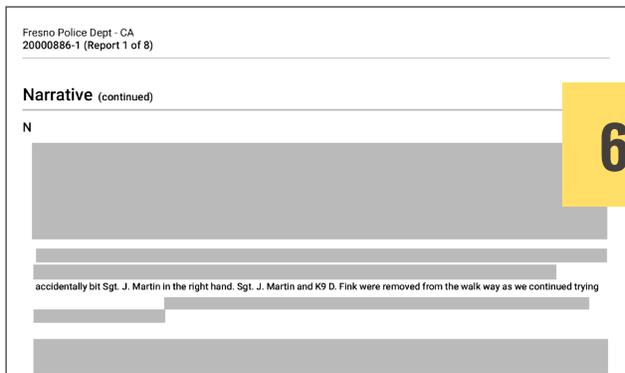
While police agencies have a duty to report serious uses of force to the California Department of Justice, many agencies fail to report dog attacks that they characterize as accidental or unintentional—such as when dogs attack someone who was not the intended target. Nonetheless, news reports indicate that such attacks occur regularly. For example, an in-depth news investigation into the Richmond Police Department’s use of attack dogs uncovered body camera footage and police records documenting multiple attacks of this kind by that agency’s attack dogs:⁷⁶

- A police dog released to apprehend a suspect instead attacked an eight-year-old child and an officer.
- A police dog searching for a suspect attacked a retired police officer sleeping in his friend’s home.
- A police dog searching for a suspect instead mauled two teenagers while they walked home from school.

Our review of public records and publicly reported incidents confirmed that unintentional police dog attacks across California have caused deaths and many members of the public being seriously injured and scarred for life. This includes attacks against elderly people and children. It also includes attacks against dog handlers themselves and other law enforcement—which on several occasions has led to police shooting the dogs.⁷⁷



ABOVE
Public records document a Fresno Police Department dog attacking a child at a police dog unit demonstration. Due to the agency’s extensive redactions of the records produced, the extent of the child’s injuries are unknown.



ABOVE
Heavily redacted records also indicate a Fresno Police Department dog “accidentally” bit a sergeant.

FINDINGS 04

A search of the secondary residence was completed with the search team. At that time, Sergeant COLEMAN called me up to assist with a search of the primary residence at the east end of the lot.

I began walking east along the north side of the secondary residence, to assist the search team at the primary residence. While I was walking, K-9 DROGO was walking ahead of me and the five foot leash was extended. As K-9 DROGO came across the east end of the second residence, I saw him pull to his right in a southern direction when he did this, I pulled the leash back and moved forward to see why he pulled to the right.

When I moved forward, I saw [REDACTED] was seated on the north edge of the secondary residence. I also saw K-9 DROGO had apprehended [REDACTED] [REDACTED]. It was not my intention to have DROGO apprehend [REDACTED] so I immediately yelled, "PFUI," a canine command for "no". In response, K-9 DROGO immediately released the apprehension of [REDACTED] K-9 DROGO apprehended [REDACTED] for approximately three seconds. This estimation includes the time it took for K-9 DROGO to release the apprehension on [REDACTED]

After [REDACTED] had been apprehended by K-9 DROGO, it did not appear he was seriously injured. [REDACTED] stood up, then moved back to the area he was originally seated at and sat back down. I moved away from [REDACTED] and had dispatch send medical aid for [REDACTED] to the scene. I also told

REPORTING OFFICER	DATE	REVIEWED BY	DATE
1197 GARCIA	11/26/2021	HARBOUR, JEFFREY GLENN	

OF

NARRATIVE (continuation)

Approximately two seconds passed after I removed K-9 DROGO from the apprehension, Sergeant NANCE stepped in front K-9 DROGO. When Sergeant NANCE did this, Sergeant NANCE's [REDACTED] came within less than a foot of K-9 DROGO's mouth. K-9 DROGO without warning unintentionally apprehended Sergeant NANCE on the [REDACTED] I immediately told K-9 DROGO a command for the word no, and he released the apprehension after less than a second.

