



Issue Analysis: Why Breed-Specific Legislation Doesn't Work

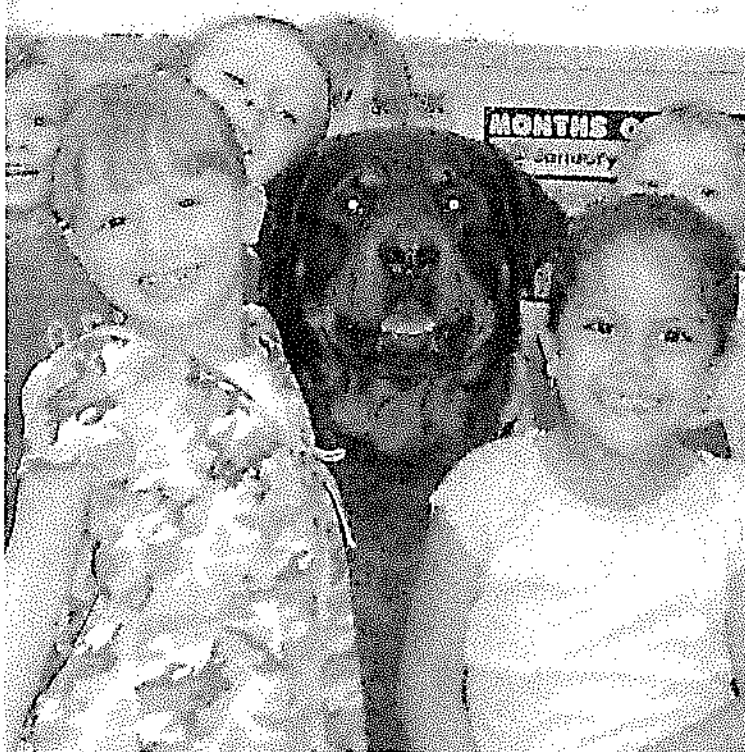
We have all heard the heartbreaking stories: A child brutally attacked by a dog. A beloved family pet or a farmer's livestock killed or injured by a stray dog. Such stories are far too common, and everyone agrees our communities must be protected from dangerous animals.

When faced with this dilemma, many public officials have turned to breed-specific legislation (BSL) as a possible solution. Breed-specific legislation is any bill that seeks to ban or place severe restrictions on owners of a particular breed of dog or dogs with certain physical characteristics, regardless of whether or not the dog is a problem in the community.

Like racial profiling for dogs, BSL unfairly penalizes responsible dog owners without holding owners of truly dangerous dogs accountable. This is why the American Kennel Club, the American Veterinary Medical Association, the National Animal Control Association, the American Bar Association, and a host of other respected national organizations oppose BSL and recognize the inequities and inherent fallacies of such laws.

A Declining Trend

Around the world, governments are recognizing the inherent problems with BSL and revising their dangerous dog policies. Italy, for example, repealed its breed-specific policies after six years of costly enforcement and ineffectiveness. In June 2009, the Dutch government announced its intent to remove its "pit bull" ban after determining that it did not decrease dog bites or improve safety in the Netherlands.



Students pose with 'Turbo', an AKC-Champion Rottweiler participating in the school's "Read to a Dog Program"

In the United States, the American Kennel Club (AKC) sees multiple state legislatures and local governments introduce bills each year with breed-specific components. These bills take many forms and do not always simply

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ban the ownership of certain breeds. Some include a mandatory sterilization of specific breeds, liability insurance

requirements, or higher licensing fees. Some automatically designate specific breeds as "dangerous", thereby subjecting some responsible dog owners to specific laws not applicable to owners of other breeds.

The AKC plays an active role in stopping breed-specific legislation. Since 2005, the AKC has actively opposed more than a dozen state initiatives to enact breed-specific legislation. Only one of these bills became law. In 2012, the AKC actively supported the successful repeal of Ohio's statewide breed-specific laws, which had been in effect for over 20 years.

