

# **SERVICE ANIMAL INSTRUCTOR LESSON GUIDE**

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and  
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## GRADING RUBRIC

To successfully complete the asynchronous *Service Animal* instructor program and be awarded an Institute for the Prevention of In-Custody Deaths, Inc. (IPICD) certificate, you must achieve a score of **100 activity points** that are shown and calculated in following Table:

ACTIVITY	POINTS
Attendance:	86 (watch entire program)
Cognitive Domain Assessment (online)	14 (90% of 16 questions)
<b>Total minimum points needed to pass</b>	<b>100</b>

### RESOURCE-BASED LEARNING

You can use the resources available to you when taking the online assessment. These resources include the asynchronous presentation, the *Service Animal Lesson Guide*, and the *Service Animal: Learning Companion*. In short, you can use the resources available to you, which involves your active participation with these resources (i.e., reviewing them, locating answers, etc.). This interaction with the resources available to you make you an “information hunter and interpreter” (Lavery, 2000), which enables you to correctly answer assessment questions. These behaviors are part of Resource-Based Learning.

“Resources are media, people, places or ideas that have the potential to support learning” (Hill & Hannafin, 2001, p. 38). The IPICD instructional design team adopted Resource-Based Learning several years ago because of the volume of information available to learners and their need to not only locate it, but also to digest it for learning.

As a *Service Animal Instructor*, you are encouraged to adopt Resource-Based Learning and use it. You and your learners will be appreciative.

## WELCOME

*Welcome* to the Institute for the Prevention of In-Custody Deaths, Inc. (IPICD) public safety *Service Animal Instructor* program. We are pleased that you have enrolled in this contemporary, research-based, evidence-based, and field-tested program.

During the asynchronous instruction, the seven individual lessons in your *Service Animal Lesson Guide* will be covered and other skill development cognitive domain activities. Because the IPICD staff does not mandate what you will teach, you will be able to select those lessons that best match the needs of your colleagues. At first, you may only teach a couple lessons and then add more lessons during in-service or other update training. You have the flexibility to develop a User-level, customized training program to best match the needs of your colleagues and agency. Please give each learner the exclusive IPICD *Service Animal: Learner Companion* to help document and facilitate your training, while simultaneously improving learner retention and recall.

The *Service Animals* instructor program is one module that counts toward the IPICD Public Safety Disability Specialist credential. Because there is an increasing number of people each year with disabilities, it is important to educate and train public safety personnel on how to interact with them legally and effectively on calls for service—whether dispatched or self-initiated. Please consider enrolling in the exclusive IPICD Public Safety Disability Specialist modules to earn this timely and important qualification.

Again, welcome to this IPICD Instructor program. If there is anything the program presenters, the corporate IPICD staff, or another team member can reasonably do for you, please ask. Have a wonderful and educational experience.

Best wishes,

**Institute for the Prevention of In-custody Deaths, Inc.**

*John*

**John G. Peters, Jr., CLS, CTC, Ph.D.**  
President and Chief Learning Officer

*Michael*

**Michael Coleman, ADA Coordinator, PSDS**  
Peace Officer and Staff Instructor

## PROGRAM GOALS

### PROGRAM GOALS:

- To provide information about the Institute for the Prevention of In-custody Deaths, Inc. (IPICD),
- To identify and explain classroom rules,
- To define the Americans With Disabilities Act,
- To define disability and impairment,
- To define reasonable accommodation,
- To define Service Animals,
- To define Emotional Support Animal,
- To define reasonable accommodations,
- To identify federal, state, and local laws and ordinances for Service Animals,
- To identify appropriate “patrol responses,”
- To identify inappropriate “patrol responses,”
- To identify the tasks of Service Animals,
- To apply critical thinking skills to a case study situation
- To explain the differences between Emotional Support Animals and Service Animals,
- To explain the role of the Service Animal Handler,
- To explain when a Service Animal may be removed from a business,
- To explain the need for competency-based testing of learners, and
- To explain and review the *Service Animal Learner Companion*

### NOTES

## PROGRAM PERFORMANCE OBJECTIVES

- Given an IPICD *Service Animal: Learner Companion* and instruction, the learner will be able to recall why (s)he should not rely on the information presented for an extended period with a minimum performance level of 100%.
- Given a Service Animal PowerPoint presentation and instruction, the learner will be able to repeat aloud and explain the first thirteen (13) classroom guidelines with a minimum performance level of 100%.
- Given a Service Animal PowerPoint presentation and instruction, the learner will be able to demonstrate the classroom guidelines 1 through 13 with a minimum performance level of 100%.
- Given a Service Animal PowerPoint presentation and instruction, the learner will read the Case Study with a minimum performance level of 100%.
- Given a Service Animal PowerPoint presentation and instruction, the learner will discuss the Case Study along with what the learner would do with a minimum performance level of 100%.
- Given a Service Animal PowerPoint presentation, one *Service Animal: Learner Companion*, and instruction, the learner will identify on a multiple-choice question the correct definition of a service animal with a minimum performance level of 100%.
- Given a Service Animal PowerPoint presentation, one *Service Animal: Learner Companion*, and instruction, the learner will identify on a multiple-choice question what governmental entities can define a service animal with a minimum performance level of 100%.
- Given a Service Animal PowerPoint presentation, one *Service Animal: Learner Companion*, and instruction, the learner will be able to correctly identify on a multiple choice test the law that is considered by many to be the second most important civil rights legislation passed by Congress with a minimum performance level of 100%.
- Given a Service Animal PowerPoint presentation, one *Service Animal: Learner Companion*, and instruction, the learner will be able to correctly identify on a multiple choice test three qualifying criteria for being considered disabled as defined by the ADA, with a minimum performance level of 100%.
- Given a Service Animal PowerPoint presentation, one *Service Animal: Learner Companion*, and instruction, the learner will be able to correctly identify on a multiple-choice test two options a LEO may use to avoid causing injury or indignity to a seized person with disabilities, with a minimum performance level of 100%.
- Given a Service Animal PowerPoint presentation, one *Service Animal: Learner Companion*, and instruction, the learner will be able to correctly identify on a multiple-choice test five patrol response options a LEO may use when engaging with an individual who claims to have a service animal, with a minimum performance level of 100%.

