

## Service Dog/Therapy Dog Outline

Why they need service animal awareness training including misunderstanding of umbrella coverage and lawsuits

What a service animal is and how to determine

Laws and regulations including health inspection

Protocol for approach

Protocol for notice

Protocol for eviction

Training material, incident forms and protocol posters

### Type of Service Dogs:

- **Mobility** – Pick up items, pull wheelchair, open & close doors, assist in balance.
- **Hearing** – Alerts handler to specific sounds and take handler to them.
- **PTSD** – Assist in keeping a person grounded and trained to alert when mental state changes.
- **Seizure Prediction** – Pets that naturally detect handler's seizures and alert them before they occur. (very rare)
- **Seizure Response** – Dogs that respond to a seizure while it occurs by holding the handler down, getting help or barking to attract attention.
- **Medical Alert** – Invisible conditions and to alert the handler.
- **Diabetic Alert** – Detect high or low blood sugar levels and alert handler.
- **Emotional Support Animal (ESA)** – Dogs with basic obedience for therapeutic use in housing.
- **Therapy Dogs** – Dogs for hospital use, refer to [Therapy Dogs International](#).
- **OWNER-TRAINER Assistance** – Several disabled train their own service dogs and later need assistance.

### Fakers:

- Pets and Purse dogs pretending to be Service Dogs. It's nice that people love their pets, and that they want to take them everywhere, but... they are not trained, hygiene issues and pose a danger to real service dogs.
- The ADA law was written vague enough for owner/trainers to self-certify but they are still held to the same standards as professionally schooled and trained dogs.
  - A federal judge is the only authority on whether a dog is or is not a valid service dog.
- Why is it so bad if pets pretend to be service dogs?
  - The rights of the disabled are being infringed. Just as pretending to be a Law Enforcement Officer infringes the rights of the police. Both are viewed the same way.
  - It's a Felony in many states to do either. There are laws in place to punish such people with fines, prison terms, and/or loss of future benefits (such as Medicare, Social Security Benefits, Food Stamps, etc.). Do you really want to risk your Social Security later, so you can bring a pet with you in public?

- Purse Pets are very popular. And there are legal service dogs that can ride in a purse, an example is seizure alert dogs. The proper term would be Service Dog for an invisible medical condition, i.e. PTSD. However, there are many pets trying to get a free ride.
  - Most businesses ignore the animal unless it escapes. Legally they are discriminating against dog size. Small pets okay, big pets banned. When it should be Service Dogs okay, all pets banned (big and small). It's hard to tell a little old lady, that her beloved pet dog cannot go in the restaurant. But if you let them in, not only is the Health Department involved, another customer can sue saying you let small pets in.

## Valid Service Dogs

- **I have xyz, and need a Service Dog.** If you have a valid and legal disability and your animal is trained to assist you, then you have a legal service dog. Upon legal demand, by a federal judge, you must prove both training and disability. It is illegal for the police and/or business owners to demand proof when in public. This is for those that don't have a disability or take an untrained dog in public.
- **Service Dog in Training**, the ADA does not cover service dogs that have not completed their training.
  - However, **many states extend the ADA laws, through state law, to dogs in training.** This allows trainers to bring dogs in training in to the public and for Owner-Trainers to train their dogs on their own.
    - ✦ (Owner-Trainers are disabled individuals with the skills to train their own service dog for their needs.)
- **Florida allows dogs in training, which means they are usually treated the same as any other valid Service Dog.**

Short list of known states that allow Service Dogs in Training in businesses (same access as ADA Title III)

Florida (FS 413.08) allows trainers the same rights as the disabled when training, reported but not confirmed: CA, TX, GA (limited to recognized trainers)

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## Service Dogs in Public Establishments

- **A customer said they have a Service Dog so I let them in. Now the Health Inspector is here.** As soon as a Health Inspector arrives, inform them that you have a service dog in your establishment. The inspector has the authority, in many states, to question the Service Dog team to verify it's not a pet. If the inspector determines it is a pet, they may ask them to leave or have the police called.
  - A person tried to bring their pet dog in to the mall, claiming that it was service dog because he was unemployed, the security guard, confirmed that he was not disabled, called police and the handler was arrested on felony counts, with up to 60 days in jail. The dog was taken to a local shelter.
  - This really is a serious issue. Had the security guard allowed the pet inside, and had the pet harmed someone, not only would the handler be liable, but the

security guard that questioned him and let him go, and the mall for not enforcing their no-pets policy.

