

SB 268 - AS AMENDED BY THE SENATE

03/16/2023 0882s

2023 SESSION

23-1057  
08/07

SENATE BILL **268**

AN ACT allowing for pre-hospital treatment and transportation for operational canines.

SPONSORS: Sen. D'Allesandro, Dist 20; Sen. Ricciardi, Dist 9; Sen. Birdsell, Dist 19; Sen. Innis, Dist 7; Sen. Lang, Dist 2; Sen. Avard, Dist 12; Sen. Bradley, Dist 3; Sen. Watters, Dist 4; Sen. Gannon, Dist 23; Sen. Rosenwald, Dist 13; Sen. Ward, Dist 8; Sen. Gendreau, Dist 1; Sen. Carson, Dist 14

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill allows emergency services personnel to treat and transport operational canines.

Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

03/16/2023 0882s 23-1057  
08/07

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Three*

AN ACT allowing for pre-hospital treatment and transportation for operational canines.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Short Title. This act shall be known as "Max's Law."

2 New Subdivision; Operational Canine Trauma Transport. Amend RSA 153-A by inserting after section 36 the following new subdivision:

Operational Canine Trauma Transport

153-A:37 Operational Canines; Hospital Treatment.

I. In this section:

(a) "Emergency medical care provider" means an employee or volunteer member of a public or private organization having responsibility for the delivery of health services to individuals experiencing illness or injury at a location other than a hospital or other medical facility. The term shall not include lifeguards at swimming facilities or members of ski patrols unless said individuals are performing invasive patient care procedures.

(b) "Law enforcement officer" or "police officer" means any sheriff or deputy sheriff, constable, watchman, member of the national guard acting under orders while in active state service ordered by the governor under RSA 110-B:6, or other person authorized to make arrests in a criminal case.

(c) "Operational canine" means a dog owned or used by a law enforcement department or agency, and a fire department, in the course of the department or agency's work, including a police dog, search and rescue dog, accelerant detection canine, comfort dog, or other dog that is in use by a county, municipal or state law enforcement agency.

(d) "Treatment" means any treatment allowable under current New Hampshire emergency medical services patient care protocols.

II. Any ambulance owned and/or operated by any public or private entity may provide transport to an operational canine to a veterinary care facility only if the animal has been injured in the line of duty and no human needs transport or ambulance services. Emergency medical care providers may request that a law enforcement officer assist with securing the operational canine and accompanying them during the transport.

III. All licensed emergency medical service units and affiliated emergency medical care providers approved to administer treatment and who are in the performance of their duties and in good faith render emergency first aid to an injured operational canine, shall not be personally liable as a result of rendering such aid or services unless it is established that the injury or the death was caused willfully, wantonly, or recklessly or by gross negligence on the part of the emergency medical care provider. In the case of both a licensed emergency medical service unit and an emergency medical care provider, as a result of transporting a operational canine to a veterinary care facility, shall not be liable to a veterinary care facility for its expenses if, under emergency conditions, they cause the admission of such animal to said veterinary care facility.

3 Effective Date. This act shall take effect upon its passage.

Amendment to SB 268

1 Amend the bill by replacing section 2 with the following:

2

3 2 New Subdivision; Operational Canine Trauma Transport. Amend RSA 153-A by inserting  
4 after section 36 the following new subdivision:

5 Operational Canine Trauma Transport

6 153-A:37 Operational Canines; Hospital Treatment.

7 I. In this section:

8 (a) "Law enforcement officer" or "police officer" shall have the same meaning as defined  
9 in RSA 106-L:2, IV; provided that for purposes of this section, the term shall also include members of  
10 the national guard acting under orders while in active state service ordered by the governor under  
11 RSA 110-B:6.

12 (b) "Operational canine" means a canine owned or used by a law enforcement  
13 department or agency, or fire department, in the course of the department or agency's work,  
14 including a police canine, search and rescue canine, scent detection canine, comfort canine, or other  
15 canine that is in use by a county, municipal, or state law enforcement agency.

16 (c) "Official duties" shall include, but are not limited to, line of duty incidents,  
17 deployments, trainings, certifications, and related transportation.

18 II. Any ambulance owned and/or operated by any public or private entity may provide  
19 transport to an operational canine to a veterinary care facility only if the animal is ill or has been  
20 injured in the course of their official duties and no human needs transport or treatment. Emergency  
21 medical care providers may request that a law enforcement officer assist with securing the  
22 operational canine and accompanying them during the transport.

