

Repealing Breed-Specific Legislation

Moving beyond breed to save dogs
and strengthen communities



**THE HUMANE SOCIETY
OF THE UNITED STATES**



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Foreword

Ask a hundred different Americans to define what a “pit bull” is, however, and you will get a hundred different answers. Over the past two decades, the category has swelled to include mixed-breed dogs that possess supposed “pit bull characteristics,” such as blocky heads, white chest markings, or brindle coats. Those same characteristics can be found in more than twenty breeds of dog, and the latest genetic research indicates that many mixed-breed dogs identified as “pit mixes” actually aren’t. “Pit bull,” as it is most commonly used, has become a slap-dash shorthand for a general shape of dog— a medium-sized, smooth-coated mutt— or a “dog not otherwise specified.” Most of the seventy-seven million dogs thought to be living in the United States are not registered with kennel clubs, and many are not even licensed, so it is impossible to know how many dogs from pit bull breeds live, die, or enter the American shelter system each year.

We do know that there are a lot of them. Between 1995 and 2005 (the most recent time frame for which data are available), a relatively small specialty registry called the American Dog Breeders Association (ADBA) registered more than 700,000 American pit bull terrier puppies. In that same decade, the American Kennel Club (AKC) registered a little more than 25,000 AmStaffs and Staffords. The American Bully Kennel Club (ABKC), another niche organization, currently registers almost 40,000 American bullies each year,

as well as roughly 60,000 dogs from similar bulldog breeds. If the UKC were to make its statistics public, those numbers would add considerably to the total.

Combined, these figures still don’t account for the untold thousands of purebred dogs whelped in backyards across the United States, or the much higher number of mixed-breed animals who may have one or more pit bull “characteristics.” In 2011, when the first “mutt census” was conducted by Mars Veterinary, a research division of the consumer brand Mars Incorporated that sells dog DNA tests, the American Staffordshire terrier was the seventh most common breed identified in America’s mixed-breed dog population, despite being seventieth in AKC popularity.

The number of Americans who self-identify as pit bull owners is increasing as well. Banfield pet hospitals, the largest chain of veterinary clinics in the country, reports that the number of their pit-bull-owning clients rose 47 percent between 2003 and 2013. A separate analysis of national veterinary records lists the American pit bull terrier among the top three most popular breeds in twenty-eight states and among the top five in thirty-four. Once again, we can’t know which of these animals are pedigreed pit bulls and which are simply mixed breeds, but this does tell us that the “pit bull” label is prolific and that many pet owners are quite proud of it.

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Contrary to the media narrative, only a tiny subset of American pit bulls will ever have any contact with the world of illegal dogfighting, which is a felony in all fifty states. Only a handful of dogs from specific bloodlines of one breed—the American pit bull terrier—are still selected and trained for that purpose. Cruelty investigators at the American Society for the Prevention of Cruelty to Animals (ASPCA) and the Humane Society of the United States (HSUS) report that even within this highly specialized subset only one dog per litter may show the necessary temperament and stamina for the grim task of mortal combat, which is on par with historical estimates, which place the number of purpose-bred APBTs matched in pit contests somewhere between 1 and 10 percent. Therefore, comparing the temperaments and behaviors of elite fighting dogs with those of all pit bulls is a bit like using the U.S. Navy SEALs as a benchmark for all American men. Fortunately for the canine victims involved, law enforcement officials are seeing the numbers of APBTs bred for fighting dwindle, thanks to increased awareness and tougher enforcement of cruelty laws. They insist that the overwhelming majority of pit bulls, like most dogs in America, live uneventful lives as family pets.

