

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 13-0799.02 Kate Meyer x4348

SENATE BILL 13-226

SENATE SPONSORSHIP

Balmer and Guzman,

HOUSE SPONSORSHIP

Court and Coram,

Senate Committees
Judiciary

House Committees
Judiciary

HOUSE
3rd Reading Unamended
April 22, 2013

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE "DOG PROTECTION ACT".**

HOUSE
2nd Reading Unamended
April 19, 2013

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

SENATE
3rd Reading Unamended
April 9, 2013

In order to prevent or reduce the number of dogs shot by officers of municipal police departments and sheriffs' offices (collectively, "local law enforcement officers"), the bill requires local law enforcement agencies to:

- ! Develop training programs to prepare local law enforcement officers for encounters with dogs in the line of duty, which training must emphasize how to recognize

SENATE
Amended 2nd Reading
April 8, 2013

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

common dog behaviors and how to employ nonlethal methods to control or respond to dogs; and

- ! Adopt policies and procedures setting forth the appropriate ways to handle dog encounters, including policies and procedures that allow dog owners to remove or control their dogs whenever circumstances warrant.

The bill creates a dog protection task force to set minimum standards for qualified animal behavior experts or licensed veterinarians who provide the required training to local law enforcement officers, to develop minimum training curricula to be used by local law enforcement agencies, and to develop web- or video-based training that may be used by local law enforcement agencies.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby declares that:

4 (a) Dogs are one of the most beloved and popular animals in the
5 United States;

6 (b) According to its 2011-2012 national survey of pet owners, the
7 American Pet Products Association estimates that there are over
8 seventy-eight million dogs in the United States, with approximately
9 forty-six million American households currently containing at least one
10 dog;

11 (c) "Dog Fancy" magazine has recognized Colorado as one of the
12 most dog-friendly states, and Colorado often is listed as one of the top
13 states in per capita dog ownership;

14 (d) Many Coloradans cherish their dogs and consider them to be
15 members of their families.

16 (2) The general assembly further finds and declares that:

17 (a) In Colorado alone, there are multiple instances every year of
18 dogs being shot by local law enforcement officers;

19 (b) Many of those dogs are beloved pet, service and companion,

1 sporting, and working dogs, most of which were docile and well-trained
2 and had no history of threatening behavior, and in many of these cases,
3 the dogs were shot despite not exhibiting any signs of aggression;

4 (c) In the last five years alone, there have been more than thirty
5 dog shootings by local law enforcement officers in Colorado;

6 == ===== ==

7 (d) In its 2012 report "The Problem of Dog-Related Incidents and
8 Encounters" (available on-line at [http://cops.usdoj.gov/RIC/Resource](http://cops.usdoj.gov/RIC/ResourceDetail.aspx?RID=612)
9 [Detail.aspx?RID=612](http://cops.usdoj.gov/RIC/ResourceDetail.aspx?RID=612) when accessed on February 26, 2013), the office
10 of community oriented policing services, a component of the United
11 States department of justice, found that, in most police departments, the
12 majority of intentional firearm discharges involve animals, and of those
13 shootings, most frequently dogs.

14 (e) Deadly force, which should be an option of last resort, is rarely
15 necessary to defuse the situations or mitigate any risk presented by dogs.
16 For example, employees of landscaping companies and delivery
17 companies routinely encounter dogs in their lines of work and are able to
18 work successfully with dog owners to handle issues presented by their
19 dogs without resorting to shooting dogs.

20 (f) These shooting tragedies cause profound grief to the dogs'
21 owners, trauma to families and neighbors witnessing the incidents, great
22 physical suffering to the dogs, and undermine the confidence that
23 communities have in their law enforcement to protect and serve in an
24 appropriate and humane manner.