### NOTES

## Lesson #1

**Instructor:** IPICD-Qualified Instructor    **Time required:** 15 minutes (approximately)

**Subject:** Disclaimers & Institute Overview

**Goal:** To provide information about the Institute for the Prevention of In-custody Deaths, Inc. (IPICD).

**Learner Performance Objective:** By the end of the lesson the learner will be able to recall the primary reason for not relying on the information presented forever.

**LPO #1:** Given an IPICD Service Animal: Learner Companion and instruction, the learner will be able to recall why (s)he should not rely on the information presented for an extended period of time with a minimum performance level of 100%.

**How will learners be evaluated and what methods will be used to measure competency?**

1.1 Learners will be evaluated on SPO#1 by having them repeat aloud that research, legal research, and evidence-based practices are constantly changing.

1.2 Learners will be evaluated on SPO#1 through observation by the instructor. For example, when the instructor asks if learners should rely on the information presented for an unreasonable time, they will verbally explain at least 3 reasons why information may change.

**Anticipatory Set or Mental Readiness:** (Describe the introduction to the lesson you will use to get the students involved in the lesson).

**Anticipatory Set:** 1 minute. Ask the learner, “How many of you want to be known for teaching outdated and/or incorrect information?”

**Instructional Components:** (Include type of lesson and major concepts to be covered)

**Type of lesson:** Lecture: 15 minutes (will vary depending upon class size)

1.3 Welcome to the Institute for the Prevention of In- Custody Deaths, Inc. (IPICD) Service Animal User-level program. I am pleased to share this important information with you.

1.4 **DISCLAIMER:** The information contained in this program was current when the presentation was developed. No one should rely on the information contained in this program for an unreasonable period, because research, legal opinions, and best practices are constantly evolving. To verify the accuracy of the legal and other information, please contact a professional who is qualified to provide you with answers. To verify the accuracy of other information, please contact the IPICD.



- 1.5 None of the presenters is offering legal, psychiatric, and/or medical advice. For specific issues and questions on one or more of these topics, please seek competent local and qualified professionals.
- 1.6 **MISSION STATEMENT:** The Institute for the Prevention of In-Custody Deaths, Inc., (IPICD) is a clearinghouse, resource center, and training provider dedicated to providing interested parties with objective, timely, accurate, qualitative, and quantitative information, training, and operational guidance for the prevention and management of sudden- and in-custody deaths.
- 1.7 **CONTACT INFORMATION:** The IPICD can be contacted as follows:
- IPICD,  
209 South Stephanie Street, Suite B249  
Henderson, Nevada USA 89012; phone (toll-free): 866.944.4723; email:  
staff@ipicd.com; Website: www.ipicd.com
- 1.8 **WEBSITE:** Located on the IPICD Website are many items to assist you and/or your agency.
- 1.9 **TRAINING PROGRAMS:** The IPICD offers many training programs, in addition to an annual international conference on arrest-related and sudden, in-custody deaths, or its annual international conference.
- 1.10 **ARTICLES:** On the IPICD Website are several articles that may be of assistance.
- 1.11 **IPICD DIGITAL CENTER:** Directed by Jason Peters, A. S. More information is available about this Center on the Website.
- 1.12 **IPICD ONLINE TRAINING CENTER:** Various online training programs are available through the IPICD Online Training Center. Visit this Website often as new programs are being developed and will be added as they become available. The Website address is: www.ipicdtc.com
- 1.13 **IPICD CENTER for DIGITAL STRATEGY:** Jason Peters directs this Center. Mobile apps and all digital media and online training programs are administered through this Center. Of particular importance is the following address that can be accessed with any digital device: m.ipicd.com This address will show you and/or your learners the behavioral cues of most Agitated Chaotic Events™, which includes excited delirium.
- 1.14 **IPICD STAFF:** Dr. John G. Peters, Jr., Ph.D., CTC, CLS serves as president and chief learning officer of the Institute. A former police administrator and officer, he has a remarkably diverse educational background, and is prolific author.
- 1.15 A. David Berman, M.S., CLS serves as vice president of the Institute, and is also a former police officer. He has served as an expert witness and taught in a local

Pennsylvania police academy.

- 1.16 Charles Wilhite, J.D., Ph.D. was a Captain with a large California sheriff's department and is a California-licensed attorney. He is an experienced police officer and drug investigator.
- 1.17 Jason W. Peters, A.A.S. is Director of the Center for Digital Strategy. A computer programmer, he has consulted with several organizations and individuals about computer-related issues.
- 1.18 Seth Coleman is co-developer of the exclusive IPICD wheelchair program, and co-author of the text, Wheelchair Officers' Field Guide. A Nevada peace officer, Seth has been a presenter for various groups, and volunteers for several charities that focus on people who have Special Needs.
- 1.19 Curtis McCain is the IPICD Creative Director. He has extensive experience in video production, video animation, photography, print and digital layout, and design.
- 1.20 QUESTIONS: Does anyone have a question about the IPICD, its programs, or how to access information? If not, we will now proceed to Lesson #2: Classroom Guidelines and Introductions.

## NOTES

## Lesson #2

**Instructor:** IPICD-Qualified Instructor      **Time required:** Varies

**Subject:** Service Animals: Welcome, Class Rules, and Introductions

**Goals:** To identify and explain classroom rules and to explain and review the *Service Animal Learner Companion*.

**Learner Performance Objective: By the end of the lesson the learner will be able to recite, explain, and demonstrate classroom guidelines 1 through 13.**

**LPO #1:** Given a Service Animal PowerPoint presentation and instruction, the learner will be able to repeat aloud and explain the first thirteen (13) classroom guidelines with a minimum performance level of 100%.

