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**Criminal Justice & Corrections  
Committee**

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**HB 2046**

**Brief Description:** Providing for law enforcement powers for interfering with a dog guide or service animal.

**Sponsors:** Representatives Lantz, Kirby, O'Brien, Moeller and Santos.

**Brief Summary of Bill**

- Requires all law enforcement agencies to investigate, enforce, and prosecute all violations of the statute governing interfering with dog guides or service animals and share that information with Animal Care and Control Agencies.

**Hearing Date:** 3/4/03

**Staff:** Yvonne Walker (786-7841).

**Background:**

Washington has provided protection and regulation of dog guides and service animals under the "White Cane Law" since 1969. The White Cane Law provides totally or partially blind, hearing impaired, or otherwise physically disabled people the right to be accompanied by a dog guide or service animal into any public place.

Under the Miscellaneous Crimes statute, a dog guide is defined as a dog that is trained for the purpose of guiding blind persons or assisting hearing impaired persons. Service animals are animals that are trained for the purposes of assisting or accommodating a disabled person's sensory, mental, or physical disability. A person found guilty of interfering, injuring, or causing the death of a dog guide or service animal can be subject to both criminal penalties as well as restitution to the victim.

It is a misdemeanor offense for any person who: (1) after receiving a warning, continues with reckless disregard to interfere with the use of a dog guide or service animal by obstructing, intimidating or jeopardizing the safety of the dog guide or service animal or his or her user; or (2) with reckless disregard, allows his or her dog to interfere with the use of a dog guide or service animal or his or her user. The penalties in both cases can increase to

gross misdemeanor offenses for subsequent offenses.

It is a gross misdemeanor offense for any person who: (1) with reckless disregard, injures, disables, or causes the death of a dog guide or service animal; or (2) with reckless disregard, allows his or her dog to injure, disable, or cause the death of a dog guide or service animal. It is an unranked class C felony to intentionally injure, disable, or cause the death of a dog guide or service animal.

*Law Enforcement Officers.* General authority Washington law enforcement agencies and officers have as their primary function the detection and apprehension of persons committing infractions or violating the traffic or criminal laws of the state throughout the territorial boundaries of the state, as distinguished from a limited authority Washington law enforcement agency. An example of a general authority agency is the Washington State Patrol.

*Animal Care and Control Agency.* Animal care and control agencies enforce city or county municipal ordinances regulating the care, control, licensing, or treatment of animals within the city or county. They may also include humane societies that contract with a city or county to enforce its ordinances governing animal care and control.

**Summary of Bill:**

All peace officers, law enforcement officers, and law enforcement agencies within Washington must investigate, enforce, and prosecute all violations of the statute governing interfering with dog guides or service animals. As part of a law enforcement's investigation, they must also report to the Animal Care and Control Agency any such violations of the statute and must assist them in their investigation and proceedings regarding such violations.

**Appropriation:** None.

**Fiscal Note:** Requested on February 25, 2003.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.