

SERVICE ANIMAL: LEARNER COMPANION*

SERVICE ANIMAL DEFINITION

Per the Americans With Disabilities Act (ADA), 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 disability¹. **State and/or local** laws may more broadly define service animal.

Not pets.

The work or task a dog has been trained to provide must be directly related to the person's disability. Any breed can be a service animal.

Miniature horses are included if they have been individually trained to do work or perform tasks for people with disabilities.

SOME TASKS of SERVICE ANIMALS

- Allergens alert
- Retrieve items (medicine/telephone)
- Navigation
- Assist person with low vision/blind
- Alert deaf or hard of hearing person to sounds/people
- Alert to take medicine
- Alert to seizure, diabetes, hallucinations
- Interrupt self-mutilation
- Used for PTSD
- Used to pull wheelchair
- **Trained** to perform a variety of tasks

DISABLED PERSON

Per the ADA, an individual qualifies as being disabled if any one of the following three criteria apply:

- A physical or mental impairment that substantially limits one or more of the major life activities of the person.
- Person has a record of such impairment
- Person is regarded as having an Impairment².

TITLE II: ADA

- Applies to state and local governments
- It **prohibits discrimination** against qualified individuals with disabilities in all programs, activities, and services of public entities.
- ADA affects law enforcement, fire, EMS, and public employees.

BRIDGER says,
"Keep this handy!"



HANDLER of SERVICE ANIMAL

- Must have service animal under control
- Must have service animal leashed, harnessed, or tethered
- Control: voice, signal, or sound device
- May use as many service animals as needed
- May not permit service animal to use chairs
- May not permit service animal to eat from table
- Always treat Handler with respect and dignity
- Permitted access to and participation in all areas/programs/activities of clients, customers, etc.

REASONABLE ACCOMMODATION

- Required by the ADA
- Make reasonable accommodations/modifications for the disabled individual (e.g., arrests, interviews, etc.)
- Disabled individual cannot "suffer greater injury or indignity than other arrestees."³
- Ask the person what might be an effective accommodation/modification
- Interactive and flexible process

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PATROL RESPONSE: ASK

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

PATROL RESPONSE: DIRECT THREAT

- Refusal of service may be required when the Service Animal is a direct threat to people or business
- Individual assessment using objective criteria required
- Exclusion from business if the Service Animal becomes vicious toward guests or customers
- The handler (customer) should be permitted to continue with services without the presence of the animal, without need to trespass the person
- Muzzles are not required
- Attempt appropriate de-escalation techniques
- Animals are not permitted in swimming pools

ANIMAL TERMINOLOGY

- Psychiatric Animal
- Companion Animal
- Cancer Sniffing Dog
- Guide Dog
- Therapy Animal
- Assistive Animal
- Hearing Dog
- Seizure Alert



PATROL RESPONSE: DO NOT ASK

- If the person's disability is readily apparent or obvious **DO NOT ASK** if the animal is required because of a disability.
- 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?

PATROL RESPONSE: OFFICER

- Do not get too close to the animal
- Do not stare at the animal
- Do not take pictures of the animal
- Do not approach with another animal (i.e., K-9)
- Do not pet the animal
- Do not distract the animal
- Do not feed the animal
- Pay attention to the handler or trainer (officer safety)
- Always treat the handler with respect and dignity
- Attempt appropriate de-escalation techniques
- Assume you are being video/audio recorded
- Document your contact in a written report
- Create time for the contact
- Use verbal de-escalation tactics for both the person reporting the incident and/or the animal handler
- Use the opportunity to educate the handler/complainant
- Use discretion: follow agency policy and training
- Think critically to develop a satisfactory response

SERVICE ANIMAL and OTHER INSTRUCTOR CERTIFICATIONS

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PATROL RESPONSE: SERVICE REFUSAL

- Service Animal is **disruptive** to the nature of the business
- EG: Barking continuously during a movie
- EG: Defecating in restaurant affecting patrons
- EG: Obviously sick; public health hazard
- EG: Wanders away from its handler
- **Disruptive** is the focus for service refusal

PATROL RESPONSE: ANIMAL CONTROL

- Contact Animal Control if separating the service animal from its handler (i.e., detention center)
- Every attempt must be made to pass the service animal to an authorized caregiver
- Document the transfer in your report with the person's name, address, etc.
- If taking the animal to a shelter after hours, make sure attempts are made to inform Animal Control supervision of the animal's presence
- Make sure there is proper documentation and notification to prevent a negligent euthanasia procedure.
- Make sure the animal has appropriate food/water

REFERENCES

¹ Americans with Disabilities Act of 1990, 42 USC § 12101, et seq.
² 24 U.S.C. §12012(1)

³ Gohier v. Enright, 186 F.3d 1216 (10 Cir. 1999); Gorman v. Barch, 925 F. Supp. 653 (W.D. Mo. 1996)

*Authorized for use only by IPICD-qualified Service Animal instructors.

This information is provided to assist first responders and does not establish or create a standard of care, nor enhance applicable legal standards of care.