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Canine Bite Duration; how long is too long?
Pain Compliance, Tactical Outs, Extractions and "Bring the Dog to Me"

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Best Practices Require More Than a Lawful Deployment

Police service dogs remain an important and effective law-enforcement resource. Properly selected, trained, supervised, and deployed canine teams can locate dangerous suspects, reduce officers' exposure during searches, and resolve situations in which conventional tactics would present substantial risk. The issue is not whether canines continue to have an important role. They definitely do; in fact, effective use of canines can save the lives of officers and community members. The more difficult question is what happens after the dog finds and contacts the suspect.

Policing best practices is defined as:*

> *Best practices in policing are policies, systems, training, and operational methods that meet or exceed prevailing legal and professional standards while serving community and organizational needs, promoting officer and public safety, accountability, and operational effectiveness, and reducing avoidable harm and organizational liability.*

The definition of best practices in contemporary canine policing is:*

> *Best practices in contemporary canine policing are practices that meet or exceed current legal and professional standards, promote effective operations and the safety of officers, the community, and the police service dog, minimize unnecessary suspect injury, and reduce organizational and individual liability.*

Contemporary canine deployment policy can no longer be reduced to a single question—whether the criteria was met. A modern canine deployment resulting in a bite is a sequence of force-oriented decisions. The initial deployment, the bite, the continuation of the bite, the suspect's response, the decision to call the dog off or physically remove it, the transition to conventional arrest tactics, and the subsequent articulation and supervisory review should each be examined separately.

This article will focus on the decision making related to the continuation of force after the canine has made contact with a suspect.

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The Use-of-Force Analysis Is Now Multilayered

Force used to seize or arrest a person is evaluated under the Fourth Amendment's objective-reasonableness standard, based on the totality of the circumstances. Courts consider the seriousness of the offense, the immediacy of the threat, whether the suspect is actively resisting, and whether the suspect is attempting to flee. Graham v. Connor, 490 U.S. 386 (1989).

The Ninth Circuit has recognized for decades that canine force is subject to this same Fourth Amendment analysis. Chew v. Gates, 27 F.3d 1432 (9th Cir. 1994); Mendoza v. Block, 27 F.3d 1357 (9th Cir. 1994). More recently, the court reaffirmed that allowing a police dog to continue biting a suspect who has fully surrendered and is under officer control can violate clearly established law. Rosenbaum v. City of San Jose, 107 F.4th 919 (9th Cir. 2024).

The reasonableness inquiry, however, is not frozen at the moment the canine is released. A deployment may be entirely reasonable when officers are searching for a dangerous, fleeing, or concealed suspect. Once the dog makes contact, circumstances can change quickly. The suspect may continue fighting or attempting to escape, or the suspect may stop fleeing, expose his hands, and begin following commands. As those circumstances change, the governmental need for continued canine force may change as well.

The practical consequence is straightforward: the justification for deploying the canine and the justification for continuing the bite are separate questions. A lawful deployment does not automatically make every later second of the bite lawful. Body-worn-camera evidence now allows courts to examine these encounters in remarkable detail, sometimes literally second by second. Judges and juries can evaluate when resistance stopped, when the suspect began complying, when officers gained control, what commands were given, and how long canine force continued after those circumstances changed.

This developing body of law is important regardless of where an agency is located. Constitutional standards are not defined by local attitudes or jury pools. Federal courts look to prior appellate decisions, clearly established law, and the broader development of excessive-force precedent. A decision from one federal circuit may not be binding in another, but it can still be persuasive and may influence how similar conduct is evaluated elsewhere. Taken together, this progression of cases provides agencies with an important roadmap for identifying best practices in contemporary canine policing.

That is the purpose of this article. It is not intended to make handlers hesitant to use their dogs when canine force is lawful and appropriate. It is intended to give handlers greater confidence by helping them understand the law and the consequences of the decisions they make throughout an apprehension. No canine handler should face the loss of qualified immunity—or, in the most extreme circumstances, criminal scrutiny—because the handler faithfully followed an agency policy or training practice that had simply failed to keep pace with developing law.