You would not know this from reading, watching, or listening to the news. Nor would you know that only about thirty-five Americans

are killed by any type of dog each year, as opposed to the thirty-five thousand who die of accidental overdoses or the thirty-six thousand who perish in car accidents. Unlike overdoses and car accidents, however, exceedingly rare events like dog attacks terrify the most primitive, reptilian parts of our brains. And unlike falls or drownings, which also account for thousands of American deaths each year, dog bite deaths, especially when pit bulls are involved, allow the audience to choose sides when looking to place blame: *Are pit bulls inherently dangerous, or is it all in how you raise them? Which is more important, human rights or animal rights? Which is stronger, nature or nurture?* Like the existence of God, a woman's right to choose, or the ethics of capital punishment, such reductions are good at creating conflict (and conflict drives narrative, which in turn draws viewers and clicks), but they foreclose the possibility of solving the complicated problems of cruelty and violence.

Underneath America's need to define a singular "truth" about pit bulls is a much more revealing division: that pit bulls are not for people like "us"—the respectable and morally upstanding members of society; pit bulls belong to *them*.

—Bronwen Dickey, *Pit Bull: The Battle over an American Icon*



Introduction

The pet-keeping culture in this country has changed dramatically over the past decade. From the rise of daycare for dogs to easily available pet health insurance, Americans are investing a tremendous amount of time, energy and love in their four legged companions. Nearly two-thirds of American households have pets—that's 77 million pet dogs (APPA, 2015)! What's more, 95 percent of all pet owners consider their pets to be members of the family (Harris Poll, 2015). Indicators like the number of dogs sleeping in their human's bed—more than half (Harris Poll, 2015)—and the amount spent annually on pets—nearly \$61 billion in 2015 (APPA, 2015)—illustrate that the majority of Americans love and care for pets appropriately and successfully. Most companion animals in the U.S. are safe and loved.

That said, there are still huge systematic threats causing animals to lose their homes, six to eight million of whom end up in our nation's animal shelters every year. For dogs, perhaps the worst threat is breed-specific legislation. BSL restricts dog ownership by breed, creating obstacles and hardship for many dogs and dog owners. Thankfully, no state still regulates dogs based on breed, but an extensive patchwork of cities, counties and municipalities have bans and restrictions. Despite strong evidence that the vast majority of people with dogs are managing them well, making sure their behavior is in line with social expectations, an unacceptable number of ordinances across the country ban, regulate or place additional restrictions on certain breeds or types of dogs.

Rather than basing public policy on the facts and pet-keeping trends, BSL is based on fear and myth. In recent years many municipalities have repealed their breed-based laws and adopted breed-neutral approaches to animal management. The Humane Society of the United States opposes breed-based laws and policies

and works with policymakers around the country to implement smarter, better policies for safer communities.

This toolkit has been designed to empower you and other advocates to repeal harmful BSL in your community and to transform your community into a safer place for both dogs and people. When using this toolkit, we encourage you to collaborate with local stakeholders, including HSUS state directors, local shelters, rescue groups and animal advocacy groups. By forming a unified coalition, we can eliminate the destruction caused by breed-specific legislation.

Read on to learn the truth about BSL and to help your community become a place where dogs aren't judged by their looks, but by their behavior. BSL is not about one breed or type of dog; it is about all dogs and all people. It is a dying trend, and it's time to leave this kind of bad policy where it belongs: in the past.