23 III. All licensed emergency medical service units and affiliated emergency medical care  
24 providers approved to administer treatment and who are in the performance of their duties and in  
25 good faith render emergency first aid to an ill or injured operational canine, shall not be personally  
26 liable as a result of rendering such aid or services unless it is established that the injury or the death  
27 was caused willfully, wantonly, or recklessly or by gross negligence on the part of the emergency  
28 medical care provider. In the case of both a licensed emergency medical service unit and an  
29 emergency medical care provider, as a result of transporting an operational canine to a veterinary  
30 care facility, shall not be liable to a veterinary care facility for its expenses if, under emergency  
31 conditions, they cause the admission of such animal to said veterinary care facility.

**CONSENT CALENDAR**

**March 30, 2023**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Criminal Justice and Public Safety  
to which was referred SB 268,**

**AN ACT (New Title) allowing for pre-hospital treatment  
and transportation for operational canines. Having  
considered the same, report the same with the following  
amendment, and the recommendation that the bill  
OUGHT TO PASS WITH AMENDMENT.**

**Rep. Jennifer Rhodes**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>Criminal Justice and Public Safety</b>
Bill Number:	<b>SB 268</b>
Title:	<b>(New Title) allowing for pre-hospital treatment and transportation for operational canines.</b>
Date:	<b>March 30, 2023</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>OUGHT TO PASS WITH AMENDMENT 2023-1259h</b>

### STATEMENT OF INTENT

This bill allows emergency services personnel to treat and transport police canines in the event of an on duty injury to the animal. As amended, the bill changes definitions to strengthen the bill, and was agreed to by all stakeholders, including veterinarians, emergency services personnel, and law enforcement. This is enabling legislation that will allow for treatment and transportation of a police K-9 to a veterinary care facility, only if the animal has been injured in the line of duty, and such would not interfere in a human in need of transport or ambulance services. This bill will be named "Max's Law" for a Portsmouth Police canine who was injured.

Vote 20-0.

Rep. Jennifer Rhodes  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Criminal Justice and Public Safety

**SB 268**, (New Title) allowing for pre-hospital treatment and transportation for operational canines. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jennifer Rhodes for Criminal Justice and Public Safety. This bill allows emergency services personnel to treat and transport police canines in the event of an on duty injury to the animal. As amended, the bill changes definitions to strengthen the bill, and was agreed to by all stakeholders, including veterinarians, emergency services personnel, and law enforcement. This is enabling legislation that will allow for treatment and transportation of a police K-9 to a veterinary care facility, only if the animal has been injured in the line of duty, and such would not interfere in a human in need of transport or ambulance services. This bill will be named "Max's Law" for a Portsmouth Police canine who was injured. **Vote 20-0.**

Original: House Clerk  
Cc: Committee Bill File



HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON SB 268

**BILL TITLE:** (New Title) allowing for pre-hospital treatment and transportation for operational canines.

**DATE:** March 29, 2023

**LOB ROOM:** 202-204

**Time Public Hearing Called to Order:** 2:30 p.m.

**Time Adjourned:** <<End

Time>>

**Committee Members:** Reps. Roy, Rhodes, A. Murray, Pratt, Proulx, Janvrin, D. Mannion, Reid, Stone, Tenczar, Meuse, Bouldin, Bradley, N. Murphy, R. Newman, Newell, Selig and Wheeler

**Bill Sponsors:**

Sen. D'Allesandro  
Sen. Innis  
Sen. Bradley  
Sen. Rosenwald  
Sen. Carson

Sen. Ricciardi  
Sen. Lang  
Sen. Watters  
Sen. Ward

Sen. Birdsell  
Sen. Avar  
Sen. Gannon  
Sen. Gendreau

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

Senator Lou D'Allesandro introduces his bill

- Bill will be called Max's Law and honors a Portsmouth police dog who was killed in action

Patrick and Denise Gannon

- Support the bill
- Their son was a canine sergeant in Yarmouth, MA who was murdered in the line of duty in 2018. Both their son Shawn, and his dog, Nero were shot, Shawn died on impact. Nero suffered bleeding for three hours while police attempted to arrest the suspect. Afterwards the dog suffered even longer because it was illegal for ambulances and EMTs to assist him.