25 (3) The general assembly further finds, determines, and declares
26 that:

27 (a) Colorado's law enforcement officers perform honorably,

1 courageously, and selflessly, and their safety remains of paramount
2 importance;

3 (b) Given the high incidence of dog ownership in the state, local
4 law enforcement officers routinely encounter dogs while performing their
5 myriad duties;

6 (c) Some local law enforcement officers may not have much
7 experience dealing with dogs and may thus have a fear of dogs or may be
8 unfamiliar with typical dog behaviors;

9 (d) In discharging their firearms to shoot dogs, local law
10 enforcement officers may experience regret for causing pain to the dog
11 or the dog's family or for not being aware of other ways the situation
12 could have been addressed;

13 (e) Increasing such officers' knowledge of, and comfort with,
14 interactions with dogs will better protect the local law enforcement
15 officers in the course of performing their duties; and

16 (f) Although some local law enforcement officers do handle dog
17 encounters in an appropriate manner and some local law enforcement
18 agencies already conduct training in canine behavior, there clearly exists
19 a need to provide training to local law enforcement officers so that they
20 are prepared to encounter dogs. There is also a clear need for local law
21 enforcement agencies to establish and follow local policies setting forth
22 the appropriate methods to handle those encounters, which methods take
23 into account a range of nonlethal alternatives and allow dogs to be
24 controlled or removed by their owners.

25 (4) The general assembly finds and declares that it is necessary
26 and appropriate ___ to require local law enforcement officers to receive
27 training on differentiating between aggressive and nonthreatening dog

1 behaviors, learn to utilize alternatives to lethal force, learn how to
2 properly utilize animal control officers, and allow dog owners an
3 opportunity to intervene and save their dogs, as the totality of the
4 circumstances warrant. It is the intent of the general assembly, in creating
5 this act, to eliminate or reduce the number of dogs shot in the context of
6 law enforcement encounters. In order to prevent or reduce the shooting
7 of dogs in the state, while maximizing local control by allowing local law
8 enforcement agencies to most effectively and appropriately determine
9 how to comply with the requirements of this act, the general assembly
10 further intends that local law enforcement agencies develop and
11 implement training and written policies and procedures in accordance
12 with this act.

13 **SECTION 2.** In Colorado Revised Statutes, **add** 29-5-112 as
14 follows:

15 **29-5-112. Dog interactions with local law enforcement officers**
16 **- training to be provided by local law enforcement agencies - policies**
17 **and procedures - scope - task force - creation - composition -**
18 **immunity - definitions - short title - legislative declaration.** (1) **Short**
19 **title.** THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE "DOG
20 PROTECTION ACT".

21 (2) **Legislative declaration.** THE GENERAL ASSEMBLY FINDS,
22 DETERMINES, AND DECLARES THAT IT IS THE POLICY OF THIS STATE
23 TO PREVENT, WHENEVER POSSIBLE, THE SHOOTING OF DOGS BY LOCAL LAW
24 ENFORCEMENT OFFICERS IN THE COURSE OF PERFORMING THEIR OFFICIAL
25 DUTIES. IT IS THEREFORE THE INTENT OF THE GENERAL ASSEMBLY IN
26 ADOPTING THIS SECTION TO:

27 (a) REQUIRE TRAINING FOR OFFICERS OF LOCAL LAW

1 ENFORCEMENT AGENCIES ON DIFFERENTIATING BETWEEN CANINE
2 BEHAVIORS THAT INDICATE IMMINENT DANGER OF ATTACK TO PERSONS
3 AND BENIGN BEHAVIORS COMMONLY EXHIBITED BY DOGS, SUCH AS
4 BARKING, THAT DO NOT SUGGEST OR POSE IMMINENT DANGER OF ATTACK;

5 (b) REQUIRE LOCAL LAW ENFORCEMENT AGENCIES IN THE STATE
6 TO ADOPT POLICIES AND PROCEDURES FOR USE OF LETHAL AND
7 NONLETHAL FORCE AGAINST DOGS, WHICH POLICIES AND PROCEDURES
8 MUST:

9 (I) EMPHASIZE ALTERNATIVE METHODS THAT MAY BE EMPLOYED
10 WHEN DOGS ARE ENCOUNTERED; AND

11 (II) ALLOW A DOG OWNER OR ANIMAL CONTROL OFFICER,
12 WHENEVER THE OWNER OR AN ANIMAL CONTROL OFFICER IS PRESENT AND
13 IT IS FEASIBLE, THE OPPORTUNITY TO CONTROL OR REMOVE A DOG FROM
14 THE IMMEDIATE AREA IN ORDER TO PERMIT A LOCAL LAW ENFORCEMENT
15 OFFICER TO DISCHARGE HIS OR HER DUTIES.