[REDACTED]
[REDACTED] I immediately notified Sergeant MELERO of this incident.

End of report.

GARCIA/202292

K9 Drogo not only "accidentally" bit a bystander in 2021, but later "accidentally" bit a Kern County Sheriff's Sergeant Deputy in 2022.

EXCERPT

CALIFORNIANS KILLED OR INJURED BY OUT-OF-CONTROL POLICE ATTACK DOGS

ANAHEIM

An 86-year-old man nearly lost his right arm after a police dog attacked him while it searched for two suspects in the vicinity of his backyard.⁷⁸

ALAMEDA COUNTY

On at least two separate occasions, Sheriff's dogs attacked and bit handcuffed people when officers accidentally released the dogs from patrol cars.⁷⁹

BENICIA

A police dog that was accidentally released attacked a person complying with commands to kneel with his hands on his head, latching onto the man's neck and mauling him.⁸⁰

FRESNO

A police dog attacked and seriously injured a police officer, sending that officer to the hospital. When the dog attacked a different officer, latching on to his arm and refusing to release, the officer shot and killed the dog.⁸¹

A police dog present at the scene of an arrest broke loose and attacked a bystander who had been standing in front of his own home, hospitalizing the man with wounds on both arms.⁸²

GROVER BEACH

A retired police dog attacked two elderly people who were out for a walk in their own neighborhood, killing one and severely injuring the other.⁸³

HAYWARD

A police dog searching for robbery suspects killed an 89-year-old man in his own backyard by dragging him across the yard, causing a fatal leg wound.⁸⁴

HESPERIA

A police dog viciously attacked a four-year-old boy in his own home. The boy's leg had to be amputated due to severe vascular damage.⁸⁵

KERN COUNTY

A police dog searching for a suspect mauled a 60-year-old woman asleep inside her own home; a medical report stated that her "mutilated right ear" was "questionably salvageable," and she faced the potential loss of her hearing.⁸⁶

Within a six-month period in 2021, Kern County Sheriff's dogs "accidentally" attacked and injured members of the public twice while in the field.⁸⁷

A Sheriff's dog that was accidentally released attacked a person complying with commands to lie face down on the ground.⁸⁸

A Sheriff's dog broke out of a patrol car and attacked a woman in a parking lot, causing her major bite wounds.⁸⁹

NAPA COUNTY

A police dog attacked an uninvolved bystander during the arrest of an unrelated person, biting him on both hands.⁹⁰

ORANGE COUNTY

A Sheriff's dog entered a County building during a training exercise and attacked a worker in his office; the handler found the man there screaming, with blood everywhere, and the man had to be hospitalized for his puncture wounds.⁹¹

PALO ALTO

A police dog jumped out of the police car it was in and attacked a teenager standing with a group of friends, leaving him with scars.⁹²

A Sheriff's dog attacked a person, causing his arm to bleed profusely including spurting blood from a severed artery. A later-arriving deputy stated to "tie him off or he's going to bleed to death." The man was hospitalized for several days and underwent reconstructive surgery. Additionally, he sustained, among other things, permanent disfigurement and the loss of mobility of his arm.⁹³

RICHMOND

A police dog jumped through the open door of a patrol car and attacked a 3-year-old boy and his aunt, who suffered severe muscle and tendon injuries with a gash to her right arm a half-inch deep.⁹⁴

SACRAMENTO

A police dog attacked a man in his own home, permanently damaging his right arm, after the man's family authorized police to enter their backyard to search for a suspect.⁹⁵

SAN DIEGO

A mother was repeatedly bitten by a police dog after the dog jumped over her backyard fence and tried to attack the woman's 5-year-old daughter. The dog bit all the way down to the bone and caused severe injuries that required significant sutures and scarring.⁹⁶

SAN JOSE

A police dog attacked a 22-month-old toddler when officers brought the dog into the child's home to serve an arrest warrant. The child's mother reported, "The first thing the dog did when it came was bite my daughter." The toddler required six stitches on her back for her wounds.⁹⁷