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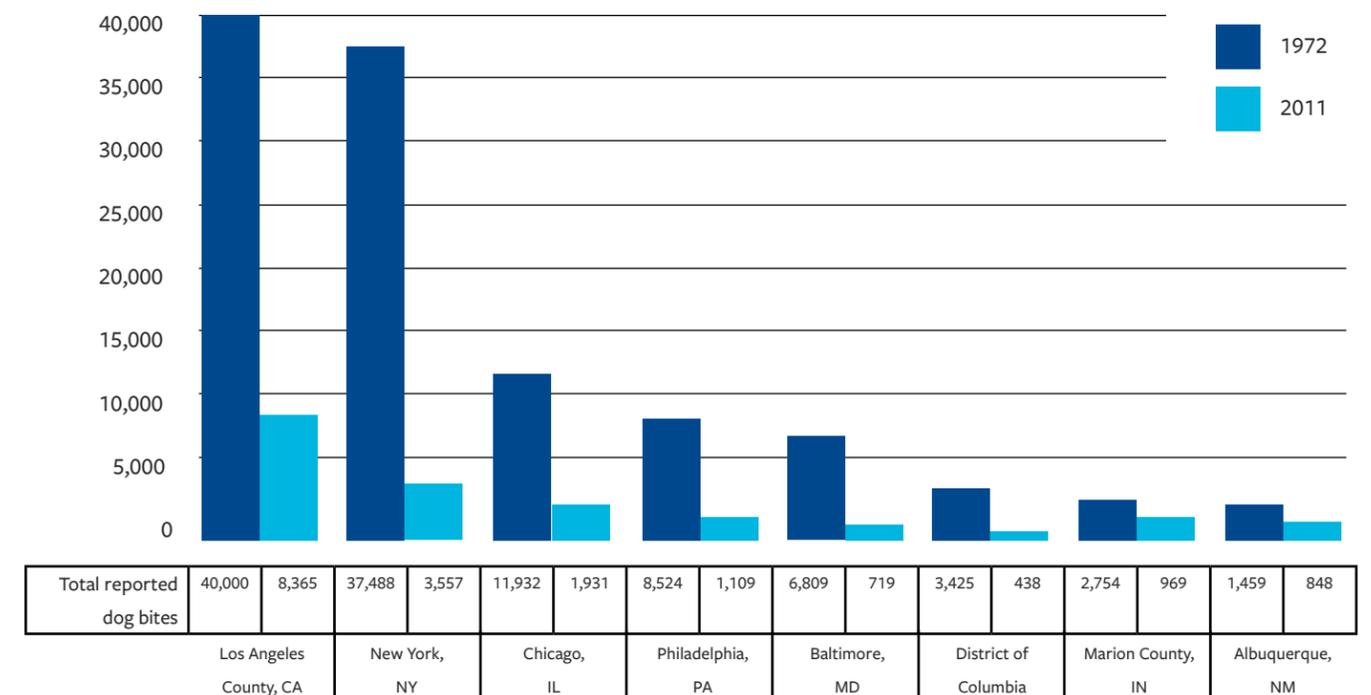


Learn the facts about breed-specific legislation

PUTTING DOG BITES IN PERSPECTIVE: MOST DOGS NEVER BITE

Despite widespread and often sensationalized media coverage on dog bites and attacks, there is no dog bite epidemic in this country. The reality is that most dogs never bite, and reported dog bites have significantly decreased across the country since the 1970s (NCRC, 2016). The graph below, compiled by the National Canine Research Council, illustrates the decline in reported dog bites in various US cities:

Total reported dog bites in selected cities



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It is important to note that there is no federal, centralized reporting agency for dog bite information and most states do not collect dog bite information by breed. Most dog bite information is collected on a local level, by city and county hospitals or animal service agencies, and the methods used to collect said information vary widely and involve a great deal of subjectivity. Circumstances regarding the bites and important variables other than breed are left out, while subjective breed descriptors are used to conclude that some dogs are more dangerous than others. Because a breed's population within any given locality is unknown, incident rates by breed cannot be reliably determined, even if visual breed identification was accurate.

Proponents of BSL often refer to false statistics that are actually based on their own biased research, misleading people to believe that certain breeds or types of dogs are more likely to bite or attack. This minority group of anti-dog advocates runs a fear-mongering campaign based on misinformation. They target vulnerable communities where serious dog attacks have happened, capitalizing on people's grief and trauma. Rather than offering sustainable and humane solutions, they offer short-sighted, inhumane and wasteful ideas which offer nothing to prevent dog bites and attacks. The mere suggestion that it is possible to ban a breed of dog from a community is out of touch with reality.

There were 40 verified dog bite-related fatalities (DBRFs) in the US in 2014; they occurred within a human population of 316 million and a canine population estimated at between 70 and

83 million (NCRC, 2014). It makes no sense to talk about dog bites and behavior in the same context as DBRFs, yet anti-pit bull propagandists convolute the subjects all the time. So let's talk about DBRFs.