**LPO #2:** Given a Service Animal PowerPoint presentation and instruction, the learner will be able to demonstrate the classroom guidelines 1 through 13 with a minimum performance level of 100%.

**How will learners be evaluated and what methods will be used to measure competency?**

- 2.1 Learners will be evaluated on LPO#1 by having them repeat aloud and in unison each of the first 13 classroom guidelines after it is covered by the instructor.
- 2.2 Learners will be evaluated on LPO#1 through observation by the instructor. For example, if a learner asks the instructor question(s), this demonstrates that (s)he understood the classroom guideline of “asking questions”.

**Anticipatory Set or Mental Readiness:** (Describe the introduction to the lesson you will use to get the students involved in the lesson).

Anticipatory Set: 1 minute. Ask the learner, “How many of you want to be removed from this program for failing to follow the classroom rules and guidelines?”

**Instructional Components:** (Include type of lesson and major concepts to be covered)

Type of lesson: Lecture. 10-30 minutes (will vary depending upon class size)

- 2.3 Welcome to the Institute for the Prevention of In-Custody Deaths, Inc. (IPICD) asynchronous Service Animal Instructor program. We are pleased that you have enrolled in this contemporary, research- and experientially based program.
- 2.4 During the instruction you give to your learners, you may wish to use the following classroom guidelines that will facilitate their participation in the training program. Failure to comply with these guidelines may result in their being removed from the

program and/or premises and notifying their employer. After the 14 classroom guidelines are reviewed, ask learners to repeat each one aloud, and ask clarifying questions about each specific guideline.

## 2.5 Classroom Rules

1. If you cannot hear or see, please sit closer to the speaker or to the screen. Some of you may be seated too far away from the speaker and/or the screen. If so, please move closer.
2. No smoking in the classroom or other non-smoking areas. You may only smoke in designated smoking areas. You must obey all Academy rules and regulations.
3. No tardiness. You must be in class and ready to work at the scheduled start time.
4. No racial, ethnic, sexist, etc. remarks, unless they are used in role playing situations, and the class has been informed about the role-playing situation.
5. No horseplay. Injuries can occur when people clown around inside or outside the training classroom and/or facility. Therefore, no horseplay will be tolerated.
6. Ask questions. You have heard that the only “stupid question” is the one that is not asked. It is true. This is an instructor program, so please ask questions about those topics, concepts, issues, etc. that are not clearly understood by you. The training room is the only safe place to make mistakes.
7. If you see a dangerous situation, immediately tell someone. Do not ignore a dangerous or potentially dangerous situation . . . TELL SOMEONE. For example, if you see broken glass, a broken chair, water on the floor, or another type of danger, tell the instructor and warn others who are in the immediate area. Control the area.
8. Do not get your blood pressure up about something that you can control. At times, the presenter or another person may make a statement or claim that does not parallel with what you were previously taught, heard, or understood. Instead of getting frustrated, ask a question about it. Possibly the presenter or other person is misinformed, or the information presented is more current than what you had received in a previous training program.
9. Notify an instructor or someone else in the class if you get injured, sick, or if a family emergency arises. If you think that you may have been injured from a fall or other activity or if you get sick during the program, please immediately notify the presenter or another person. Professional medical attention will be summoned.
10. Emergencies. If a family member is expecting a child, an imminent death in the family, or any other foreseeable crisis, please notify an instructor or another person in the program. Make sure that you call home and provide someone with the local telephone

number, and/or your cellular telephone number so you can be reached in a timely manner.

11. Handle firearms appropriately and safely. People always get shot with the “unloaded” weapon; therefore, always handle firearms appropriately and safely. This applies to electronic control devices, too. No horseplay will be tolerated.
12. Keep your “Service Animal: Learning Companion” with you here in the classroom and when you are working. It is yours to keep so write notes on it, highlight it, etc.
13. Enjoy the program. Learning should be fun. To that end, you will be treated as a professional and not like an academy recruit.

### **Check for Understanding and/or Guided Practice and Independent Practice: 4 minutes**

- 2.6 Require all learners, in unison, to speak aloud each classroom guideline. After they read aloud each classroom guideline, they may ask clarifying questions.

### **Materials Needed:**

- 2.7 Here is a list of what each learner is given, and what materials are needed:
  - *Service Animal Lesson Guide* (1 for the IPICD qualified instructor),
  - *Service Animal: Learner Companion* (1 per learner),
  - Computer,
  - Digital projector,
  - Projector screen,
  - Classroom and/or large open area (maintain social distancing),
  - Tables (2 or 3 learners per table depending upon table length per social distancing rules),
  - Chairs (1 per learner),
  - Pen (1 per learner),
  - White Board (optional), and
  - Dry erase marker (black color).

### **Career and Technical Education Standards**

- 2.8 Law enforcement training is classified as Career and Technical Education.
- 2.9 Each state has Career and Technical Educational standards, and for this program those standards associated with the State of California are used because they are clearly developed and apply to law enforcement throughout California.
- 2.10 Please review your state Career and Technical Educational standards and include them in the lesson guide.

## California Career Technical Educational Model Curriculum Standards:

“2.10 The applicable California curriculum standards are located within the “Public Services Industry Sector.” For this program, the following model curriculum standards are applicable:

### “2.0 Communication

“Students understand the principles of effective oral, written, and multimedia communication in a variety of formats and contexts (p. 329).

“2.4 *Listening and Speaking* (p. 331).