SANTA CLARA

A woman walking her dog in a park was viciously attacked by a police dog by surprise.⁹⁸

SELMA

A police dog searching for a suspect ran into a birthday party and attacked a woman shielding her 3-year-old nephew from the dog.⁹⁹

Police also lack adequate control to ensure that their attack dogs will reliably stop biting when commanded. Although police handlers regularly train with their dogs in the hopes that they will release a bite when commanded in the field, the reality is that police dogs are animals—not machines—who are also conditioned to viciously attack, and they cannot be safely relied upon to stop when they are told. As an animal behavior expert told the Washington Post:

[Police dogs] often bite without releasing, even after repeated orders to do so, and sometimes bite the wrong person. Their handlers, he said, often cannot manage them. . . . “These dogs are already genetically programmed for aggression, and then they put them through attack training . . . They can’t be controlled.”¹⁰⁰

Despite assurances by police agencies that they can recall police attack dogs once deployed, police records, public reports, and legal documents demonstrate that many Californians suffer devastating, unnecessary injuries because police attack dogs refuse to recall or stop their attacks. For example, a police report by a Richmond dog handler describes how he attempted to recall his attack dog to his side several times after deploying it to search for a burglary suspect, but the dog

Opinion: There’s no place in police work for dogs trained to bite

Bill would bar law enforcement agencies from using police dogs to control crowds or apprehend suspects



7

Odin lunges during training at the Richmond Police K-9 training facility. (Dai Sugano/Bay Area News Group File Photo)

Source: mercurynews.com

“refused to come off the contact,” instead tearing into a man’s head, forearm, leg and upper back and sending him to the hospital.¹⁰¹ After a Santa Clara woman walking her dog was attacked by a police dog by surprise, she said it took around 45 seconds for the officer to pry the dog’s jaws off her arm as she bled profusely.¹⁰² Several incidents of this kind in California have been captured on video, for example:

- Bodycam footage shows a Benicia police attack dog latching onto a man’s neck without being ordered to bite, then ignoring its handler’s release commands and attempts to pull it off as it tore into the man’s jugular.¹⁰³
- Bodycam footage of the Brentwood incident that resulted in a police attack dog scalping a woman shows that even after the handler caught up with the dog and tried to recall it multiple times, the dog ignored the officer’s recall commands and kept attacking as the woman screamed and begged for her life.¹⁰⁴

- Bodycam footage of a Kern County incident where a Sheriff’s attack dog escaped a patrol car and attacked a compliant person shows that the dog ignored several release commands and its handler’s attempts to pull it off the bite.¹⁰⁵

- Bodycam footage shows a Sacramento County Sheriff’s attack dog tearing into a man’s arm, causing the man’s arm to bleed profusely, including spurting blood from a severed artery. The police dog ignored the handler’s release commands and attempts to pull it off, including by its collar and hips.¹⁰⁶

- (Figure 8) Bystander video shows San Diego police officers struggling to get an attack dog to release its bite on a prone, handcuffed man as a witness exclaims, “Why can’t you call your dog off? Why can’t you call him off? You have no control of your dog whatsoever?”¹⁰⁷

- Bodycam footage shows San Pablo police attack dog disregarding commands to release its bite on a man for three minutes. Though the officer tries pulling the dog off by its collar and hips, it continues to tear at the man’s flesh.¹⁰⁸

Because many police attack dogs refuse to release their bites when commanded, canine supply companies have developed “outing tools,” (Figure 9) such as a metal bar that handlers can stick into their dogs’ mouths to trigger a gag reflex and dislodge their jaws. As one former canine handler and criminology professor has stated: “if this tool is needed, it means the police dog is poorly trained and ‘should never become a K-9 in the first place.’”¹⁰⁹ Yet public records show that California police agencies frequently rely on such tools—demonstrating that the control they assert over police attack dogs is illusory.¹¹⁰ (Figure 10)

8

9

OUTING TOOL
 “Sirius Breaker Bar,” A Police K-9 Bite Release Bar (Source: Rayallen.com)

10

Eventually deputies were able to roll [REDACTED] onto his stomach and place his hands behind his back, at which point I gained control of Hannes via his harness. As deputies placed [REDACTED] in handcuffs, he stopped resisting arrest. I retrieved my outing tool and used it in conjunction with the verbal command for Hannes to release [REDACTED] which he did immediately, ending the apprehension. Hannes was apprehending [REDACTED] on his [REDACTED] for approximately one minute and six seconds.

