



# K9 Case Law

Course Outline

Blue to Gold Law Enforcement Training  
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# GOAL

## learners

In-service training for certified law enforcement, including patrol, investigations, specialty units, and administration

## length of instruction

8 Hours

K9 Case Law is intended for any officer who works with or around K9s. This includes handlers, supervisors, interdiction officers, and command personnel. K9 Case Law will train students in practically every legal doctrine that is needed to lawfully deploy a K9.

Subjects include:

- Deploying a K9 during traffic stops
- Use of force on fleeing suspects
- Utilizing K9s in specialized settings like schools and jails
- Report writing and courtroom testimony.

And a lot more. This class is open to any officer interested in this area of the law.

## **Course Introduction – 10 minutes**

- 1) Instructor introduction.
- 2) Explain the course objective.
  - a) Recognize situations a K9 can legally be deployed.
  - b) Understand K9 search and seizure case law.
  - c) Apply learned knowledge in the field.
- 3) Encourage attendees to ask questions and share feedback with other attendees.
- 4) Explain that certificates will be emailed after the class and each student will be registered in the Blue to Gold University.
- 5) Go over the three disclaimers:
  - a) Laws and agency standard operating procedures may be more restrictive. Blue to Gold teaches the federal standard unless otherwise stated. Therefore, students must know their state and local requirements in addition to the federal standard.
  - b) If students have any doubts about their actions, ask a supervisor or legal advisor.
  - c) The course is not legal advice, but legal education. Therefore, nothing we teach should be interpreted as legal advice. Check with your agency's legal advisor for legal advice.

## **Module One: Constitutional Principles – 30 Minutes**

- 1) The Fourth Amendment
  - a) State Provisions
- 2) Burdens of Proof
  - a) Hunches, Reasonable Suspicion & Probable Cause
  - b) Reasonable Suspicion
  - c) Probable Cause
- 3) N.E.R.D.S.
- 4) Two Searches
- 5) Two Seizures

## **Module Two: Non-Search Activities – 30 Minutes**

- 1) Abandoned Property
- 2) Plain View
- 3) Open Fields
- 4) Consent

### **Module Three: K9 Training – 120 Minutes**

- 1) Terminology
- 2) Cueing
- 3) Certification
- 4) Sample Policy

### **Module Four: Drug Detection – 90 Minutes**

- 1) Traffic Stops
- 2) Free-air Sniffs
- 3) Traffic Stops With R.S.
- 4) Removing Occupants
- 5) Pre-Alert Touching
- 6) Motor Vehicle Exception
- 7) Searching Passengers

### **Module Five: Domiciles and Parking Lots – 30 Minutes**

- 1) Domiciles
  - a) Reasonable Expectation of Privacy
  - b) Apartments and Hotels
- 2) Parking Lots

### **Module Six: Parcel Interdiction – 30 Minutes**

- 1) Possessory Interest
- 2) Schools
  - a) Lockers & Cars
  - b) Case
  - c) Students
  - d) Persons

### **Module Seven: Use of Force – 110 Minutes**

- 1) K9 Deployment
- 2) Graham v. Connor
  - a) Severity of the Crime
  - b) Immediate Threat
  - c) Resisting Arrest
  - d) Other Factors
    - Suspect Believed to be Armed
    - Warrant Issued
    - Under the Influence
    - Alternative Methods
    - Criminal History

- Time of Day
- Number of People
- Suspects vs. Cops
- Anti-Police
- Mental Health Issues
- De-escalation
- Suspect Hiding
- On Leash
- Environmental Factors
- Clear Line of Retreat

- 3) Deadly Force
- 4) Jail Settings
- 5) Tactical Teams
- 6) Community Caretaking
- 7) Warnings
- 8) Conflicting Commands
- 9) Handler Control
- 10) Case Studies
- 11) Injuring a K9

**Module Eight: Post Force Follow-Up – 30 Minutes**

- 1) Post Arrest Care
- 2) Report Writing
- 3) Liability
- 4) Qualified Immunity
- 5) 1983 Civil Suits
- 6) 242 Indictments
- 7) Duty to Intervene
- 8) Civil Liability

**\*\*\*End of Class\*\*\***