Proportionality, Continuing Reassessment, and the Direction of the Law

Objective reasonableness remains the governing federal constitutional standard under Graham v. Connor. Proportionality has not replaced Graham. Rather, courts have increasingly emphasized the relationship between the amount of force used and the governmental need for that force. Just as important, that need may change as an encounter develops. Force that is reasonable at the beginning of an apprehension may become unreasonable if the threat, resistance, or risk of escape materially diminishes.

California has now placed proportionality directly into statute. Government Code section 7286 requires law-enforcement policies to provide that an officer may use only a level of force the officer reasonably believes is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance. The statute also requires de-escalation principles to be incorporated into agency policy. Cal. Gov't Code § 7286(b)(2).

Other states have moved in the same direction. Maryland requires force to be necessary and proportional and directs officers to cease force when the person is under control, no longer presents the relevant imminent threat, or continued force will no longer accomplish a legitimate law-enforcement objective. Md. Code Ann., Pub. Safety § 3-524(d). Massachusetts goes even further in the canine context. Its statute requires de-escalation where feasible and limits the use of a police dog to circumstances in which the measure is necessary to prevent imminent harm and the foreseeable harm caused by the dog is proportionate to the threat. Mass. Gen. Laws ch. 6E, § 14.

These statutes do not create a single national rule, nor do they replace the Fourth Amendment standard. They do, however, show the direction in which use-of-force law and policy are moving. For canine handlers, that means it is no longer enough to explain that the initial deployment satisfied policy and was objectively reasonable. The handler should also be prepared to explain why the bite continued, what governmental interest supported the continued force, and how that justification changed—or did not change—as the suspect's behavior evolved.

Recent canine cases illustrate why this matters. In Rosenbaum v. City of San Jose, the Ninth Circuit affirmed the denial of qualified immunity where the evidence supported a claim that a canine continued biting for more than twenty seconds after the suspect had surrendered and was prone with his arms extended. Rosenbaum v. City of San Jose, 107 F.4th 919, 924–28 (9th Cir. 2024). In Rock v. Miller, the Ninth Circuit likewise affirmed the denial of qualified immunity where, taking the facts in the plaintiff's favor, the dog continued biting an unarmed, nonresisting suspect for approximately forty-one seconds. Rock v. Miller, No. 23-16009 (9th Cir. Aug. 14, 2024). In Ellis v. County of Pierce, the court again examined whether continued canine force remained reasonable after the suspect's conduct had changed. Ellis is an unpublished memorandum disposition and should be treated as illustrative rather than precedential authority. Ellis v. County of Pierce, No. 24-1361 (9th Cir. Mar. 19, 2025) (unpublished).

What is important is not any one case in isolation. Each decision builds on earlier precedent and further defines the circumstances courts will examine when determining whether continued canine force remained objectively reasonable. Together, these cases show

increasing scrutiny of bite duration, surrender, changing resistance, canine control, and the point at which the justification for continued force may end.

Criminal accountability represents the far end of that spectrum, but it is not theoretical. In 2025, former Antioch Police Department canine handler Morteza Amiri was convicted in federal court of deprivation of rights under color of law and falsification of records arising from his use of a police canine. The Department of Justice described the trial evidence as showing that Amiri deployed his canine to bite even when doing so was not necessary. He was later sentenced to seven years in federal prison. The criminal standard was not simply whether the deployment was "necessary"; the jury was required to find unreasonable force under the Fourth Amendment and that Amiri acted willfully. United States v. Amiri, No. 4:23-cr-00269-JSW (N.D. Cal. 2025).

These cases should not make conscientious handlers reluctant to use their dogs when canine force is lawful and appropriate. The better response is the opposite. Agencies should give handlers current policy, realistic training, and a decision-making framework that allows them to act confidently while remaining within established legal boundaries. A handler who understands deployment criteria, proportionality, changing threat conditions, bite duration, surrender, verbal call-off, tactical removal, and the need for clear articulation is in a far stronger position than one trained only to deploy the dog and later justify the event with generalized or standardized language.

