

Collaborative Disability Advocacy Using a Facility Dog



Workshop Objectives

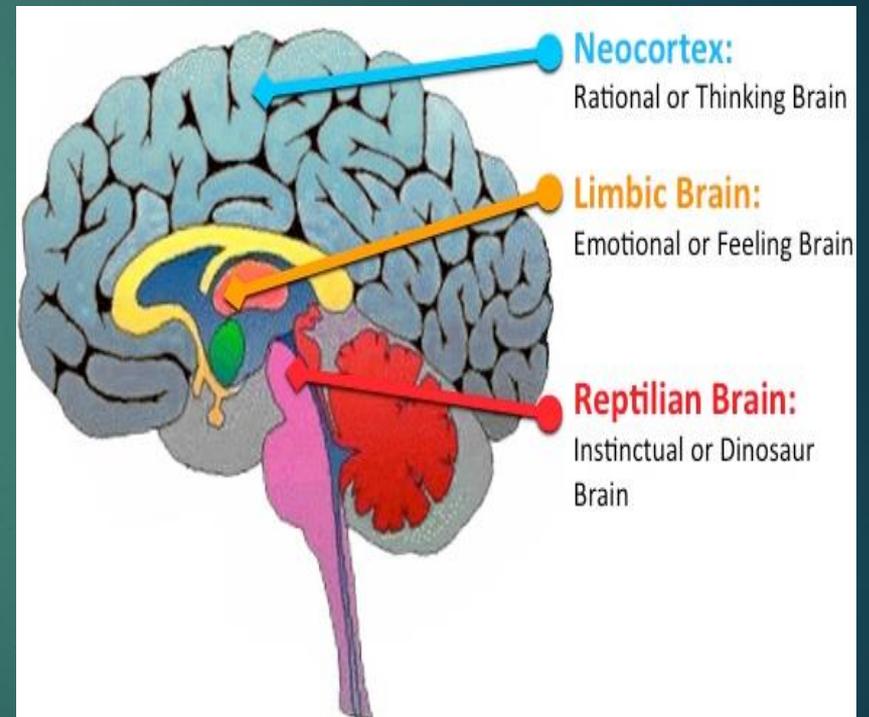


- ▶ Understand what basic elements should be in place to successfully start a facility dog program
- ▶ Understand why creating a trauma-sensitive courtroom and Dependency experience is essential to our work
- ▶ Illustrate through a case study how inter-agency collaboration equals success for kids

Bridging the Gap from Therapy to Courtroom

- ▶ Animals have been used to promote therapeutic outcomes for years with disabled children.
- ▶ Animals promote self-regulation, verbal expression and increased independence in therapeutic interactions with children.
- ▶ Bringing dogs into the courtroom bridges the gap by reducing the adversarial nature of the courtroom into a more trauma-sensitive environment allowing children to express themselves and their wishes to the court.

Maslow's Hierarchy & Neurobiology



Looking at Vulnerability

- ▶ Children are vulnerable by nature of their age, immaturity, lack of authority, and inability to self-advocate, self defend.
- ▶ 49% of perpetrators (usually family members or family friends who have private access to a child) stated that they targeted children with low self-confidence and low self-esteem.
- ▶ Disabled children are even more vulnerable
 - ▶ Dependent on Caregivers/Caregiver dynamics
 - ▶ Communication impairments

Looking at Vulnerability

Child

Adult



Testimony

Age/Authority

Size/Physical
Capacity

Caregiving

Joey's Story

- ▶ Seven years old.
- ▶ Removed in Fall, 2014 due to multiple concerns including bizarre punishment.
- ▶ Placed in Licensed Foster Care at removal.
- ▶ The Department has filed an expedited petition for termination of parental rights.
- ▶ Visits with parent weekly, supervised by the Department.

Science and Physiology

(Courtesy, Elizabeth Holman, Psy.D.)

