

Dealing with Breed Specific Legislation

When the media report attacks and injuries inflicted by dogs on people or other animals, too often a wave of emotion from the public begins a cry for breed bans or breed-specific legislation (BSL). A number of breeds have been restricted or banned, including Rottweilers, Chow Chows, Akitas, German Shepherd Dogs, Doberman Pinschers, Malamutes, Boxers, and of course "Pit Bulls". The Pit Bull is not a breed, but used in the context of proposed legislation the term is meant to include American Staffordshire Terriers, Pit Bull Terrier, and pit bull types.

Breed specific bans have been upheld in some cases, but found unconstitutional in others. Breed bans have also been overturned due to the cost. Cincinnati, Ohio recently overturned a ban on pit bulls and pit bull mixes after the cost of enforcement dramatically increased. BSL is not a practical approach to regulation of dogs. Breed specific legislation is generally upheld only when it refers to named breeds of dogs and the standards set by recognized breed clubs. Proving that a particular dog falls within the ordinance usually requires expert testimony. Even an expert cannot identify if a mixed breed is subject to the legislation.



Attempting to identify one breed as more "dangerous" than another is meaningless, because from year to year the breed of dog responsible for the most serious bites and attacks often changes frequently in proportion to the popularity of the breed. In addition, accurate bite statistics are difficult to obtain due to lack of reporting and inaccuracy of breed identification, and unavailable statistics on dog breed populations in a given area.



Dog control problems are people problems, and are not limited to a breed or mix.

Any dog, regardless of breed if not properly raised, cared for, trained and controlled is capable of inflicting harm on a person in certain situations. The character of the dog owner, the circumstances of the injury, attack or bite, as well as the actions of the victim are relevant in the situation and are completely independent of the breed of the dog involved. Guilt by association becomes the premise of breed bans, assessing fines or forcing owners to surrender dogs now banned that will in all likelihood be euthanized. This is unjustified discrimination. Owners must be responsible for the training and supervision of their dogs. Adults as well as children need to learn and understand bite prevention safety.

- Banning a breed or declaring it inherently vicious punishes responsible dog owners
- Banning a breed focuses on a type of dog and not on aggressive canine behavior or on irresponsible owners
- Banning a specific breed leaves the potential for not identifying a genuinely "dangerous dog" because it doesn't fall into the breed named in the ordinance
- Breed bans are difficult to enforce against mixed-breed dogs
- Banning a breed to stop illegal activities will only lead the criminals to choose another breed
- Banning breeds uses up limited animal control resources that would be better spent on necessary and effective enforcement of laws to provide community safety