Best practices in contemporary canine policing are therefore informed not by any single case, statute, or training standard, but by the convergence of all of them. The goal is to identify where the law and professional practice are heading before an individual handler or agency is forced to learn those lessons through litigation, loss of qualified immunity, or, in the rare extreme case, criminal prosecution. That is one of the clearest reasons agencies should study national developments and apply those lessons to their own canine programs.

Watkins: A Seminal Ninth Circuit Case on Continued Canine Force

Watkins v. City of Oakland, 145 F.3d 1087 (9th Cir. 1998), is one of the seminal Ninth Circuit cases addressing the duration of canine force. It did not arise in isolation. Four years earlier, Mendoza v. Block, 27 F.3d 1357 (9th Cir. 1994), had recognized that officers do not need a canine case involving every factual variation to understand that continued canine force can become excessive once a suspect has fully surrendered and is under control. Watkins built on that principle and applied it directly to the duration of an ongoing canine bite. More recently, Rosenbaum v. City of San Jose identified Mendoza, Watkins, and Miller v. Clark County as the line of Ninth Circuit authority governing continued canine force. Rosenbaum v. City of San Jose, 107 F.4th 919, 924–27 (9th Cir. 2024).

Oakland officers responded to a silent commercial burglary alarm and established a perimeter after observing a person running inside the building. Officer Craig Chew twice announced that he would release his police canine, Nero, to locate and bite the suspect. Watkins did not surrender. Chew released Nero, who searched out of the handler's sight, located Watkins hiding inside a vehicle, and bit him. Watkins v. City of Oakland, 145 F.3d 1087, 1090–91 (9th Cir. 1998).

When Chew reached Watkins, he did not immediately call Nero off. Instead, he ordered Watkins to show his hands. Watkins claimed that he was recoiling from the pain of the bite and could not comply as expected. Chew pulled him from the vehicle while Nero remained attached, and the dog continued biting until Watkins displayed his hands. Officers estimated that the bite continued for approximately ten to fifteen seconds after Chew arrived. Chew later estimated approximately thirty seconds in an Internal Affairs statement. Watkins suffered deep lacerations, exposed tendons, fractures, and injuries requiring two skin-graft surgeries. Watkins, 145 F.3d at 1090–91.

The Ninth Circuit drew an important distinction between the initial canine deployment and the decision to allow the bite to continue. The court did not hold that Oakland's general bite-and-hold policy was unconstitutional. Instead, the issue was whether continued canine force became unreasonable after Chew reached Watkins and gained additional information about his condition and ability to comply. Relying on Mendoza, the court concluded that it was clearly established that "excessive duration of the bite and improper encouragement of a continuation of the attack by officers could constitute excessive force." The Ninth Circuit therefore affirmed the denial of qualified immunity to Chew on the continued-bite claim. Watkins, 145 F.3d at 1092–93; Mendoza, 27 F.3d at 1362.

The importance of Watkins for best practices in contemporary canine policing goes well beyond the number of seconds involved. A lawful deployment does not provide an open-ended justification for continued canine force. Once the dog makes contact and the handler gains new information about the suspect's conduct, threat level, resistance, ability to comply, and degree of control, the continued bite must be reassessed. Miller later relied on Watkins in addressing bite duration, and Rosenbaum returned to the same line of cases in reaffirming that a canine may not continue biting a suspect who has fully surrendered and is under officer control. Miller v. Clark County, 340 F.3d 959, 964–65 (9th Cir. 2003); Rosenbaum, 107 F.4th at 924–27.

Watkins is also important because it highlights a problem that remains central to canine-force review today: the difference between intentional resistance and a suspect's physical reaction to being bitten. A person experiencing an active canine bite may pull away, twist, protect an injured limb, reach toward the dog, or have difficulty exposing a bitten arm or processing multiple commands. In some cases, those actions will reflect continued resistance. In others, they may simply be predictable reactions to pain.