After [REDACTED] was in handcuffs and controlled, I used my outing tool in conjunction with my verbal out command to have K-9 DROGO release [REDACTED] from the apprehension which he immediately did. After the apprehension, I immediately had dispatch send medical aid to the scene, and I returned Senior Deputy ALMANZA was able to jump the fence and assist in fending off the vicious pitbull. When the pitbull ran away, Senior Deputy ALMANZA and Shafter Police Officer DIAZ assisted in gaining control of [REDACTED] arms. For further information regarding Senior Deputy ALMANZA’s involvement, refer to his supplemental report. I then gained control of HANNES via his harness, and using my Sirius brand outing tool in conjunction with the release command, I removed HANNES from [REDACTED] forearm. HANNES had apprehended [REDACTED] for approximately 50 seconds.

PUBLIC RECORDS
 Public records documenting California police agencies’ use of “outing tools” to force a non-compliant attack dog to release.



Findings

05

State law and police agency policies fail to ensure *transparency and accountability* for police brutality involving attack dogs.

California law does not specifically address when police can deploy attack dogs to bite people. The state allows individual departments to make up their own canine policies. As noted, most departments' policies authorize dog attacks even where there is no serious threat against officers or others and allow dangerous canine tactics that put the safety of uninvolved people and sometimes entire communities at risk. As a former Los Angeles County Sheriff handler who now serves as a national police dog expert has stated,

“Police dogs bite because they can. . . . There are no laws stopping it.”¹¹¹

Responses to our public records requests indicate that there is little accountability for police use of attack dogs. Though we asked 28 departments across the state that had bite incidents for any records of discipline involving canines, no agency reported that it disciplined any officer for any use of force involving canines.¹¹² An additional two agencies responded that they conducted investigations into possible misconduct over the use of a canine, but neither resulted in any discipline.¹¹³ Twelve of the 28 departments sampled did not produce any responsive records, and we therefore have no evidence that any of their officers faced internal discipline for their use of an attack dog on a member of the public.¹¹⁴

Public reporting and court records confirm that California police agencies do not hold officers accountable when they deploy dogs to attack and maul community members in dangerous, excessive ways. Perhaps even more egregiously, police agencies do not even take the minimal steps to protect the community by removing dogs or their handlers with a history of uncontrolled violence from the field.

- A KTVU investigation, *Bay Area Police Dogs Bite With Little Consequence*, reviewed nearly two dozen serious police dog bite injury cases in the Bay Area and found that officers were found to have acted within policy in the vast majority of case, despite the severity of the injuries inflicted.¹¹⁵ This includes a Palo Alto officer that entered a home without warning and repeatedly ordered his dog to bite a sleeping man, even though the man was not the suspect police were searching for and he was asleep when the officer ordered the dog to attack. The Brentwood police dog handler that allowed his dog to rip off the scalp of an unarmed woman was also found by his department to have acted in policy and was not disciplined. One year earlier, the same officer sent the same dog into a home, where it bit a different unarmed woman on the head. The department found the officer acted in policy in that case as well, and it continued to deploy the dog and its handler into the community.
- A Mercury News investigation found that the Antioch Police Department allowed its police dog squad to continue a pattern of attacking unarmed people stopped for minor offenses over the course of a decade – even though the dog attacks resulted in serious

injuries to many community members, including deep wounds that required surgery and hundreds of stitches and staples. The department allowed one police dog officer to attack 22 people undeterred. None of these officers were ever disciplined by the department.¹¹⁶