A comprehensive study on DBRFs published by *The Journal of the American Veterinary Medical Association* in 2013 identified multiple, co-occurring factors in all cases, and breed was not one of them (Patronek, Sacks, Delise, Cleary, Marder 2013). In fact, that study says DBRFs are multifactorial and that there is no single factor responsible for these events. In cases where the breed(s) of dog(s) could be reliably identified, more than 20 breeds and at least two mixed breed dogs were identified.

Based on this analysis of all DBRFs known to have occurred over a 10-year period, the researchers identified a co-occurrence of multiple, controllable factors of which breed was not included:

- No able-bodied person being present to intervene (87.1%).
- The victim having no familiar relationship with the dog(s) (85.2%).
- The dog(s)'s owner failing to neuter/spay the dog(s) (84.4%).
- A victim's compromised ability, whether based on age or physical condition, to manage their interactions with the dog(s) (77.4%).
- The owner keeping dog(s) as resident dog(s), rather than as family pet(s) (76.2%).
- The owner's prior mismanagement of the dog(s) (37.5%).
- The owner's abuse or neglect of dog(s) (21.1%).

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Four or more of these factors were present in 80.5% of the cases. You can read more about the study at nationalcaninere-searchcouncil.com.

In addition to the findings of this study, the HSUS has observed strong patterns in DBRFs and other serious attacks. Often, they occur in a household of lower income or an underserved community, indicating a lack of pet-related information and services, which explains why so many of the dogs are not spayed or neutered. Pets for Life, a program of the HSUS, operates in more than 40 underserved communities across the country. It has produced a great deal of data demonstrating how access (or lack thereof) to veterinary and pet care services, information and resources plays a role in the health and wellness of a community's pet population. For example:

- The incidence rate of unaltered pets in underserved communities is 87% overall, meaning that nearly 9 in 10 pets are unaltered at the time of the first meeting with PFL.
- A strong majority of pets in underserved communities have not seen a veterinarian before meeting the PFL outreach teams. This is due to the lack of access to affordable veterinary services, not a lack of interest or care from the people.
- Two thirds of all unaltered pets healthy enough for surgery are spay/neutered through PFL, resulting in about seven in every 10 pets being altered if the clients are consistently engaged by the outreach teams (HSUS, 2014).

When people have access to pet care services, dog-related injuries are less likely to occur.

When examining the causes of DBRFs, it's important to consider how these documented trends in underserved communities translate to a lack of access to veterinary services, healthy socialization and understanding about dog behavior and health. There are strong indicators in each of these cases that red flags were present and that intervention from an animal welfare or veterinary organization could have prevented these tragic incidents. In order to properly identify these types of situations, animal care and control organizations need to conduct more proactive, community-based outreach. In other words, when people have access to pet care services, dog-related injuries are less likely to occur.

BSL is often a knee-jerk reaction to a bite incident in a community, often fueled by fear-mongering from BSL proponents. However, we know that these types of laws ignore the true scope of the problem. The truth is that BSL has never led to any positive outcomes or dog bite reduction anywhere it has been tried. To

boot, it has never reduced or eliminated a certain type or breed of dog from a community.

No one should ever be a victim of a dog attack. Those tragic incidents fuel us to steer communities in the direction of effective dog management (by providing the most accurate information) and away from harmful forms of propaganda.

BAD LAWS HAVE HIGH COSTS

The HSUS opposes breed-specific legislation because it doesn't work. We trust pet owners and believe they can make the best decisions for their families. Breed-based restrictions do nothing to address problems but rather take beloved dogs away from families who want them. Trying to address problems in a community by targeting dogs by breed is a poor strategy, and it doesn't improve public safety or animal welfare. In fact, no jurisdiction (state or local) with BSL has ever been able to demonstrate an increase in public safety or a significant reduction in population of banned dog breeds. Breed-based laws are costly and difficult to enforce and add to an already overburdened and under-resourced animal services system. Dogs impounded due to BSL are almost always condemned to death, even when they've done nothing wrong.

