



Kalamazoo County Sheriff's Office 	Written Directive		No.	1.0.25
	Subject	KCSO SERVICE ANIMAL POLICY		
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I. PURPOSE

The Kalamazoo County Sheriff’s Office is committed to providing reasonable accommodations to persons with disabilities and fulfilling its responsibilities under federal and state law. This policy governs the use of service animals in County buildings and specifically the Kalamazoo County Sheriff’s Office (the “Sheriff’s Office”) by persons with disabilities. These guidelines adhere to the Americans with Disabilities Act of 1990, as amended (the “ADA”), and ensure that people with disabilities who require the use of service animals receive the benefit of the work or tasks performed by such animal(s).

II. POLICY

Service animals may accompany visitors of incarcerated individuals where the visitor is permitted access inside the Sheriff’s Office. If a service animal affects the security of the Sheriff’s Office or is disruptive as more fully detailed below, the service animal will be removed from the facility, but the visitor may remain.

Service Animals are not allowed inside the secured area of the KCSO jail facility. KCSO jail staff shall make any reasonable accommodations for an arrestee with a disability while incarcerated and within ADA compliance.

Every effort will be made to work with the arrestee on placement of a service animal prior to it going into the custody of animal control. The service animal shall be placed into the custody of the Kalamazoo County Animal Control Authority when alternative placement is not found.

III. DEFINITIONS AND TERMS

- A. **Jail** - a place of confinement for persons held in lawful custody. A place under the jurisdiction of a local government (as a county) for the confinement of persons awaiting trial or those convicted of minor crimes compare house of correction, house of detention, lockup, penitentiary, prison.
- B. **Disability** - a physical or mental impairment that substantially limits one or more major life activities, a record of such impairment regarded as having such a disability.
- C. **Impairment** - A physical impairment is a physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the body systems. A mental impairment is any mental or psychological disorder.
- D. **Major life activity** - An activity that an average person can perform with little to no difficulty.
- E. **Service Animal** – The term “service animal” is defined as a dog that is individually trained to do work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The task(s) performed by the service animal must be directly related to the individual’s disability.

This definition excludes all comfort, support, therapy, and companion animals, as they have not been trained to perform specific tasks directly related to the person’s disability. Other species of animals, whether wild or domestic, trained or untrained, are not considered service animals under the Americans with Disabilities Act of 1990, as amended (the “ADA”).

- F. **Miniature Horse** – The County shall make reasonable modifications to its policies, practices, and procedures, if necessary, to permit the use of a miniature horse by an individual with a disability so long as the miniature horse has been trained to do work or perform tasks for the benefit of the individual with the disability. If such reasonable modifications are made, requirements which apply to service animals shall also be applied to miniature horses.

In determining whether such modifications can be made, the County shall consider the following:

1. The type, size, and weight of the miniature horse and whether the facility can accommodate these features.
2. Whether the handler has sufficient control of the miniature horse.
3. Whether the miniature horse is house broken; and

4. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

G. **Service Animal-in-Training** – Under the ADA, a service animal-in-training is not considered a service animal.

IV. DETERMINING ANIMAL STATUS

Sheriff's Office employees should not question an individual about an accompanying service animal if the individual's disability is readily apparent and the function of the accompanying animal is clear. However, when it is not obvious what service an animal provides, a Sheriff's Office employee may only ask the following two questions:

1. **Is the service animal required because of a disability?**
2. **What work or task has the service animal been trained to perform?**

V. REQUIREMENTS

- A. **General** – Service animals brought into a County building are required to be in compliance with all state and federal licensure, vaccination, and tagging requirements.
- B. **Handling** – The individual requiring the assistance of the service animal is responsible for providing the service animal with full control, care, and supervision. The individual is also responsible for ensuring the cleanup of all animal waste and for any damage caused by their service animal to a County building or property.
- C. **Identification** – The ADA does not require service animals to wear a vest, ID tag, or special harness identifying them as a service animal. The Sheriff's Office **may not require documentation**, such as proof that the animal has been certified, trained, or licensed as a service animal, as a condition for entry into a County building. Mandatory registration of service animals is not permissible under the ADA.
- D. **Restraints** – A service animal shall have a harness, leash, or other tether, unless the handler is unable because of a disability to use a harness, leash, or other tether or the use of a harness, leash, or other tether would interfere with the service animal's safe and effective performance of work or tasks for which it is trained, in which case the service animal shall be otherwise under the handler's control.

