

116TH CONGRESS
1ST SESSION

S. 1029

To allow the use of certified facility dogs in criminal proceedings in Federal courts, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 4, 2019

Mr. CORNYN (for himself and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To allow the use of certified facility dogs in criminal proceedings in Federal courts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Dogs as Witness
5 Guardians Act” or the “DAWG Act”.

6 **SEC. 2. USE OF CERTIFIED FACILITY DOG FOR TESTIMONY**
7 **IN CRIMINAL PROCEEDINGS.**

8 (a) IN GENERAL.—Chapter 223 of title 18, United
9 States Code, is amended by inserting after section 3502
10 the following:

1 **“§ 3503. Use of certified facility dog for testimony in**
2 **criminal proceedings**

3 “(a) DEFINED TERM.—In this section, the term ‘cer-
4 tified facility dog’ means a dog that has graduated from
5 an assistance dog organization that is a member of an
6 internationally recognized assistance dog association that
7 has a primary purpose of granting accreditation based on
8 standards of excellence in areas of—

9 “(1) assistance dog acquisition;

10 “(2) dog training;

11 “(3) dog handler training; and

12 “(4) dog placement.

13 “(b) REQUESTS FOR USE OF CERTIFIED FACILITY
14 DOGS.—Either party in a criminal proceeding in a Federal
15 court may apply for an order from the court to allow a
16 certified facility dog, if available, to be present with a wit-
17 ness testifying before the court through—

18 “(1) in-person testimony; or

19 “(2) testimony televised by 2-way, closed-circuit
20 television.

21 “(c) CONDITIONS FOR APPROVAL.—A Federal court
22 may enter an order authorizing an available certified facil-
23 ity dog to accompany a witness while testifying at a hear-
24 ing in accordance with subsection (b) if the court finds
25 that—

1 “(1) the dog to be used qualifies as a certified
2 facility dog;

3 “(2) the use of a certified facility dog will aid
4 the witness in providing testimony; and

5 “(3) upon a showing by the party seeking an
6 order under subsection (b), the certified facility dog
7 is insured for liability protection.

8 “(d) HANDLERS.—Each certified facility dog author-
9 ized to accompany a witness under subsection (c) shall be
10 accompanied by a handler who is—

11 “(1) trained to manage the certified facility dog
12 by an assistance dog organization described in sub-
13 section (a); and

14 “(2) a professional working in the legal system
15 with knowledge about the legal and criminal justice
16 processes.

17 “(e) DEADLINE.—The party seeking an order under
18 subsection (b) shall apply for such order not later than
19 14 days before the preliminary hearing, trial date, or other
20 hearing to which the order is to apply.

21 “(f) OTHER ORDERS.—A Federal court may make
22 such orders as may be necessary to preserve the fairness
23 of the proceeding, including imposing restrictions on, and
24 instructing the jury regarding, the presence of the cer-
25 tified facility dog during the proceedings.

1 “(g) SAVINGS PROVISION.—Nothing in this section
2 may be construed to prevent a Federal court from pro-
3 viding any other accommodations to a witness in accord-
4 ance with applicable law.”.

5 (b) CLERICAL AMENDMENT.—The chapter analysis
6 for chapter 223 of title 18, United States Code, is amend-
7 ed by inserting after the item relating to section 3502 the
8 following:

“3503. Use of certified facility dog for testimony in criminal proceedings.”.

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