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# Analysis of Use of Force Incidents Against a Canine in the Milwaukee Police Department

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January 1, 2009 to December 31, 2009

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Kristin Kappelman  
Research and Policy Analyst

Fire and Police Commission  
200 East Wells St  
City Hall, Room 706a  
Milwaukee, WI 53202

<http://www.milwaukee.gov/fpc>  
(414) 286-5000

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## INTRODUCTION

Very little research has been conducted concerning the issue of law enforcement personnel using force against an animal, specifically a canine. Data from the New York City Police Department indicate that every fourth firearm shooting involves a canine, with 30 canine shootings in 2008<sup>1</sup> (Baker & Warren, 2009). The Dayton (Ohio) Police Department is on pace to more than double the 17 canines shot in 2008 and the 20 shot in 2009, with 13 canine shootings as of May 2010 (Sullivan, 2010). The Metropolitan Police Department of Washington, D.C. experienced 12 canine shootings in 2007 (Metropolitan Police, 2008).

This report is an analysis of all use of force incidents against a canine by employees of the Milwaukee Police Department in 2009. The report will serve only as an analysis of the data and does not attempt to address any concerns with regards to policy, procedures, or training.

## REVIEW OF 2009 USE OF FORCE INCIDENTS AGAINST CANINES

### BACKGROUND

In 2009, there were 46 incidents in which a law enforcement employee of the Milwaukee Police Department used force against at least 1 canine<sup>2</sup>. Police District 7 had the most incidents related to force used against canines, with 15 (32.6%), followed by Police District 5, with 11 incidents (23.9%), and Police District 3, with 9 incidents (19.6%) (see Table 1). These three police districts were the locations for 76.1% of all force incidents against a canine. Police District 1 reported no use of force incidents against canines.

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<sup>1</sup> Caution must be exercised when attempting to compare police department use of force statistics. The methods used to classify use of force incidents often differ between departments and attempting to compare one department to another would be problematic and inaccurate. The figures reported here should not be used for comparison as they are only intended to show that little information is available on canine shootings.

<sup>2</sup> In multiple incidents, force was also used against a person along with a canine; however, this report focuses only on force used against a canine. For details related to use of force incidents against people, please see the FPC's report, *An Analysis of 2009 Use of Force Incidents in the Milwaukee Police Department*. The report is available on the FPC's website, at [www.milwaukee.gov/fpc](http://www.milwaukee.gov/fpc).

Table 1. Incidents by Police District

<b>Police District</b>	<b>Number of Incidents</b>	<b>Percentage</b>
<b>1</b>	0	0.0%
<b>2</b>	3	6.5%
<b>3</b>	9	19.6%
<b>4</b>	5	10.9%
<b>5</b>	11	23.9%
<b>6</b>	3	6.5%
<b>7</b>	15	32.6%
<b>Total</b>	<b>46</b>	<b>100.0%</b>

Aldermanic District 15 had the most incidents related to force used against canines, with 11 incidents (23.9%), followed by Aldermanic District 1, with ten incidents (21.7%), and Aldermanic District 6, with eight incidents (17.4%) (see Table 2). These three Aldermanic Districts accounted for the majority of use of force incidents against canines, with 63% of incidents occurring in these locations. Aldermanic Districts 3, 4, 5, and 13 reported no use of force incidents against canines.

Table 2. Incidents by Aldermanic District

<b>Aldermanic District</b>	<b>Number of Incidents</b>	<b>Percentage</b>
<b>1</b>	10	21.7%
<b>2</b>	1	2.2%
<b>3</b>	0	0.0%
<b>4</b>	0	0.0%
<b>5</b>	0	0.0%
<b>6</b>	8	17.4%
<b>7</b>	5	10.9%
<b>8</b>	2	4.3%
<b>9</b>	2	4.3%
<b>10</b>	3	6.5%
<b>11</b>	1	2.2%
<b>12</b>	2	4.3%
<b>13</b>	0	0.0%
<b>14</b>	1	2.2%
<b>15</b>	11	23.9%
<b>Total</b>	<b>46</b>	<b>100.0%</b>

The most use of force incidents against canines occurred in January, with seven incidents (15.2%) (see Table 3). May, July, August, October, and November each had five incidents (10.9%). The fewest incidents occurred in June and December, with one incident (2.2%) reported in each month.