That distinction can create a force-feedback loop. The bite produces pain. The pain produces movement. The movement is interpreted as resistance. That perceived resistance is then used to justify continuing the bite. Watkins demonstrates why handlers and supervisors should look beyond the generalized statement that a suspect "continued resisting" and ask a more precise question: Was the suspect resisting the officers, or reacting to the dog?

Canine Force as a Control Tool—and the Pain-Compliance Question

Police canines may be used not only to locate or apprehend a fleeing or concealed suspect, but also as a force option to gain control of an actively resistant suspect. Hernandez v. Town of Gilbert provides an important example. Following a pursuit, Hernandez remained inside his vehicle, repeatedly refused commands to exit, resisted physical efforts to remove him, and

was unaffected by pepper spray. The canine handler ultimately deployed his dog "to force compliance." The Ninth Circuit affirmed qualified immunity, concluding that no clearly established law prohibited using a canine under those circumstances. The court also rejected Hernandez's challenge to the duration of the bite because the evidence showed that he had not surrendered and continued resisting. Hernandez v. Town of Gilbert, 989 F.3d 739, 744–46 (9th Cir. 2021).

Hernandez should not be read, however, as authorizing canine bites as a routine means of obtaining compliance whenever a suspect resists arrest. A canine bite is a significant use of force and must remain objectively reasonable and proportionate to the governmental interests confronting the officer. A handler considering a directed bite to gain control should assess the seriousness of the offense, the nature and immediacy of the threat, the degree of active resistance, the risk of escape, the number and positioning of officers, the effectiveness of force already attempted, and the other reasonable options available under the circumstances. The balance may look very different for a deputy confronting a violent suspect alone after other force has failed than for a canine handler arriving as backup where several officers are already positioned to safely control the suspect. Graham v. Connor, 490 U.S. 386, 396–97 (1989); Hernandez, 989 F.3d at 744–46.

The critical point is that the justification must be specific to the circumstances confronting the handler. Statements that the suspect "was resisting" or that the canine was used "to gain compliance" describe a conclusion, not the facts supporting it. The handler should be able to explain what the suspect was doing, what threat or resistance remained, why canine force was selected, what other reasonable options were available or had already failed, and why the degree and duration of canine force remained proportionate to the governmental need.

The analysis becomes more difficult when the canine bite itself begins to affect the behavior officers are attempting to control. A suspect being bitten may pull away, twist, protect an injured limb, reach toward the dog, or have difficulty performing commands. As discussed in Watkins, those movements may represent intentional resistance, but they may also be reactions to the pain and mechanics of the bite. The handler must therefore continue assessing whether the canine is actually gaining control or whether the bite itself is producing the movement being characterized as resistance. Watkins v. City of Oakland, 145 F.3d 1087, 1090–93 (9th Cir. 1998).

At some point, depending on the circumstances, continued canine force may cease functioning primarily as an apprehension or control measure and begin functioning principally as a means of compelling compliance through pain. That transition deserves particular scrutiny when the suspect has stopped fleeing or fighting, is attempting to surrender, or is substantially under officer control while the dog remains attached and officers continue issuing commands. The Ninth Circuit has made clear that an initially lawful canine deployment does not provide an unlimited justification for continued force. The question remains whether the continued bite is objectively reasonable in light of the circumstances then confronting the officers. Watkins, 145 F.3d at 1092–93; Rosenbaum v. City of San Jose, 107 F.4th 919, 924–28 (9th Cir. 2024).

Tactical Outs and Continued Bite Duration

A tactical or physical "hard out" remains a legitimate canine-control technique. Nothing in this article suggests that a handler must automatically call a dog off from a distance when a

suspect begins to comply, or that officers should approach an unsecured or potentially dangerous suspect merely to shorten a bite. Depending on the circumstances, maintaining canine contact while officers safely approach, control the suspect's hands, and complete the arrest may be objectively reasonable.

