

**Unit Goal: Texas state animal laws**

**39.1. Define terms utilized in the Texas Penal Code concerning laws pertaining to animals.**

**Definitions:**

Deadly Force

- Force that is intended or known by the actor to cause, or in the manner of its use or intended use is, capable of causing, death or serious bodily injury.

Reckless injury of innocent third person

- Even though an actor is justified under this chapter in threatening or using force or deadly force against another, if in doing so [they] also recklessly injure or kill an innocent third person, the justification afforded by this chapter is unavailable in a prosecution for the reckless injury or killing of the innocent third person.

Civil remedies unaffected

- The fact that conduct is justified under this chapter does not abolish or impair any remedy for the conduct that is available in a civil suit.

Elements of Cruelty to Animals

- Cruelty to animals (Penal Code §42.092- non-livestock)
  - (a) In this section:
    - "Abandon" includes abandoning an animal in the person's custody without making reasonable arrangements for assumption of custody by another person.
    - "Animal" means a domesticated living creature, including any stray or feral cat or dog, and a wild living creature previously captured. The term does not include an uncaptured wild living creature or a livestock animal.
    - "Cruel manner" includes a manner that causes or permits unjustified or unwarranted pain or suffering.
    - "Custody" includes responsibility for the health, safety, and welfare of an animal subject to the person's care and control, regardless of ownership of the animal.
    - "Depredation" has the meaning assigned by Section 71.001, Parks and Wildlife Code.
    - "Livestock animal" has the meaning assigned by Section 42.09.
    - "Necessary food, water, care, or shelter" includes food, water, care, or shelter provided to the extent required to maintain the animal in a state of good health.
    - "Torture" includes any act that causes unjustifiable pain or suffering.
    - "Trap-Neuter-Return Program" means a nonlethal population control practice in which an animal is:
      - (A) trapped;
      - (B) evaluated by a veterinarian;
      - (C) if unvaccinated, vaccinated by a veterinarian;
      - (D) if unsterilized, sterilized by a veterinarian;
      - (E) marked by a veterinarian, whether by notching or tipping one ear or otherwise; and
      - (F) returned to the trap location.

- "Veterinarian" shall have the same meaning as set forth in Section 801.002, Occupations Code.

**39.2. List examples of animal offenses per the Texas Penal Code.**

Cruelty to animals (§42.092- non-livestock)

- (b) A person commits an offense if the person intentionally, knowingly, or recklessly:
- (1) Tortures an animal or in a cruel manner kills or causes serious bodily injury to an animal;
  - (2) Without the owner's effective consent, kills, administers poison to, or causes serious bodily injury to an animal;
  - (3) Fails unreasonably to provide necessary food, water, care, or shelter for an animal in the person's custody;
  - (4) Abandons unreasonably an animal in the person's custody;
  - (5) Transports or confines an animal in a cruel manner;
  - (6) Without the owner's effective consent, causes bodily injury to an animal;
  - (7) Causes one animal to fight with another animal, if either animal is not a dog;
  - (8) Uses a live animal as a lure in dog race training or in dog coursing on a racetrack;  
or
  - (9) Seriously overworks an animal.

**39.3. Discuss the range of punishment for animal cruelty and its defense to prosecution.**

Cruelty to animals (§42.092 non-livestock)

(c) An offense under Subsection (b)(3), (4), (5), (6), or (9) is a Class A misdemeanor, except that the offense is a state jail felony if the person has previously been convicted two times under this section, two times under Section 42.09, or one time under this section and one time under Section 42.09.

(c-1) An offense under Subsection (b)(1) or (2) is a felony of the third degree, except that the offense is a felony of the second degree if the person has previously been convicted under Subsection (b)(1), (2), (7), or (8) or under Section 42.09.

(c-2) An offense under Subsection (b)(7) or (8) is a state jail felony, except that the offense is a felony of the third degree if the person has previously been convicted under this section or under Section 42.09.

(d) It is a defense to prosecution under this section that:

- (1) The actor had a reasonable fear of bodily injury to the actor or to another person by a dangerous wild animal as defined by Section 822.101, Health and Safety Code; or
- (2) The actor was engaged in bona fide experimentation for scientific research.

(e) It is a defense to prosecution under Subsection (b) (2) or (6) that:

- (1) The animal was discovered on the person's property in the act of or after injuring or killing the person's livestock animals or damaging the person's crops and that the person killed or injured the animal at the time of this discovery; or
- (2) The person killed or injured the animal within the scope of the person's employment as a public servant or in furtherance of activities or operations associated with electricity transmission or distribution, electricity generation or operations associated with the generation of electricity, or natural gas delivery.

(e-1) It is a defense to prosecution under Subsection (b)(4) that the actor released or returned a stray or feral animal which is not a wild living creature pursuant to a Trap-Neuter-Return Program.

(e-2) It is a defense to prosecution under Subsection (b)(4) that the actor released or returned a previously trapped wild living creature in accordance with Texas wildlife laws and regulations.

(f) It is an exception to the application of this section that the conduct engaged in by the actor is a generally accepted and otherwise lawful:

(1) Form of conduct occurring solely for the purpose of or in support of:

- Fishing, hunting, or trapping; or
- wildlife management, wildlife or depredation control, or shooting preserve practices as regulated by state and federal law; or

(2) Animal husbandry or agriculture practice involving livestock animals.

(g) This section does not create a civil cause of action for damages or enforcement of the section.

**Instructor Note:** Scope defined in Black's Law Dictionary: The range of duties that an employee is expected to carry out to fulfil the requirements of the position.

#### **39.4. Discuss terms and conditions utilized in the Texas Health and Safety Code concerning laws pertaining to animals.**

Sec. 822.041. DEFINITIONS. In this subchapter:

(1) "Animal control authority" means a municipal or county animal control office with authority over the area where the dog is kept or a county sheriff in an area with no animal control office.

(2) "Dangerous dog" means a dog that:

- (a) makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
- (b) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

(3) "Dog" means a domesticated animal that is a member of the canine family.

(4) "Secure enclosure" means a fenced area or structure that is:

- (a) Locked;
- (b) Capable of preventing the entry of the general public, including children;
- (c) Capable of preventing the escape or release of a dog;
- (d) Clearly marked as containing a dangerous dog; and
- (e) In conformance with the requirements for enclosures established by the local animal control authority.