- Another Mercury News investigation uncovered that one Richmond Police Department officer and his dog seriously injured people in 17 cases over two years, and another was involved in 13. Four other dog handlers were involved in at least 5 incidents each. Yet the number of police dog attacks and the damage they had inflicted came as a surprise to the Richmond’s Community Police Review Commission that investigates excessive force, whose chairman said: “That wasn’t even on our radar. None of these cases made the light of day.” The department deemed the vast majority of dog bite cases within policy – even when a dog attacked the wrong person or the person bit was trying to surrender. And the department allowed the same canine units to continue deploying in the community.¹¹⁷
- Lawyers for the San Diego Sheriff’s Department were sanctioned by a court for hiding evidence that a police dog that bit a young man while he was restrained had a history of not releasing from a bite when commanded and previously bit a Sheriff’s deputy.¹¹⁸ Despite this training history, the Sheriff’s Department allowed the attack dog to be deployed in the community.
- The San Ramon Police Department concluded that a dog attack against an unarmed, compliant Uber driver during a

traffic stop was “justified and necessary” and declined to discipline the dog handler, after officers on the scene reported that the man refused to comply with orders and was reaching back into his car – even though body-worn and dashboard camera footage contradicts the officers’ reports.¹¹⁹

As the San Ramon case demonstrates, there is little recourse for false and inaccurate reporting by officers about police dog attacks. Our review of documents obtained through public records requests revealed that California police agencies frequently report police dog attacks as resulting in no serious injury – even when descriptions of the incidents strongly suggest significant wounds were inflicted and often reflect that the persons bitten had to be hospitalized.¹²⁰ There is thus reason to believe that police agencies across the state fail to consistently report canine uses of force leading to serious bodily injury to the Department of Justice as required by law.¹²¹

Police agencies’ resistance to accountability for police dog attacks causing severe injuries is also made evident by many agencies’ responses to requests for records under state law SB 1421, which requires public disclosure of records of use of force resulting in “great bodily injury.” When the Bay Area News Group requested records pursuant to SB 1421 from the Richmond Police Department, the department claimed it had only 13 cases that met the law’s requirements. Only after media groups sued did the department disclose a “torrent of records” showing widespread use of attack dogs to inflict serious injuries.¹²² Likewise, in Fresno County, the Sheriff’s Department refused to disclose incident records pursuant to SB 1421 for a handful of attack dog bite incidents that we were able to identify through news reports. A review of injury photographs for these incidents, which were later

disclosed during litigation with the Department, revealed that several individuals appeared to have multiple lacerations or puncture wounds exceeding an inch in length. This pattern has been repeated time and again throughout the state. Four out of the 28 police departments from which we requested such records indicated that no such records existed at all, and six did not address whether or not such records exist.¹²³ Eight of the 28 agencies sampled did not produce any responsive records, despite the law’s requirement that such records be produced within 45 days of a request. Some agencies produced police attack dog use of force records that were so heavily redacted it was impossible to discern the circumstances in which the dogs were deployed or the extent of the injuries inflicted.

Our public records investigation surfaced other issues with police agencies’ reporting on dog attacks. Some agencies told us they do not track the number of attack dog bites at all. Other agencies informed us they do not track or report on dog attacks that they characterize as “unintended”. In some agencies, like the Bakersfield Police Department, officers routinely fail to document information as required by department policies and forms, or to even complete and provide supervisory review of use of force reports, without any apparent consequences.¹²⁴ That department’s records indicate just one handler’s dog was responsible for more than 18% of bites over a two-year period; yet, in at least 25% of those incidents, no body worn camera footage is available because the camera reportedly “fell off” or the officer “forgot to activate it.”¹²⁵ For all these reasons, we conclude that the full scope of police brutality involving attack dogs in California is not captured in existing state data sources, nor in this brief.