The concern is narrower. The decision to use a tactical out should not itself become the reason for unnecessarily extending canine force. Once a suspect stops fleeing or fighting, begins complying, exposes his hands, or otherwise submits to custody, the handler should reassess the continuing governmental need for the bite. Has the canine accomplished the objective for which it was deployed? If so, the justification for continued canine force may have materially diminished, and disengagement should occur as soon as reasonably and tactically feasible. The controlling question is not whether officers have completed handcuffing, but whether continued canine force remains objectively reasonable under the circumstances.

Becker v. Elfreich illustrates the problem with treating handcuffing as an automatic endpoint for a canine bite. According to Becker's evidence, he was descending a staircase with his hands over his head when the canine bit him. He asked the handler to call the dog off and stated that he was coming toward the officers. The canine nevertheless remained attached while Becker was pulled down the stairs, placed on the floor, and handcuffed. Becker testified that the handler told him the dog could not be released until he was handcuffed, and a witness estimated that the bite continued for several minutes. The Seventh Circuit held that a jury could find the continued force excessive and affirmed the denial of qualified immunity. Becker v. Elfreich, 821 F.3d 920, 925–31 (7th Cir. 2016).

The Ninth Circuit has applied the same continuing-force principle. In Rosenbaum v. City of San Jose, body-worn video generally supported the allegation that a canine continued biting for more than twenty seconds after Rosenbaum was prone, had his arms extended, and was surrounded by officers. The court reaffirmed that clearly established law prohibits allowing a police dog to continue biting a suspect who has fully surrendered and is under officer control. Rosenbaum v. City of San Jose, 107 F.4th 919, 924–28 (9th Cir. 2024).

Similarly, in Rock v. Miller, the Ninth Circuit affirmed the denial of qualified immunity where, taking the evidence in the plaintiff's favor, the canine continued biting for approximately forty-one seconds after Rock had been removed from a shed, was unarmed, surrounded by officers, and was neither actively resisting nor attempting to flee. The factual dispute included whether Rock's movements reflected resistance or recoil from the canine bite, an issue increasingly important in continued-force cases. Rock v. Miller, No. 23-16009, slip op. at 3–5 (9th Cir. Aug. 14, 2024).

These cases do not establish that a handler must always obtain a verbal out before officers secure the suspect. McKinney v. City of Middletown illustrates the other side of the analysis. There, the Second Circuit granted qualified immunity where a canine remained engaged while officers secured a suspect who had just been involved in a violent struggle with police. The court concluded that clearly established law did not prohibit maintaining the bite for the period reasonably necessary to secure a recently violent suspect. McKinney v. City of Middletown, 49 F.4th 730, 739–41 (2d Cir. 2022).

The lesson is not that tactical outs are improper. It is that bite duration should be governed by the continuing governmental need for canine force, rather than by a predetermined practice

that the dog remains attached until handcuffs are applied. When a tactical out is the appropriate method of disengagement, it should be accomplished without unnecessary delay once officers are reasonably positioned to do so.

This also raises the broader issue of canine control. A working police dog must remain controllable in operational settings, not merely during training or certification. Real-world stress, movement, conflict, and the intensity of an apprehension may make disengagement more difficult, but those conditions do not eliminate the handler's responsibility to maintain meaningful control over the canine. A training philosophy that accepts that a dog will reliably release during certification but cannot reasonably be expected to disengage during an actual apprehension presents an obvious operational concern.

The verbal out should therefore represent a genuine field capability, not merely a certification exercise. If verbal control fails, the handler should have a trained contingency. Where an agency employs electronic collars and the canine has been properly conditioned to their use, an e-collar can provide an additional remote-control option. This does not mean electronic stimulation should be used during every apprehension, nor does the Constitution require any particular disengagement technique. It simply recognizes the value of having more than one reliable method of terminating canine force when continued contact is no longer justified.

The operational objective should be reliable, redundant control: verbal cessation when appropriate, an additional remote-control capability where trained and authorized, and prompt tactical physical removal when that is the safer method. Agencies should train for the possibility that the first control method may fail rather than accept prolonged biting as the inevitable result of a failed verbal command. Ultimately, the constitutional question is not whether the handler used a verbal out, an e-collar, or a tactical out. It is whether the canine force continued longer than was objectively reasonable under the totality of the circumstances.