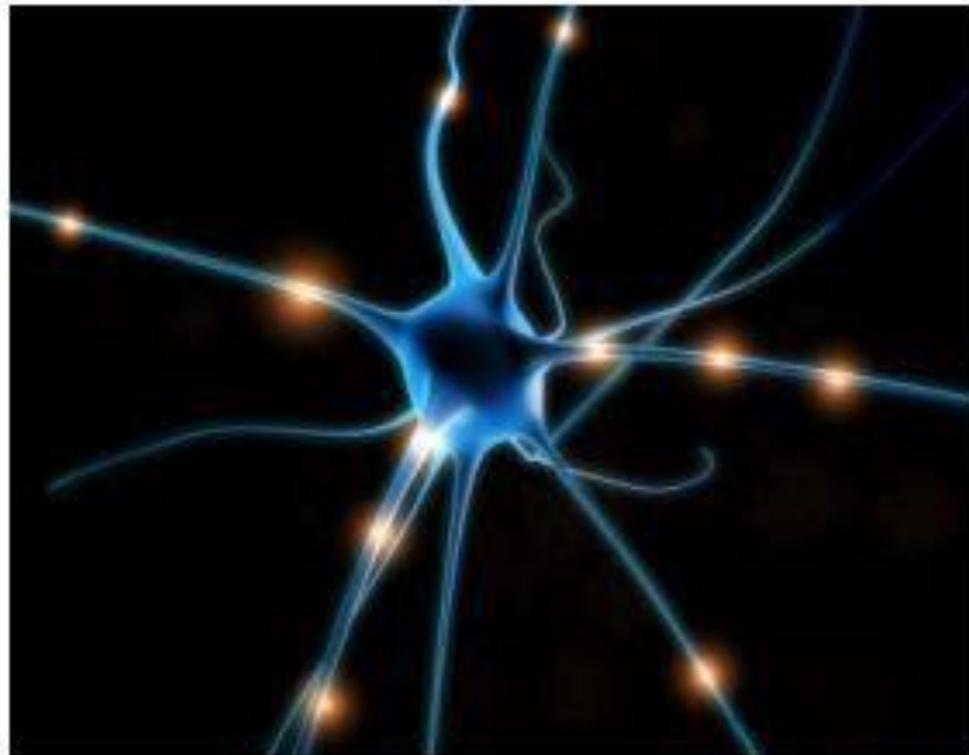
- ▶ Twelve minute interaction with a dog has been shown to lower blood pressure, neurohormone levels, and anxiety of hospitalized cardiac patients. (Cole et al, 2007)
- ▶ Stroking and talking to dogs resulted in increased oxytocin levels, beta endorphins & dopamine, and decreased blood pressure & cortisol levels. (Fine & Beck, 2010)
- ▶ A single AAT (animal assisted therapy) session was associated with reduced anxiety for patients hospitalized with psychotic disorders, mood disorders, and other psychiatric diagnoses. (Barker & Dawson, 1998)

Child-Specific Research



- ▶ Significant decreases in systolic blood pressure, mean arterial pressure, and heart rate occurred when a companion animal was present during a physical examination of children. (Nagengast, Baun, Megel, & Liebowitz)

Indirect Contact with Dogs



“Mirror neurons” form a kind of biological map of the observed world, literally imprinting others’ behaviors in our brains.

Nagasawa, et. al.

- ▶ Gazing behavior in dogs (but not wolves) increases urinary oxytocin concentration in owners, which enhances the owners' affiliation and increased oxytocin in dogs.

- ▶ Further, nasally administered oxytocin increased gazing behavior in dogs, which in turn increased urinary oxytocin concentrations in owners. These findings support the existence of an interspecies oxytocin-mediated positive loop facilitated and modulated by gazing, which may have supported the coevolution of human-dog bonding by engaging common modes of communicating social attachment.



Dogs foster trust/create safety

- ▶ After 5 minutes of contact with an unfamiliar dog, 76 % of children studied between the ages of 7 and 15 believed that a dog knew how they felt. Another 84 % indicated that they would confide secrets to a dog (Melson & Fogel, 1996)
- ▶ This trustworthiness factor is thought to be in large part due to the increase in **oxytocin**.

Facility Dogs

- ▶ Non-judgmental listeners
- ▶ Inspire humor and carefree-ness
- ▶ Easier to achieve a level of familiarity/rapport
- ▶ Act as a social catalyst encouraging adults and children to be friendlier with each other
- ▶ Create a zone of safety and trust

Let's Check in on Joey

- ▶ He doesn't like to be touched.
- ▶ He has changed placements.
- ▶ He is described as a “tornado, aggressive” and “destructive” by prior caregiver and professionals.
- ▶ The current caregiver describes him as sweet/without issues.
- ▶ He no longer visits consistently with the parent.