16 (3) **Definitions.** AS USED IN THIS SECTION:

17 (a) "DOG" MEANS ANY CANINE ANIMAL OWNED FOR DOMESTIC,
18 COMPANIONSHIP, SERVICE, THERAPEUTIC, ASSISTANCE, SPORTING,
19 WORKING, RANCHING, OR SHEPHERDING PURPOSES.

20 (b) "DOG OWNER" MEANS A PERSON OWNING, POSSESSING,
21 HARBORING, KEEPING, HAVING GUARDIANSHIP OF, HAVING FINANCIAL OR
22 PROPERTY INTEREST IN, OR HAVING CONTROL OR CUSTODY OF, A DOG.

23 (c) "LICENSED VETERINARIAN" MEANS A PERSON WHO IS LICENSED
24 PURSUANT TO ARTICLE 64 OF TITLE 12, C.R.S., TO PRACTICE VETERINARY
25 MEDICINE IN THIS STATE.

26 (d) "LOCAL LAW ENFORCEMENT AGENCY" MEANS A MUNICIPAL
27 POLICE DEPARTMENT OR A COUNTY SHERIFF'S OFFICE.

1 (e) "LOCAL LAW ENFORCEMENT OFFICER" MEANS ANY OFFICER IN
2 A LOCAL LAW ENFORCEMENT AGENCY. THE TERM DOES NOT INCLUDE AN
3 ANIMAL CONTROL OFFICER, CODE ENFORCEMENT OFFICER, OR A DEPUTY
4 SHERIFF WHO IS ASSIGNED EXCLUSIVELY TO WORK IN JAILS, COURT
5 SECURITY, OR ADMINISTRATION.

6 (4) **Training required.** (a) (I) EACH LOCAL LAW ENFORCEMENT
7 AGENCY IS REQUIRED TO PROVIDE TO ITS OFFICERS TRAINING PERTAINING
8 TO ENCOUNTERS WITH DOGS IN THE COURSE OF DUTY. AT A MINIMUM, THE
9 TRAINING MUST COVER THE POLICIES AND PROCEDURES ADOPTED BY THE
10 AGENCY PURSUANT TO SUBSECTION (6) OF THIS SECTION AND ASSIST
11 OFFICERS IN ASSESSING WHAT DOG POSTURE, BARKING AND OTHER
12 VOCALIZATIONS, AND FACIAL EXPRESSIONS TYPICALLY SIGNIFY, THE
13 OPTIONS FOR DISTRACTING AND ESCAPING FROM A DOG, OPTIONS FOR
14 SAFELY CAPTURING A DOG, AND DEFENSIVE OPTIONS IN DEALING WITH A
15 DOG.

16 (II) EACH LOCAL LAW ENFORCEMENT AGENCY IN THE STATE
17 SHALL:

18 (A) DEVELOP, BY SEPTEMBER 1, 2014, A TRAINING PROGRAM
19 CONSISTENT WITH THE REQUIREMENTS OF THIS SECTION AND THE MINIMUM
20 TRAINING CURRICULA DEVELOPED BY THE DOG PROTECTION TASK FORCE
21 PURSUANT TO SUBSECTION (5) OF THIS SECTION;

22 (B) REQUIRE ITS CURRENT LOCAL LAW ENFORCEMENT OFFICERS TO
23 COMPLETE THE TRAINING PROGRAM REQUIRED BY THIS SUBSECTION (4) BY
24 JANUARY 1, 2015; AND

25 (C) REQUIRE ALL LOCAL LAW ENFORCEMENT OFFICERS HIRED ON
26 OR AFTER JANUARY 1, 2015, TO COMPLETE THE TRAINING REQUIRED BY
27 THIS SUBSECTION (4) WITHIN EACH OFFICER'S FIRST YEAR OF EMPLOYMENT.

1 (b) (I) IN ESTABLISHING THE TRAINING PROGRAM REQUIRED BY
2 THIS SUBSECTION (4), A LOCAL LAW ENFORCEMENT AGENCY SHALL ADOPT
3 OR INCORPORATE ANY MINIMUM TRAINING CURRICULA DEVELOPED BY THE
4 DOG PROTECTION TASK FORCE CREATED IN SUBSECTION (5) OF THIS
5 SECTION.

