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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair  
2025 - 2026 Regular Session

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### AB 400 (Pacheco) - Law enforcement: police canines

**Version:** February 4, 2025

**Urgency:** No

**Hearing Date:** July 14, 2025

**Policy Vote:** PUB. S. 5 - 0

**Mandate:** Yes

**Consultant:** Liah Burnley

**Bill Summary:** AB 400 requires a law enforcement agency with a canine unit to maintain a policy for use of police canines by the agency that, at a minimum, complies with standards established by the Commission on Peace Officer Standards and Training (POST).

#### Fiscal Impact:

- Minor and absorbable costs to state law enforcement agencies. California Highway Patrol, Department of Parks and Recreation, and California Department of Corrections and Rehabilitation (CDCR) each report minor and absorbable costs. CDCR anticipates likely absorbable increased training costs and notes it does not have a canine use of force policy because its canines are used only for detection of contraband.
- Likely reimbursable costs (local funds, General Fund) of an unknown but potentially significant amount to local law enforcement agencies. Each law enforcement agency with a canine unit must ensure its canine use policy conforms to POST's current canine guidelines, and, if POST releases any future updates to the guidelines, make corresponding changes to the agency's policy. Costs to an individual agency may be relatively minor, but in the aggregate, costs may be in the hundreds of thousands of dollars statewide. General Fund costs will depend on whether the duties imposed by this bill constitute a reimbursable state mandate, as determined by the Commission on State Mandates.

**Background:** As explained in the Assembly Public Safety Committee's policy analysis of this bill:

Efforts to examine the effect and scope of police canine use by law enforcement agencies are stymied by a familiar problem: insufficient data. There currently is no statewide data on the use of police canines. No entity is charged with collecting information that would help contextualize existing practices.

For example, supporters and opponents of the use of police canines by law enforcement dispute the effectiveness of call-off procedures. Police dog-handlers "point out that a dog can be called back after it's been unleashed — unlike the

deployment of a Taser or the firing of a gun.” Indeed, the Los Angeles County Sheriff’s Department reasonably requires a handler to “call off the dog at the first moment the canine can be safely released.”

But opponents point to instances where police canines do not obey call-off commands by their handlers. One report states, “Although training experts said dogs should release a person after a verbal command, we found dozens of cases where handlers had to yank dogs off, hit them on the head, choke them or use shock collars.” According to another, “Privately, handlers often talk about having trouble getting a dog to ‘out,’ or open its jaws. It’s a concern that comes up on discussion boards, and in this K9 training video.”

Law enforcement does not appear to collect data on the frequency with which police canines obey call-off commands. Some agencies require officers to document how long a bite lasted, but that does not appear to be a consistent practice throughout the state.

**Proposed Law:** Requires every law enforcement agency with a canine unit, on or before January 1, 2027, to maintain a policy for the use of canines by the agency that, at a minimum, complies with the most recent standards established by POST.

**Related Legislation:**

- AB 2042 (Jackson), of the 2023-24 Legislative Session, would have required POST to develop guidelines for use of canines by law enforcement and required law enforcement agencies to adopt conforming policies. The bill provided direction to POST about what to include in its guidelines. AB 2042 was held on the this Committee’s suspense file.
- AB 3241 (Pacheco), of the 2023-24 Legislative Session, would have required POST to study and issue recommendations to the Legislature on use of canines by law enforcement, and required annual law enforcement agency reporting regarding use of police canines. AB 3241 was ordered to the inactive file in the Senate.
- AB 742 (Jackson), of the 2023-2024 Legislative Session, would have prohibited use of canines by peace officers for arrest and apprehension, and in any circumstances to bite a person. AB 742 was ordered to the inactive file in the Assembly.

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