“(2.5) Deliver persuasive arguments (including evaluation and analysis of problems and solutions and causes and effects):

- a. Structure ideas and arguments in a coherent, logical fashion.
- b. Use rhetorical devices to support assertions (e.g., by appeal to logic through reasoning; by appeal to emotion or ethical belief; by use of personal anecdote, case study, or analogy).
- c. Clarify and defend positions with precise and relevant evidence, including facts, expert opinions, quotations, expressions of commonly accepted beliefs, and logical reasoning.
- d. Anticipate and address the listener’s concerns and counterarguments (p. 322).

“(2.6) Deliver descriptive presentations:

- a. Establish clearly the speaker’s point of view on the subject of the presentation.
- b. Establish clearly the speaker’s relationship with the subject (e.g., dispassionate observation, personal involvement).
- c. Use effective, factual descriptions of appearance, concrete images, shifting perspectives and vantage points, and sensory details (p. 332).

### “4.0 Technology

“Students know how to use contemporary and emerging technological resources in diverse and changing personal, community, and workplace environments:

- 4.1 Understand past, present, and future technological advances as they relate to a chosen pathway.
- 4.2 Understand the use of technological resources to gain access to, manipulate, and produce information, products, and services.
- 4.4 Know the various technologies available and the sources for gaining technical skills.
- 4.5 Use technologies to analyze and interpret information (p. 333).

### “5.0 Problem Solving and Critical Thinking

“Students understand how to create alternative solutions by using critical and creating thinking skills, such as logical reasoning, analytical thinking, and problem-solving techniques.

- 5.1 Apply appropriate problem-solving strategies and critical thinking skills to work-related issues and tasks.

- 5.2 Understand the systematic problem-solving models that incorporate input, process, outcome, and feedback components.
- 5.3 Use critical thinking skills to make informed decisions and solve problems (p. 333).

### **“6.0 Health and Safety**

“Students understand health and safety policies, procedures, regulations, and practices, including the use of equipment and handling of hazardous materials:

- 6.1 Know the policies, procedures, and regulations regarding health and safety in the workplace, including employers’ and employees’ responsibilities.
- 6.3 Know how to identify possible hazards in a variety of work environments (p. 333).

### **“7.0 Responsibility and Flexibility**

“Students know the behaviors associated with the demonstration of responsibility and flexibility in personal, workplace, and community settings:

- 7.1 Understand the qualities and behaviors that constitute a positive and professional work demeanor.
- 7.2 Understand the importance of accountability and responsibility in fulfilling personal, community, and workplace roles.
- 7.3 Understand the need to adapt to varied roles and responsibilities.
- 7.4 Understand that individual actions can affect the larger community (p. 334).”

### **References**

California State Board of Education. (2006). *California career technical education model curriculum standards—May 2005*. Sacramento, CA: Author.

### **NOTES**

## Lesson #3

**Instructor:** IPICD-Qualified Instructor

**Time required:** Varies

**Subject:** Service Animals: Case Study

**Goals:** To apply critical thinking skills to a case study situation

**Learner Performance Objective: By the end of the lesson the learner will be able to recite, explain, and demonstrate classroom guidelines 1 through 13.**

**LPO #1:** Given a Service Animal PowerPoint presentation and instruction, the learner will read the Case Study with a minimum performance level of 100%.

**LPO #2:** Given a Service Animal PowerPoint presentation and instruction, the learner will discuss the Case Study along with what the learner would do with a minimum performance level of 100%.

**How will learners be evaluated and what methods will be used to measure competency?**

3.1 Learners will be evaluated on LPO#1 by having them discuss with the instructor and classmates what actions they would take after reviewing the Case Study in Appendix A by the instructor.

**Anticipatory Set or Mental Readiness:** (Describe the introduction to the lesson you will use to get the students involved in the lesson).

Anticipatory Set: 1 minute. Ask the learner, “How many of you want to be sued by this woman because of your actions?”

**Instructional Components:** (Include type of lesson and major concepts to be covered)

Type of lesson: Lecture. 15 minutes (will vary depending upon class size)

3.2 What would you do in this situation?

3.3 Are the options all of you discussed legal?

3.4 What prior training have you had about handling this situation?

**NOTES**



## Lesson #4

**Instructor:** IPICD-Qualified Instructor

**Time required:** Varies

**Subject:** Service Animals: Definitions

**Goals:** To define the Americans With Disabilities Act; To define disability and impairment; To define Service Animals; To define Emotional Support Animal; and To identify federal, state, and local laws and ordinances for Service Animals.

**Learner Performance Objective:** By the end of the lesson the learner will understand the definition of a Service Animal, terminology of Service Animals, and what defines Service Animals.

**LPO #1:** Given a Service Animal PowerPoint presentation, one *Service Animal: Learner Companion*, and instruction, the learner will identify on a multiple-choice question the correct definition of a service animal with a minimum performance level of 100%.

**LPO #2:** Given a Service Animal PowerPoint presentation, one *Service Animal: Learner Companion*, and instruction, the learner will identify on a multiple-choice question what governmental entities can define a service animal with a minimum performance level of 100%.

**LPO #3:** Given a Service Animal PowerPoint presentation, one *Service Animal: Learner Companion*, and instruction, the learner will be able to correctly identify on a multiple choice test the law that is considered by many to be the second most important civil rights legislation passed by Congress with a minimum performance level of 100%.

**LPO #4:** Given a Service Animal PowerPoint presentation, one *Service Animal: Learner Companion*, and instruction, the learner will be able to correctly identify on a multiple choice test three qualifying criteria for being considered disabled as defined by the ADA, with a minimum performance level of 100%.

**How will learners be evaluated and what methods will be used to measure competency?**

- 4.1 Learners will be evaluated on LPO#1 by having them identify on a multiple-choice question the correct definition of a service animal with a minimum performance level of 100%.
- 4.2 Learners will be evaluated on LPO#1 by having them identify on a multiple-choice question what governmental entities can define a service animal with a minimum performance level of 100%.

**Anticipatory Set or Mental Readiness:** (Describe the introduction to the lesson you will use to get the students involved in the lesson).