This resulted in numerous communities throughout Ohio re-examining – and in many cases repealing – their breed-specific policies. The Cincinnati City Council, for

example, repealed their long-standing policies by an 8-1 vote in April 2012. Ohio communities are not unique in this trend. Each year, the AKC works with counties and municipalities across the country that are seeking to amend or repeal their breed-specific laws as local governments and animal control recognize the ineffectiveness of these policies in addressing concerns with dangerous dogs.

Policy and Implementation Concerns

There are a number of inherent problems with breed-specific legislation. Banning a specific breed punishes responsible dog owners who have well-trained dogs of that breed, while irresponsible owners who want a "dangerous dog" as a status symbol will simply choose another breed. Public officials are left continuing to add to a list of forbidden breeds. Italy's list grew to over 90

breeds before the statute was repealed.

Animal control officers must also become dog breed experts in order to determine whether a specific dog is on the list of regulated breeds. In Iowa, for example, a dog owner had to fight for the right to keep her dog after animal control officers determined the mixed-breed dog violated the community's

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breed-specific ordinance – even though neither the owner nor their veterinarian immediately identified the dog as being any the banned breeds. Some communities have attempted to define a dangerous dog as any dog that has certain physical characteristics. This forces local officials to focus more on a dog's appearance than its behavior – and often results in incorrect identification.

Breed-specific laws also often lead to increased costs to the community, as many owners abandon their household pets at local shelters because they are no longer permitted to own them, or are unable to comply with the strict regulations imposed on them. In many cases, the owner must choose between relocating to a different town or getting rid of their dog. Many of these dogs end up being housed and/or euthanized at the shelters at the taxpayer's expense.

Better Alternatives

Strict enforcement of animal control laws (such as leash laws) and guidelines that clearly define dangerous behavior in all breeds are more effective in protecting communities from dangerous animals. Dangerous dog guidelines should establish a fair process by which a dog is deemed “dangerous” or “vicious” based on *stated, measurable actions*, not merely based on breed. These laws should also impose appropriate penalties on irre-



AMERICAN STAFFORDSHIRE TERRIERS - ISABELLA FRANCAIS CANC

sponsible owners and establish a well-defined method for dealing with dogs proven to be dangerous.

Increased public education efforts also prove effective, as they address the root issue of irresponsible dog ownership. Salt Lake County, Utah, implemented a program in 2009 to train “pit bull” breeds in an attempt to lower the numbers being euthanized in local shelters. This program utilizes the American Kennel Club’s Canine Good Citizen® program to teach owners on how to properly train and socialize their dogs.

(www.animalservices.slco.org)

If a community truly wants to fix the problem of dangerous dogs, then it needs to abandon the idea of breed-specific legislation. Time and time again, communities that have enacted BSL get unenforceable and costly laws, but no solution to the problem. Addressing the issue of irresponsible ownership is a much more effective method of animal control. The AKC Government Relations Department is available to help communities develop dangerous dog policies that properly protect citizens and responsible dog owners.

DID YOU KNOW?

- A study published by the *Journal of Animal and Veterinary Advances* found that owner behavior has a direct impact on dog aggression and personality. The study of approximately 50 purebred breeds concluded that the time an owner spent caring for and training a dog is inversely correlated to the level of aggressive behavior the dog exhibits. (“Factors Links to Dominance Aggression in Dogs.” *Journal of Animal and Veterinary Advances*, 8(2): 336-342, 2009.)
- Doug Kelley, Director of Denver Animal Care and Control, stated in a 2006 interview with the *Arizona Daily Star* that the ban on “pit bulls” did not decrease ownership of the breeds in the community. A study of the numbers over a six year period showed that the number of “pit bulls” seized and impounded increased by approximately 800 percent. (Sorenson, Dan. “Dangerous breed ban in Denver yields few clear results.” *Arizona Daily Star*, December 3, 2006.)
- A number of the breeds commonly placed on banned lists, including American Staffordshire Terriers, Rottweilers, and German Shepherds are used as therapy dogs, search-and-rescue dogs, police/military working dogs, and service dogs for the disabled.