(5) "Owner" means a person who owns or has custody or control of the dog.

#### **39.5. Identify factors that determine if a dog is considered dangerous.**

Sec. 822.0421. DETERMINATION THAT DOG IS DANGEROUS

- (a) If a person reports an incident described by Section 822.041(2), the animal control authority may investigate the incident. If, after receiving the sworn statements of any witnesses, the animal control authority determines the dog is a dangerous dog, the animal control authority shall notify the owner in writing of the determination.
- (b) Notwithstanding any other law, including a municipal ordinance, an owner, not later than the 15th day after the date the owner is notified that a dog owned by the owner is a dangerous dog, may appeal the determination of the animal control authority to a justice, county, or municipal court of competent jurisdiction.
- (c) To file an appeal under Subsection (b), the owner must:
  - (1) file a notice of appeal of the animal control authority's dangerous dog determination with the court;
  - (2) attach a copy of the determination from the animal control authority; and
  - (3) serve a copy of the notice of appeal on the animal control authority by mailing the notice through the United States Postal Service.
- (d) An owner may appeal the decision of the justice or municipal court under Subsection (b) in the manner described by Section 822.0424.

**39.6. Review the requirements for an owner with a dangerous dog.**

**Sec. 822.042. REQUIREMENTS FOR OWNER OF DANGEROUS DOG.**

- (a) Not later than the 30th day after a person learns that the person is the owner of a dangerous dog, the person shall:
  - (1) register the dangerous dog with the animal control authority for the area in which the dog is kept;
  - (2) restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure;
  - (3) obtain liability insurance coverage or show financial responsibility in an amount of at least \$100,000 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person and provide proof of the required liability insurance coverage or financial responsibility to the animal control authority for the area in which the dog is kept; and
  - (4) Comply with an applicable municipal or county regulation, requirement, or restriction on dangerous dogs.
- (b) The owner of a dangerous dog who does not comply with Subsection (a) shall deliver the dog to the animal control authority not later than the 30th day after the owner learns that the dog is a dangerous dog.
- (c) If, on application of any person, a justice court, county court, or municipal court finds, after notice and hearing as provided by Section 822.0423, that the owner of a dangerous dog has failed to comply with Subsection (a) or (b), the court shall order the animal control authority to seize the dog and shall issue a warrant authorizing the seizure. The authority shall seize the dog or order its seizure and shall provide for the impoundment of the dog in secure and humane conditions.
- (d) The owner shall pay any cost or fee assessed by the municipality or county related to the seizure, acceptance, impoundment, or destruction of the dog. The governing body of the municipality or county may prescribe the amount of the fees.

- (e) Subject to Subsection (e-1), the court shall order the animal control authority to humanely destroy the dog if the owner has not complied with Subsection (a) before the 11th day after the date on which the dog is seized or delivered to the authority. The court shall order the authority to return the dog to the owner if the owner complies with Subsection (a) before the 11th day after the date on which the dog is seized or delivered to the authority.
- (e-1) Notwithstanding any other law or local regulation:
- (1) any order to destroy a dog is stayed for a period of 10 calendar days from the date the order is issued, during which period the dog's owner may file a notice of appeal; and
  - (2) a court, including a justice court, may not order the destruction of a dog during the pendency of an appeal under Section 822.0424.
- (f) The court may order the humane destruction of a dog if the owner of the dog has not been located before the 15th day after the seizure and impoundment of the dog.
- (g) For purposes of this section, a person learns that the person is the owner of a dangerous dog when:
- (1) The owner knows of an attack described in Section 822.041(2)(A) or (B);
  - (2) The owner receives notice that a justice court, county court, or municipal court has found that the dog is a dangerous dog under Section 822.0423; or
  - (3) The owner is informed by the animal control authority that the dog is a dangerous dog under Section 822.0421.

**Unit Goal: Canine behavior**

**39.7. Define the word “ethology.”**

The scientific and objective study of animal behavior. Experience and knowledge of dog behavior will help predict how different dogs will respond.

- Understanding animal behavior, sometimes people can guess what the animal will do next. Knowing the signs of different behaviors will help decide how to handle the animal.
- Some animals may behave oddly because they have not been socialized. Just like people, animals that have been neglected or abused when they were young, may behave strangely when they are older. These animals are sometimes called asocial, which means that they are not as friendly around people, or socialized pets.

**39.8. Describe how at least two of a dog’s body parts are used in communication.**

Dogs are very expressive animals:

- They use body language to express when they are happy, sad, angry, excited, or fearful.
- Dog body language is an elaborate and sophisticated system of nonverbal communication that we can learn to recognize and interpret.
- Dogs use facial expressions, ear set, tail carriage, and overall demeanor to signal their intentions and feelings towards others.

Eyes:

- Dogs rarely look directly into each other's eyes because this is considered threatening behavior.
- A direct stare is much more likely to be a threat, and if in close proximity to such a dog, it is wise to look away slowly.
- If the dog looks out of the corners of their eyes so that most of the whites of their eyes (the sclera) are visible, they might be leading up to an aggressive outburst. This look is known as "whale eye".

## Reading a dogs body language through their EYES

1- Neutral (relaxed or happy) - Iris should easily be visible.

2- Aroused/Anxiety- Pupils will be dilated. Veins under the eye's may also rise when aroused.

3- "Whale Eyes" - Whites of eyes are visible; sign of stress, fear, arousal.



Mouth:

- When a dog is relaxed and happy, they are likely to have their mouth closed or slightly opened. If their mouth is open, they may be panting – this is how dogs cool their bodies. You might see their teeth because their mouth is slightly opened.
- A dog who is frightened or feeling submissive probably has their mouth closed. Their lips might be pulled back slightly at the corners. They might flick their tongue in and out, or they might lick if they're interacting with a person or another animal.
- A dog who is signaling their intention to act aggressively will often retract their lips to expose their teeth. They may pull their lips up vertically to display their front teeth while also wrinkling the top of their muzzle. This is typically a warning not to come any closer.
- A dog may draw their lips back horizontally so that their lips are really tight at the commissure (the corners of the mouth). With this expression both their front and back teeth (premolars and molars) are visible. This posture is often indicative of a dog who is feeling afraid. However, once a dog is ready to bite, they usually pull their lips up AND back so that their mouth is open, and their teeth are exposed.