Table 3. Incidents by Month

Month	Number of Incidents	Percentage
January	7	15.2%
February	3	6.5%
March	4	8.7%
April	3	6.5%
May	5	10.9%
June	1	2.2%
July	5	10.9%
August	5	10.9%
September	2	4.3%
October	5	10.9%
November	5	10.9%
December	1	2.2%
<b>Total</b>	<b>46</b>	<b>100.0%</b>

The majority of use of force incidents involving a canine occurred outdoors, with 35 incidents (76.1%) occurring outside (see Table 4). Of these outdoor incidents, 13 (28.3%) occurred in a yard and 11 (23.9%) occurred in the street. Eleven incidents (23.9%) occurred indoors or in a dwelling.

Table 4. Incident Location

Location	Number of Incidents	Percentage
Indoor-dwelling	11	23.9%
Outdoor-alley	6	13.0%
Outdoor-field or parking lot	5	10.9%
Outdoor-street	11	23.9%
Outdoor-yard	13	28.3%
<b>Total</b>	<b>46</b>	<b>100.0%</b>

The majority of incidents occurred in full light/daylight (25 incidents, 54.3%). Sixteen incidents (34.8%) occurred in darkness/night, and five incidents (10.9%) occurred in dim light/dusk/dawn.

A loose canine/animal complaint was the most common initial call for service (17 incidents, 45.9%)<sup>3</sup>. Seven incidents (18.9%) involved the serving of a search warrant. In 35 incidents

<sup>3</sup> Note: 9 missing cases. While initial call is a field in the use of force report, it is rarely completed. This information was coded from the narratives of each report.

(76.1%), the narrative clearly stated that the canine(s) was loose and not under the owner's control<sup>4</sup>.

## **EMPLOYEE DEMOGRAPHICS<sup>5</sup>**

The number of employees who used force against a canine ranged from one employee to two employees, with an average of 1.3 employees per incident. Thirty-three incidents (71.7%) involved one employee using force against a canine and 13 incidents (28.3%) involved two employees<sup>6</sup>.

### **Employee #1**

There were 46 employees listed as the first employee in the use of force incident. The majority of first employees involved in these use of force incidents were white (37 employees, 80.4%). Seven employees (15.2%) were black, one employee (2.2%) was Asian, and one employee (2.2%) was Hispanic. Forty employees (87.0%) were male, while six employees (13.0%) were female. The majority of employees were at the rank of Police Officer (44 employees, 95.7%). The remaining first employees were either at the rank of Police Sergeant (2.2%) or Police Captain (2.2%). Years of service for the first employee ranged from 2 years to 31 years, with a mode (most frequently occurring number) of 15 years, a median (the middle value) of 7 years, and an average of 9.3 years of service.

The age of the first employee involved ranged from 22 years old to 57 years old, with an average of 37 years old, a mode of 40, and a median of 39 years old. Employee height ranged from 5 feet 3 inches to 6 feet 6 inches, with a mode of 5 feet 9 inches and an average of 5 feet 10 inches<sup>7</sup>. Employee weight ranged from 145 pounds to 250 pounds, with an average of 189 pounds, a mode of 200 pounds, and a median of 188 pounds<sup>8</sup>.

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<sup>4</sup> The other 11 incidents were not clear as to whether the canine was under control or not. While the narrative appeared to indicate that the canine was loose, it was not clearly stated and so the information is coded as unknown.

<sup>5</sup> Employee demographics focus only on the employees that used force on a canine. In many incidents, additional employees were involved that used force on a person.