6 (II) (A) THE TRAINING PROGRAM REQUIRED BY THIS SUBSECTION
7 (4) MUST BE WHOLLY OR PRINCIPALLY PROVIDED OR OVERSEEN BY EITHER
8 A QUALIFIED ANIMAL BEHAVIOR EXPERT OR LICENSED VETERINARIAN. THE
9 QUALIFIED ANIMAL BEHAVIOR EXPERT OR LICENSED VETERINARIAN
10 SELECTED TO PROVIDE THE TRAINING MUST POSSESS THE MINIMUM
11 QUALIFICATIONS SPECIFIED BY THE DOG PROTECTION TASK FORCE
12 CREATED IN SUBSECTION (5) OF THIS SECTION.

13 (B) NOTHING IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH
14 (II) REQUIRES LIVE, IN-PERSON TRAINING BE PROVIDED TO LOCAL LAW
15 ENFORCEMENT AGENCIES BY QUALIFIED ANIMAL BEHAVIOR EXPERTS OR
16 LICENSED VETERINARIANS.

17 (III) IN ORDER TO REDUCE THE COSTS OF PROVIDING THE TRAINING
18 PROGRAM REQUIRED BY THIS SUBSECTION (4), A LOCAL LAW
19 ENFORCEMENT AGENCY MAY DEVELOP ITS OWN WEB- OR VIDEO-BASED
20 TRAINING OR UTILIZE SUCH TRAINING DEVELOPED BY THE DOG
21 PROTECTION TASK FORCE UNDER SUBPARAGRAPH (III) OF PARAGRAPH (d)
22 OF SUBSECTION (5) OF THIS SECTION, AND LOCAL LAW ENFORCEMENT
23 AGENCIES ARE ENCOURAGED TO SEEK QUALIFIED ANIMAL BEHAVIOR
24 EXPERTS OR LICENSED VETERINARIANS WHO WILL VOLUNTEER TO PROVIDE
25 OR PARTICIPATE IN THE TRAINING.

26 (IV) A LOCAL LAW ENFORCEMENT AGENCY MAY COLLABORATE
27 WITH COUNTY SHERIFFS OF COLORADO, INCORPORATED, THE COLORADO

1 ASSOCIATION OF CHIEFS OF POLICE, THE COLORADO FRATERNAL ORDER OF
2 POLICE, AND THE COLORADO VETERINARY MEDICAL ASSOCIATION, AS
3 WELL AS NONPROFIT ORGANIZATIONS ENGAGED IN ANIMAL WELFARE, TO
4 DEVELOP THE TRAINING PROGRAM REQUIRED BY THIS SUBSECTION (4).

5 (c) (I) THE TRAINING PROGRAM REQUIRED BY THIS SUBSECTION (4)
6 MUST CONSIST OF A MINIMUM OF THREE HOURS OF TRAINING FOR LOCAL
7 LAW ENFORCEMENT OFFICERS.

8 (II) NOTHING IN THIS SECTION PREVENTS A LOCAL LAW
9 ENFORCEMENT AGENCY FROM IMPLEMENTING A TRAINING PROGRAM OR
10 ADOPTING POLICIES AND PROCEDURES THAT EXCEED THE MINIMUM
11 NUMBER OF HOURS OR OTHER REQUIREMENTS SET FORTH IN THIS SECTION
12 AND BY THE DOG PROTECTION TASK FORCE PURSUANT TO SUBSECTION (5)
13 OF THIS SECTION.

14 (5) **Task force.** (a) THERE IS HEREBY CREATED THE DOG
15 PROTECTION TASK FORCE.

