

Motion Opposing Service-Dog Fraud

RESOLVED: That the Westside Regional Alliance of Councils (WRAC) supports a bill to amend and enforce the American with Disabilities Act (ADA) provision by implementing a certification process provided by an assistance dog organization accredited that sets standards of training for dogs, and that has passed a public access test for service animals, creating a national service-animal database and prosecuting criminals who defraud the system and Entities who do not exercise due diligence in upholding the law. The amended provision will close the loophole in the existing provision and prohibit unscrupulous individuals from masquerading their pets as service animals, exploiting the disabled as well as gaining an unfair advantage against law-abiding citizens, and be it further

RESOLVED: That the WRAC writes to Assemblymember Richard Bloom at assemblymember.Bloom@assembly.ca.gov and Senator Ben Allen at senator.Allen@senate.ca.gov stipulating the ban on service-dog fraud.

Addendum

1. Implement a certification process for service animals, so individuals cannot self-diagnose an illness, self-train a pet and masquerade his/her pet as a service animal. Establish criteria by an accredited organization affiliated with the ADA that sets standards of training for dogs and passes a public access test for service animals which is similar in nature to Assemblymember Richard Bloom's bill AB-411 Witness testimony: therapy and facility dogs.(2017-2018) “provided by an assistance dog organization accredited by Assistance Dogs International or a similar nonprofit organization that sets standards of training for dogs, and that has passed a public access test for service animals.”

2. Create a national service-dog registry and provide service-animal owners an ADA tag with a picture of the dog, owner, an id number and a barcode the owner can scan upon entering food facilities.
3. Enact meaningful penalties for Entities that do not exercise due diligence by allowing unscrupulous individuals to bring in pets that are not ADA-registered service animals, violating California Health Code Regulation Section 114259.5 which prohibits animals from being in food facilities.
4. Allow patrons authority to hold Entities accountable in exercising due diligence.
5. Strictly enforce the provision and prosecute unscrupulous individuals according to 365.7 PC (a) Any person who knowingly and fraudulently represents himself or herself, through verbal or written notice, to be the owner or trainer of any canine licensed as, to be qualified as, or identified as, a guide, signal, or service dog, as defined in subdivisions (d), (e), and (f) of Section 365.5 and paragraph (6) of subdivision (b) of Section 54.1 of the Civil Code, shall be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months, by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.
6. Support the prosecution of individuals who purport to provide such services to gain a profit, similar in nature as supported by Assemblymember Richard Bloom in AB-1705 State Board of Guide Dogs for the Blind: guide dog instructors.(2017-2018) “Any person who uses in any sign, business card, or letterhead, or in any advertisement, the words ‘guide dog instructor,’ ‘certified guide dog instructor,’ or any other terms or letters indicating or implying that he or she is an instructor trained in the utilization or training of guide dogs for the blind, or who represents or holds himself or herself out as a guide dog instructor, without being employed by a guide dog school certified by the International Guide Dog Federation, or a successor entity, is guilty of a misdemeanor.”
7. Support the prosecution of doctors who fraudulently diagnose an individual to make a profit, similar in nature as supported by Assemblymember Richard Bloom in AB-1705 State Board of Guide Dogs for the Blind: guide dog instructors.(2017-2018) “Any person who uses in any sign, business card, or letterhead, or in any advertisement, the words

‘guide dog instructor,’ ‘certified guide dog instructor,’ or any other terms or letters indicating or implying that he or she is an instructor trained in the utilization or training of guide dogs for the blind, or who represents or holds himself or herself out as a guide dog instructor, without being employed by a guide dog school certified by the International Guide Dog Federation, or a successor entity, is guilty of a misdemeanor.”