Conclusion

The police practice of using attack dogs to bite and maim members of the public is widespread in California and causes significant harm. The use of police attack dogs directly harms public safety because police departments often deploy attack dogs to inflict serious injury—sometimes resulting in death—against people who are unarmed, do not pose a danger to officers or others, are suspected of minor crimes or no crime at all, and often against people who are experiencing a behavioral health crisis. Further, use of attack dogs escalates the level of police force used because they are often used against individuals for which no force is justified—such as sleeping individuals, compliant individuals, persons in need of medical assistance, and bystanders. These harms disproportionately affect people with mental health disabilities and communities of color, particularly Black Californians. The evidence demonstrates that eliminating or seriously constraining police

agencies' ability to deploy attack dog would not negatively impact public safety outcomes. To the contrary, it would help limit severe injuries caused by police agencies without any increase in the threat to the public or officers. State law currently defers to individual agencies to develop policies regarding the conditions under which attack dogs may be used. California police agencies have almost uniformly adopted permissive standards for their use, ensuring that the harms detailed above as a result of both intentional and unintentional deployment will continue to occur. State legislative action is urgently needed to impose strict limits on—if not the complete elimination of—the use of police attack dogs against the public.

Appendix

Appendix A – Table of Policies

Appendix B – Table of PRA Responses

References

1. See Appendices A & B.
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45. *Id.*
46. *See* ACLU SoCal BPD Report, *supra* note 30, at 3
47. *See* Wasilczuk, *supra* note 38, at pp. 1156 (“The disparate effects of canine policing on Black and brown communities in the United States are created in part through the literal geographic boundaries of canine deployment. Canine policing helps reinforce racial boundaries by policing primarily within the geographic boundaries inhabited by Black, Indigenous, and Latine people. The practices of the Los Angeles Police Department in the 1990s demonstrate this marking of boundary. There, police concentrated canine deployments in Black and Latine neighborhoods without regard to crime rates or type of offense.”)
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59. See Appendix A.
60. Placer County Sheriff’s Office, General Order, OPER 26 – Canine Program, p. 7; see also El Cajon K9 SOP, p. 22 (directing use of canines as “perimeter units for psychological advantage”). Documents on file with authors.
61. This appears to be a problem nationwide. See Wasilczuk, *supra* 38, at pp. 1190-94 (compiling cases of accidental police dog attacks, and discussing reasons why police dogs attack unintended targets and the Fourth Amendment implications).
62. However, our review of public records and publicly reported incidents confirms that California police dog practices have resulted in unintended multiple deaths and many members of the public being seriously injured and scarred for life.
63. See, e.g., *Lowry v. City of San Diego*, 818 F.3d 840 (9th Cir. 2016), rev’d en banc, 858 F.3d 1248 (9th Cir. 2017) (dog released by San Diego Police in response to tripped security alarm attack a woman who fell asleep in her office after going out for drinks with coworkers, tearing her face open); Jason Kotowski, “Sheriff’s estranged wife mauled by Bakersfield police dog in her bed,” The Bakersfield Californian, (Apr. 13, 2012), <http://bakersfieldnow.com/news/local/sheriffs-estranged-wife-mauled-by-bakersfield-police-k-9>; “Video: Body-Cam Footage Shows Police K9 Attack Mount View Man Sleeping on His Own Property,” CBS Bay Area, (Mar. 17, 2021), <https://www.cbsnews.com/sanfrancisco/news/video-body-cam-footage-shows-police-k9-attack-mount-view-man-sleeping-on-his-own-property>; Sulek & Rowan, *One Bay Area City, 73 Police Dog Bites*, *supra* note 5 (attack on man sleeping in friends’ home).
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114. *Id.* It is unclear whether these 13 agencies had no disciplinary records regarding use of police attack dog, or whether they simply refused to respond to our Public Record Act Requests. The law requires agencies to produce records within 45 days of a request, and despite attempts by the ACLU to follow up on our outstanding requests with these agencies they did not produce records.
115. *Id.*
116. *See* Nate Gartrell, “Despite years of shootings, beatings and dog bites, Antioch officers have avoided discipline. Now, the FBI is investigating,” The Mercury News, (Oct. 23, 2022), <https://www.mercurynews.com/2022/10/23/despite-years-of-shootings-beatings-and-dog-bites-antioch-officers-have-avoided-discipline-now-the-fbi-is-investigating/>.