**Instructor Note:** Display pictures of different styles of mouths.

Ears:

- When a dog is relaxed and comfortable, they will hold their ears naturally.

- When they are alert, they will raise them higher on their head and they will direct them toward whatever is holding their interest.
- A dog will also raise their ears up and forward when they are feeling aggressive.
- If a dog has their ears pulled back slightly, they are signaling their intention to be friendly.
- If their ears are completely flattened or stuck out to the sides of their head, they are signaling that they are frightened or feeling submissive.

**Instructor Note:** Display pictures of different styles of ears.

Tail:

- People often assume that a dog with a wagging tail is a friendly dog, but this is not always the case. Dogs wag their tails for numerous reasons, including when they are feeling aggressive. Moreover, a dog who is not wagging their tail can still be friendly.
- If they are happy, they may wag it gently from side to side. If they are really happy, like when they greet you after a long absence, their tail will wag more forcefully from side to side or might even wag more in a circular pattern.
- If a dog feels nervous or submissive, they will hold their tail lower and might even tuck it between their rear legs. They may still wag it from side to side, often at a more rapid pace than if they are relaxed. If they are really scared or feeling extremely submissive, they will hold their tail tucked up tight against their belly.
- If they are standing their ground or threatening someone, they may “flag” their tail, which means they hold it stiff and high and move it rigidly back and forth. It might look like they are wagging their tail, but everything else about their body tells you that they are not feeling friendly at the moment.

**Instructor Note:** Display pictures of different types of tails.

Hair:

- Dogs may also signal their emotional state by raising their hair, which is called “piloerection,” or more colloquially, “raising the hackles.”
- Most often, this is the hair on their necks and backs.
- Dogs raise their hair when they are aroused about something.
- It is comparable to a person having goose bumps.
- Raised hackles can mean that a dog is afraid, angry, insecure, unsure, nervous, or wildly excited about something.

**Instructor Note:** Display pictures of different types of hair.

Overall Posture:

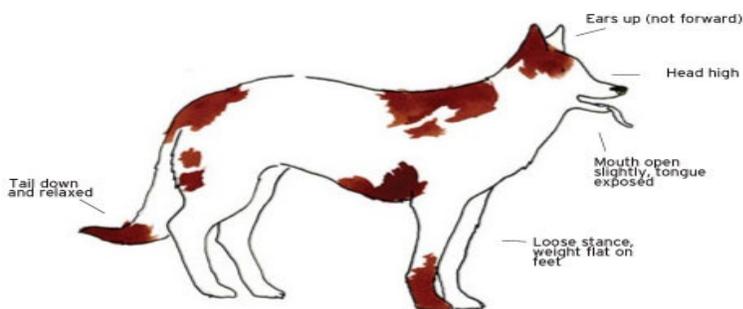
- Dogs also use their bodies to communicate their intentions. In general, dogs either try to look normal, smaller, or larger.
- If a dog is feeling happy and contented, they will look normal – relaxed muscles and weight evenly balanced on all four feet. Similarly, when they are playful, they will look normal. They may be bouncing around or running wildly with exaggerated movements,

but their facial expression and their muscles will be relaxed and nothing about their body will look unnatural.

- When a dog is scared, they will be hunched over as though trying to look small. They might lower their body or even cower on the ground. Their head will be held low as well. If something or someone frightens them, they will recoil away from it.
- A submissive dog looks very similar to a frightened dog because they make themselves look small to convey that they are not a threat. If a dog is submissive, they will lower their body or even cower on the ground. Their head might be raised, though, if they are greeting a person or another animal. Lying down and presenting the belly is another way a dog may communicate their submission.
- An assertive (dominant), alert or aroused dog tries to make themselves look large. Their muscles will be tense. They will stand erect, sometimes even on their tiptoes, with their neck and head raised above their shoulders. Either their weight will be centered over all four feet, or they will be leaning slightly forward on their front legs.
- An angry, aggressive dog also makes themselves appear larger than life to be as intimidating as possible. If a dog is aggressive, they will look very similar to an assertive, alert, or aroused dog, but their posture will be accompanied by aggressive threats. Typically, their weight will be centered over their front legs so that they can lunge or charge forward rapidly.
- How a person behaves when encountering a dog will also have a big effect on the outcome of the encounter. Officers should always watch their body language as well as the dog.

### 39.9. Describe a dog's body language using a visual depiction.

Relaxed Approach:

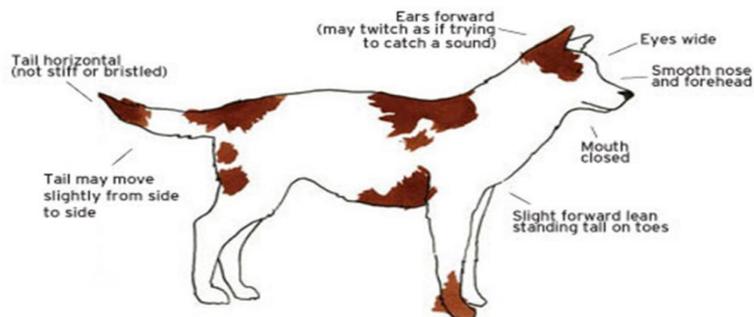


#### Lecture Scenario: Discuss relaxed approach with students:

- This dog is relaxed and reasonably content.
- Such a dog is unconcerned and unthreatened by any activities going on in their immediate environment and is usually approachable.
- Still always, use caution because just like us they can change their body language at any time.

Source: <https://www.rspca.org.uk/adviceandwelfare/pets/dogs/behaviour/understanding>

Alert:

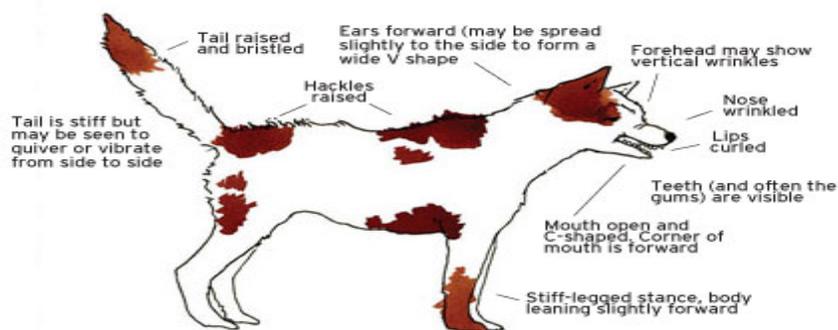


**Lecture Scenario: Discuss alert approach with students:**

- If the dog has detected something of interest, or something unknown.
- These signals communicate that they are now alert and paying attention while they are assessing the situation.
- Determining if there is any threat or if any action should be taken.