<sup>6</sup> MPD categorizes their use of force data based on incidents. Each employee and subject involved in each incident is given their own set of variables. For this reason, if there is more than 1 employee or subject involved in the use of force incident, the employees and subjects will be referred to as Employee #1, Subject #1, Employee #2, Subject #2, etc.

<sup>7</sup> Note: 6 missing cases.

<sup>8</sup> Note: 6 missing cases.

Forty-five employees (97.8%) were on-duty and in uniform, while one employee (2.2%) was off-duty and in plainclothes. Thirty-five (76.1%) of the employees were on squad patrol, eight employees (17.4%) were part of tactical operations, two employees (4.3%) were part of bicycle patrol, and one employee (2.2%) was off-duty. Three (6.5%) of the first employees involved were injured during the use of force incident, while 43 (93.5%) were not.

Forty-four (95.7%) of the first employees involved used a firearm, while two employees (4.3%) used an ECD (Electronic Control Device, such as Taser). Both employees who utilized an ECD cycled the weapon once, which stopped the canine from continuing the attack. Two of the employees who utilized their firearm also used bodily force (weak side kicks) prior to utilizing their firearm. The number of rounds fired ranged from one to ten, with an average of 2.59 rounds per employee, a mode of one round, and a median of two rounds.

## **Employee #2**

There were 13 employees listed as the second employee in the use of force incident. Eleven employees (84.6%) were white, one employee (7.7%) was black, and one employee (7.7%) was Asian. Twelve employees (92.3%) were male, while one employee (7.7%) was female. Employee weight ranged from 120 pounds to 250 pounds, with an average of 188 pounds and a median of 195 pounds<sup>9</sup>. Employee height ranged from 5 feet 5 inches to 6 feet 3 inches, with an average height of 5 feet 9 inches<sup>10</sup>. Employee age ranged from 23 years old to 40 years old, with an average of 32 years old and a median of 33 years old. All 13 employees were at the rank of Police Officer. Years of service ranged from 2 years to 14 years, with an average of 5.6 years of service and a median of 4 years of service.

The thirteen employees were on-duty and in uniform. Eleven employees (84.6%) were on squad patrol, one employee (7.7%) was part of tactical operations, and one employee (7.7%) was on bicycle patrol. One employee (7.7%) was injured during the use of force. All of the second employees listed used a firearm. The number of rounds fired ranged from one to six, with an average of 2.71 rounds fired per employee, a mode of one round, and a median of two rounds.

## **SUBJECT DEMOGRAPHICS<sup>11</sup>**

The number of canines involved during these use of force incidents ranged from one canine to three canines, with an average of 1.1 canines per incident. Forty-one incidents (89.1%) involved

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<sup>9</sup> Note: 4 missing cases.

<sup>10</sup> Note: 4 missing cases.

<sup>11</sup> In many of the use of force incidents, people were also involved in the incident. Since this report focuses solely on use of force incidents against a canine, analysis on human subjects is not included here.

one canine, five incidents (8.7%) involved two canines, and one incident (2.2%) involved three canines.

### **Canine #1**

The majority of the first canines involved were Pit bulls (35 canines, 76.1%). Other canine breeds included German Shepherd/German Shepherd mix (4 canines, 8.7%), Rottweiler/Rottweiler mix (3 canines, 6.5%), and other canine breeds, such as Husky or Bulldog (4 canines, 8.7%). Forty-two canines (91.3%) were injured: 35 canines (83.3%) suffered fatal injuries and died, four canines (9.5%) suffered major injuries, and three canines (7.2%) suffered minor injuries.

### **Canine #2**

Five use of force incidents also involved a second canine. All of the second canines involved were Pit bulls that were fatally injured (5 canines, 100.0%).

### **Canine #3**

One use of force incident involved a third canine. The third canine was a German Shepherd/German Shepherd mix, which was fatally injured.