Managing dog behavior and protecting public safety are serious responsibilities for officials, and the HSUS wants to see safe communities abound. We sympathize with victims of dog bites and attacks and their families, and the tragedy and injury they have endured motivates us even more to advocate against policies we know will not work. Not only does BSL not help to achieve those goals, it actually moves communities further away from safety because it provides a false sense of security and wastes critical resources. A number of DBRFs have occurred in jurisdictions with BSL already on the books, proving it doesn't increase the community's safety and is a distraction from addressing more fundamental laws.

As the American Veterinary Medical Association notes in its report on community dog-bite prevention, "singling out one or two breeds for control can result in a false sense of accomplishment. Doing so ignores the true scope of the problem and will not result in a responsible approach to protecting a community's citizens" (2001).

Many of the jurisdictions with the longest standing BSL openly admit that it doesn't work and that it actually does harm. BSL has a backlash effect which does more to create dangerous dogs than to prevent them, because it drives owners of those dogs farther away from public places and services they need to socialize their dogs and keep them healthy (like spay/neuter and

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Challenge number two is the mixed pit bull. As the chief I've been doing this now for 32 years in the field, it's still a challenge for me to be able to look at a breed of a dog and go, are you more pit bull than American bulldog? Or presa canario? Any other breed? That is a challenge because it puts a death sentence on some animals that haven't done anything wrong.

In Prince George's County we've tried to repeal the ban twice since 1997, and it failed, it did not make it out of committee twice in Prince George's County. Very, very, very, very difficult. We strive for responsible pet ownership. No matter what the breed is, take care of your pet. Love it. Treat it, spay/neuter it, make it a house pet, get it out the backyard, get it off the chain. A dog will love you just as much as you love it. Love it, and that's what we strive for, that's what we teach, and we really truly would love to get the ban overturned if we could get that to happen. Responsible pet ownership is the way to go.

...
Every county state should have a good vicious dog law. No matter what the breed is. Part of that vicious dog law is not only to get, the dog gets in trouble, but the owner needs to be penalized for allowing that dog to get to that, that behavior to occur certainly has to come from training, the lack of training, the lack of socialization, the lack of love, there's something that caused that, it's not born to be vicious."

"When I started here years ago, we called mixed-breed dogs mutts. Now we just call them all pit bulls."

—WORKER, ANIMAL CARE AND CONTROL NYC

THE MIXED BREED DOG: WHAT IT MEANS AND WHY IT MATTERS

Complicating the issue of breed bans and restrictions is the fact that over half the estimated 70-80 million American pet dogs are mixed breeds. Through canine genetic testing, studies have found that even people in animal-related professions can't accurately identify the breeds in a mixed-breed dog's genealogy through visual inspection. Tragically, breed-biased laws have caused the deaths of countless dogs whose only crime was to resemble a certain type of dog.

People often casually apply the term "pit bull" to three breeds and their mixes: American pit bull terrier, American Staffordshire terrier and Staffordshire bull terrier. Other dogs frequently lumped into the "pit bull" category include bulldogs, boxers, presa canarios, cane corsos, mastiffs and various mixes of all of these. Besides the fact that visual breed identification is unreliable, breed is becoming increasingly irrelevant across the

vaccinations). It keeps dogs tethered in backyards and crated in basements, out of the public eye. It creates shame and hardship for dog owners, casts stereotypes and negative perceptions, and is bad for neighborhood and community relations.

Breed bans and restrictions force dogs out of homes and into shelters, taking up kennel space and resources needed by animals who are truly homeless. Underfunded animal control agencies bear the burden of enforcing the laws, and are often called on to decide, based on looks alone, whether a dog belongs to a certain breed. Battles erupt between dog owners and local agencies—and often continue to the courts—costing the community resources that could have been spent on effective, breed-neutral dog laws and enforcement.

Animal shelters in jurisdictions with BSL remain flooded with legally unadoptable dogs, and shelters in neighboring cities and counties usually end up taking in the dogs from places with bans, like a shell game. Even animal welfare programs which target by breed with the best of intentions have found it to be counter-productive.

