

Dogs in the Courthouse: Challenges and Benefits in the Use of Facility Dogs

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ABSTRACT

The accumulation and continuation of research suggesting both psychological and physiological benefits of human-animal interactions has widened the possibilities for uses of therapy dogs. Courtroom and legal settings are no exception as an increasing number of therapy dogs -- termed "facility dogs" -- are employed in legal settings. With the increasing number of facility dogs and vast array of possible benefits, relatively novel ethical issues have unavoidably followed.



WHAT ARE THE NUMBERS? WHERE ARE THE DOGS?

- ❖ *The use of facility dogs is increasing* in the United States. As of February 15, 2017 there are **136** facility dogs in **35** states (Courthouse Dogs Foundation).
- ❖ Facility dogs work at prosecutor's offices, children's advocacy centers, law enforcement agencies, family justice centers, and sexual assault resource centers.

FACILITY DOG LAWS

Arkansas (Courthouse Dogs Child Witness Support Act 957), Arizona (Title 8, Section 8-422), Florida (Statute 92.55), Hawaii (Act 178(16)) Illinois (Code of Criminal Procedure Section 106B-10), and Oklahoma (Title 12, Section 2611.2F).

WHY USE FACILITY DOGS? THE BENEFITS



Malvern, Santa Barbara County's Facility Dog and his handler, Donna Crawford

- ❖ *Legal proceedings are particularly stressful and anxiety inducing.*
- ❖ Psychological and physiological benefits of human-animal interaction include *reduced levels of anxiety, depression, and loneliness* (Kruger & Trachtenberg, 2004; Wells, 2009), *lowered blood pressure and decreased heart rate* (e.g. Jenkins, 1986; Katcher, Friedmann, Beck, & Lynch, 1983; Shiloh, Sorek, & Terkel, 2003; Vormbrock & Grossberg, 1988; Wells, 2009).
- ❖ *The main goals of facility dogs are to reduce anxiety, to create a less threatening environment, and to provide solace.*

THE CHALLENGES

- ❖ Facility dogs should not be considered universally beneficial to all individuals participating in legal proceedings.
- ❖ Progress and attention have been appropriately focused on applying standards for the *training and certification* of facility dogs. Private agencies have taken on the objective of training and certifying assistance dogs that are to become facility dogs.
- ❖ Some individuals may be fearful and cultural differences must be respected. To alleviate possible fear and uncertainty, the facility dog must be well trained, and *clearly indicated as a facility dog used for therapeutic purposes.*



From left: Donna Crawford, Malvern, & District Attorney Joyce Dudley of Santa Barbara County

- ❖ A key gap in the proliferation of facility dogs is the disparity in ethical guidelines pertaining to using therapy animals in legal and other settings. It is the conspicuous absence of facility and therapy dogs from legal and psychological professional codes that calls for attention to the issue.

RECOMENDATIONS

- ❖ Speak to individuals in your agency or department regarding the dog's role, gather input from employees. Share stories about other courthouse dogs, what they do, how they help, and where they are working now.
- ❖ Based on this input, decide on the scope and setting(s) for the dog's work.
- ❖ Develop a budget to include the dog in the program.
- ❖ Prepare for obstacles including persons who are fearful or allergic to dogs.
- ❖ Decide who will be the dog's handler. The handler will be the dog's owner and will be the primary responsible party for the dog's care.
- ❖ Anticipate the amount of care that the dog will need.
- ❖ Best practices are that facility dogs are trained by an organization accredited by Assistance Dogs International (ADI) (CourthouseDogs.org).

CONCLUSIONS

- ❖ *Future legislation* will likely follow existing measures that provide minimum training and certification requirements for these dogs. However, if the variety of benefits and uses of facility dogs are to continue, *additional focus on the ethical implications of using facility dogs with all individuals must be addressed.*
- ❖ Although the most common use of facility dogs is with testifying minors and developmentally disabled adults, all individuals, including adults with psychological diagnoses, may equally benefit from the presence and comfort of a trained facility dog.