Massachusetts Representative Steven Xiarhos

- Supports the bill
- Was Shawn Gannon's boss before he was elected. Quit the force to become a State Representative and pass Nero's Law in MA.

Bill Werner, Portsmouth PD

- Supports the bill
- Works with his own canine, Frankie, and believes this bill will show canine officers the respect they deserve



- Rep Sytek asks how long it takes to train one of these animals, Officer Werner says it's a 14 week program that is required every time the canine is transferred to a new handler. Most dogs also have a secondary certification, which are additional programs that are also several weeks. Canine then have to pass annual certifications, as well as two 8-hour days a month.

Stacey Ober, New England Manager of Government Relations for American Kennel Club

- Supports the bill
- The AKC helps provide canines to departments across the country
- In response to questions from Chairman Roy and Rep Proulx, Ober talks about how there may not be sufficient training for veterinarians and EMT dealing with canine injuries now but after the bill passes that should change

Dr. Chara Batchelder

- Supports the bill
- Veterinarian at Veterinary Emergency Center of Manchester
- Training programs are being created and will be ready to be implemented if this bill does pass
- Chairman Roy asks how many emergency facilities are there to treat dogs, Dr. Batchelder says there are 8 emergency centers but others that could do basic stabilization until the canine needs to be transported to a specialist

Chief Justin Romanello, Department of Safety

- Neutral
- Removing "emergency provider" and "treatment" definitions, as well as "law enforcement officer" in a different section
- Second change is removing "ambulance services" and adds "treatment"
- Department of Safety is prepared to update EMT protocols accordingly to accommodate these legal changes
- Rep Meuse asks if Chief Romanello has an opinion on the effective date of this legislation, Chief Romanello says he doesn't see the need for a grace period and the department could comply with this statute change promptly
- Rep Wheeler asks if there are specific reasons it is illegal to transport these dogs, Chief Romanello says there doesn't appear to be, what specifically is prohibited is treatment, and this bill will serve as a waiver of sorts for non-veterinarians to provide medical assistance to animals

Respectfully submitted,

Rep. Alissandra Murray, Clerk

# House Remote Testify

## Criminal Justice and Public Safety Committee Testify List for Bill SB268 on 2023-03-29

Support: 13 Oppose: 0 Neutral: 0 Total to Testify: 0

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Dewey, Karen	Newport, NH pkdewey@comcast.net	A Member of the Public	Myself	Support	No	No	3/22/2023 12:33 PM
Phelps, Deb	Danbury, NH deblphelps@gmail.com	A Member of the Public	Myself	Support	No	No	3/22/2023 1:30 PM
Rothwell, Janet	Wilton, NH JHRHound@aol.com	A Member of the Public	Myself	Support	No	No	3/22/2023 3:36 PM
Eversole, Joan	Meredith, NH sidecarpup@hotmail.com	A Member of the Public	Myself	Support	No	No	3/22/2023 6:13 PM
Lang, Senator Tim	Sanbornton, NH kathryn.cummings@leg.state.nh.us	An Elected Official	Senate District 2	Support	No	No	3/23/2023 1:45 PM
Gendreau, Senate Carrie	Littleton, NH kathryn.cummings@leg.state.nh.us	An Elected Official	Senate District 1	Support	No	No	3/23/2023 1:46 PM
Richardson, Diane	Georges mills, NH Workingclasscanine@msn.com	A Member of the Public	Myself	Support	No	No	3/24/2023 5:41 PM
lewis, holly	dover, NH holly.lewis@uconn.edu	A Member of the Public	Myself	Support	No	No	3/25/2023 11:09 AM
HALL, EDWARD	Merrimack, NH Somerrijuj@aol.com	A Member of the Public	Myself	Support	No	No	3/27/2023 12:42 PM
Rosenwald, Cindy	Nashua, NH cindy.rosenwald@leg.state.nh.us	An Elected Official	SD 13	Support	No	No	3/28/2023 10:40 AM
Watters, David	Dover, NH david.watters@leg.state.nh.us	An Elected Official	Myself	Support	No	No	3/28/2023 11:10 AM
Zimmerman, Kate	Yarmouth, ME kate.zimmerman@yahoo.com	A Member of the Public	Myself	Support	No	No	3/28/2023 9:55 PM
Xiarhos, Steven	Barnstable, MA Steven.Xiarhos@mahouse.gov	An Elected Official	Myself	Support	No	No	3/29/2023 10:19 AM