Anticipatory Set: 1 minute. Ask the learner, “How many of you want to be sued by this woman because of your actions?”

**Instructional Components:** (Include type of lesson and major concepts to be covered)

Type of lesson: Lecture. 20 minutes (will vary depending upon class size)

- 4.3 The law is often in front of people’s attitudes, and this is particularly true when it comes to disability law.
- 4.4 In this lesson, several federal laws, court holdings, state negligence elements, and the need for training in law enforcement *core tasks* will be discussed.
- 4.5 Please look at the *Service Animal: Learner Companion* because I will begin with the **Americans with Disabilities Act of 1990** (ADA), and the **ADA Amendments Act of 2008** (ADAAA), considered by many to be the second most important *civil rights* legislation to be passed by the United States Congress.
- 4.5 The ADA and the ADAAA defines the term *disability* for people as:
- A physical or mental impairment that substantially limits one or more major life activities of such individual;
  - A record of such an impairment; or
  - Being regarded as having such an impairment (24 U.S.C. §12012(1)).
- 4.6 If any *one* of these criteria apply to a wheelchair user, (s)he may then be considered as having a disability and is protected by federal law.
- 4.7 If (s)he is considered to be *disabled* under federal law, Title II of the ADA makes it illegal for a public entity, such as a law enforcement agency, to exclude the person “from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity” (42 U.S.C. §12132). This may include anyone with special needs, such as epilepsy, hearing, or vision impaired, dyslexia, etc.
- 4.8 **Section 1630.2(h) Physical or Mental Impairment**
- Any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special senses organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitor-urinary, hemic and lymphatic, skin, and endocrine; or
  - Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
- 4.9 The Rehabilitation Act of 1973:

- Prohibits any organization, such as municipalities and federal agencies, which get funding from the federal government from discriminating against disabled people (Barnes v. Gorman, 2002).

#### 4.10 State Statutes and Local Ordinances

4.11 Many states have constitutions like the United States constitution and mirror the civil rights of the federal constitution and amendments.

4.12 In addition to federal statutes that define people with disabilities, state legislatures may have also passed laws that prohibit discriminating against people with disabilities.

4.13 This may also apply to the definition of service animals.

#### 4.14 Service Animal Definition

4.15 Per the ADA, service animals are defined as dogs, individually trained to do work or perform tasks for people with disabilities. 28 C.F.R. § 35.104.

4.16 The ADA does not restrict the type of dog breeds that can be service animals.

4.17 Per 28 CFR §35.104:

- “**Service animal** means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.
- “Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.
- “The work or tasks performed by a service animal must be directly related to the individual's disability.
- “**Examples of work or tasks** include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.
- “The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship **do not** constitute work or tasks for the purposes of this definition.” [Emphasis added.]

#### 4.17 **Miniature horses** per 28 CFR §35.104:

- **“Reasonable modifications.** A public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.
- **“(2) Assessment factors.** In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, a public entity shall consider -
  - “**(i)** The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
  - “**(ii)** Whether the handler has sufficient control of the miniature horse;
  - “**(iii)** Whether the miniature horse is housebroken; and
  - “**(iv)** Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.”

#### 4.18 **Service Animal Handlers must Obey State and Local Laws**

4.19 Service Animal Handlers must still obey local vaccination and licensing laws.

#### 4.20 **Example of State Law and Service Animal**

4.21 Nevada Revised Statute 426.097: “Service Animal has the meaning ascribed to it in 28 C.F.R. §35.104 and includes a miniature horse that has been trained to do work or perform tasks for the benefit of a person with a disability.

#### 4.22 **DISCUSS YOUR STATE’S SERVICE ANIMAL DEFINITION**

#### 4.23 **DISCUSS YOUR LOCAL MUNICIPALITY’S SERVICE ANIMAL DEFINITION**

#### 4.24 **Animal Terminology** (please refer to the *Service Animal: Learner Companion*)

4.25 You may hear various terms used to describe Service Animals, including

- Service Animal
- Psychiatric Animal
- Companion Animal
- Medical Alert
- Cancer Sniffing Dog
- Miniature Horse
- Service Pig
- Guide Dog
- Therapy Animal
- Hearing Dog

- Seizure Alert
- Assistance Animal
- Emotional Support
- Assistive Animal

4.26. Remember: Terminology does not qualify an animal as a Service Animal.

#### 4.27 **Service versus Support Animal**

#### 4.28 Service Animal examples

- Trained to perform a variety of tasks
- Interrupt self-mutilation
- Identifying hallucinations
- Retrieve medication
- Assist with medication effects
- Often used for PTSD
- ADA compliant

#### 4.29 Emotional Support Animal examples

- Not trained to do work or tasks
- Prescribed by a therapist, or psychiatrist or self
- Improve social function or individual.
- Very gentle and well mannered.
- Often used for PTSD
- Non-ADA compliant

4.30 Remember: The Handler of the Service Animal is entitled to access all areas where members of the public, participants in services, programs or activities, or invitees, clients, customers, patrons, or invitees, as relevant are allowed.

**Make sure to discuss your agency policy on Service Animals, definitions, and responses, and underscore it with your municipality's ADA policy and training on how to make reasonable accommodations, when appropriate, for those people with whom you are interacting or arresting.**

4.31 Other applicable laws and regulations that may apply to Service Animals include

- The Rehabilitation Act of 1973 (federal)

- U. S. Department of Transportation (federal)
- Fair Housing Act (federal)
- Titles I, II, and III of the ADA (federal)
- Air Carrier Access Act (federal)

## NOTES

## Lesson #5

**Instructor:** IPICD-Qualified Instructor

**Time required:** Varies

**Subject:** Service Animals: Reasonable Accommodations

**Goal:** To define reasonable accommodations.

**Student Performance Objective:** By the end of the lesson the learner will be able to identify two options an LEO may use to avoid causing injury or indignity to a seized person who has disabilities, with a minimum performance level of 100%.