**Source:** <https://www.rspca.org.uk/adviceandwelfare/pets/dogs/behaviour/understanding>

Dominant Aggressive:

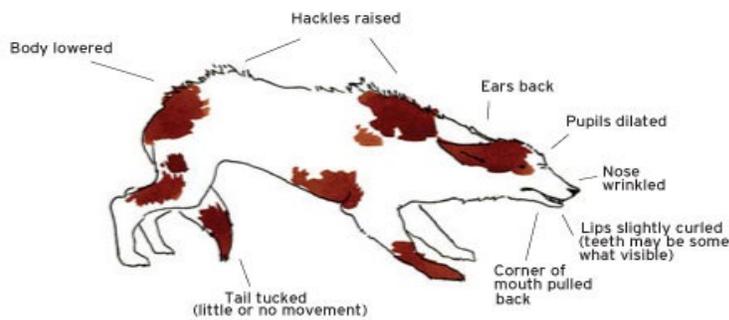


**Lecture Scenario: Discuss dominant aggressive approach with students:**

- This is a very dominant and confident dog.
- Here they are not only expressing their social dominance.
- Is also threatening that they will act aggressively if they are challenged.
- They are also demonstrating that they are the leader, head of the pack.

**Source:** <https://www.rspca.org.uk/adviceandwelfare/pets/dogs/behaviour/understanding>

Fearful and Aggressive:

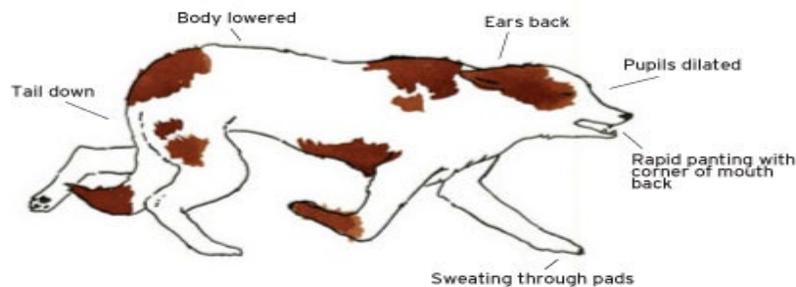


**Lecture Scenario: Discuss fearful and aggressive approach with students:**

- This dog is frightened but is not submissive and may attack if they are pressed.
- A dog will generally give these signals when they are directly facing the individual or animal who is threatening them.

**Source:** <https://www.rspca.org.uk/adviceandwelfare/pets/dogs/behaviour/understanding>

Stressed and Distressed:

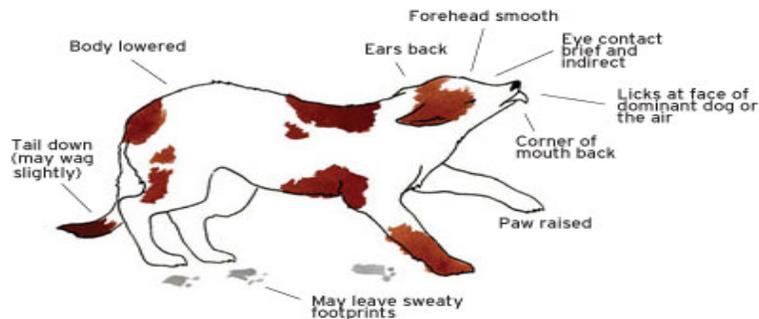


**Lecture Scenario: Discuss stressed and distressed approach with students:**

- This dog is under either social or environmental stress.
- These signals, however, are a general “broadcast” of their state of mind and are not being specifically addressed to any other individual or animal.

**Source:** <https://www.rspca.org.uk/adviceandwelfare/pets/dogs/behaviour/understanding>

Fearful and Worried:



**Lecture Scenario: Discuss fearful and worried approach with students:**

- This dog is somewhat fearful and is offering signs of submission.
- These signals are designed to pacify the individual or animal who is of higher social status or whom the dog sees as potentially threatening, to avoid any further challenges and prevent conflict.

**Source:** <https://www.rspca.org.uk/adviceandwelfare/pets/dogs/behaviour/understanding>

**39.10. List at least four types of dog aggression.**

- Dominant Aggression
  - This can be a dangerous or unpredictable type of dog that can intimidate officers.
  - Usually only one person has control over this type of dog and officers should be careful when approaching.
  - This type of dog also has a problem with strangers and usually does not discriminate. They could be friendly at times, and other times not.
  - Never make the mistake of thinking this dog's temperament is protective, this aggression can be very dangerous.
  - This type of aggression in dogs is being seen more and more in criminals that are using this type of canine for protection; officers should use extreme caution when approaching any individual who has this type of dog or is willing to use this type of a dog as a weapon to get away from officers.
- Fear Aggression
  - Handling fear aggression in a dog requires patience and consistent reinforcement and, in some cases, chemical immobilization (last resort).
  - This dog is usually nervous, insecure, and frightened most of the time.
  - They usually react to almost any disturbances from radios, sirens, and to approaching officers.
  - Be ready for quick responses and try not to back this type of a dog into a corner if possible.
  - Animal Control Officers usually see this aggression a lot when they encounter a canine that they put in uncomfortable situations to control the canine.