To: Terry Roy, Chair  
Members of the House Criminal Justice and Public Safety Committee  
From: Kate D. Zimmerman, DO, FACEP of Yarmouth, ME  
Date: March 29, 2023  
Re: SB 268 An act allowing for pre-hospital treatment and transportation for operational canines

I am writing in support of Senate Bill 268. I am a board-certified Emergency Medicine and Emergency Medicine Services (EMS) physician in Maine and lead author Maine EMS' Operational Canine Protocols. These were written in collaboration with local and national emergency/critical care veterinary specialists, canine handlers, EMS clinicians and EMS physicians. I have also been working at the national level to promote the pre-hospital treatment and transportation of working canines as well as establishing a standardized curriculum for prehospital operational canine care. Though I do not represent my employer, Maine EMS or the national organizations to which I belong, I feel compelled to testify based on my own experience with working canines.

Outside of the hospital setting, I work as a medical director for tactical paramedics embedded in a specialized law enforcement team. Canines are utilized in some of our operations and when deployed, serve as a vital part in the success of our mission by decreasing the risk to those of us involved. These canines are our teammates. They are there to protect us as well as any civilians while achieving our mission's goals. For these reasons, it is important that we be able to treat and transport them should they become ill or injured in the line of duty. There is a tremendous amount of time, money and training invested in these team members, as well as an indescribable bond that develops between the handler and their canine. The cost of losing a canine to a preventable death is immeasurable.

You may ask why the handlers cannot treat and transport their own canines and why do we need to rely on EMS to fill this gap? Statistics show that less than 5% of canine handlers receive adequate first aid training to render aid to their injured canine. Furthermore, the handler may not be able to render aid if they are injured or incapacitated themselves. Understanding that the provision of care to humans takes priority, EMS clinicians are well-equipped and often willing to treat and transport injured operational canines. With proper additional training around the safety of working around/with these canines and learning about their unique anatomic and physiological differences, EMS clinicians, working within their predefined scope of practice (i.e., the scope of their current EMS license) have the tools to help. This legislation is one more step to enable them to do so.

I do have a specific concern regarding the way that the bill is currently written that may have unanticipated downstream consequences, section I(d) Treatment. Currently it states, "any treatment allowable under current New Hampshire emergency medical services patient care protocols". I feel that this should be clarified to reflect specific canine protocols in the "New Hampshire emergency medical services patient care protocols". As it reads now, it seems as though the human protocols can be directly translated to the canine, which is not the case. I would also encourage that the N.H. Board of Veterinary Medicine be involved in ratifying or reviewing the canine protocols and that any need for change in the NH Veterinary Medicine Practice Act be addressed as soon as possible to allow the emergency medical care provider to care for these canines without being vulnerable to being charged with practicing veterinary medicine without a license.

Thank you for your consideration of my testimony.

Joan Eversole

These animals are serving us. And as part of the work we ask them to do, they come to harm. It is only reasonable if help is available, without endangering any human lives, they should be given all the help we can provide.

## EDWARD HALL

The important role that Working dogs play in our lives is exceedingly important and often work that cannot be done any other way.

Humans are first for ambulance service, but working dogs should also be rewarded for the role that they fill.

Steven Xiarhos

Dear New Hampshire House Committee on Criminal Justice and Public Safety

Through you, I write to respectfully urge you to issue a favorable report to SB268 also known as Max's Law

This bill has very special meaning to me personally and I hope the New Hampshire General Court will pass it this session.

The Massachusetts Legislature passed similar legislation, known in our state as "Nero's Law," last year (Massachusetts Chapter 23 of the Acts of 2022).

Nero's Law was inspired out of tragic events that took place on April 12, 2018. Back on that day, I was serving proudly as Deputy Chief of Police for the Yarmouth Police Department. Our department received intelligence that there was a violent career criminal who was suspected of being in the area and selling narcotics. I sent a team of officers to a residence across town to locate and apprehend the suspect. Hours later, my police radio crackled to life with screams for help. Those same officers I had dispatched found themselves face-to-face with the suspect, who was resisting arrest and shooting at them.