The Emotional Response to Trauma

- ▶ High states of irritability, panic, anxiety, horror, terror, fear
- ▶ Hyper-arousal and overgeneralization, reacts in extreme fashion to events that resemble the original trauma
- ▶ Shock reactions, including feeling numb, being in a fog.
- ▶ Feelings of being immobilized, frozen, unable to move
- ▶ Dissociation, which may manifest in the person appearing dazed, apathetic, vacant – as if he's “not there.”
- ▶ Depression and feelings of guilt
- ▶ Abrupt mood swings
- ▶ Guilt

Dog Nomenclature

- ▶ Pet Therapy Dogs
 - ▶ (Comfort Dogs, Companion Dogs)
- ▶ Assistance Dogs (governed by Assistance Dogs International)
 - ▶ Service Dogs
 - ▶ Skilled Companion Dogs
 - ▶ Hearing Dogs
 - ▶ Sight/Guide Dogs
 - ▶ Detection Dogs (Diabetes/Seizure)
 - ▶ Facility Dogs

Courthouse Facility Dogs



- ▶ Legally neutral term – does not imply that the victim needs an “advocate”, “therapy”, or “comfort”
- ▶ Available to the defendant, as well as, the victim

Two Models Exist in Florida (for canines in court)

- ▶ Pet therapy dog model
- ▶ Facility dog model – facility dogs assist a professional in their work with clients. Often found in occupational therapy clinics and schools, more recently in legal settings.

Exposure to children during professional training



Dogs Help Provide Trauma Informed Care



- ▶ Children learn to relate court to positive and safe experience as opposed to scary or negative.
- ▶ Court is no longer a trigger!

How is Joey Doing?

- ▶ Moved into a Specialized Therapeutic Foster Care via an Emergency Motion to Modify Placement
- ▶ Continues to visit parent weekly through the use of the Children's Justice Center
- ▶ Expedited TPR Trial is scheduled for following month (it's confirmed that Joey's testimony is needed)
- ▶ Joey meets Tibet
- ▶ Tibet assists in his Psychological Evaluation.

Courthouse Dogs Foundation



- ▶ www.courthousedogs.org
- ▶ Promoting Justice with Compassion

Why Use This Model?

- ▶ A proven model since 2003. Founders are a retired deputy prosecutor and a veterinarian. (You don't have to reinvent the wheel).
- ▶ Founders consult on a federal level with OVC and OJJDP
- ▶ Mentorship provided by founders
- ▶ Supportive case law/ sample petitions/motions.
- ▶ Nationwide network of other sites to provide guidance

Where Courthouse Facility Dogs Work

- ▶ There are 103 dogs working in 31 states nationwide, Chile, Spain,
- ▶ Tibet was the first courthouse facility dog to work in Florida (Tonx in Orange Co.)
- ▶ Nationwide settings include district attorney's offices, law enforcement offices, child advocacy centers, and miscellaneous advocacy organizations.

ADI Certification

- ▶ Dog must be a graduate of an ADI- member program.
- ▶ Dogs come with a \$ 1 million liability policy if “placed” by CCI
- ▶ Imperative for success of the program

Need for the Highest Standard

- ▶ The U.S. Department of Veteran's Affairs has stated that it will only provide benefits coverage to veterans if the service dog and veteran have successfully completed a training program accredited by **Assistance Dogs International** or the International Guide Dog Federation.
- ▶ In support of this ruling the VA stated that when administering service dog benefits, it must ensure that tested and proven criteria regarding service dog training and behavior are in place **to ensure the integrity of the service dog benefits administered, and the safety of veterans and others who might come in contact with the veteran or the dog.**

Need for Trauma-Sensitive Courts

- ▶ “Indeed, if one set out intentionally to design a system for provoking symptoms of posttraumatic disorder, it might look very much like a court of law.”

(Judith Herman, child trauma authority)

Joey and Tibet

- ▶ TPR trial is continued for two months, then another month...
- ▶ For five months Joey has regular play visits with Tibet.
- ▶ Why was this important?
 - ▶ Develop and maintain bond to prepare for assistance with trial testimony.

Possible Legal Objections to the Use of Dog in the Courtroom

- ▶ The dog will be a distraction & the dog detracts from courtroom decorum.
- ▶ The child will be distracted by the dog.
- ▶ The dog engenders sympathy for the child, bolsters his or her credibility, and/or prejudices jury against defendant.
- ▶ The defendant is allergic to dogs.
- ▶ The presence of a comfort item.