16 (b) (I) THE TASK FORCE CONSISTS OF THE FOLLOWING NINETEEN
17 MEMBERS:

18 (A) THREE LICENSED VETERINARIANS APPOINTED BY THE
19 COLORADO VETERINARY MEDICAL ASSOCIATION OR ITS SUCCESSOR
20 ENTITY;

21 (B) TWO REPRESENTATIVES OF THE COLORADO FEDERATION OF
22 ANIMAL WELFARE AGENCIES OR ITS SUCCESSOR ENTITY;

23 (C) ONE ANIMAL BEHAVIORIST OR ANIMAL BEHAVIOR EXPERT
24 APPOINTED BY THE COLORADO FEDERATION OF DOG CLUBS OR ITS
25 SUCCESSOR ENTITY;

26 (D) TWO REPRESENTATIVES OF THE COLORADO ASSOCIATION OF
27 ANIMAL CONTROL OFFICERS OR ITS SUCCESSOR ENTITY;

1 (E) THREE SHERIFFS OR DEPUTY SHERIFFS REPRESENTING COUNTY
2 SHERIFFS OF COLORADO, INCORPORATED, OR ITS SUCCESSOR ENTITY, ONE
3 OF WHOM MUST HAVE AT LEAST TWO YEARS OF EXPERIENCE WORKING IN
4 A K-9 UNIT AND ONE OF WHOM MUST WORK IN A COUNTY WITH A
5 POPULATION OF FEWER THAN ONE HUNDRED FIFTY THOUSAND PERSONS;

6 (F) THREE REPRESENTATIVES OF THE COLORADO ASSOCIATION OF
7 CHIEFS OF POLICE OR ITS SUCCESSOR ENTITY, ONE OF WHOM MUST HAVE AT
8 LEAST TWO YEARS OF EXPERIENCE WORKING IN A K-9 UNIT AND ONE OF
9 WHOM MUST WORK IN A MUNICIPALITY WITH A POPULATION OF FEWER
10 THAN TWENTY-FIVE THOUSAND PERSONS;

11 (G) ONE REPRESENTATIVE OF THE COLORADO FRATERNAL ORDER
12 OF POLICE OR ITS SUCCESSOR ENTITY;

13 ==
14 (H) THREE PERSONS APPOINTED BY THE COLORADO BAR
15 ASSOCIATION OR ITS SUCCESSOR ENTITY, TWO OF WHOM MUST BE
16 ATTORNEYS WITH EXPERTISE AND EXPERIENCE IN ANIMAL LAW AND DOG
17 SHOOTING CASES, AND ONE OF WHOM MUST BE A PERSON, WHO NEED NOT
18 BE AN ATTORNEY, WHO OWNS OR OWNED A DOG SHOT BY A LOCAL LAW
19 ENFORCEMENT OFFICER; AND

20 (I) ONE MEMBER, APPOINTED BY THE COLORADO VETERINARY
21 MEDICAL ASSOCIATION, WITH EXPERTISE IN _____ CANINE BEHAVIOR OR
22 OTHER ANIMAL BEHAVIOR. LICENSED VETERINARIANS AND ATTORNEYS
23 ARE INELIGIBLE FOR APPOINTMENT UNDER THIS SUB-SUBPARAGRAPH (I).

24 (II) THE ENTITIES RESPONSIBLE FOR APPOINTING TASK FORCE
25 MEMBERS SHALL NOTIFY THE COLORADO VETERINARY MEDICAL
26 ASSOCIATION IN WRITING OF THE IDENTITY OF THEIR APPOINTEES PRIOR TO
27 THE FIRST MEETING OF THE TASK FORCE AND UPON ANY CHANGE IN THEIR

1 APPOINTEES.

2 (III) MEMBERS OF THE TASK FORCE SHALL NOT BE COMPENSATED
3 FOR, OR REIMBURSED FOR EXPENSES INCURRED IN, ATTENDING MEETINGS
4 OF THE TASK FORCE.

5 (IV) THE FOLLOWING TWO MEMBERS ARE CO-CHAIRS OF THE TASK
6 FORCE:

7 (A) ONE OF THE VETERINARIANS APPOINTED PURSUANT TO
8 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b),
9 WHICH CO-CHAIR SHALL BE NAMED BY THE COLORADO VETERINARY
10 MEDICAL ASSOCIATION; AND

11 (B) ONE OF THE MEMBERS APPOINTED PURSUANT TO EITHER
12 SUB-SUBPARAGRAPH (E) OR (F) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH
13 (b), AS MUTUALLY AGREED TO BY THE APPOINTING AUTHORITIES.

14 (c) (I) THE TASK FORCE SHALL HOLD ITS FIRST MEETING NO LATER
15 THAN SEPTEMBER 1, 2013.