**LPO #1:** Given a Service Animal PowerPoint presentation, one *Service Animal: Learner Companion*, and instruction, the learner will be able to correctly identify on a multiple-choice test two options a LEO may use to avoid causing injury or indignity to a seized person with disabilities, with a minimum performance level of 100%.

**How will learners be evaluated and what methods will be used to measure competency?**

5.1 Learners will be evaluated on SPO#1 by having them correctly identify two options an LEO may use to avoid causing injury or indignity to a seized person with disabilities, on a multiple-choice question.

**Anticipatory Set or Mental Readiness: (Describe the introduction to the lesson you will use to get the students involved in the lesson).**

**Anticipatory Set:** 1 minute. Ask the learner, “What reasonable accommodations or modifications have you been taught by your employer that you can use when interacting with a disabled individual?”

**Instructional Components: (Include type of lesson and major concepts to be covered)**

**Type of lesson:** Lecture. 10 minutes (will vary by class size)

**5.2 Reasonable accommodation and/or modifications for LEOs and governmental entities:**

- Aside from making structural accommodations, such as wheelchair ramps, modified curbs, etc., governmental entities and/or LEOs must make reasonable accommodations and/or modifications when making arrests so that:
- The arrestee does not “suffer greater injury or indignity than other arrestees” (Gohier v. Enright, 1999; Gorman v. Bartch 8<sup>th</sup> Cir., 1998).

- Transportation of arrestees in wheelchairs or interrogations of arrestees who have hearing impairments fall under this category.

5.3 **A reasonable accommodation may involve a:**

- “flexible interactive process”
- Essentially having dialogue with the suspect and/or prisoner to determine what kind(s) of
- accommodation(s) or modification(s) to your procedures might be effective and practical.

5.4 **Subject to your agency’s disability policy and training, a reasonable accommodation(s) or modification(s) may include, but are not limited to:**

- Requesting an American Sign Language interpreter [NOTE: Your municipality must pay for such services.]
- Obtaining a telephone for the deaf (TDD) or text telephone (TT),
- Obtaining a wheelchair or other mobile assistive device,
- Providing a cane or a walker,
- Transporting the individual in a special van or ambulance,
- Providing physical assistance,
- Using hand signals,
- Asking another person to write down information for the individual,
- Handcuffing the person in the front
- Using multiple sets of handcuffs to handcuff the person in the rear,
- Using flexible restraints, and/or
- Using no restraints.

5.5 **Remember: At issue is whether you caused the arrested person to suffer greater injury or indignity than other arrestees who were not disabled.**

5.6 **DOCUMENT** what you did or did not do, and **WHY** in your report.

5.7 Consult your local legal counsel or other qualified individual for answers to specific questions you may have about making reasonable accommodations or modifications for seized individuals.

5.8 Enforcement of ADA violations fall under the United States Department of Justice, which can issue Consent Decrees.

5.9 States and local municipalities may also enforce their laws and ordinances.

**NOTES**



## Lesson #6

**Instructor:** IPICD-Qualified Instructor

**Time required:** Varies

**Subject:** Service Animals: Patrol Response

**Goals:** To identify appropriate “patrol responses”; To identify inappropriate “patrol responses”; To explain the role of the Service Animal Handler; and To explain when a Service Animal may be removed from a business.

**Student Performance Objective:** By the end of the lesson the learner will be able to identify five patrol response options an LEO may use when engaging with an individual who claims to have a service animal, with a minimum performance level of 100%.

**LPO #1:** Given a Service Animal PowerPoint presentation, one *Service Animal: Learner Companion*, and instruction, the learner will be able to correctly identify on a multiple-choice test five patrol response options a LEO may use when engaging with an individual who claims to have a service animal, with a minimum performance level of 100%.

**How will learners be evaluated and what methods will be used to measure competency?**

6.1 Learners will be evaluated on SPO#1 by having them correctly identify on a multiple-choice question five patrol response options a LEO may use when engaging with an individual who claims to have a service animal, with a minimum performance level of 100%.

**Anticipatory Set or Mental Readiness: (Describe the introduction to the lesson you will use to get the students involved in the lesson).**

**Anticipatory Set:** 1 minute. Ask the learner, “What are your patrol response limitations when engaging with an individual who claims to have a service animal?” (please refer to the *Service Animal: Learner Companion*).

**Instructional Components: (Include type of lesson and major concepts to be covered)**

**Type of lesson:** Lecture. 20 minutes (will vary by class size)

6.1 **Patrol Response: What you CAN ask the individual** (examples)

- Is the animal required because of a disability?
- What work or task has the animal been trained to perform?
- How can I help you?

6.2 **Patrol Response: What you CANNOT ask the individual** (examples)

- Is the animal required because of a disability? IF READILY APPARENT OR OBVIOUS.
- What is the nature or extent of your disability?
- Can you prove or show me the animal's certification?
- Would you show me how the animal helps you?
- Would you put an animal service vest on it?

6.3 **Patrol Response: Refusal of Service from a Property: ANIMAL DISRUPTIVE**

6.4 The requirement is that the animal must be interfering with the very nature of the business. This includes

- Barking continuously in a movie
- Defecating in a restaurant that affects customers
- Obviously sick, hazard to public health
- Animal wanders away from its Handler
- Other

6.5 *Allergies or fear of animals are not valid reasons for denying entrance.*

6.6 The customer should be allowed to continue with services with the business without the presence of the animal and the situation should not alone create the need to formally trespass an individual.

6.7 **Patrol Response: Refusal of Service from a Property: ANIMAL DIRECT THREAT**

6.8 To determine if the animal is a direct threat, the responding officer is required to make an individual assessment using reliable objective evidence such as current conduct or recent history of overt acts of behavior by interfering with the very nature of the business. This assessment includes

- The nature, duration, and severity of the risk of injury, the probability that injury will occur, and
- Whether there are any reasonable accommodations that will eliminate the direct threat.

