

Warren County Board of Supervisors

RESOLUTION NO. 330 OF 2025

RESOLUTION INTRODUCED BY SUPERVISORS WILD, DRISCOLL, ETU, MADAY, BEAN, PATCHETT AND MERLINO

ADOPTING THE WARREN COUNTY DISTRICT ATTORNEY'S OFFICE POLICY AND PROCEDURE FOR USE OF CERTIFIED THERAPY DOGS FOR VICTIM AND WITNESS SUPPORT

WHEREAS, the County Attorney requested, and the Personnel, Administration & Higher Education Committee agreed, to adopt the Warren County District Attorney's Office Policy and Procedure for Use of Certified Therapy Dogs for Victim and Witness Support, and recommended that the same be advanced to the Board of Supervisors for consideration and approval, now, therefore, be it

RESOLVED, that the Warren County District Attorney's Office Policy and Procedure for Use of Certified Therapy Dogs for Victim and Witness Support, annexed hereto as Schedule "A," be and the same is hereby adopted as the official policy and procedure for Warren County.

SCHEDULE “A”

WARREN COUNTY DISTRICT ATTORNEY’S OFFICE POLICY AND PROCEDURE: USE OF CERTIFIED THERAPY DOGS FOR VICTIM AND WITNESS SUPPORT

I. PURPOSE

The purpose of this policy is to establish guidelines and procedures for the use of a certified therapy dog within the Warren County District Attorney’s Office to provide emotional support to victims and witnesses, particularly those who have experienced traumatic events, as they navigate the criminal justice system. The certified therapy dog is intended to promote a sense of calm and security, reduce anxiety, and enhance communication with victims and witnesses during interviews, court preparation, and, where permitted, courtroom proceedings. This policy shall apply to all staff members of the Warren County District Attorney’s Office, including crime victim specialists, prosecutors, investigators and administrative personnel.

II. POLICY STATEMENT

It is the policy of the Warren County District Attorney’s Office to utilize a certified therapy dog, under the supervision of a trained handler, to support victims and witnesses in a trauma-informed, victim-centered approach. The certified therapy dog program will operate in compliance with all legal and ethical standards, ensuring the safety, privacy, and comfort of all individuals involved.

III. DEFINITIONS

Certified Therapy Dog: A generic term, excluding Service Animals, which includes dogs that have been trained, tested, and certified by a recognized certified therapy dog organization and is qualified to work in legal and clinical environments.

Certified Therapy Dog Handler: A trained individual, typically a member of the DA’s Office staff or a volunteer, who is responsible for the care, supervision, and control of the therapy dog at all times.

Service Animals: As defined by the American With Disabilities Act and the NYS Attorney General, these are dogs (and sometimes miniature horses) trained to perform tasks for individuals with disabilities and are allowed in public accommodations.

Victim/Witness: Any person impacted by and/or a witness to a criminal offense.

Trauma-Informed Care: An approach that recognizes and responds to the effects of trauma, emphasizing physical, psychological, and emotional safety.

IV. RESPONSIBILITIES

The following is a delineation of the responsibilities for the utilization of Certified Therapy Dogs within the County District Attorney’s Office legal proceedings:

A. District Attorney or Designee:

1. Approved Certified Therapy Dog Program implementation.
2. Ensures compliance with policy and legal standards.
3. Approves use of a Certified Therapy Dog on a case-by-case basis.
4. Maintains a log of the use of Certified Therapy Dogs utilized in District Attorney assigned cases including their certifications, agreements, and insurance as applicable.

B. Certified Therapy Dog Handler:

1. Maintains control and care of the Certified Therapy Dog.
2. Ensures the Certified Therapy Dog is properly groomed, vaccinated, and certified.
3. Coordinates Certified Therapy Dog presence at appropriate proceedings.
4. Maintains log of the Certified Therapy Dog's activities and interactions while being used to support the District Attorney's Office and provides same to the District Attorney.

C. Crime Victim Specialist:

1. Makes recommendation to the District Attorney when Certified Therapy Dog use is appropriate.
2. Obtains consent from the victim/witness or guardian (if applicable).
3. Assists in scheduling the preparation for Certified Therapy Dog-assisted support.
4. Coordinates with court personnel as needed.