VI. REMOVAL OF A SERVICE ANIMAL FROM A COUNTY FACILITY

- A. The Sheriff's Office may require the removal of a service animal that is within a County facility, or prohibit a service animal from designated areas within a County facility, if the Sheriff's Office determines, in its sole and exclusive discretion, that the service animal:
1. Has damaged real or personal property within the County facility.
 2. Is a threat to the health and safety of others.
 3. Is disruptive (e.g., barking repeatedly, wandering, displaying aggressive behavior) and its behavior is outside the duties of the service animal, and the handler fails to take effective action to control the service animal.
 4. Is ill, unhygienic, and/or unsanitary.
 5. Is not house broken; or
 6. May fundamentally alter the nature of a County good, service, or program.
- B. **Allergies or fear of dogs are not valid reasons to deny access or refuse service to individuals using a service animal.** An individual whose service animal does not behave appropriately will be expected to cooperate if asked by Sheriff's Office employees to remove the animal from that immediate environment.
- C. If the service animal is prohibited or removed from a County facility, the individual with a disability will be given the opportunity to participate in the service, program, or activity without having the service animal on the premises in compliance with the ADA.
- D. When situations arise in which the service animal's presence would fundamentally alter the nature of a particular good, service, or program at a County facility, **the individual with the service animal and the Sheriff's Office must work together to determine how best to maintain the environment while still appropriately accommodating the individual.** The Sheriff's Office reserves the right to take further action as otherwise permitted or required by state or federal law.

VII. INTERACTING WITH SERVICE ANIMALS

- A. Service animals work and perform tasks and are not pets. Accordingly, Sheriff's Office employees must adhere to the following best practices when interacting with service animals:

1. Do not touch, pet, or feed a service animal unless invited to do so by the handler.
 2. Do not deliberately distract or startle a service animal; and
 3. Do not separate or attempt to separate a service animal from the individual using the animal's services. Unless you are lawfully separating the animal.
- B. A service animal may become stressed during emergency situations involving smoke, fire, sirens, or injury, and exhibit protective behavior. Be aware that service animals may try to communicate the need for help. In emergency situations, Sheriff's Office employees should make every effort to avoid the separation of the individual from their service animal.

VIII. DISPUTE/MISREPRESENTATION OF SERVICE ANIMAL

- A. Disputes or disagreements regarding a disability determination, appropriateness of an accommodation, service quality, or an animal restriction involving a County of Kalamazoo employee should be directed to the Kalamazoo County ADA Coordinator.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**ADA Coordinator
Kalamazoo County Administrator
201 West Kalamazoo Avenue
Kalamazoo MI 49007**

The complaint can be presented in person, sent via U.S. mail or submitted on line using the form available on the County website at <http://www.kalcounty.com/ada.htm> or by calling 269.384.8111. Further information on the complaint/grievance process can be found at the site listed above.

The Kalamazoo County Sheriff's Office will assist the Kalamazoo County ADA Coordinator with any requested information from the Sheriff's Office in reference to any ADA complaint involving KCSO staff. KCSO will make every plausible effort to work with citizens with disabilities to meet their needs in the community.

- B. An individual shall not falsely represent that he or she is in possession of a service animal, or a service animal-in-training, in any public place. The false representation that a person is in possession of a service animal is a criminal misdemeanor. See MCL 752.62 and MCL 752.63. Violations alleged to have involved a juvenile perpetrator should be directed to the

Kalamazoo County Prosecutor's Office—Family Division Chief by telephone at 269-385-6023. Violations alleged to have involved an adult should be directed to Kalamazoo County's Chief Assistant Prosecuting Attorney by telephone at 269-383-8900. Reported incidences will be submitted to the Michigan Department of Civil Rights for further review and investigation.

End of Written Directive
RCF