6.9 A property may exclude any animal from the facility when the animal's behavior becomes vicious toward guests or customers.

6.10 Remember: You may not make decisions based on prior experience with other animals or breeds.

6.11 **Muzzles are not required.**

- 6.12 The customer should be allowed to continue with services with the business without the presence of the animal and the situation should not alone create the need to formally trespass an individual.
- 6.13 Service Animals are not allowed to use chairs or eat from tables.
- 6.14 Service Animals are not allowed in public pools (water).
- 6.15 **Barking** may be of service to the Handler.
- 6.16 Any breed of dog may be used as a Service Animal.
- 6.17 A Handler may use as many Service Animals as needed.
- 6.18 The Service Animal must always be under **control**.
- 6.19 The Service Animal must be leashed, harnessed, or tethered, unless these would inhibit the animal from its service purpose.
- 6.20 Service Animals are not required to wear a harness.
- 6.21 Service Animal ID's are not required and are often purchased without any kind of certification.
- 6.22 Vocal, signal, or sound devices may be needed by the Handler.
- 6.23 **Do not** get too close to the Service Animal.
- 6.24 **Do not** stare or take personal pictures.
- 6.25 **Do not** approach with another animal (e.g., K-9).
- 6.26 **Do not** pet the Service Animal.
- 6.27 **Do not** distract the Service Animal.
- 6.28 **Do not** feed the Service Animal.
- 6.29 Pay attention to the Handler and/or to the Trainer (think officer safety).
- 6.30 Treat the Handler with respect and with dignity.
- 6.31 Use the occasion to **educate** everyone involved (i.e., business owner, Handler).
- 6.32 Detention Centers will not allow a Service Animal to be housed.

- 6.33 Make every attempt to pass the Service Animal to an authorized care giver, approved by the arrestee. CLEARLY DOCUMENT this in your report.
- 6.34 Consult with a supervisor for an Animal Control Officer Response for appropriate intake of the Service Animal.
- 6.35 If you or another officer is impounding a Service Animal into the shelter during closed business hours, make every attempt to inform Animal Control supervision of the animal's presence.
- 6.36 Make sure the Service Animal has appropriate food and water.
- 6.37 Make sure the appropriate documentation is in place to prevent a negligent euthanasia procedure on the Service Animal.
- 6.38 DOCUMENT! DOCUMENT! DOCUMENT!
- 6.39 ALWAYS prepare and act as if you are being video and/or audio recorded.
- 6.40 Create time for your contact.
- 6.41 Use verbal de-escalation tactics for both the person reporting the incident and/or the Handler of the Service Animal.
- 6.42 When in doubt, ask for a Supervisor.
- 6.43 Remember: Use the occasion as an opportunity to educate the involved parties.

**Remind learners to be aware of AGITATORS who may try to set-up a situation for litigation purposes. Examples include claiming a squirrel is a “service animal” after boarding a plane, or claiming other animals not approved by the ADA as Service Animals.**

**Advise learners to know their state and/or local laws about the definition of “Service Animals.” The animal the person is holding may be a “Service Animal” by state or local definition or another federal agency definition.**

## NOTES

## Lesson #7

**Instructor:** IPICD-Qualified Instructor

**Time required:** Varies

**Subject:** Assessing Learner Competency

**Goal:** To explain the need for competency-based testing of learners.

**Anticipatory Set or Mental Readiness: (Describe the introduction to the lesson you will use to get the students involved in the lesson).**

**Anticipatory Set:** 1 minute. Ask the learner, “Name two ways you can prove you had training about Service Animals.”

**Instructional Components: (Include type of lesson and major concepts to be covered)**

7.1 **Two ways to prove you had training about Service Animals include,**

- Attendance documentation
- Competency-based assessment

7.2 To determine Learner comprehension of the information presented, it is important to give each Learner a Cognitive Domain assessment. You are strongly encouraged to give one.

7.3 “Instructional objectives must be measurable otherwise there is no way to know if the student passed the performance objective” (Peters, 2013, p. 33).

7.4 “Measurement is a process of determining the extent of some characteristic associated with an object or person” (p. 8). Examples include, but are not limited to length of a room, weight of a car, size of a classroom, etc. Testing students is a form of measurement.

7.5 “An objective is a description of a performance you want learners to be able to exhibit before you consider them competent” (Mager, 1975, p. 5).

7.6 “Instructional or performance objectives “describe the kind of performance that will be expected at the end of the course” (Mager & Beach, 1967, p. 29). Performance objectives are very precise” (Peters, 2013, p. 33).

7.7 Competency-based testing is performed by a qualified instructor who follows a quantitative rubric to measure a learner’s knowledge or skill about the topic.

7.8 As the architect of your Academy and/or in-service User-Level training program on this subject, please make sure you place copy of the lessons and information taught into a file and maintain it. Also, please make sure you objectively assess the learner to avoid controversy surrounding the competency of your program graduates.

## Lesson #8

**Instructor:** IPICD-Qualified Instructor

**Time required:** Varies

**Subject:** Service Animals: Summary

**Anticipatory Set or Mental Readiness: (Describe the introduction to the lesson you will use to get the students involved in the lesson).**

**Anticipatory Set:** 1 minute. Ask the learner, “What other options are available to you other than removal of an alleged Service Animal from a business?”