117. Sulek & Rowan, *One Bay Area City, 73 Police Dog Bites*, *supra* note 5.
118. Riggins, *supra* note 18.
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120. For example, in almost all of their police attack dog use of force reports the Bakersfield Police Department (BPD) noted that the bitten individual was not hospitalized, yet at least 42% of the reports' narratives indicate that the bitten individual was taken to the hospital. Additionally, the BPD's records indicate that the assessment of the seriousness of injuries resulting from an attack dog bite are often based merely upon a visual inspection of photographs and/or body worn camera footage rather than a professional medical evaluation; thus, raising concerns of visual inspections failing to account for the gravity of these injuries. For example, in 2021 a BPD attack dog use of force report indicated that the reviewing officer "observed" a swollen face and nose, laceration over the left eye, and punctures on the right forearm and left knee. However, medical staff advised that the individual in fact sustained, among other things, a broken nose, fractured ribs, and a spinal fracture. (Public records on file with authors.)
121. *See* Cal. Gov't Code section 12525.2.
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123. *See* Appendix B.
124. For example, although the Bakersfield Police Department (BPD) handlers are required to complete a use of force report before the end of their shift for each police attack dog apprehension, over 65% did not do so. Over 20% failed to complete the use of force report even after more than two weeks after the attack dog force incident passed. And, although an attack dog supervisor is to evaluate each deployment to ensure compliance with internal policies, the California Department of Justice Stipulated Judgment, and state and federal laws, at least 79% of attack dog use of force reports have not had an investigator assigned to evaluate such deployments. The BPD also routinely fails to "completely and accurately describe" and "document" injuries sustained from a police attack dog bite, or the medical treatment it required or received and instead merely includes a graphic documenting the location of the injury, but typically failing to provide any further information. If injury information is provided elsewhere in the report, there are often discrepancies between what is described in the narrative and what is depicted in the graphic. (Public records on file with authors.)
125. Bakersfield Police Department, Use of Force Reports, on file with authors.

Appendix A

Agency	Policy limits canine deployment to where there is threat of serious injury?	Policy limits canine apprehension to crimes of violence?	Policy limits canine apprehension to felony arrests?	Policy limits use of canines against people in mental health crisis?	Policy limits use of canines for crowd control?
Anaheim PD	NO	NO	NO	NO	NO
Antioch PD	NO	NO	NO	NO	NO
Bakersfield PD	NO	NO	NO	NO	NO - but stipulated judgment limits to where there is prior approval from command/ranking officer
Benecia PD	NO	NO	NO	NO	NO
Carlsbad PD	NO	NO	NO	NO	NO
Chula Vista PD	NO	NO	NO	NO	NO
Clovis PD	NO	NO	NO	NO	NO
Delano PD	NO	NO	NO	NO	NO
El Cajon PD	NO	NO	NO	NO	NO
El Centro PD	NO	NO	NO	NO	NO
Escondido PD	NO	NO	NO	IN PART - bars use against "individuals known to be suffering from mental disorders and who have not committed a public offense or who do not pose an armed danger to the public or officers	IN PART - bars "routine crowd control!"
Fresno PD	NO	NO	NO	NO	NO
Fresno SD	NO	NO	NO	NO	NO
Imperial PD	NO	NO	NO	NO	NO
Kern SD	NO	NO	NO	NO	IN PART - only as directed by a command or ranking officer
Los Angeles PD	NO	NO	NO	NO	NO
McFarland PD	NO	NO	NO	NO	NO
Murrieta PD	NO	NO	NO	NO	NO
National City PD	NO	NO	NO	NO	NO
Oakland PD	NO	NO	NO	NO	NO
Oceanside PD	NO	NO	NO	NO	NO
Ontario PD	NO	NO	NO	NO	NO
Orange SD	NO	NO	NO	NO	NO
Placer SD	NO	NO	NO	NO	NO

*All policies and manuals reviewed obtained in response to public records requests and/or posted on agency's official website per Senate Bill 978