I immediately raced to the scene. Upon arrival, I learned that my K9 Sergeant, Sean Gannon, had been shot in the head. He was taken to the hospital and died hours later from his injuries. Meanwhile, his K9 partner, Nero, had been shot in the face by the same assailant. At the same time as his human sergeant was being rushed to the hospital, K9 Nero lay trapped in the attic of the assailant's home for hours, bleeding to death, as the incident continued to unfold.

Eventually, officers were able to reach K9 Nero and bring him to safety. I will never forget the sight of K9 Nero being carried out, covered in blood, and gasping for air.

It was awful.

We were blessed to have a full complement of first responders on-scene that day, all of whom served heroically and wanted to do all they could to help. This included several paramedics who remained on-scene and who desperately wanted to render assistance to K9 Nero. However, these emergency medical professionals could not legally touch K9 Nero. Massachusetts law in effect at that time did not allow first responders to render life-saving emergency medical care or transportation to a police animal, even if wounded in the line of duty.

Left with no other option, police officers placed K9 Nero in the back of a police cruiser. They drove him to the nearest veterinary hospital, doing their best to keep his airway open, stop the bleeding, and keep him alive. Fortunately, K9 Nero survived and eventually recovered from his injuries.

"Nero's Bill" was filed in 2019 to prevent tragic circumstances like this in the future by allowing police dogs injured in the line of duty to receive life-saving emergency medical treatment and transportation. Unfortunately, like many other bills, the bill failed to gain enough support when it was first filed and it failed to make its way out of the legislature prior to the end of session.

After serving the Yarmouth Police Department for 40 years, I decided that it was time for me to seek a new way to serve the public and help make a difference. Motivated in part by the ongoing debate over Nero's Bill, I left the police force and ran for a seat in the State Legislature. I won, and in 2021, I found myself as the presenting sponsor of Nero's Bill for a new legislative session.

After lots of hard work and a great deal of bipartisan cooperation, we found a way to get the job done. Nero's Bill finally cleared the Legislature, and it became law. It was with an immense sense of pride, gratitude, and bittersweet sorrow that I had the honor of watching Governor Charlie Baker sign the bill into law on April 12, 2022, four years to the day after when Sgt. Gannon was killed, and Nero was shot. In fact, the Governor traveled to Yarmouth to sign the bill in the presence of law enforcement, community leaders, and Sergeant Gannon's family, who assembled for that purpose in the newly-constructed K9 Sergeant Sean Gannon Police Training Center – a facility dedicated in honor of its namesake and constructed on a tract of land Sergeant Gannon himself had recommended for the facility just weeks before he died.

Nero's Law already has been put to use on several occasions here in Massachusetts. I have no doubt that it will continue to protect service animals for many years to come, as incidents of violence against first responders are far too common in our society. To that end, first responders across our state have been busy receiving proper training on how to care for injured police dogs and how to transport them to the hospital safely if called upon to do so. I have personally attended many of these sessions and, despite the distressing subject matter, it is tremendously gratifying to know that Nero's Law is in place and working to protect service dogs in the line of duty each and every day.

As a Massachusetts State Representative and as someone who spent four decades in law enforcement, I would like to humbly suggest to you that police dogs are not "just" animals. Police K9's are every bit the heroes that we recognize their human counterparts in law enforcement to be every day. They deserve our protection.

It is for that reason that I respectfully urge your Committee to issue a favorable report on Max's Law, and for a debate on passage of the legislation to be scheduled before the General Court as soon as possible.

Thank you for your consideration of this critical matter.

Respectfully,

Steven G. Xiarhos

Massachusetts State Representative – 5th Barnstable District

Proud Gold Star Father of US Marine

Corporal Nicholas G. Xiarhos KIA

*Chief of Police*  
Allen D. Aldenberg

*Assistant Chief*  
Peter A. Marr



*Commission*  
John G. Cronin, *Chairman*  
Manny Content  
Eva Castillo  
John Mercier  
Gene Brown

## CITY OF MANCHESTER

### *Police Department*

#### Testimony

House Criminal Justice and Public Safety Committee

SB 268 – Allowing for pre-hospital treatment and transportation for police canines.

March 29, 2023

Dear Representative Roy, Chair, and Members of the Committee:

My name is Benjamin Foster and I am a Sergeant with the Manchester Police Department. I am a supervisor in the K9 Unit and additionally, I handle a dual purpose patrol and explosives K9; K9 Hank. I am here today, representing the Manchester Police Department in **Support** of SB 268.