- That is why professional service dogs have thousands of hours of training, that training continues daily for the handler, constantly reinforcing everything the dog has learned.
- **Hygiene Issues** – Pets are banned from restaurants for a reason, not every pet owner keeps their pets clean. ○ Fleas, disease and other parasites can thrive on an unclean dog, when in public they can spread to people, food and other animals. Getting fleas in your Taco is not what you ordered. ○ Service dogs are required to be clean in public at all times, dirty service dogs may be refused, and upheld in the courts. ○ Most service dogs are bathed at least once or twice every two weeks to keep them 100% clean for public access.
- **Training** – Pets usually are not trained. They can be wild in public and become a danger to others and become a liability to the owner if they harm people or damage property.
  - Should a valid ‘Service Dog’ ever make that kind of disruption they would be sent right back to school or retired.
- **Ejecting a Service Dog** – A Service Dog is well behaved, the ADA also has certain standards that service dogs must adhere to, and specifies conditions where the dog may be ejected from places of business and the public venue. ○ Some reasons a legitimate service dog may be ejected include, but are not limited to, excessive barking, urinating/defecating, growling/snapping, lunging on lead, being disruptive to other customers by sniffing/licking/mounting, and many other reasons.
  - **Businesses have the right and responsibility to EJECT all uncontrolled animals, including service dogs.** Per the ADA. Service Dog handlers must be given the opportunity to correct the dog’s behavior, should it remain uncontrolled you may eject.
    - ✦ The handler must be allowed to return, without the dog, to continue their business.
- **My pet is very well trained and would never be wild in public.** Fine, you can take him to any public area that allows pets. However, if a business bans pets, you still are not allowed to bring them in.
  - It’s not the dog that is protected by the ADA, it’s the disabled handler.
- **Confronting a Faker** (For Businesses!)  
Under the ADA the business manager and gate-keeper may ask two ADA questions to confirm the validity of the dog.
  - Guests and the public may observe the animal and if they feel it’s out-of-control should contact the manager. The public should not confront the disabled as it’s considered rude.
  - If a manager spots a faker (i.e. dog is out of control, bothering other guests, barking or causing a disturbance), and they want to confront them, one of the easiest ways is to just ask about their disability (but not directly).
    - ✦ Remember the handler **MUST BE DISABLED** or be a trainer in certain states.
- **Questions to ask:**
  - Is your dog a pet?
    - ✦ Is your dog a pet or a service dog?
  - What type of service does your dog provide?

- **Questions to ask are broken down:**
  - **Awww...How cute, what does he do to help with your disability?** If they say “oh, I’m not disabled.”. That person just admitted to misrepresentation in the State of Florida.
  - **Fluffy makes me feel better in public.** ADA specifically states: *animals that provide only emotional support and/or companionship are not designated as “service animals” and the laws that protect legitimate service animal handlers do not apply to handlers of companion or emotional support animals.* You must to be legally disabled, and the dog must serve some task for you.
  - **What is the harm of it. It doesn’t hurt anyone.** If you believe that, then your missing the big picture. Pets and their owners, nationwide, are **committing a civil crime by pretending to be a “Service Dog”**. It’s a **civil crime** of the **federal ADA** and a **Misdemeanor of many State Laws!** Their misbehavior reflects badly on the true service dog users. If a restaurant has trouble with dozens of fake service dogs, relieving themselves inside. The owner may consider barring service dogs. You would be placing the owner in a position of committing a civil crime to protect his interests.
  - Again, the best example is the police. If thousands of people across the country were pretending to be police, you would be wary of every police officer, not sure if they are real or not. That is what **fakers** and purse pets are creating in the Service Dog community.
- **What happens when a fake service dog attacks a valid one?** Disaster! Service Dogs are protected by the ADA and State Law from being harmed, interfered with or killed.
  - Based on a real incident.

Let’s say **Joe** the pet owner is out with fake service dog **Fluffy**. Fluffy attacks **Bubba, a valid Hearing Service Dog** and his owner Larry. Service Dogs are trained to tolerate and not be protective, a child can yank their tail and it should not harm the child, with-in reason. After a few seconds, Fluffy drew blood and is seriously harming Bubba, Bubba’s training only lasts so long his dog instincts kick in, and there is a full fledged dog fight, which is eventually broken up.

**At the end, we have a disaster...** ○ Fluffy, the aggressor, will be put down. If it was a real service dog, they may just retire it.
  - Bubba now has a protective instinct after the fight and will be retired since it broke training and began fighting. He will no longer help anyone and will be cautious of other dogs. ○ Larry now must get another Service Dog which can take a couple years and costs a bit. ○ Joe the pet owner will be charged on many counts and may get jail time. He will have to pay to replace Bubba (over \$20k), reimburse Larry for the time he is without a service dog, live without his pet dog and have felonies on his rap sheet.
- As you can see, it’s 10 times worse than when a neighbor’s dog attacks your pet. This is **WHY** it’s important not to interfere with a service dog, a service dog is never allowed to break training, it’s a career ender.