Appendix A

Agency	Policy limits canine deployment to where there is threat of serious injury?	Policy limits canine apprehension to crimes of violence?	Policy limits canine apprehension to felony arrests?	Policy limits use of canines against people in mental health crisis?	Policy limits use of canines for crowd control?
Richmond PD	NO	NO	NO	NO	NO
Riverside SD	NO	NO	NO	NO	NO
San Diego PD	NO	NO	NO	NO	NO
San Diego SD	NO	NO	NO	NO	NO
San Jose PD	YES	NO	NO	NO	NO
Santa Clara SD	NO	NO	NO	NO	NO
Shasta SD	NO	NO	NO	NO	NO
Sonoma SD	NO	NO	NO	NO	NO
Vacaville PD	NO	NO	NO	NO	NO
Visalia PD	NO	NO	NO	NO	NO
West Covina PD	NO	NO	NO	NO	NO

*All policies and manuals reviewed obtained in response to public records requests and/or posted on agency's official website per Senate Bill 978

Appendix B

Agency	Stated no SB 1421 records exist?	Produced no SB 1421 records of discipline?
Antioch PD	DIDN'T ADDRESS	YES - PRODUCED NO RECORDS
Bakersfield PD	DIDN'T ADDRESS	YES - PRODUCED NO RECORDS
Benecia PD	HAVE NOT RECEIVED RECORDS	HAVE NOT RECEIVED RECORDS
Clovis PD	NO – SAID SB 1421 RECORDS EXIST	YES - PRODUCED NO RECORDS
Delano PD	DIDN'T ADDRESS	YES - PRODUCED NO RECORDS
El Centro PD	HAVE NOT RECEIVED RECORDS	HAVE NOT RECEIVED RECORDS
Fresno PD	NO – SAID SB 1421 RECORDS EXIST	YES - PRODUCED NO RECORDS
Fresno SD	HAVE NOT RECEIVED RECORDS	HAVE NOT RECEIVED RECORDS
Imperial PD	HAVE NOT RECEIVED RECORDS	HAVE NOT RECEIVED RECORDS
Kern SD	YES	YES - PRODUCED NO RECORDS
Los Angeles PD	DIDN'T ADDRESS	YES - PRODUCED NO RECORDS
McFarland PD	DIDN'T ADDRESS	YES - PRODUCED NO RECORDS
Oakland PD	NO - SAID SB 1421 RECORDS EXIST	NO - PRODUCED SB 1421 RECORDS
Ontario PD	NO - SAID SB 1421 RECORDS EXIST	HAVE NOT RECEIVED RECORDS
Orange SD	HAVE NOT RECEIVED RECORDS	HAVE NOT RECEIVED RECORDS
Placer SD	YES	YES - PRODUCED NO RECORDS
Richmond PD	HAVE NOT RECEIVED RECORDS	HAVE NOT RECEIVED RECORDS
Riverside SD	YES	YES - PRODUCED NO RECORDS
Sacramento PD	NO – SAID SB 1421 RECORDS EXIST	HAVE NOT RECEIVED RECORDS
San Diego PD	NO – SAID SB 1421 RECORDS EXIST	YES - PRODUCED NO RECORDS
San Diego SD	NO – SAID SB 1421 RECORDS EXIST	YES - PRODUCED NO RECORDS
San Jose PD	YES	HAVE NOT RECEIVED RECORDS
Santa Clara SD	HAVE NOT RECEIVED RECORDS	HAVE NOT RECEIVED RECORDS
Shasta SD	DIDN'T ADDRESS	YES – PRODUCED NO RECORDS
Sonoma SD	NO – SAID SB 1421 RECORDS EXIST	YES – PRODUCED NO RECORDS
Vacaville PD	NO – SAID SB 1421 RECORDS EXIST	YES – PRODUCED NO RECORDS
Visalia PD	HAVE NOT RECEIVED RECORDS	HAVE NOT RECEIVED RECORDS
West Covina PD	NO – SAID SB 1421 RECORDS EXIST	HAVE NOT RECEIVED RECORDS

Weaponizing Dogs

The Brutal and Outdated
Practice of Police Attack Dogs

ACLU CALIFORNIA
ACTION