Rodney Taylor, longtime associate director of the animal management division in Prince George's County, Maryland, knows first-hand about the cost of BSL in his community. He had this to say regarding the county's breed ban at a state legislative hearing in 2012:

"One of the most difficult challenges we have as an organization is going to someone's house, knocking on their door, and seeing their American pit bull terrier sitting in their living room watching television with the family, and have to take it out. Where the dog has done nothing wrong, no problems, but is just because of its breed, he has to be removed. What a challenge.

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country, making the idea of breed-specific policies even less appropriate.

The advent of DNA testing to identify the various breeds that make up a particular dog's genes has helped demonstrate the difficulty of accurate visual identification. Genes are mysterious in the way they combine to create an animal's features; sometimes a dog who appears to be a pit bull may turn out to be a Labra-poodle-terri-hund. Check out some examples of what testing has revealed about the pooches shown here—it's proof that when it comes to "pit bulls," you can't believe your eyes.

Studies have also been conducted on breed identification in animal shelters. Four Florida shelters—Jacksonville Animal Care and Protective Services, the Jacksonville Humane Society, Marion County Animal Services and Tallahassee Animal Services—participated in a study conducted by Kimberly R. Olson, BS; Julie K. Levy, DVM, PhD, DACVIM; and Bo Norby, CMV, MPVM, PhD.

Four staff members at each of the four shelters indicated what breed(s) they thought 30 dogs were, for a total of 16 observers and 120 dogs. In this study, the terms American pit bull terrier, American Staffordshire terrier, Staffordshire bull terrier and pit bull were included in the study definition of pit bull-type breeds. Of the 120 dogs, 55 were identified as "pit bulls" by shelter staff, but only 25 were identified as pit bulls by DNA analysis. The staff missed identifying 20 percent of the dogs who were pit bulls by DNA analysis, while only 8 percent of the "true" pit bulls were identified by all staff members. Dogs were coded as "pit bull" if American Staffordshire terrier or Staffordshire bull terrier were identified to comprise at least 25 percent of the breed signature.

It is important to know that, while these DNA tests underscore why breed-specific policy is unworkable, they are not 100 percent reliable. The underlying issue about BSL remains the erroneous suggestion that breed dictates behavior, and that a particular breed or type of dog is more dangerous than any other.



OPPOSITE PAGE: DRUW/ISTOCK.COM
 PHOTOS BY: MICHAEL CRANDALL. SOURCE: MADDIE'S SHELTER MEDICINE PROGRAM. SOME PERCENTAGES MAY NOT ADD UP TO 100 PERCENT DUE TO TRACE AMOUNTS OF DNA NOT SHOWN
 ALL ANIMALS MAGAZINE, MARCH/APRIL 2013

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EXPERTS DON'T SUPPORT BREED-BASED POLICIES

Breed-based policies aren't founded on science or credible data, but on myths and misinformation surrounding different breeds. Their impact on dogs, families and animal shelters, however, is heartbreakingly real. Below are quotes from experts who agree that BSL and similar policies that restrict dogs based on appearance do not reduce dog bites in communities or enhance public safety.

American Bar Association

"...the American Bar Association urges all state, territorial and local legislative bodies and governmental agencies to adopt comprehensive breed-neutral dangerous dog/reckless owner laws that ensure due process protections for owners, encourage responsible pet ownership and focus on the behavior of both dog owners and dogs, and to repeal any breed discriminatory or breed specific provisions."

American Kennel Club

"The AKC strongly opposes any legislation that determines a dog to be "dangerous" based on specific breeds or phenotypic classes of dogs."

"Regulations that target specific breeds force law enforcement officials to focus their valuable time on breed identification. This task requires expert knowledge of the individual breeds and can be compounded when the law includes mixed breeds. It is very difficult for public officials to enforce such provisions in a fair and effective manner."