- Territorial Aggression
  - A potentially dangerous behavior problem.
  - If the officer is not intimidated, warnings may escalate to include hostile posturing and lunging.
  - They can be a danger to any officer entering their domain and they could growl, lunge, or even try to bite.
  - When officers walk down the street, alley, and sidewalk or even onto someone's property, they can be aggressive or dangerous towards any officer approaching them.
  - This dog could be a threat if the dog's space is violated; use extreme caution when approaching this dog.
  - Most dogs have territorial aggression- even the most trained dog- when it comes to their yard, house, or even car, but this this type of dog does not mean that they are aggressive or dangerous. Respect the warnings and you should be just fine.
- Possessive Aggression
  - Possessive aggression in dogs, also known as "Dr. Jekyll and Mr. Hyde," is an undesirable and potentially dangerous trait that develops when a dog feels the need to protect their food, his companion, or another resource.
  - They will bark, growl, bare their teeth, snap or even bite when any officer approaches anything that they may consider theirs.
  - Approaching this dog when they have something in their possession like food or toys could trigger this aggression.
  - Most children are bitten by this type of aggression. A properly trained dog will not have this type of aggression and will allow even a stranger remove any item from their mouth without incident.
- Punishment Aggression
  - If an officer physically punishes a dog for growling, the dog may stop growling and proceed to bite.
  - Growling is a dog's way of warning that they are uncomfortable and there could be trouble.
  - Punishing this warning does not make sense; we do not want to prevent the dog from warning us they are about to fight.
  - Officers can cause this form of aggression by being abusive or overly dominant when approaching this type of dog.
  - This is why you should never yell or scream at a dog, and always try to remain calm and talk to the dog in a firm tone of voice.
- Pain Aggression
  - Dogs can hide pain symptoms very well.
  - Pain causes a dog to change behaviors to avoid the source of discomfort, so remember, dogs have different degrees of pain tolerance.
  - Remember when approaching an injured dog use extreme caution, they could try to snap or bite as a prevention to being touched.

- Remember, a dog or any other animal that is in pain or injured can be very dangerous when trying to handle, use extreme caution when approaching an injured dog or animal. If one of these dogs or animals do bite, it is most likely a bite that is not an intentional bite.
- Predatory Aggression
  - A normal part of dog behavior. Dogs are carnivores and predators; individual dogs all have some type of drive to chase and kill prey.
  - There is no single cure or treatment for predatory aggression because it is a natural behavior.
  - This dog usually attacks an officer who is moving away from them and will chase any officer that turns or runs away from them.
  - It can be a mistake for any officer who thinks they can just turn away and run from this attacking dog.
  - Dogs move much faster than people do. It is better to stand your ground and see what the dog's intentions are before turning away.
- Maternal Aggression
  - This aggression is most found in female dogs nursing or raising a litter of puppies.
  - This aggression usually occurs when someone is approaching her puppies. She could bark, growl or snap.
  - This aggression usually stops completely when her litter is gone or on their own.
- Dog on Dog Aggression
  - This usually occurs between dogs of the same sex.
  - Dogs may be aggressive towards other dogs for a variety of reasons, including lack of socialization with other dogs.
  - Fearfulness of other dogs.
  - Protecting their territory or resources from other dogs.
  - Barking, chasing, and growling, lunging, and biting that is evident in mature dogs is generally seen in puppies during learning and playing.
- Redirected Aggression
  - While interrupting a dog's aggression behavior toward another person or an animal and the dog barks at, snaps at, growls at or bites, this is considered redirected aggression.
  - This can happen to anyone who tries to interfere when a dog is about to attack or is already in the fight.
  - Any officer should always be careful when interrupting a dog that may be concentrating on something else other than the officer.

**SOURCE:** <https://vcahospitals.com/know-your-pet/fear-vs-aggression>

**Unit Goal: Non-lethal tools/methods/resources to avoid and defend against canine attack**

**39.11. Describe the usage of on-scene awareness when approaching a situation involving a canine call.**

- Officer Awareness
  - When approaching a call, the officer needs to be aware of their surroundings:

- Look for signs of a canine on the property.
- Canine houses.
- Chains in the yard.
- Worn patches or trails in the yard.
- Food or water bowls on the porch.
- Doggie doors (the size of the doggie door is directly proportional to the size of the canine).
- Look for pet toys, items that appear to have been chewed or torn, holes or other indications of digging.
- Check for Presence of Canine(s)
  - If yard is not fenced:
    - Call out for canine.
    - Beat on the side of the door.
    - Honk the horn.
    - Whistle.
  - If yard is fenced:
    - Rattle gate.
    - Call out for canine.
    - Whistle.
    - Knock on the side of the house if reachable.

If Canine Is Present:

- Yard with no fence:
  - Give canine commands (sit, back, stay).
  - Underhand toss some canine treats, if only one dog.
  - Honk your horn to get the owner's attention.
- Yard with fence:
  - Underhand toss canine treats, if only one dog.
  - Give canine commands.
  - Call out for owner.
  - Honk horn.
- If the owner is present, ask the owner to secure the canine
- If the owner is not present:
  - Have dispatch attempt to contact owner.
  - Use a distraction tool.
  - If there is enough time, contact Animal Control Services directly or ask dispatch to send an Animal Control Officer.

Reactionary Gaps for Dogs:

When entering an animal's home range, remember that all animals have a "flight reaction distance." This is the closest someone can get to that animal before causing a reaction. The animal will attempt to either run, fight, or play. Most animals will try to run and avoid a confrontation instead of fighting when approached. This is the "flight" response, and if given enough room, most dogs will choose this. If someone enters the animal's critical distance, the

dog will usually attack to escape. Reduce the chances of the animal attacking by understanding how animals will react.

Home Range:

- This is the largest area in which the animal will usually roam.
- This area will vary depending on the size, age, and behavior of the animal.

Territory:

- This is a smaller area within the home range, and the animal usually decides to defend or flee from intruders.

Public Space:

- This area is greater than 12 feet from the animal, but it is still within the animal's territory. When approaching an animal in this area, the animal will usually try to run away.
- For a dog, interview distance is around 12 feet.

Social Space:

- This is a smaller area, approximately 4 to 12 feet, within the public space. When approaching an animal in their social space, they may either fight or run, depending on other social behavioral characteristics.

Personal Space:

- The personal space is approximately 0 to 4 feet. This is the smallest area, and the area nearest the animal. When approaching an animal in their personal space, they will usually fight or submit. This space can vary depending on the size of the dog.