I have been a member of the Manchester Police K9 Unit for 12 years. In my time with the unit I have seen our K9s deployed in some of the most dangerous and high stress incidents that we as police officers deal with. Throughout the years, I have witnessed K9s in our unit assaulted by offenders, attacked by dogs, accidentally ingest illegal drugs and several have been struck by vehicles. These incidents have led to severe lacerations, orthopedic injuries, and even neurological trauma.

In 2015 my first K9 Partner, Moose, was attempting to apprehend a suspect who was wanted for several violent felony level offenses to include domestic assault, assault of a police officer, robbery and burglary. While K9 Moose was in pursuit of the suspect, he fled across a busy City street safely making it to the opposite side. K9 Moose was not so fortunate and was struck by a motor vehicle. It was apparent to me that K9 Moose had suffered injuries from the accident and was in distress. I was able to quickly transport K9 Moose to the Emergency Veterinary Center where he was treated for his injuries and would go on to make a full recovery.

As a K9 Handler in a large city I am fortunate to have access to emergency resources close by, however, for smaller agencies across the state this is not the case. For more rural agencies, immediate medical treatment on scene could mean the difference between life or death for their K9 partners. Although many handlers are taught medical aid for their K9 partners, it is not out of the realm of possibility that during a critical incident, a handler is wounded in the line of duty rendering them unable to assist their K9 partner. In such an event a handler deserves to have the peace of mind that his or her K9 partner will be granted the medical attention they need.

Michael L. Briggs Public Safety Building  
405 Valley Street • Manchester, New Hampshire 03103 • (603) 668-8711 • FAX: (603) 668-8941  
E-mail: [ManchesterPD@manchesternh.gov](mailto:ManchesterPD@manchesternh.gov) • Website: [www.manchesterpd.com](http://www.manchesterpd.com)

A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY





In closing, these Canines do so much for the communities they serve that it is incumbent upon us to do our best to take care of them, I ask you to find SB 268 Ought to Pass with Amendment.

Thank you for your consideration.

Respectfully,

Sergeant Benjamin Foster  
Manchester Police Department

Testimony

Criminal Justice Committee

SB 268 – Allowing for pre-hospital treatment and transportation of operational canines.

March 29, 2023

Dear Chairman Roy and Members of the Committee:

My name is Brandon Skoglund, and I am here today, representing The Elliot Hospital and EMS, in support of SB 268.

As my fellow supporters have mentioned, the importance of this bill can not be overstated. These highly trained animals play a critical role in fields such as law enforcement, search and rescue, and military operations, and it is important that they receive prompt medical attention when ill or injured in the line of duty. Just like human first responders, operational canines face a range of risks in their work. They may encounter dangerous suspects, hazardous conditions, or other hazards that can lead to injury. When these injuries occur, it is important that they receive prompt medical attention to ensure the best possible outcome.

SB 268 will allow for pre-hospital treatment and transportation of operational canines and would help ensure that they receive timely and appropriate care when needed. This includes measures such as administering first aid on the scene, stabilizing the animal for transport, and providing rapid transportation to a veterinary hospital or other medical facility for life-saving care.

It will also allow Dr. Joey Scollan and her colleagues at the NH EMS Medical Control Board to work with professionals like Dr. Chara Batchelder to create treatment protocols allowing for this care and create content for education centers throughout the state to deliver to EMS providers.

I am personally and professionally invested in the passage of this bill through my current work as the EMS Coordinator for the Elliot Hospital, as an Educator for the New England EMS Institute, as a Paramedic for a municipal Fire and EMS service, and as a Paramedic for a regional Special Operations Unit. In two of these roles I work regularly along side operational canines and their handlers, however currently I am only able to make a direct difference in outcomes for one of them.

In closing, I urge you to support the passage of SB 268 as amended which allows for pre-hospital treatment and transportation of operational canines. By doing so, we can help protect and support these valuable members of our communities.

Thank you for your consideration.



# City of Portsmouth, NH



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## Police Department

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Mark D. Newport  
CHIEF OF POLICE

Testimony  
House Criminal Justice and Public Safety Committee  
SB 268 - Allowing for pre-hospital treatment and transportation for police canines.  
March 28, 2023

My name is Bill Werner, and I am here today, representing the Portsmouth Police Department, in support of Senate Bill 268.