Appellate Decisions

- ▶ Appellate decisions in three states thus far (NY, WA,CA) have upheld the use of a courthouse facility dog with a testifying witness. There is one pending appeal in Connecticut.
- ▶ A pet dog's bad behavior in the courtroom created issues on appeal in 4th District Court of Appeal in Florida.

Current FL Court Dog Legislation (FL 92.55)



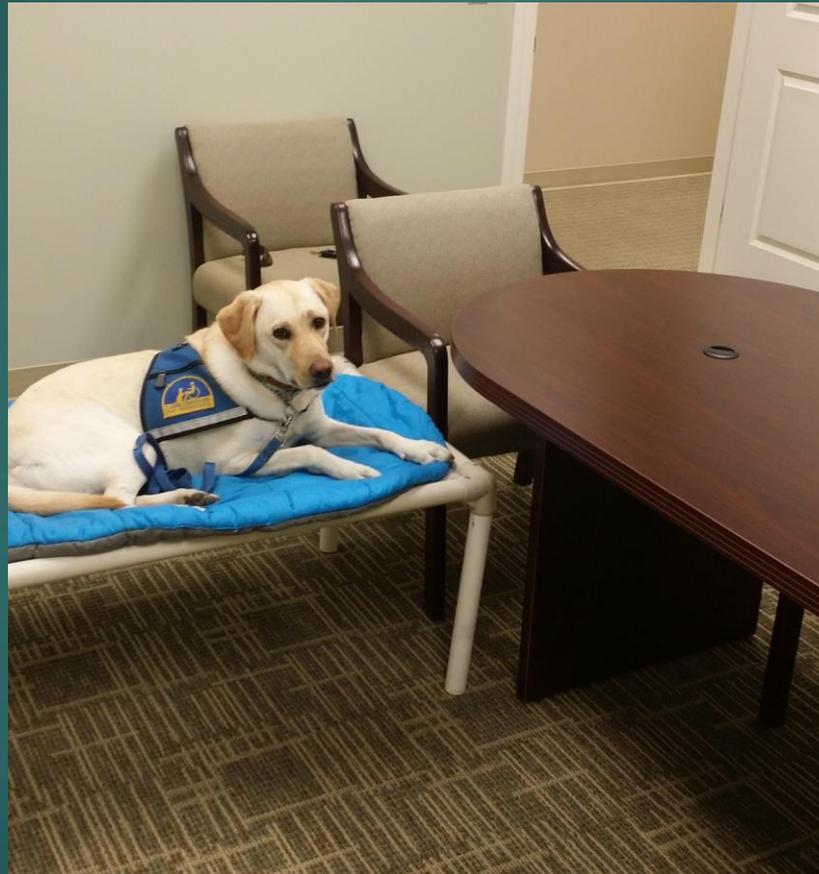
*The court may set any other conditions it finds just and appropriate on the taking of testimony by a child, **including the use of a service or therapy animal that has been evaluated and registered according to national standards**, in any proceeding involving a sexual offense. When deciding whether to permit a child to testify with the assistance of a registered service or therapy animal, the court shall take into consideration the age of the child, the interests of the child, the rights of the parties to the litigation, and any other relevant factor that would facilitate the testimony by the child.*

Joey's Trial Testimony

Summer 2015

- ▶ Tibet was placed to the child's right with the handler behind the child.
- ▶ The child disclosed new information not previously disclosed.
- ▶ The child tried to rouse the dog when line of questioning got tough.
- ▶ Tibet remained completely composed and non-reactive to child's attempts to rouse.

Configuration in Closed Circuit



Where's Joey Now?

- ▶ TPR trial concluded after his testimony.
 - ▶ TPR was granted
 - ▶ Currently on appeal
- ▶ Brenda is a secondary GAL for him.
- ▶ Tibet's presence was requested by the State Attorney in the criminal case for assistance with his testimony.
- ▶ Joey is in an adoptive placement that is waiting to give him a forever home when the case comes off appeal.

Action Plan for Implementation

- ▶ Garner support from key people (judges, stakeholders, etc.).
- ▶ Educate yourself (www.courthousedogs.com)
- ▶ Send for DVD (www.courthousedogs.com).
- ▶ Prepare your circuit/jurisdiction with presentations.
- ▶ Apply for dog (takes about 6 months – 1 yr).
- ▶ Utilize Courthouse Dogs Foundation to educate your circuit/jurisdiction.

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Thank You!

Tibet's operational expenses are
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Children Tampa Bay



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Benefiting Guardian ad Litem