



San Diego County Sheriff's Department Training Bulletin

Kelly A. Martinez, Sheriff

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Service Animals for the Visiting Public

The Americans with Disabilities Act (ADA) requires all state and local government agencies that serve the public to provide reasonable accommodations for people with disabilities. Visitors at any of the publicly accessible Sheriff's Department facilities can request accommodations for their disability. Absent exigent circumstances, staff shall provide reasonable accommodations that do not interfere with the safety and security of the facility, station, courthouse, or jail operations.

Service animals, as defined by ADA Title II Regulation § 35.136, are generally permitted to accompany people with disabilities in areas where the public is permitted.

What are service animals?

Service animals are defined by the ADA as any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of a person with a disability.

The work or task performed by a service animal must be directly related to the person's disability. Examples of such work or task include:

- Guiding people who are blind
- Pulling a wheelchair
- Alerting a person to the presence of allergens
- Alerting people who are deaf or hard-of-hearing to the presence of people or sounds
- Providing medication reminders
- Alerting and/or protecting a person who is having a seizure
- Helping persons with psychiatric and neurological disabilities by preventing impulsive or destructive behaviors

An animal whose sole function is to provide companionship, therapy, comfort, or emotional support does not qualify as a service animal under the ADA. Service animals are working animals, not pets. Other species of animals, whether wild or domestic, trained or untrained, do not qualify as service animals under the ADA.

What can you ask?

To determine whether an animal is a service animal you may ask the following two questions.

You may ask –

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- Is the animal required because of a disability?
- What work or task has the animal been trained to perform?

Generally, you should not make the above inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability. For example, the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability.

You are *not* allowed to –

- Request any documentation that the animal is registered, licensed, or certified as a service animal.
- Require that the animal demonstrate its task.
- Inquire about the nature of the person's disability.

Service animals are not required to wear vests. Additionally, an animal that is wearing a vest is not necessarily a service animal. The animal still needs to be trained to perform a task for a person with a disability to be considered a service animal under the ADA.

When can you exclude a service animal?

A public entity may ask a person with a disability to remove their service animal from the premises if –

- (1) the service animal is out of control and the handler does not take effective action to control it; or
- (2) the service animal is not housebroken.

Note on control: A service animal must have a harness, leash, or other tether, unless the handler is unable because of a disability, to use this type of device, or the use of this type of device would interfere with the service animal's work or tasks. In that case, the service animal must be otherwise under the person's control through voice control, signals, or other effective controls.

Note on housebroken: Staff must use best judgment when determining if an animal is not housebroken; accidents happen.

When there is a legitimate reason to ask that a service animal be removed, staff must offer the person the same opportunity to participate in the service, program, or activity without the service animal on the premises. Additionally, staff should document the interaction in a deputy's report, including the reason for denial or removal of the service animal.

Resources

For more information about the ADA regarding service animals, visit [Service Animals | ADA.gov](#).

San Diego County Sheriff's Department related Policy & Procedures (P&P):

Detention Services Bureau (DSB) P&P – [P.9 Social Visiting](#)

Court Services Bureau (CSB) P&P – [F.30 Service Animals in Court Facilities](#)

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