Extraction Versus "Bring the Dog to Me"

The same continuing-force analysis applies to the practice sometimes described as "bring the dog to me" or "drag the dog to me." Under this approach, after the canine obtains a bite-and-hold, the suspect is directed to crawl, walk, or otherwise move toward the arrest team while the canine remains attached. The tactic may be intended to maintain distance, discourage renewed flight or resistance, and allow officers to control the arrest. There is, however, an important distinction between maintaining canine contact because the dog is still accomplishing a legitimate tactical objective and continuing the bite principally to require the suspect to transport himself and the dog back to the arrest team.

Bates v. Rezentes provides a contemporary example. A police canine located Talmika Bates hiding in bushes and bit her on the head. Body-worn-camera evidence showed Bates communicating that she was coming out and asking that the dog be removed. The handler nevertheless directed her to crawl from the bushes and sit up while the canine remained attached. The district court denied qualified immunity on the continued-bite claim, concluding that a reasonable jury could find the force excessive after Bates had communicated surrender. Bates is a federal district-court decision, not binding Ninth Circuit precedent, and the subsequent interlocutory appeal did not produce a Ninth Circuit merits decision. Its facts nevertheless illustrate the concern created when a suspect is required to perform compliance

movements while an active canine bite continues. Bates v. Rezentes, 731 F. Supp. 3d 1119, 1130–37 (N.D. Cal. 2024), appeal dismissed, No. 24-3282 (9th Cir. Oct. 24, 2024).

Hartsell v. County of San Diego is even more directly on point. After a canine located Hartsell hiding in brush and bit his arm, Hartsell complied with commands to show his hands and was ordered to crawl from the brush while the canine remained attached. On interlocutory review, the Ninth Circuit concluded that, viewing the evidence in Hartsell's favor, a reasonable factfinder could determine that the continued canine force became objectively unreasonable when Hartsell complied, emerged from the brush with the canine still attached, and was within the deputies' control, "if not sooner." Hartsell is an unpublished memorandum disposition and therefore is illustrative rather than precedential, but its facts closely resemble the "bring the dog to me" issue. Hartsell v. County of San Diego, 802 F. App'x 295, 295–96 (9th Cir. 2020) (unpublished).

That situation should be distinguished from a true canine extraction. There are circumstances in which the canine is still accomplishing the operational objective by removing or controlling a suspect who refuses to leave a vehicle, confined space, heavy vegetation, or another location where officers cannot safely obtain custody. Hernandez v. Town of Gilbert provides one example. Following a pursuit, officers spent several minutes attempting to remove Hernandez from a vehicle. He repeatedly refused commands, resisted physical control efforts, and pepper spray proved ineffective. The canine was then deployed "to force compliance," and Hernandez continued resisting even after being bitten. The Ninth Circuit affirmed qualified immunity, holding that neither deployment of the canine nor the duration of the bite violated clearly established law under those circumstances. Hernandez v. Town of Gilbert, 989 F.3d 739, 744–46 (9th Cir. 2021).

Ashford v. Raby provides another useful comparison. Ashford remained in an SUV that was still in drive, with his foot on the brake, and did not comply with repeated commands to exit. After warnings, the handler deployed his canine, and the handler and dog pulled Ashford from the vehicle. Once Ashford was removed and other officers gained control of him, the handler gave the release command within seconds. The Sixth Circuit affirmed qualified immunity, emphasizing both the identifiable need to remove Ashford from the vehicle and the prompt effort to terminate the canine force once that objective had been accomplished. Ashford v. Raby, 951 F.3d 798, 800–04 (6th Cir. 2020).

The distinction is important. When a canine is actively extracting or controlling a resistant or dangerous suspect from a location officers cannot safely enter or control, the handler can identify the continuing tactical objective being accomplished by the dog. The analysis becomes considerably more difficult when the suspect has emerged, stopped fighting, exposed his hands, or otherwise substantially submitted to custody and is then ordered to crawl or walk some additional distance with the canine still attached.