VI. PROCEDURE FOR USING CERTIFIED THERAPY DOGS IN THE DISTRICT ATTORNEY'S OFFICE

A. County Registration of Certified Therapy Dogs and their Handlers

The County shall require the following documentation for the registration of Certified Therapy Dogs and/or Courthouse Dogs and their accredited handler when utilized within the District Attorney's Office:

1. Proof of the training and current certification of an individual's standing as a Certified Therapy Dog Handler.
2. Proof of the training and current certification of the Certified Therapy Dog.
3. Execution of a County Agreement in a form approved by the County Attorney specific to the use of Certified Therapy Dogs in County legal proceedings if the Certified Therapy Dog Handler is not a county employee.
4. Provision of a Certificate of Insurance from the Certified Therapy Dog Handler naming the County of Warren, its Board, agents, and employees as an Additional Insured on a Primary and Non-contributory Basis for Commercial General Liability for personal injury and completed operations for One Million Dollars per Occurrence with a Two Million Dollar Aggregate and proof of NYS Statutory Workers Compensation and Employer Liability Insurance of a Waiver of same from the NYS Workers Compensation Board.
5. The exception to this policy shall be a County employee who agrees to act as a Certified Therapy Dog Handler on behalf of the County with the permission of the District Attorney and/or his designee. The County shall provide insurance to the Certified Therapy Dog Handler for all those activities assigned by the District Attorney.

B. Deployment of a Certified Therapy Dog

Certified Therapy Dogs shall be deployed within the County District Attorney's Office as follows:

1. Crime Victim Specialist staff will assess the appropriateness of Certified Therapy Dog use for each case.
2. Obtains written consent from the victim or, if under eighteen (18) years of age or incapacitated, from a legal guardian.
3. The Certified Therapy Dog Handler shall schedule the Certified Therapy Dog's presence as approved by the District Attorney as may be needed during:
 - a. Interviews and forensic interviews;
 - b. Witness preparation meetings;
 - c. Grand jury testimony (where permitted); and/or
 - d. Trial, hearings, or sentencing (pending judicial approval)

C. Courtroom Use of Certified Therapy Dogs

The decision to use a Certified Therapy Dog in court proceedings shall be the sole discretion of the District Attorney and must be approved by the presiding judge. If the use of a Certified Therapy Dog is granted by the District Attorney, the District Attorney's Office and the Certified Therapy Dog Handler will follow all requirements set by the approving judge as well as any regulations set by the NYS Office of Court Administration.

D. Safety and Conduct

The following health and safety measures shall be undertaken when utilizing Certified Therapy Dogs deployed within the County District Attorney's Office:

1. The Certified Therapy Dog must always be under the Certified Therapy Dog Handler's control.
2. The Certified Therapy Dog shall not be used with individuals allergic to or afraid of dogs unless necessary accommodation is made.
3. If the Certified Therapy Dog exhibits signs of stress or illness, the District Attorney shall be immediately notified, and it must not be used until it is medically cleared for duty and written documentation from a licensed veterinary clinic is provided to satisfaction of the District Attorney.

VII. CONFIDENTIALITY AND DOCUMENTATION

All interactions with victims/witnesses involving the Certified Therapy Dog are confidential and subject to the same legal protections as other victim services. A confidential log of each victim session shall be maintained, including date, duration, handler name, type or proceeding, and general outcome (without personal details) and provided to the District Attorney on a monthly basis.

VIII. TRAINING AND EVALUATION

Certified Therapy Dogs shall undergo annual training and evaluation within the County District Attorney's Office as follows:

1. Handlers must undergo training in trauma-informed care, court procedures, and proper handling techniques.
2. Annual evaluations of the Certified Therapy Dog's performance and health must be conducted.
3. Feedback from victims, witnesses, and staff should be collected to assess program impact.

The annual documentation of the use of Certified Therapy Dogs by the County District Attorney's Office shall be provided to the County Attorney's Office on an annual basis for the purpose of obtaining property and casualty insurance for the programming in question.

IX. INCIDENTS AND CLAIMS NOTIFICATION

The District Attorney shall be responsible for notifying the County Attorney's Office of any incident involving the use of Certified Therapy Dogs that may give rise to a claim or litigation within seventy-two (72) hours of its occurrence to that the County's property and casualty insurance carrier may be notified in accordance with its coverage requirements.