CSD Directive 13-01 ADMITTING SERVICE ANIMALS INTO COURT FACILITIES

Number 13-01 (Revised)

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ADMITTING SERVICE ANIMALS INTO COURT FACILITIES

PURPOSE

The purpose of this Directive is to establish procedures for providing access to persons with disabilities utilizing service animals into court facilities.

REASON

In 1990, the Americans with Disabilities Act (ADA) passed, guaranteeing national access rights for service animals. Service animals are animals trained to perform tasks for people with disabilities. These tasks can include: guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing additional specialized tasks.

However, in March 2011, only dogs are now recognized as service animals under titles II and III of the ADA. It was also determined that dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

PROCEDURE

Under the ADA, people with disabilities must be allowed to bring their service animals into all areas of a facility where the public is normally allowed to go. Service animals are working animals and not pets. These animals should not be approached by Sheriff's personnel unless the dog's owner is unable to control the animal.

A service animal is a dog that has been trained to perform specific tasks to assist

people with disabilities in their daily needs. If you are uncertain if an animal is a

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service animal, you may ask the person who has the animal:If it is a service animal

required because of a disability?

• What work or tasks has the animal been trained to perform?

Please keep in mind when inquiring about a service animal you cannot:

• Ask about a person’s disability.

• Require proof of specific training or certification of that service animal.

There are no legal requirements for service animals to be specifically identified; some service animals wear special collars, harnesses, or vests, but is not a requirement. If, after making the appropriate inquiries and the animal’s status cannot be determined, contact your supervisor.

Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal’s work or the individual’s disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

A person with a disability cannot be asked to remove his/her service animal from the premises unless that animal’s behavior poses a direct threat to the health or safety of others. Under the ADA, a person with disability will be asked to remove his service animal from the premises if:

ï¸· If the animal barks or growls

ï¸· The animal is out of control and the animal’s handler does not take

effective action to control the dog

ï¸· The animal is not housebroken

When the request to remove the service animal is made, Sheriff's personnel must offer to provide a re-entry and access to services to the person with a disability without the service animal present. This offer of reasonable accommodation should also be extended in cases when non-admittance of comfort and emotional support animals occurs.

If the animal is not a service animal then access will not be allowed.

Personal contact with persons in control of service animals should be documented on a Security Activity Report.

In addition, should a person with a disability want to file an ADA complaint Sheriff's personnel shall provide them with the "Americans with Disabilities Act (ADA) Complaint Procedure" (SH-AD-680). The Department's ADA coordinator can be reached at (323) 526-5671.

What is a Service Dog?

The Americans with Disabilities Act (ADA) defines Service Dogs as dogs that are individually trained to do work or perform tasks for people with disabilities. (Some state and local laws define service dogs more broadly than the ADA.) There are different types

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of service dogs: guide dogs for the blind, hearing dogs, mobility dogs, medical assistance dogs, and psychiatric service dogs.

Service dogs undergo extensive training to perform their jobs. Service dogs are not pets.

Do not pet, talk to, or distract a working service dog.

The only types of animals recognized by ADA as trained to do work/perform tasks for

people with disabilities are dogs.

Under the ADA, service dogs are allowed access to any place that is open to the public; however, can be asked to leave if not under control. A service dog must accompany a disabled person in order to be granted access, the ADA protects the rights of the disabled handler, not the dog. (Remember, not all disabilities are apparent.)

Service dogs can be any breed or size. While larger dogs such as Labradors are commonly used as guide and mobility dogs, smaller dogs can also be service dogs.

A service dog is expected to behave in accordance with strict standards and its handler is expected to adhere to service dog handler etiquette.

Security personnel shall consult a supervisor before prohibiting or denying anyone access to the courthouse. The only exception would be if a judge has granted an accommodation request in advance that allows the person to bring the service animal into court.

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