**39.12. Describe the utilization of common tools carried by law enforcement in the non-lethal control of canines.**

Common Tools:

- Tools carried by an officer on their duty belt and in their patrol vehicle can be used to deter a canine from attacking.
- These tools should be used to help the officer retreat to a safe point to reassess the situation.
- Proper use of these tools gives the officer the ability to humanely handle the canine in any situation.

Tools

- Officer's Voice
  - In any situation with canines, an officer must maintain a calm, commanding voice. An officer will use this on initial contact with a canine. The canine may be slowly approaching, mouth closed, eyes wide open, head turned but still watching.
- Remain calm, give simple commands
  - Never stare.
  - Most canines understand sit, no, stay with an outstretched arm.
  - Try commands in Spanish, Sit/Sentarse, No/No, Stay/Estancia.
  - If an owner is present, direct the owner to confine their canine.
- Distraction Tools

- A distraction tool is a moving object kept between the officer and the canine. This will be used if the canine is continually moving closer as the officer is backing away.
- An ASP, baton, or flashlight can be used as a distraction tool, keeping it between the officer and canine. Continually move the tool in front of the animal to take their attention off the officer.

**39.13. Identify tools of opportunity (items found at the scene).**

Other distraction tools at the officer's disposal

- Clipboard.
- Traffic cone
- Jacket
- Stick
- Garbage can
- Anything to keep between the officer and the canine until the officer can reach a place of safety.
- Another distraction tool is a CO2 fire extinguisher. Most SWAT teams are now carrying these for building entries.

Impact Tools

- Any of the distraction tools can be used as an impact tool, but caution must be taken where to strike the canine. The use of these tools can result in a deadly force action.
  - Minimal trauma level: except for the head, neck, and spine most of the canine's body may be struck. The injuries tend to be temporary, although exceptions can occur.
  - Moderate to Serious level: Chest, ribs area, groin, and leg joints. Injuries tend to be more long lasting.
  - Serious Trauma Level: Highest level of serious trauma. The head, neck, and spine injuries range from serious to long lasting rather than temporary. May include unconsciousness to serious bodily injury.

Chemical Spray

- Chemical spray should be used when the canine is circling the officer, making fast hit-and-run attacks in close, or the officer is backed into a corner.
- The officer should use their non-dominant/weak hand to administer the OC Spray, keeping the dominant hand ready to use other tools available.

Electronic Tools (Taser)

- Because of a canine's size, it is hard to use a taser at extended ranges.
- Since a canine's body is horizontal, when deploying a taser, it should be tilted to the side so the probes will spread sideways.
- Use the taser when you are unable to use deadly force due to surroundings and potential for hitting bystanders.

**39.14. Demonstrate humane methods in approaching, controlling, and subduing canines.**

**Practical Scenario:** Utilization of scenario role-play should be applied to fulfill this objective.

- Instructor should design an appropriate scenario involved role-play.
- Students will be required to participate in this activity.
- assessment made by instructor per performance of skill.

**Unit Goal: Conflict Avoidance, De-escalation, and Use of Force Continuum Principles**

**39.15. Identify canine conflict avoidance techniques.**

- Dogs are extremely adept at reading human body language. They can quickly read human behaviors that portray safety as well as threatening.
- Dogs in turn respond to these human behaviors by communicating with their own body postures, facial expressions, and vocalizations.
- When approaching a dog, the officer should subtly gaze at its body stance to get an overall impression of the dog's state of mind.
- However, never stare at the dog's face. This eye contact can create a challenge.

When encountering a dog, officers should:

- Stop all forward movement.
- Turn their bodies to the side.
- Drop their gaze and watch the dog using peripheral vision (Under no circumstances should an officer stare at a dog).
- Speak calmly to the dog, simultaneously scanning the surroundings for escape routes in case of an escalated event.
- Verbal cues ("Sit" in a pleasant tone and then tossing treats).
- Most importantly, never run. A human cannot outrun a dog and they may respond by chasing, seeing it as play, but injury could still occur.

**39.16. Demonstrate the usage of canine conflict avoidance techniques.**

**Practical Scenario:** Utilization of scenario role-play should be applied to fulfill this objective.

- Instructor will design an appropriate scenario role-play.
- Students will be required to participate in this activity.
- Assessment made by instructor per performance of skill.

**39.17. Discuss De-escalation techniques in working with canine calls.**

Even though dog behavior can be complex, simple strategies can keep officers safe in most of their encounters with dogs.

- Strategy 1: Turn the body to the side, downward gaze, and keep hands close to the body. This technique says, "I'm no threat" to the canine. It is the best way to handle dogs that approach in a non-threatening manner and to prevent fearful signals from escalating to warning signals and warnings from escalating to bites. To the over-enthusiastic animal, it does not show excitement and the dog soon loses interest.
- Strategy 2: Avoid excessive movement. Move slowly and smoothly to give them a chance to back away. Most importantly, always be aware of the signals the dog is sending with their body language as they are approached. Are their eyes darting back

and forth, or is their gaze looking away while they are crouching submissively? Alternatively, are they yawning, flickering their tongue in and out of the front of their mouth, or panting with their lips drawn back to the sides? These are signs of conflict or anxiety. In all these situations, give the animal space.

**Instructor Note:** Although the following strategy (3) is a useful strategy, it may not be feasible to always carry treats. Nevertheless, it is a viable de-escalation technique.

- Strategy 3: Use of treats to prevent and defuse threatening canine encounters. Using a smooth underhand motion (an overhand throw is likely to be perceived as an impending blow) toss a handful to a dog at a distance. The food will scatter and take the dog a bit of time to collect it all. This simple technique can distract the animal and possibly win them over. It is an effective de-escalation tool and further gives us information; a dog that will not eat treats is a frightened animal. Do not use this technique when multiple dogs are present. Competitive nature will override the de-escalation that was hoped for.

**Lecture Scenario:** Lead class in discussion;

- Have students brainstorm additional de-escalation techniques to utilize when encounters canines in the field.
- Discuss example.

**39.18. Demonstrate the usage of canine de-escalation techniques.**

**Practical Scenario:** Utilization of scenario role-play should be applied to fulfill this objective.

- Instructor will design an appropriate scenario role-play.
- Students will be required to participate in this activity.
- Assessment made by instructor per performance of skill.