I am a K-9 Handler for both the City of Portsmouth, as well as the Seacoast Emergency Response Team. This position has afforded me the distinct opportunity to work with animals that are beyond amazing in their abilities. All around New Hampshire we have operational canines demonstrating their capabilities from: our detection dogs who can find the smallest amounts of narcotics, accelerants, or explosives, to our tracking dogs who are asked to find Alzheimer's patients or small children who have wandered, sometimes miles, from their homes, to our patrol dogs helping to locate and assist in the apprehension of violent criminals, to even our comfort dogs who are there for people in their time of need in a way that humans simply cannot.

It is commonly said that operational canines are tools. Dollar for dollar, a K9 unit provides law enforcement with one of the most cost effective, multifaceted crime fighting tools available. A police dog is truly a Swiss Army Knife on four legs. In order for both dog and handler to gain the necessary skills to be effective, many teams in Southern New Hampshire, Portsmouth included, train with the Boston Police K9 Training Group, where Patrol School is 14 weeks. On top of that, many patrol dogs are certified in a secondary area, usually either drugs or explosives. That school will be another 6-10 weeks. Then every month for the rest of the dog's working life, the K9 team will be required to complete two formal 8-hour training days a month and successfully complete National Level certifications annually. This does not include the almost daily training activities that a handler will put their dog through to ensure that when they are called upon, the dog is ready. Across the board, a patrol canine will be the most highly trained member of any police department. I think it could easily be argued that these dogs are more than simply tools or assets at the disposal of a police or fire agency, they are solutions to problems that humans could not possibly answer. Just to put this further into context, lets use my partner as the example. Frankie, who is a 5-year-old Belgian Malinois, has 225 million receptors in his nose to a human's 6 million, he can hear sounds up to over 60,000 hertz versus me only hearing up to 20,000 hertz, and he runs at upwards of 32 miles per hour where the fastest human in the world, Usain Bolt, topped out at a speed of 27.79mph.

As a handler of a patrol dog, this Senate Bill has a very different meaning to me, as opposed to that of a department's administration who may be looking at the financial impact of losing a dog, or societies want to protect all dogs, because we love them. As a patrolman and a SWAT operator, I am frequently called on, sometimes in the middle of the night, to respond to the most dangerous of situations. Once on scene, I ask Frankie to, quite literally, be the tip of the spear. I ask him to be the first to go into the unknown, while his humans are forty-plus feet behind him. Sometimes I ask Frankie to go alone, while I wait safely out of sight.



# City of Portsmouth, NH



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## Police Department

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Mark D. Newport  
CHIEF OF POLICE

Without question, fearlessly, Frankie will head off into the dark, unknown, because I asked him too. He will do this so that he can first encounter whatever danger may be hiding in a corner, or behind a door, or lurking in the shadows so that he will take the bullet, or the knife, or the punch or kick so that his humans don't have too. Evan Nolte, a former Army Green Beret and Animal Care Sergeant in the US Army explained it best when he said, "Dog's love, but they do not reason. They do not charge headlong unto their ultimate demise because they decide to, they just do. There is an inherent inequity in our relationship with them. One that you will become painfully aware of if they are injured or killed. You will carry the pain and confusion you see in their eyes, in that moment, for the rest of your life." This bill will be our way of showing these brave animals that we appreciate their efforts to keep us safe and that we are willing to do whatever we can to help them in their time of need.

In closing, I ask you to find Senate Bill 268 Ought to Pass. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in cursive script that reads "Bill Werner".

Bill Werner  
K-9 Handler/Patrol Division  
Portsmouth Police Department

## Testimony

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### House Criminal Justice and Public Safety Committee

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SB 268 – Allowing for pre-hospital treatment and transportation  
for police canines.

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March 29, 2023

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Dear Chair and Members of the Committee:

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My name is Chara Batchelder, and I am here today in support of SB 268.

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I have been employed as an emergency and critical care veterinarian at the Veterinary Emergency Center of Manchester for about nine years, and during my time there, I have had the opportunity to work with the Manchester Police Department's canine unit. This experience has allowed me to understand the bond between handlers and their canines, the unique skill set and job that these canines have, and the importance of keeping them healthy and fully able to function at their job.

