

PUBLIC COMMENTS

HB 1071

HOUSE COMMITTEE ON JUDICIARY & CIVIL JURISPRUDENCE

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Hearing Date: March 17, 2021 8:00 AM

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Courtney Craig

Canine Companions

Dallas, TX

I'm the public relations & marketing coordinator at Canine Companions® in Irving, Texas. Founded in 1975, our organization created the concept of service dogs for people with physical disabilities. Canine Companions trained and placed the first official facility dog used in courtroom settings in 2003.

I request amendments to HB 1071. As written, Canine Companions cannot support HB 1071 due to concerns about permitting therapy dogs into the court setting.

-Criminal justice facility dogs undergo two years of socialization and training and are selected for this work because of their ability to handle stressful or lengthy sessions in the courtroom while remaining virtually invisible during proceedings. Therapy dogs are not trained for the courtroom environment. The stress may impact the wellbeing of a dog and its behavior.

-Facility dogs from accredited programs that work in criminal justice are intentionally partnered with legal professionals (prosecutors, district attorneys, CASA staff) who understand the legal process, gravity of their role, sensitivity and confidentiality. Facility dog handlers are formally trained to utilize the dog safely and effectively in the courtroom. Therapy dog handlers are not necessarily employed or vetted by the courthouse and could pose a threat if they unintentionally had a breach of confidentiality, witness intimidation or victimization. Volunteer therapy dog handlers may also experience trauma from the testimony they hear.

-The American Bar Association recently released guidelines supporting the use of trained facility dogs in courtrooms.

-“Recognizing the therapeutic effect of canines, several agencies throughout the United States engage professionally trained facility dogs to accompany vulnerable victims/witnesses during various stages of the criminal justice process including their testimony in the courtroom.” (ABA 101A pg.3) - <https://www.americanbar.org/content/dam/aba/directories/policy/midyear-2021/101a-midyear-2021.pdf>

-Due to the rigorous process and requirements to set up facility dog programs in criminal justice settings, any negative outcomes from a therapy dog (poor behavior or aggression) would jeopardize a facility dog program because the two often get incorrectly lumped together.

-Therapy dog teams, even those placed by therapy dog-only programs, supply liability insurance insufficient in coverage for the county courts, while accredited facility dogs have liability insurance through the organization that trained the facility dog at a much higher upper limit (hundreds of thousands of dollars). Court systems have often been unwilling to set up therapy dog collaborations because the teams are not insured highly enough.

This leads to our conclusive position that we cannot support therapy dogs in the courtroom setting or during court proceedings.

Thank you for your work on this important bill. We request amendments to HB 1071 that would permit only trained facility dogs in court proceedings.

Michelle Davison

Canine Companions for Independence

Irving, TX

Printed on: March 23, 2021 11:23 AM

I'm the Executive Director at Canine Companions® in Irving, Texas. Founded in 1975, our organization created the concept of service dogs for people with physical disabilities. Canine Companions trained and placed the first official facility dog used in courtroom settings in 2003.

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