

OFFICE OF OPERATIONS

NOTICE 1.11

December 21, 2017

TO: All Sworn Personnel

FROM: Director, Office of Operations

SUBJECT: OFFICER'S RESPONSIBILITIES WHEN ENCOUNTERING INDIVIDUALS WITH SERVICE ANIMALS – REMINDER

The purpose of this Notice is to remind officers regarding protections afforded to individuals with service animals, as defined by the Americans with Disabilities Act (ADA) or those animals registered with the State of California as assistance animals and which display a registration tag. Under the ADA, individuals with a disability can bring their service animals into all areas of public facilities and private businesses where members of the public, clients, customers, patrons, or invitees are allowed. A service animal can be excluded from a facility if it exhibits poor behavior or its presence interferes with legitimate safety requirements from the facility, e.g., from a surgery or burn unit in a hospital in which a sterile field is required.

Note: Emotional support or comfort animals are not included under the ADA. However, under California state law, some of these animals may be registered as assistance animals. Once registered, individuals can bring assistance animals into the same public areas as the ADA allows. Assistance animals registered under California law should have an identification tag identifying the animal as such.

Inside Public Facilities

Public facilities that serve the community, including Department facilities, are required by the ADA to allow persons with disabilities to bring service animals into all areas of the facility where members of the public are normally allowed to go, except as noted below. Service animals are dogs that are individually trained to perform work or tasks for people with disabilities. Other species of animals, whether trained or untrained, are not service animals under the ADA (except for miniature horses in limited circumstances). The work or tasks performed by a service animal must be directly related to the person's disability.

When encountering an individual wishing to bring a dog into a Department facility, officers may only ask:

- If the dog is a service animal required because of a disability; and,
- What work or task has the dog been trained to perform.

Note: Officers shall not ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task. Additionally, it remains the goal of the Department to provide consistently superior service. To that end, if an animal provides emotional support for an individual, but does not otherwise qualify as a service dog, officers may accommodate that animal owner if the presence of the animal does not interfere with police business.

If a dispute remains as to whether the service animal is allowed inside the premise, officers shall request a supervisor.

Radio Calls

Officers responding to a radio call involving a service animal shall ensure that they are familiar with applicable rights afforded to individuals with service animals. Additionally, officers are reminded that their primary role is to facilitate a peaceful resolution for any dispute involving the animal. In doing so, if the presence of a service dog is in question at the scene of any call, officers shall abide by the following guidelines:

- Inquire if the dog is a service animal required because of a disability; and,
- What work or task has the dog been trained to perform.


Note: Officers shall not ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

- If the individual states that the dog is a service animal and provides a specific work or task that the animal performs, the officer shall inform all parties regarding the applicable law. Officers are reminded of their role to facilitate calm discussion and provide education on accessibility laws, when necessary.
- If a dispute remains as to whether the service animal is allowed inside the premise, officers shall request a supervisor.

Although service dogs are permitted inside public facilities, officers can ask the owner to remove their service animal due to demonstrated poor behavior, e.g., dog defecating inside facility, uncontrollably barking, or posing a threat to others. If the presence of any animal interferes with police business, and time allows, officers shall request a supervisor.

More referenced information regarding ADA regulations may be reviewed in the prior Office of the Chief of Police Notice, *Guidelines for Compliance with the Americans with Disabilities Act Regarding Accessing Department Facilities*, dated December 1, 2011.

For any questions about this Notice, please contact the Evaluation and Administration Section, Office of Operations, at (213) 486- 6050.


MICHEL R. MOORE, First Assistant Chief
Director, Office of Operations

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