## **MILWAUKEE AREA DOMESTIC ANIMAL CONTROL COMMISSION**

In order to present a more accurate picture representing canines in the City of Milwaukee, data was obtained from the Milwaukee Area Domestic Animal Control Commission<sup>12</sup> (MADACC) to demonstrate that there are multiple instances of dogs captured in the City of Milwaukee that are often unharmed and surrendered without incident.

Employees of the Milwaukee Police Department captured and transported 625 canines to MADACC without assistance from MADACC or other agencies (see Table 5). District 7 captured and transported the most canines, with 156 (25.0%). District 1 captured and transported the fewest canines, with four canines (0.6%). The most canines were captured and transported by MPD employees in August, with 78 (12.5%). The fewest canines were captured and transported by MPD in December, with 32 (5.1%).

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<sup>12</sup> John McDowell, Field Officer Supervisor, and Dr. Charles Castelein, veterinarian and IT Specialist, from MADACC assisted in gathering the data presented here.

Table 5. Canines captured in MPD Police Districts by month

	1	2	3	4	5	6	7	Total
<b>January</b>	0	4	4	6	6	1	16	<b>37</b>
<b>February</b>	0	7	3	8	6	2	15	<b>41</b>
<b>March</b>	0	13	6	9	5	8	15	<b>56</b>
<b>April</b>	0	9	2	10	9	17	8	<b>55</b>
<b>May</b>	0	10	10	6	14	11	13	<b>64</b>
<b>June</b>	1	9	11	7	11	4	13	<b>56</b>
<b>July</b>	0	8	12	11	15	12	17	<b>75</b>
<b>August</b>	2	9	13	7	11	12	24	<b>78</b>
<b>September</b>	1	10	10	6	6	5	5	<b>43</b>
<b>October</b>	0	8	9	2	14	3	13	<b>49</b>
<b>November</b>	0	8	5	5	7	3	11	<b>39</b>
<b>December</b>	0	4	7	4	8	3	6	<b>32</b>
<b>Total</b>	<b>4</b>	<b>99</b>	<b>92</b>	<b>81</b>	<b>112</b>	<b>81</b>	<b>156</b>	<b>625</b>

A total of 569 canines were transported to MADACC for safekeeping<sup>13</sup> in 2009 (see Table 6). District 5 had the most canines seized for safekeeping, with 140 canines (24.6%) seized. Police District 1 had the fewest canines seized, with ten canines (1.8%). Ninety canines (15.8%) were seized for safekeeping in June, while 33 (5.8%) were seized in November.

Table 6. Canines seized for safekeeping by Police District and month

	1	2	3	4	5	6	7	Total
<b>January</b>	1	2	4	7	17	1	9	<b>41</b>
<b>February</b>	0	3	17	0	16	0	3	<b>39</b>
<b>March</b>	0	2	9	2	1	3	28	<b>45</b>
<b>April</b>	0	11	6	6	8	3	7	<b>41</b>
<b>May</b>	0	4	13	10	12	0	10	<b>49</b>
<b>June</b>	7	7	8	6	33	12	17	<b>90</b>
<b>July</b>	3	7	13	16	6	6	19	<b>70</b>
<b>August</b>	0	10	17	9	7	4	13	<b>60</b>
<b>September</b>	0	8	6	2	11	6	7	<b>40</b>
<b>October</b>	0	7	8	6	21	2	10	<b>54</b>
<b>November</b>	0	4	6	4	14	1	4	<b>33</b>
<b>December</b>	0	11	13	9	11	1	3	<b>48</b>
<b>Total</b>	<b>10</b>	<b>74</b>	<b>116</b>	<b>70</b>	<b>140</b>	<b>38</b>	<b>121</b>	<b>569</b>

<sup>13</sup> Safekeeping canines include canines seized for extenuating circumstances, such as mistreatment, animal fighting, evictions, or other situations where the home or the owner of the canine is lost or unable to care for the canine.



