

## Record Keeping for SAR Dog Teams

By Deborah Palman

All volunteer SAR dog handlers must keep records of their training and their dog's training. These records are needed to keep track of training progress, for planning future training exercises, and most importantly, to provide records for possible legal challenges to the team's work. Legal proceedings involving SAR dog teams may be criminal if the team becomes involved in a criminal investigation, or civil if the team or an entity the team works for is sued in civil court.

Search and rescue teams search for missing persons. A proportion of missing persons are missing because of suicide, criminal activity or sometimes due to negligent actions by their caregivers. Any of these situations may lead to the criminal prosecution of suspects involved in the incident or the civil prosecution of someone who is deemed to be negligent. Unfortunately, sometimes the death of a missing or lost person causes the person's relatives to pursue the civil prosecution of those authorities who are responsible for the search, whether or not the suit is warranted or not. As part of the search effort, all search and rescue teams may share in the liability for a search, although the organizing entity ultimate will be held the most responsible.

If a SAR dog team ends up locating the victim and the victim is deceased or is the victim of criminal or negligent activity, the SAR dog handler will be called to testify in court if a court trial ensues, because the finding of the victim is an essential part of the investigative chain of events. Since the dog cannot testify, the dog handler has to testify to the actions of the dog. In order to testify to the actions of the dog and their meaning, the handler has to be established as having trained with the dog and as having the experience, training and skill to interpret what the dog is doing. This is the point in the trial where training records will be introduced. This is where certifications or other proofs of performance are valuable and can save having to testify to the details in training records.

Fortunately, most air scent SAR dog finds are pretty straight forward. The handler interprets what the dog does and follows the dog to the victim, a result that is immediately verifiable by the handlers and others. Meeting "industry standards" for training records and programs are more essential for the use of tracking/trailing dogs, which follow an unseen scent path, and detector dogs like cadaver dogs that may be used to establish probable cause to search or to say that cadaver scent was present. In this case, the handler may be called into court to testify to something that is not easily verified by a human.

Tracking/trailing and cadaver dog handlers must keep accurate and complete records of training so they can be prepared to testify in relation to any case involving evidence they "locate." The path a tracking dog takes when locating a victim may be turn out to be essential to a court case. The cadaver dog that indicates on "scent" that cannot be verified by a find or forensic evidence may also end as an important part of the prosecution's or defense's court case. Sometimes being able to say that a track or other scent was not present becomes as important as saying it was present. This may be true with air scent dogs who clear areas or bodies of water. It goes without saying that these types of dogs should be training to, meeting and certifying to an industry accepted standard.

Although it does not happen often, a SAR dog team may find itself being sued as part of a suit alleging that the team was not properly trained or deployed and harm resulted to the victim. This is yet another reason to keep good records and train and test to an accepted standard.

### **What Records to Keep**

What records should a SAR handler keep? Everyone has different comfort and ability levels regarding records and organization. If going to court, be prepared to bring everything, including veterinary records if an attack on the dog's health is anticipated. All certificates and other proof of performance tests taken should be included.

Each time the dog is trained, a record needs to be made. The more detailed and organized, the better, but there is a minimum. The date, weather and terrain are important for SAR dogs working outside. If a trainer or other person who trains regularly with the team is present, they should be named in the record. A short description of what was done and approximately how much time was spent on each subject is needed. Tracking dog and detector handlers should keep some records of statistics like the age and length of the track, amount and type of scent material used in training, etc. "Find" rates are also important. A find rate might be a tabulation of the number of training samples present and the number of samples that were found by the dog or team. Courts accept the fact that dogs are not accurate 100% of the time. In fact, if the records show the dog never fails, the court and others will become suspicious that the records are inaccurate or fabricated.

A short summary of how the dog did, or a rating, should also be part of the record. Matt Zarrella of the Rhode Island State Police told me that what was essential was a description of "what went right, what went wrong, and what was being done to fix what went wrong." If the dog is only working at a basic level, be sure to mention this somewhere in the records and rate the performance according to the dog's level of training.

It is important that handlers design a system that works for them that they can complete in a timely manner. I make out hand written records in a spiral notebook the evening after training or an actual search if I don't fill out a form after training is over. This rough, handwritten record is then transferred to forms in a computer file when I have time. The Excel worksheets I use allow me to total my training exercises, find statistics and hours in various subjects if needed, an added plus when using spreadsheet type programs.

Deployment records should also be kept. Documented use at searches by official agencies and actual finds on real deployments can be important to establish the team's credibility. It may also become important to have an idea of what the team did at the search if the area searched becomes more important later on. For example, Sgt. Roger Guay was called to testify in a murder trial because he did not find any handgun cartridge shells in a particular place. It seemed that the defendant in the case was claiming that the victim fired many shots from a handgun at the suspect before the suspect fired back, killing the victim. What the defendant failed to understand however, was the Sgt. Guay and his K-9, which had over a hundred actual finds of expended cartridges at wildlife poaching scenes, had searched the very area the suspect claimed

the shooting took place and found nothing. Sgt. Guay was called to rebut the defendant's testimony.

Besides performance records at searches, mileage and other expenses at searches can often be deducted from taxes if the handler is working for a non-profit organization.

In summary, design a system that works for you. You may choose to just put the date and weather down, who was there for a trainer and then a sentence about what was done if the exercise was short, or several paragraphs if more time was spent. Or you may design a standardized "check off" or fill in the blanks form that can be filled out quickly and perhaps tabulated at a later date. Whatever is done, be sure that the basic information is preserved in case it is needed later.

An excellent reference for this subject is at: <http://www.k9fleck.org/sar.htm>. Terry Fleck's legal aspects summaries are excellent references and also cover what sort of records should be kept and what sort of training standards should be met. Any handler would be wise to print out this web site or save it in some manner, as Terry will be retiring in 2010 and it is unsure what will happen to the web site or the information it contains. All SAR and police K-9 handlers should review and know the web site contents.