**39.19. Examine the use-of-force continuum principal.**

**Instructor Note:** It is recommended that agencies consider developing a use of force policy for animals.

Officer Presence (Calm Behavior)

- Canine's Actions
  - Protecting their territory and/or owner by barking inside or outside.
  - Element of surprise behavior (Canine is startled).
  - Almost all dogs will try to bluff or threaten an intruder away before resorting to actual contact.
- Officer's Actions
  - Mentally prepare yourself. Have a mental picture of what you are going to do in the case there is a canine.
  - Make your presence known.
    - Rattle the gate.
    - Beat on the door of the car.
    - Whistle or call out to the canine.
  - Anticipate the presence of a canine.

- Some officers carry canine treats.
- Evaluate your body language. Blade your body away with weak side facing the canine

#### Verbal Commands

- Canine's Actions
  - Confrontation
  - Mouth tensed and closed
  - Approaching slowly
  - Head turned but still looking at you
  - Eyes wide open
  - Tail slowly wagging, tail stiff or tucked in between his legs
- Officer's Actions
  - Stand still or slowly move backwards.
  - Use a normal but firm voice.
  - Give simple commands (most canines understand sit, no, etc.).
  - Try commands in Spanish, Sit/Sentarse, No/No, Stay/Estancia (some canines with attack training are taught commands in German).
  - Direct owner if present to confine canine.

#### Distraction Devices

- Canine's Actions
  - Enters your social space, 4 to 12 feet.
  - Gaining confidence to bite by coming closer and closer while you are backwards.
  - Direct eye contact that becomes tunnel vision.
- Officer's Actions
  - Straight baton
  - ASP
  - Flashlight
  - Clipboard
  - Stick
  - Umbrella
  - Air horn
  - Fire Extinguisher
  - Other

#### Chemical Spray

- Canine's Actions
  - The canine is circling you.
  - Canine makes fast and direct approaches.
  - Canine puts you into a corner.
  - Canine bites and retreats, this is the hit-and-run method.
- Officer's Actions
  - Recommend you use your weak hand to use OC Spray while your dominant hand is ready for strikes, walking slowly backwards.

#### Continuously Moving Target

- Canine's Actions
  - Lunging forward to attack.
  - Charges without slowing down.
  - Might be barking or not.
- Officer's Actions
  - Always present a continuously moving object, a straight baton, ASP, Flashlight, Clipboard, something you pick up, etc.

#### Strike or Impact Weapon

- Canine's Actions
  - The overwhelming majority of dog bites are minor.
  - When a bite has occurred and the dog continues to bite (rather than biting and then immediately retreating), or a bite clearly cannot otherwise be avoided and the dog is large enough to inflict significant injury, defensive options may be needed.
  - Bites and grips clothing of body.
  - Bites then circles or stands ground.
  - Prior history of the canine biting.
- Officer's Actions
  - Defensive options should be effective, safe, and humane, easily deployable, acceptable, or defensible to the observing public, and no risk to the observing public.
  - Strike or impact weapon may be used if there are bystanders, and you are unable to use deadly force due to your surroundings or potential of hitting victims.
  - Batons, flashlights, clipboards, etc. should be as distraction device on aggressive canines, and the officer should always remain calm and present a continuously moving object to the animal, making the animal concentrate on the object, not the officer. Care should be taken where the animal is struck if these are to be used as an impact weapon.
  - When using a taser, tilt it to the side to spread the probes sideways. A taser can cause serious injury or death to an animal and so should be used sparingly.

#### Deadly Force

- Canine's Actions
  - Bite continuously gripping the body.
  - Direct charge with no hesitation.
  - Active aggressive pack.
- Officer's Actions
  - Shoot the canine in the middle of the shoulders or spine area.
  - Witness to an attack and/or Body Cam.
  - Be able to articulate what happens.
  - Be aware of your surroundings at all times to prevent unintentional injury or death.

**39.20. List what should be done if deadly force must be used.**

If Deadly Force Must Be Used (Recommended)

- Treat this as any other deadly force encounter.
  - Photo area
    - Photos of whole scene giving a perspective of the distance between officer and dog when shot (photo of shell casings in relation to the dog).
    - If dog ran after being shot, indicate location dog was when shot.
    - Photos of dog.
    - Places any bystanders were standing.
  - Detail Report
    - Contextualize observations of the function of the dog.
      - Environment.
        - How dog is contained
          - Kennel
          - Chained
          - Loose in house with family
  - Relationships in which the dog lives.
- Description of Dog
  - Do not specify breed- stay with basic color, size, and sex.
  - Using specific breed descriptions gives attorneys the opportunity to examine the report. If the dog was not a pit-type dog and is described as one, the remainder of the report will be critiqued and questioned for accuracy.
- Follow all agency protocol for discharging a weapon.

**Unit Goal: Surviving an attack**

**39.21. Describe other methods for handling a canine.**

Caring For Injured Canines

- Muzzling
  - With a four-foot piece of small rope or gauze, make a surgeon's loop (double knot) in the middle.
  - Lace loop over dog's nose and pull snug.
  - Pull ends under dog's mouth and tie with an overhand knot.
  - Pull ends to the back of the dog's head and tie in a square or reefers knot.
- Moving Injured Dog
  - After muzzling the dog, lay a large towel or blanket next to the animal.
  - You may need some help to slide the animal on the towel or blanket.
  - The improvised stretcher can be picked up by the corners.
  - Try to use a towel or blanket large enough that when the edges are brought together the dog's head will be inside the folds.

**39.22. Demonstrate the method of muzzling a dog.**

**Practical Scenario:** Utilization of scenario role-play should be applied to fulfill this objective.

- Instructor will design an appropriate scenario role-play.

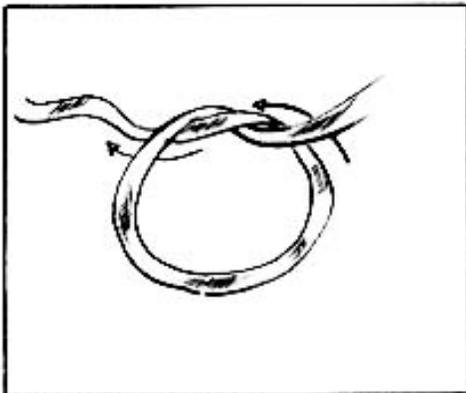
- Students will be required to participate in this activity.
- Assessment made by instructor per performance of skill.