16 (II) (A) THE TASK FORCE SHALL MEET AS OFTEN AS NECESSARY TO
17 COMPLETE THE TASKS DESCRIBED UNDER PARAGRAPH (d) OF THIS
18 SUBSECTION (5) ON OR BEFORE JULY 1, 2014.

19 (B) AFTER JULY 1, 2014, AND PRIOR TO JANUARY 31, 2015, THE
20 TASK FORCE SHALL MEET AS OFTEN AS IT DEEMS NECESSARY, BUT NO LESS
21 FREQUENTLY THAN ONCE, TO ENSURE THAT THE CURRICULUM,
22 GUIDELINES, AND WEB- OR VIDEO-BASED TRAINING ARE IMPLEMENTED
23 AND EFFECTIVE.

24 (III) THE TASK FORCE SHALL HOLD ITS MEETINGS AND STAFF THOSE
25 MEETINGS IN A LOCATION OFFERED FOR THOSE PURPOSES BY ONE OF THE
26 ENTITIES REPRESENTED WITH TASK FORCE MEMBERSHIP, WITH PREFERENCE
27 ACCORDED FOR THE PRINCIPAL OFFICE OF THE COLORADO VETERINARY

1 MEDICAL ASSOCIATION.

2 (d) BY JULY 1, 2014, THE TASK FORCE SHALL:

3 (I) DEVELOP MINIMUM TRAINING CURRICULA THAT A LOCAL LAW
4 ENFORCEMENT AGENCY MUST USE TO FULFILL THE TRAINING
5 REQUIREMENT OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION
6 (4) OF THIS SECTION;

7 (II) SPECIFY THE APPROPRIATE MINIMUM QUALIFICATIONS,
8 INCLUDING EDUCATION, EXPERIENCE, OR SKILLS, THAT AN ANIMAL
9 BEHAVIOR EXPERT OR LICENSED VETERINARIAN PROVIDING THE TRAINING
10 PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION (4)
11 OF THIS SECTION MUST POSSESS; AND

12 (III) DEVELOP, USING VOLUNTEERED AND DONATED RESOURCES
13 TO THE GREATEST EXTENT POSSIBLE, WEB- OR VIDEO-BASED TRAINING
14 THAT MAY BE UTILIZED BY A LOCAL LAW ENFORCEMENT AGENCY TO
15 FULFILL THE TRAINING REQUIREMENT OF SUBSECTION (4) OF THIS SECTION.

16 (e) THE TASK FORCE SHALL NOT RECOMMEND THAT THE TRAINING
17 REQUIRED UNDER THIS SECTION BE CONDUCTED BY THE PEACE OFFICERS
18 STANDARDS AND TRAINING BOARD CREATED IN PART 3 OF ARTICLE 31 OF
19 TITLE 24, C.R.S.

20 (f) THE CURRICULA, QUALIFICATIONS, AND WEB- OR VIDEO-BASED
21 INSTRUCTION DESCRIBED IN PARAGRAPH (d) OF THIS SUBSECTION (5) MUST
22 BE READILY ACCESSIBLE BY COLORADO'S LOCAL LAW ENFORCEMENT
23 AGENCIES ON ONE OR MORE INTERNET WEB SITES DESIGNATED BY THE
24 TASK FORCE.

25 (g) THE TASK FORCE CREATED BY PARAGRAPH (a) OF THIS
26 SUBSECTION (5) IS DISSOLVED, EFFECTIVE JANUARY 31, 2015.

27 (6) **Policies and procedures.** (a) (I) IN ADDITION TO THE

1 TRAINING PROGRAM DEVELOPED UNDER SUBSECTION (4) OF THIS SECTION,
2 NOT LATER THAN SEPTEMBER 1, 2014, EACH LOCAL LAW ENFORCEMENT
3 AGENCY IN THE STATE SHALL ADOPT WRITTEN POLICIES AND PROCEDURES
4 THAT ARE SPECIFICALLY DESIGNED TO ADDRESS ENCOUNTERS WITH DOGS
5 OCCURRING IN THE COURSE OF DUTY AND THE USE OF FORCE AGAINST
6 SUCH DOGS.

