



Essex County Sheriff's Department

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Sheriff

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August 9, 2021

Commissioner Carol A. Mici
Massachusetts Department of Correction
50 Maple Street
Milford, MA 01757

Re: 103 CMR 924:10 Use of Canines (K-9s).

Dear Commissioner Mici,

The purpose of this letter is to offer my comments regarding your review of the new language proposed for 103 CMR 924:10 Use of Canines (K-9s). As you read the following, I ask that you do so from a safety and security perspective, as these concerns are of the utmost importance in any correctional facility and are applicable to all who enter our facilities, including staff, inmates, visitors, volunteers, and vendors alike. If facilities cannot ensure proper levels of safety and security, individuals are put at risk for serious personal injury, or worse.

The proper use of K-9s, especially in a facility like the Essex County Jail and House of Correction, are a key resource in protecting and saving lives. Restricting their use beyond a reasonable level would seriously impair our ability to maintain that critical level of safety and security within our facility.

Strong policy, good training, and proper personnel selection are key ingredients to a successful K-9 program. Each county must design a program that serves the needs of its facilities. Here in Essex County, I strongly believe our current program serves us well.

Essex County's Middleton facility, with its college-like campus of 10 separate buildings with lots of space in between, presents unique and significant safety and security concerns that K-9 patrols help offset. Our inmate population count is the highest in the state amongst our peers and during peak movement times, as many of 100+ inmates could be traversing the open areas in the yard at any given time. K-9 units are assigned to monitor these areas to help ensure safety. While one cannot count what one prevents, I strongly believe that their mere presence in the yard is a major deterrent to violent and disruptive behavior.

Since taking office in 2017, I have taken the following steps to revise our K-9 program:

- In August 2019, our K-9 policy was updated, with new restrictions as to when K-9 units are utilized in an inmate housing unit or programming area and better defines responses

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to inmate disturbances. (The updated policy was previously sent to you under separate cover.)

- We have updated and increased in-service training in many areas including K-9 operations. These trainings, including de-escalation techniques, have focused on safety as a top priority and have resulted in a decrease in K-9 responses. We have also seen that the mere presence of a K-9 team a short distance away is a huge deterrent to further violent behavior.

These revisions are working, as the statistics below attest:

- In 2017, K-9s responded to **388** incidents where **4** incidents resulted in a bite.
- In 2018, K-9s responded to **289** incidents where **1** incident resulted in a bite.
- In 2019, K-9s responded to **142** incidents where **0** incidents resulted in a bite.
- In 2020, K-9s responded to **92** incidents where **0** incidents resulted in a bite.

In addition:

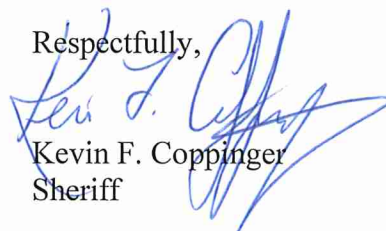
- Based on original design, most housing units at Essex County maintain an inmate-to-officer ratio of 120:2. Many of our counterparts within the Commonwealth enjoy a much lower ratio due to more modern pod design. K-9 teams within the perimeter offer reliable and immediate support when needed and serve as a “force multiplier”.
- When utilizing the Use of Force Continuum, an officer’s presence is the “first line of defense”. The presence of a K-9 team within the facility assists with deterring potential escapes, assaults, or other violent behavior.
- Since K-9s were first deployed in Essex County, our Department has been subject to 28 Massachusetts Department of Corrections and 8 American Correctional Associations audits. We have been an ACA Accredited agency since 2000. K-9 operations are included in these audits.
- Our K-9 policy is strong and detailed. In fact, the United States District Court, District of Massachusetts, recently upheld our policy in a 2018 civil proceeding.

As the elected Sheriff of Essex County, I have pledged to maintain a safe environment for all who enter our facility. The K-9 units are an integral part of that equation and need to be maintained in their present form. As Sheriff, and as the individual responsible for the day-to-day operation of our facilities, the discretion to deploy K-9s should rest with this office.

As a law enforcement professional with over 37 years of service, I cannot, in good conscience, support the unnecessary hamstringing of our K-9 program as it will decrease safety within our facility for not only the staff and inmates but also for all those who enter through our doors.

Thank you for your time and consideration on this very important matter.

Respectfully,



Kevin F. Coppinger
Sheriff