#### HOW TO MAKE A TEMPORARY MUZZLE

Before you learn how to handle a dog, it's important that you know how to make and use a temporary muzzle, because you will need it in a few of the methods to follow.

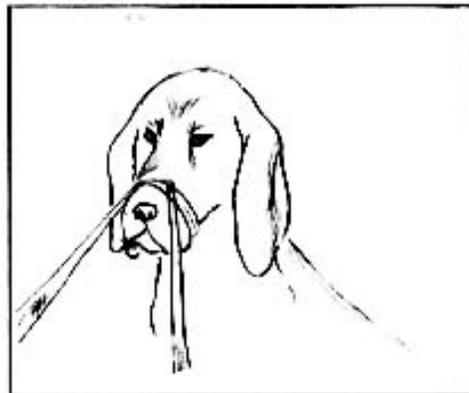
**NOTE:** Muzzle a short-nosed dog as you would a cat. The directions may be found on page 19.

Step 1



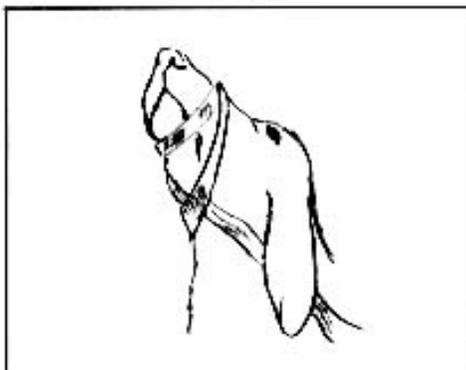
Make a loop in the center of a four-foot cord or double-thickness gauze bandage.

Step 2



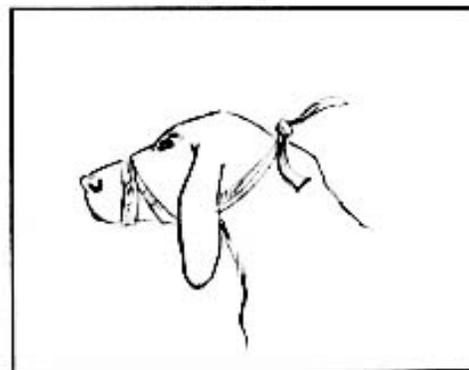
Slip the loop over the dog's muzzle and draw the ends snugly over the nose.

Step 3



Bring the ends down under the chin and cross them.

Step 4



Bring them up back of the neck and tie a double knot.

**39.23. Discuss additional techniques to use to survive a canine attack.**

Surviving the Attack

- Force continuum principles can be applied to dogs. Officers should understand no single dog presents a plausible risk of fatality to an able-bodied adult accompanied by other humans. In fact, only a very few dogs of the very largest types can match the force potential of even an unarmed human.
- The use-of-force continuum as it relates to animals: physical presence, verbal commands, mechanical repellants (baton, bite stick), improvised dog repellants, chemical repellants, electronic repellants (stun gun, taser), physical capture, chemical capture, and deadly force.

Allow a dog owner or animal control officer, whenever the owner or an animal control officer is present and it is feasible, the reasonable opportunity to control or remove a dog from the immediate area to permit a law enforcement officer to discharge his or her duties.

- Cease all forward movement and turn to the side, keeping arms at sides, to appear less threatening to the dog. Never stare.
- Speak calmly to the dog in a friendly tone while scanning the surroundings for escape routes that will not bring the officer closer to the dog and for barriers that can be used for protection in case of escalation.
- Do not yell or scream, and never run.
- Brace:
  - A canine attacking at a full run is no match for a human.
  - Stay calm and loose, brace just before impact.
  - Try a side-stepping maneuver to avoid impact.
- If the canine latches onto the hand, shove it as far into their mouth as possible. Avoid the impulse to pull away. Such an action can increase injury, changing a less serious puncture into a deep laceration.
- Canines move faster than people do.

The Stand Off

- Place something between yourself and the canine. The bigger the object the better but use whatever is available at the time. Do not use something that is too heavy. The weight will fatigue the officer, and it will restrict the ability to use it effectively. In the best circumstances, the object will not only shield you from the canine but will also startle them. This may give an officer enough time to retreat.
- Also, an officer should try to place their back against something. While this will reduce mobility, it will also reduce the directions the canine can attack from.
- Verbal commands such as “stop”, “bad dog”, “sit”, and “down” should be attempted at this time, as well as calling for assistance.
- Call for assistance.

Throwing Something

- While this will not stop a canine from attacking, it may give an officer a fraction of a second to plan another course of action.

- If a canine has a very strong “fetch drive,” the canine will switch course but do not depend on this with a charging canine.
- With this option, try sand, dirt, medium sized rocks, keys, change, water, and the best option, food, if there is some available.

#### Punching and Kicking

- For the most part, punching and kicking a canine is pointless.

#### If The Canine Gets You on the Ground

- Protect throat and ears. Use hands, do not expose fingers.
- If there is something to offer, it is recommended an officer use the non-dominant hand with something in it, to give an officer access to all the tools on their belt, (ASP, OC Spray, etc. anything available).

#### Injured Canine (K-9) Handler

If any canine (K-9) handler becomes incapacitated or injured and is unable to handle the canine (K-9), officers at the scene should:

- If possible, have the K-9 handler call his dog.
- Attempt to call the K-9 to a marked patrol unit, preferably the K-9 vehicle, if possible; using the phrase the K-9 handler would use to load the K-9.
- Attempt to get another K-9 handler. If necessary, contact animal control authorities quickly to avoid the K-9 escaping or being injured.

#### **Unit Goal: Other animals in the state of Texas**

- During daily duties, officers may come across other types of animals.
- If an officer is not trained or comfortable around such animals, contact the local animal control services to assist in the proper handling of these animals.

#### **39.24. Identify other common animal encounters.**

**Lecture Scenario:** Instructor should research animal encounters in your specific region

- List these encounters to discuss with students.
- Discuss local departmental cases.
- Discuss above solutions.

#### **Sources:**

**Texas Animal Control Association**

<http://www.taca.org/>

**Texas Parks & Wildlife Department**

<http://tpwd.texas.gov/>