**Instructional Components: (Include type of lesson and major concepts to be covered)**

**Type of lesson:** Lecture. 20 minutes (will vary by class size)

8.1 **The ADA affects many of our law enforcement contacts and actions, including**

- Receiving citizen complaints
- Interrogating witnesses/suspects
- Arresting, booking, and holding individuals
- 9-1-1 services
- Providing emergency medical aid
- Enforcing laws

8.2 Remember to not discriminate against any qualified individual with disabilities.

8.3 When possible, make reasonable accommodations (e.g., handcuff in the front)

8.4 Remember, Service Animals have various tasks, including

- Alert individuals to the presence of allergens
- Alert individuals who are deaf or hard of hearing to the presence of people or sounds
- Alert to take medications
- Provide physical support and assistance with balance and stability
- Assist an individual during a seizure
- Assist individuals who are blind or have low vision
- Assist individuals with navigation
- Help persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors
- Retrieve items such as medicine or a telephone
- Pull a wheelchair

- 8.5 Let us discuss what options you have available to resolve the barking dog in the movie theatre?
- 8.6 What options do you think should be avoided?
- 8.7 What options do you think will work?
- 8.8 THINK critically before deciding. If a person is holding a non-ADA-qualified “Service Animal,” in other words simply a “pet,” that appears to be comforting the alleged disabled individual, is it worth creating a scene by removing the animal?
- 8.9 Admittedly, each situation is different, but THINK before you act.

**NOTES**

## REFERENCES

28 CFR §35.104

24 U.S.C. §12012(1).

42 U.S.C. §12132

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Laverty, C. Y. (2000). *Resourced-Based Learning: Gateway to Informational Literacy* (doctoral dissertation). United Kingdom: Aberystwyth, Wales.

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Rehabilitation Act of 1973, §501, 503, 504, and 508.



## APPENDIX A

### Case Study: Dog in Movie Theatre

- You are on patrol and are dispatched to a noise disturbance at a local movie theatre. Upon your arrival, you are greeted by the theatre manager who advises there is a woman in auditorium #1 with a large dog that has been barking every few minutes.
- You enter the auditorium and immediately hear the barking. You adjust your eyes and observe the woman and her dog sitting in the front row of a crowded theatre.
- You approach the woman and introduce yourself. You then ask the woman to exit the room and speak with you regarding her dog.
- The woman sternly replies, “No. This is my diabetic alert service animal.”

**What are your options per agency Service Animal policy?**

**What are your options per the ADA?**

**What are your options per State statute?**

**What are your options per municipal ordinance?**

**What opportunities do you have to educate the parties about Service Animals?**

## APPENDIX B

### Case Study: Disabled Veteran and his Dog inside a Local Restaurant

- A local, well-known Vietnam U.S. Marine Corps veteran is eating in a local restaurant with his dog seated beside the booth where he seated on a cushioned seat.
- You are dispatched to the local restaurant because a high-profile family in the community called 9-1-1 and complained about the veteran's dog sleeping on the floor of the restaurant.
- You arrive and speak to the restaurant manager outside the building.
- The manager tells you the dog is not causing a problem, and he is afraid to ask the veteran to leave the restaurant.
- The manager also tells you the high-profile family is part-owner of the restaurant, and that the wife is afraid of dogs. He insists you must take action to save his job.
- As you enter the restaurant the high-profile wife runs up to you and screams, "That dog cannot be in the restaurant because it is against the law!!!"
- She demands you remove the dog and his handler.

**What are your options per your agency's Service Animal Policy?**

**What are your options per the ADA?**

**What are your options per your State's statute?**

**What are your options per your municipal ordinance?**

**What actions are you going to take and why? Be specific!**

**What opportunities do you have to educate the parties about Service Animals?**

## APPENDIX C

### Sample User-Level Assessment Questions

(More sample questions with answers are available on the Service Animal Supplemental site. It is recommended Resource-Based Learning be used so the Learner can refer to the *Service Animal: Learner Companion* and other documents you may have provided during the program.)

1. Agency policy defines a Service Animal as:

***Please include questions about your agency's policy definition of a Service Animal, where and how to separate a Service Animal from its Handler. Additional questions about your State statutes and/or local ordinances governing Service Animals are equally important.***

2. Dogs that are individually trained to do work or perform tasks for people with disabilities are what?
  - a. Service Animals per the ADA
  - b. Highly skilled and intelligent animals
  - c. Pets
3. Is a "Service Animal" the same as an "Emotional Support Animal"?
  - a. Yes
  - b. No
  - c. Do not know
4. When can you remove a Service Animal from a business property?
  - a. It is being disruptive
  - b. It is a direct threat to customers
  - c. It is not housebroken
  - d. All the above
5. Per the ADA, Service Animals are:
  - a. Dogs that are individually trained to do work or perform tasks for people with disabilities
  - b. Pets
  - c. Miniature horses that are individually trained to do work or perform tasks for people with disabilities
  - d. Only A and C
  - e. None of the above

6. As a part of your Patrol Response, you DO NOT
  - a. Pet the animal
  - b. Feed the animal
  - c. Approach the animal with another animal (i.e., K-9)
  - d. Distract the animal
  - e. All the above
  
7. If you must separate the Service Animal from its handler and place it into an Animal Control shelter, you must
  - a. Make every attempt to pass the Service Animal to an authorized care giver, approved by the arrestee.
  - b. Document the transfer in your report.
  - c. If you or another officer is impounding a Service Animal into the shelter during closed business hours, make every attempt to inform Animal Control supervision of the animal's presence.
  - d. Make sure the animal has appropriate food and water.
  - e. All the above
  
8. The Service Animal Handler must
  - a. Talk nice to the Service Animal
  - b. Have the Service Animal under control
  - c. Have the Service Animal leashed, harnessed, or tethered
  - c. Only b and c
  - d. All the above
  
9. Service Animal tasks include
  - a. Navigation
  - b. Pull a wheelchair
  - c. Alert the Handler to take medication
  - d. Interrupt self-mutilation
  - e. All the above
  
10. When deciding upon making a *reasonable accommodation* for the Handler, you can
  - a. Google the appropriate "reasonable accommodation"
  - b. Ask the Handler what might be an effective accommodation/modification
  - c. Refuse to make one because the Handler is being difficult with you
  - d. Only make and/or allow one "reasonable accommodation"
  - e. None of the above