7 (II) AT A MINIMUM, THE POLICIES AND PROCEDURES MUST
8 ADDRESS THE FOLLOWING:

9 (A) THE IDENTIFICATION AND MEANING OF COMMON CANINE
10 BEHAVIORS, AND DIFFERENTIATING BETWEEN DOGS THAT ARE EXHIBITING
11 BEHAVIOR THAT PUTS LOCAL LAW ENFORCEMENT OFFICERS OR OTHER
12 PERSONS IN IMMINENT DANGER AND DOGS WHO ARE NOT ENGAGING IN
13 SUCH BEHAVIOR;

14 (B) THE ALTERNATIVES TO LETHAL USE OF FORCE AGAINST DOGS;

15 (C) THE REASONABLE OPPORTUNITY FOR A DOG OWNER TO
16 CONTROL OR REMOVE HIS OR HER DOG FROM THE IMMEDIATE AREA. THE
17 POLICIES AND PROCEDURES ADOPTED IN ACCORDANCE WITH THIS
18 SUB-SUBPARAGRAPH (C) MUST ALLOW A LOCAL LAW ENFORCEMENT
19 OFFICER TO TAKE INTO ACCOUNT THE OFFICER'S OWN SAFETY AND THE
20 SAFETY OF OTHER PERSONS IN THE AREA, THE AVAILABILITY OF
21 NONLETHAL EQUIPMENT, THE FEASIBILITY OF SO ALLOWING A DOG OWNER
22 TO ACT CONSIDERING THE TOTALITY OF THE CIRCUMSTANCES, INCLUDING
23 THE PRESENCE OF AN ANIMAL CONTROL OFFICER OR WHETHER THE CALL
24 IS A LOCATION THAT IS LISTED IN THE DANGEROUS DOG REGISTRY CREATED
25 IN SECTION 35-42-115, C.R.S., OR IS A LOCATION AT WHICH ILLEGAL
26 NARCOTICS ARE SUSPECTED TO BE MANUFACTURED OR TRAFFICKED, OR
27 ANY EXIGENCIES THAT MAY BE PRESENT, SUCH AS WHEN THE LOCAL LAW

1 ENFORCEMENT OFFICER IS RESPONDING TO A CALL THAT ASSERTS OR
2 SUGGESTS THAT A PERSON HAS BEEN BITTEN BY A DOG OR IS IN PHYSICAL
3 DANGER.

4 (b) EACH LOCAL LAW ENFORCEMENT AGENCY SHALL MAKE THE
5 WRITTEN POLICIES AND PROCEDURES AVAILABLE TO THE PUBLIC FOR
6 INSPECTION IN ACCORDANCE WITH THE "COLORADO OPEN RECORDS ACT",
7 PART 2 OF ARTICLE 72 OF TITLE 24, C.R.S.

8 (7) **Immunity.** == ALL TASK FORCE MEMBERS, AS VOLUNTEERS,
9 ARE IMMUNE FROM CIVIL ACTIONS AND LIABILITIES PURSUANT TO SECTION
10 13-21-115.5, C.R.S.

11 ==
12 (8) **Scope and effect.** (a) THIS SECTION APPLIES ONLY TO LOCAL
13 LAW ENFORCEMENT AGENCIES AND IS NOT INTENDED TO AFFECT,
14 IMPLICATE, OR ABROGATE THE AUTHORITY OF THE PEACE OFFICERS
15 STANDARDS AND TRAINING BOARD CREATED IN PART 3 OF ARTICLE 31 OF
16 TITLE 24, C.R.S.

17 (b) THIS SECTION IS NOT INTENDED TO APPLY TO SITUATIONS IN
18 WHICH A DOG IS SHOT ACCIDENTALLY, INCLUDING WHEN A LOCAL LAW
19 ENFORCEMENT OFFICER INTENDS TO FIRE AT A PERSON BUT
20 INADVERTENTLY SHOOTS A DOG.

21 (c) NOTHING IN THIS SECTION AFFECTS OR ABROGATES THE
22 ABILITY OF ANY DULY AUTHORIZED PERSON TO IMPOUND OR EUTHANIZE
23 A DOG IN ACCORDANCE WITH SECTION 18-9-202.5, C.R.S., OR IN
24 ACCORDANCE WITH ANY RESOLUTION ADOPTED PURSUANT TO SECTION
25 30-15-101, C.R.S.

26 ==
27 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.