MADACC impounded 3,060 stray canines in 2009 (see Table 7). Police District 7 had the most stray canines impounded, with 705 (23.0%). Police District 1 had the fewest stray canines impounded, with 15 (0.5%). The most canines were impounded in October, with 308 (10.1%). The fewest canines were impounded in January and December, with 213 (7.0%).

Table 7. Stray canines impounded by Police District and month

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>Total</b>
<b>January</b>	0	25	39	22	43	23	61	<b>213</b>
<b>February</b>	2	38	35	29	33	21	65	<b>223</b>
<b>March</b>	0	42	38	38	35	37	68	<b>258</b>
<b>April</b>	0	41	36	30	41	46	42	<b>236</b>
<b>May</b>	1	57	45	31	42	47	39	<b>262</b>
<b>June</b>	1	50	41	36	37	46	54	<b>265</b>
<b>July</b>	1	55	39	31	44	44	59	<b>273</b>
<b>August</b>	3	63	55	26	40	45	72	<b>304</b>
<b>September</b>	1	52	46	27	45	40	53	<b>264</b>
<b>October</b>	2	58	45	31	64	32	76	<b>308</b>
<b>November</b>	3	53	38	26	34	32	55	<b>241</b>
<b>December</b>	1	24	28	34	45	20	61	<b>213</b>
<b>Total</b>	<b>15</b>	<b>558</b>	<b>485</b>	<b>361</b>	<b>503</b>	<b>433</b>	<b>705</b>	<b>3060</b>

## CONCLUSION

The Milwaukee Police Department used force against a canine in 46 incidents in 2009. In summary, a use of force incident in 2009 involving a canine most commonly would have:

- occurred in Police District 7 or Aldermanic District 15;
- been outside and in daylight;
- stemmed from a loose dog complaint;
- involved a dog that is not under an owner's control;
- involved one MPD employee, who was a white, male Police Officer, on-duty and in uniform, with an average of nine years of service and be 37 years old, utilizing a firearm; and
- included one canine, a Pit bull that sustained fatal injuries.

This report provides data on the frequency and circumstances surrounding use of force incidents of the Milwaukee Police Department involving a canine. The data presented here will

be used to conduct future analysis on use of force incidents involving a canine,<sup>14</sup> and will be used to assess the policies, procedures, and training of the Milwaukee Police Department.

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<sup>14</sup> See Appendix 1 for a condensed review of use of force incidents involving a canine from January 1, 2010 to June 30, 2010.

## References

Baker, A. & Warren, M.R. (2009, July 10). Shooting highlights the risks dogs pose to police, and vice versa. *The New York Times*.

Metropolitan Police Use of Force Review Board and Force Investigations Branch. (2008). *MPD use of force 2007 annual report*. Washington, DC.

Sullivan, L. (2010, May 30). Police forced to shot and kill more vicious dogs. *Dayton Daily News*.

## **APPENDIX 1: 2010 USE OF FORCE INCIDENTS INVOLVING A CANINE**

Between January 1, 2010, and June 30, 2010, employees of the Milwaukee Police Department used force against a canine in 14 incidents. This puts the department on a pace to have 28 use of force incidents against a canine for all of 2010, which would be a 39% decrease from the 46 incidents in 2009 and a 40% decrease from the 47 incidents in 2008. Of the 14 incidents that occurred in the first six months of 2010:

- Six incidents occurred in Police District 7, four incidents occurred in Police District 2, two incidents occurred in Police District 3, and one incident occurred in Police Districts 4 and 6.
- Three incidents occurred in each of the following months: February, March, and May. Two incidents occurred in both January and June, and one incident occurred in April.
- Firearms were utilized in all 14 incidents. The number of rounds fired ranged from one to ten, with an average of 3.8 rounds.
- Fifteen total canines were involved in these 14 incidents. Thirteen incidents involved one canine, while one incident involved two canines.
- Thirteen of the canines were Pit bulls, one canine was a Pit bull/Akita mix, and one canine was a Doberman Pinscher.
- Eleven canines were shot fatally, two suffered major injuries, and two were uninjured.