

HONOLULU POLICE DEPARTMENT

POLICY LAW ENFORCEMENT OPERATIONS

October 19, 2018

Policy Number 4.68

SERVICE ANIMALS

POLICY

The Honolulu Police Department (HPD) is committed to maintaining a nondiscriminatory environment that treats those with disabilities and their service animals, along with all members of the public, with respect and fairness. To this end, the department's conduct toward individuals with service animals are in line with guidelines established by the Americans with Disabilities Act (ADA).

PROCEDURE

I. DEFINITIONS

- A. Disability: A physical or mental impairment that substantially limits an individual's ability to perform one or more of the major life activities.
- B. Handler: A person with a disability having custody of a service animal.
- C. Service animal: Any dog individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals.

- D. Work or task: A specific job or action a service animal is trained to perform to assist the person with a disability. The work or task performed by the service animal must be directly related to the person's disability. For example, assisting individuals who are blind or have low vision with navigation or other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, and pulling a wheelchair.

II. IDENTIFICATION OF SERVICE ANIMALS

- A. Persons with disabilities are not required to possess or provide any type of identification, license, or certification for their accompanying service animals. While some may choose to outfit their service animals with an identifying item, the animal is not required to wear any special harness, vest, or other item of identification. Therefore, personnel shall not request or require the production of such an item.
- B. When it is not obvious what service the dog provides, personnel may ask only two questions:
1. "Is the dog required because of a disability?" keeping in mind that the disability itself need not be disclosed to the officer; and
 2. "What work or task has the dog been trained to do?"

Serving as a crime deterrent by its presence or providing emotional support, a sense of well-being, comfort, or companionship does not constitute work or tasks that qualify a dog as a service animal.

III. ACCESS AND CONTROL OF SERVICE ANIMALS

- A. Individuals with disabilities shall be permitted to be accompanied by their service animals in all public areas of police facilities where members of the public are normally allowed to go.

- B. Service animals are required to be under the control of their handlers by a harness, leash, or other tether unless a tether would interfere with the service animal's safe, effective performance of its work or task. In such situations, the service animal must be under the handler's control by the use of signals, voice commands, or other effective means.
- C. A service animal may be removed from the premises if:
 - 1. It is not housebroken;
 - 2. Its handler cannot control the dog's behavior; or
 - 3. If it poses a direct threat to the safety of personnel or members of the public.

When it is necessary to remove a service animal, the individual with a disability shall be afforded the opportunity to remain without the service animal.

IV. ENFORCEMENT AND ARRESTS

- A. Service animals are not pets and may react in a negative or protective mode when touched or when the control of the handler is interrupted. Personnel should not attempt to touch a service animal as the gesture may interfere with the animal's work and/or the handler's control.
- B. Personnel shall not interfere with the work or task being performed unless it compromises the legitimate safety requirements for the safe operation of a law enforcement activity.
- C. If the service animal must be separated from its handler, personnel shall describe to the individual what action is needed and allow the individual to direct the animal to stop working or rest, as appropriate. An attempt to forcibly separate a service animal from its handler should be avoided and done only in extreme situations, such as an emergency or if there is imminent danger.

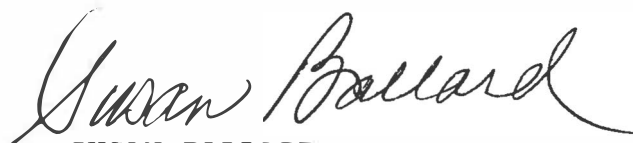
- D. If a person with a service animal is being arrested, the individual should be permitted to make arrangements for the care of the animal prior to transport. If the arrestee is unable to arrange for the animal's care, the supervisor in charge of the situation should make arrangements for the transport and care of the animal.

V. COMPLAINTS

Complaints of discrimination may be reported to the HPD employee's immediate supervisor, department's Professional Standards Office, or city's ADA program manager.

VI. TRAINING

- A. The commander of the Training Division shall ensure that the contents of this directive is incorporated into the basic recruit training curriculum.
- B. Departmental employees to include contract hires, volunteers, and interns shall receive training on this policy no later than 30 days from the first day of hire.
- C. Element commanders shall ensure that all in-service and roll call training is consistent with this policy.



SUSAN BALLARD
Chief of Police

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