There are unique, high risk situations that these working canines encounter that result in potentially life threatening injuries or exposures. Some of these line of duty injuries include gunshot or stab wounds, heat-related illnesses, illicit drug exposure and other intoxications, burn injuries, and blunt force trauma injuries. In most instances, our veterinary community does not have the resources to immediately respond to emergencies that occur in the field. As a result, there is a large gap that exists in the provision of care for our state's working canines on scene at the point of injury and during transfer to a veterinary facility.

The military has been using their medics to perform field triage, stabilization and transport of their working canines for quite some time with good results. While there is currently not an organized veterinary emergency medical services program in NH, similar to military medics, our state's paramedics and EMT first responders who arrive first on scene are ideally situated to close that gap in care and perform the tasks necessary to stabilize these dogs in the field. As a result, once these dogs are able to reach a veterinary facility, their odds of a successful recovery are significantly increased.

Two of my colleagues and myself attended an extensive three day course in Portland, Maine on advanced first aid for the operational canine. The goals of this course were to teach canine handlers and emergency medical responders how to recognize situations where pre-hospital care is indicated, stabilize the dogs, and avoid preventable deaths. During this course, I was able to see firsthand how, with some guidance, the EMS personnel were easily able to translate and adapt their skill set to canines. I have full confidence that we will be able to train our emergency medical responders in NH to be able to do the same, enabling us to close this gap and provide the care that these unique working dogs deserve.

In closing, I ask you to find SB 268 Ought to Pass with  
Amendment.

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Thank you for your consideration.

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Sincerely,

Chara L. Batchelder, DVM, MS

**HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

**EXECUTIVE SESSION on SB 268**

**BILL TITLE:** (New Title) allowing for pre-hospital treatment and transportation for operational canines.  
**DATE:** March 30, 2023  
**LOB ROOM:** 202-204

**MOTIONS: OUGHT TO PASS WITH AMENDMENT**

Moved by Rep. Rhodes Seconded by Rep. Harriott-Gathright AM Vote: 20-0

Amendment # 2023-1259h

Moved by Rep. Rhodes Seconded by Rep. A. Murray Vote: 20-0

**CONSENT CALENDAR: YES**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep Alissandra Murray, Clerk



STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK

1/10/2023 9:55:43 AM  
Roll Call Committee Registers  
Report

2023 SESSION

**Criminal Justice and Public Safety**

Bill #: SB 268 Motion: adoption of AM #: 1259h Exec Session Date: 3/30/23  
amendment

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Roy, Terry Chairman	20		
Rhodes, Jennifer M. Vice Chairman	1		
Pratt, Kevin M.	2		
Sytek, John	3		
Proulx, Mark L.	4		
Janvrin, Jason A.	5		
Mannion, Dennis	6		
Reid, Karen A	7		
Stone, Jonathan F.	8		
Tenczar, Jeffrey	9		
Harriott-Gathright, Linda C.	10		
Meuse, David	11		
Bouldin, Amanda C.	12		
Bradley, Amy Clerk	13		
Murphy, Nancy A.	14		
Newman, Ray E.	15		
Murray, Alissandra	16		
Newell, Jodi K	17		
Selig, Loren	18		
Wheeler, Jonah O	19		
<b>TOTAL VOTE:</b>	20	0	





STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK

2/27/2023 4:08:32 PM  
Roll Call Committee Registers  
Report

2023 SESSION

Criminal Justice and Public Safety

Bill #: SB 268 Motion: OTPA AM #: 1259h Exec Session Date: 3/30/23

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Roy, Terry Chairman	20		
Rhodes, Jennifer M. Vice Chairman	1		
Pratt, Kevin M.	2		
Sytek, John Potucek	3		
Proulx, Mark L. Hill	4		
Janvrin, Jason A.	5		
Mannion, Dennis	6		
Reid, Karen A	7		
Stone, Jonathan F.	8		
Tenczar, Jeffrey	9		
Harriott-Gathright, Linda C.	10		
Meuse, David	11		
Bouldin, Amanda C.	12		
Bradley, Amy	13		
Murphy, Nancy A.	14		
Newman, Ray E.	15		
Murray, Alissandra Clerk	16		
Newell, Jodi K	17		
Selig, Loren	18		
Wheeler, Jonah O	19		
<b>TOTAL VOTE:</b>	<b>20</b>	<b>0</b>	