Prior flight, the possibility that a suspect may be armed, or the need to maintain distance may remain relevant to that assessment. They should not, however, become generalized explanations for continuing canine force after the circumstances have materially changed. Continued contact should be supported by specific facts showing a continuing threat, active resistance, meaningful escape risk, reasonably perceived access to a weapon, or another identifiable tactical reason for maintaining the bite.

There is also a practical injury concern. An engaged canine may pull, reposition, or counter the suspect's movement while maintaining its bite. Requiring a person to crawl or walk while simultaneously moving an attached dog may therefore create additional movement at the bite site and increase the potential for injury. This is principally a tactical and risk-management consideration, but the nature and severity of the intrusion remain part of the Fourth Amendment reasonableness analysis. Chew v. Gates, 27 F.3d 1432, 1441–42 (9th Cir. 1994).

For best practices in contemporary canine policing, the principle should therefore be straightforward: canine force should continue only while there remains an objectively reasonable governmental justification for it. Extraction of an actively resistant or dangerous suspect may provide that justification. Requiring a substantially compliant suspect to transport an attached canine back to the arrest team is far more difficult to justify absent exceptional circumstances. This is not a claim that every variation of "bring the dog to me" is per se unconstitutional; the constitutional analysis remains dependent upon the totality of the circumstances.

This recommendation is also consistent with national canine policy guidance. The United States Police Canine Association Model Canine Policy provides that, absent exceptional circumstances, officers should not order a suspect to walk or crawl toward officers during an active bite, specifically identifying the practice as "bring/drag the dog to me." The policy instead directs handlers to call off or remove the canine as soon as reasonably possible based on the tactical situation and, when the suspect submits to arrest and becomes compliant, to transition to conventional arrest tactics. United States Police Canine Association, Model Canine Policy, "Canine Bite—Suspect Control" (Dec. 18, 2022).

Reporting and Review of Bite Duration

The handler's articulation remains one of the most important elements of a defensible canine deployment. The report should explain not only why the dog was deployed, but why canine force remained objectively reasonable as the encounter developed. That includes the specific facts supporting continued contact—such as an ongoing threat, active resistance, risk of escape, or other governmental interest—and why the duration of the bite remained proportionate to those circumstances.

If the canine remains engaged during an extraction, tactical out, or other extended apprehension, the handler should explain what was occurring during that period and why disengagement did not occur sooner. Generalized statements such as "the suspect continued resisting" or "the dog remained on the bite until officers could safely take the suspect into custody" may no longer be sufficient. The report should describe what the suspect was actually doing, what the handler observed, how the circumstances changed, what efforts were made to gain control, and how and when the canine was disengaged.

Body-worn video makes this articulation particularly important. Supervisors, auditors, attorneys, judges, and juries may now examine an encounter second by second. The report should therefore preserve the facts necessary for someone who was not present to understand the handler's decisions later. The purpose is not simply to record the conclusion that the force was justified, but to explain the facts that made it objectively reasonable at each significant stage of the apprehension.

Supervisory review should follow the same approach. The review should not end with the conclusion that the initial deployment satisfied policy. Where bite duration is significant, the supervisor should also assess the suspect's changing behavior, the continuing governmental need for the bite, the method and timing of disengagement, and whether the handler's written articulation is consistent with the available video and other evidence.

Finally, this documentation is most valuable when completed promptly, while the details of the incident are still fresh. Reconstructing the rationale for a prolonged bite months later during an audit, deposition, or trial can create unnecessary credibility and evidentiary problems. A clear, timely account of what the handler saw, what the suspect did, and why canine force continued can be invaluable when the incident is later reviewed.

Police Service Dogs are a valuable tool for law enforcement. Agencies nationwide must do their part to ensure that canine units survive current efforts to eliminate or curtail their use. It is not necessarily the bite that creates the consequence. It is the inability to defend the bite. When an agency cannot explain why the dog was deployed, why the bite continued, and why the force remained reasonable under the circumstances, it places the handler, the unit, and the program at risk.

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