



JAVMAnews

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Responsible ownership the alternative to breed banning, other restrictions - November 15, 2000

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A man is out for a stroll in his community with his Bull Terrier. He is stopped by the local animal control officer and told that "pit bulls" are restricted from his community. The man cannot prove that his dog is not a pit bull-type dog and that it is a well-trained, household pet. The dog is confiscated and euthanized.

Think it could never happen in your community? Although only one state currently has a statewide breed restriction (Ohio), hundreds of communities within the United States are actively pursuing breed bans and breed-restrictive legislation.

When Robert Duffy, executive director of the American Dog Owners Association, learned that breed banning attempts in Germany during the past year included approximately 16 breeds, he worried that the spectrum of breed banning in the United States could increase as incidents characterize certain breeds as dangerous.

"We get involved in many of these issues," he said, "writing to legislators, asking how animal control officers can be charged with enforcing breed bans and restrictions when they



have little or no training to identify specific breeds. Even if they could, there is really no way of defining what a 'pit bull' is and isn't."

In an ADOA letter he sends to legislators across the country, Duffy cites approximately 15 breeds that are similar in appearance to breeds that have been targeted as dangerous. "Owners of these dogs would not take kindly to their dogs being misidentified and something bad happening to them as a result," he said. "In a lot of cases the animal control officer is the final judge."

Duffy has identified cities all over the country that are attempting to ban or restrict pit bull-type dogs, and, increasingly, Rottweilers. In October, the village of Broadview, Ill, passed a breed-restrictive ordinance adding Doberman Pinscher to those two categories. According to Duffy, Broadview is not a home rule state, and is therefore bound by Illinois law that doesn't allow for breed-restrictive ordinances. He said that Broadview's passing the ordinance, therefore, may be in violation of Illinois law. Broadview is not unique, however. Duffy added that many communities disregard state laws when pursuing these ordinances, which could open the door for lawsuits if an owner's pet is treated unjustly. Duffy has been keeping a close watch on the kinds of breed that are being singled out.

"Pit bull-type dogs, Bull Terrier, American Staffordshire Terrier, and Staffordshire Terrier are among other breeds being targeted of late," he said. "Rare and mixed breeds are also victims."

According to Dr. Randall Lockwood, vice president of research and educational outreach for the Humane Society of the United States, "Constitutional and practical issues are raised in the enforcement of breed-specific ordinances because of difficulty inherent in determining breed with certainty."

Data in a report published in the Sept 15, 2000 Issue of the *JAVMA* indicate that breed-specific legislation is not the solution to dog bite prevention. The report revealed that, during the past 20 years, at least 25 breeds of dog have been involved in 238 human fatalities. Pit bull-type dogs and Rottweilers were identified as being involved in 66 and 39 fatalities, respectively, over that 20-year period; however, other purebreds and crossbreeds caused the remainder of fatalities.

Twenty-four percent of deaths involved dogs that were not restrained and were not on their owners' property, 58 percent of deaths involved dogs that were not restrained but were on their owners' property, 17 percent involved restrained dogs on their owners' property, and one percent involved a restrained dog off its owners' property.

Dr. Gail C. Golab, co-author of the study and assistant director of the AVMA Education and Research Division, confirmed, "Breeds responsible for human fatalities have varied over time. Since 1975, dogs belonging to more than 30 breeds—including Dachshunds, Golden Retrievers, Labrador Retrievers, and a Yorkshire Terrier—have been responsible for fatal attacks on people."

The authors of the study say that, although fatal human attacks may appear to be a breed-related problem, dogs of other breeds may bite and cause fatalities at higher rates.

"A dog of any breed can become dangerous when bred or trained to be aggressive," Dr. Jeffrey Sacks, epidemiologist for the CDC, said. "Fatal attacks represent only a very small

proportion of dog bite injuries and shouldn't be the primary factor driving public policy regarding dangerous dogs."

Duffy said that when a breed is restricted in a community, or if certain breeds are put on the "bad dog" list, insurance rates for owners of those dogs become exorbitant.

"It's really a kind of banning," he said, "because the liability rates imposed are so great that most people can't afford the insurance. In some places, you can't even get liability insurance because you own a [dog of a] certain breed."

Inevitably, he says, owners who have trained, well-behaved dogs become affected by the small percentage of owners whose dogs have been involved in aggressive incidents.

"All the responsible owners of the breed are put to financial hardship," Duffy said. "Their insurance is likely to go right out the window."

Duffy would prefer to see communities adopt a law that takes all breeds of dog into consideration and is focused on penalizing the owner of the dog with the objectionable behavior.

Dr. Golab agrees. She favors consistent enforcement of generic, non-breed-specific, dangerous-dog laws with an emphasis on chronically irresponsible owners. She recommends increased enforcement of animal control ordinances such as leash laws and fencing requirements, prohibition of dog fighting, and neutering. Dr. Golab also emphasizes the value of educational programs for adults and children that teach pet selection strategies, pet care and responsibility, and bite prevention.

Pediatrician and medical epidemiologist Dr. Julie Gilchrist from the CDC also promotes the idea of responsible pet ownership. "Dog bite reduction strategies are more likely to be effective if they focus on reducing inappropriate dog and dog owner behaviors, regardless of the dog's breed, instead of on banning specific breeds."

The AVMA's dog bite prevention campaign continues to inform the public about techniques for avoiding dog bites, and to promote responsible pet ownership. Breeds don't need to be banned, but dog owners' irresponsible behavior should be.

Sharon Granskog, AVMA public information assistant, contributed to this report.

responsible owners suffer because of the handful of irresponsible owners