American Veterinary Medical Association

"Dog bite statistics are not really statistics, and they do not give an accurate picture of dogs that bite. Invariably the numbers will show that dogs from popular large breeds are a problem. This should be expected, because big dogs can physically do more damage if they do bite, and any popular breed has more individuals that could bite. Dogs from small breeds also bite and are capable of causing severe injury. There are several reasons why it is not possible to calculate a bite rate for a breed or to compare rates between breeds."

"Statistics on fatalities and injuries caused by dogs cannot be responsibly used to document the 'dangerousness' of a particular breed, relative to other breeds, for several reasons."

American Veterinary Society of Animal Behavior

"Any dog may bite, regardless of the dog's size or sex, or report-

ed breed or mix of breeds. The AVSAB's position is that such legislation—often called breed-specific legislation—is ineffective, and can lead to a false sense of community safety as well as welfare concerns for dogs identified (often incorrectly) as belonging to specific breeds."

Centers for Disease Control and Prevention

The CDC recommends against using breed as a factor in dog-bite prevention policy and states: "Any dog of any breed has the potential to bite."

National Animal Control Association (NACA)

"...breed specific legislation may create an undue burden to owners who otherwise have demonstrated proper pet management and responsibility ... Agencies should encourage enactment and stringent enforcement of dangerous/vicious dog laws."

National Canine Research Council

"The trend in prevention of dog bites continues to shift in favor of multifactorial approaches focusing on improved ownership and husbandry practices, better understanding of dog behavior, education of parents and children regarding safety around dogs, and consistent enforcement of dangerous dog/reckless owner ordinances in communities. Effective laws hold all dog owners responsible for the humane care, custody, and control of all dogs regardless of breed or type."

Obama Administration

"We don't support breed-specific legislation—research shows that bans on certain types of dogs are largely ineffective and often a waste of public resources."

State Farm Insurance

"We do not ask nor do we care what breed of dog is owned by a person. So when we are writing home owner's insurance, rental insurance, or renewing policies, it is nowhere in our questions what breed of dog is owned."—Heather Paul, Public Affairs Specialist

Did you know?

Service and assistance animals as defined by federal law are exempt from breed bans and restrictions, and dogs of all breeds are eligible to serve as service or assistance animals.

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The U.S. Department of Housing and Urban Development

HUD recognizes that breed is an irrelevant factor to ensuring the general public health and safety of a housing community by asserting that all breeds of domestic dogs can be assistance animals regardless of any state or local breed bans and states: "Breed, size and weight limitations may not be applied to an assistance animal. A determination that an assistance animal poses a direct threat of harm to others or would cause substantial physical damage to the property of others must be based on an individualized assessment that relies on objective evidence about the specific animal's actual conduct—not on mere speculation or fear about the types of harm or damage an animal may cause and not on evidence about harm or damage that other animals have caused."

The U.S. Department of Justice

Similarly, the DOJ requires that places of public accommodation grant service dogs access to the premises regardless of breed: "Municipalities that prohibit specific breeds of dogs must make

an exception for a service animal of a prohibited breed, unless the dog poses a direct threat to the health or safety of others. Under the "direct threat" provisions of the ADA, local jurisdictions need to determine, on a case-by-case basis, whether a particular service animal can be excluded based on that particular animal's actual behavior or history, but they may not exclude a service animal because of fears or generalizations about how an animal or breed might behave."

BSL ON THE DECLINE—WHERE IS BSL?

Fortunately, more people and their elected officials are learning why breed bans and restrictions don't make sense, and BSL is on the decline. In recent years, multiple states have passed laws prohibiting BSL on the local level, known as preemptions, and many municipalities have replaced BSL with breed-neutral policies. Repealing BSL has not resulted in more dog bites in these communities. In fact, after Ohio repealed its statewide breed-based law, State Farm Insurance reported a decrease in dog-related claims in the state.



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IS BSL ABOUT DOGS, OR IS IT REALLY ABOUT PEOPLE?

Even though it is important to know the facts about dogs and dog bites when working against BSL, an interesting conversation has recently emerged suggesting that BSL has more to do with complicated human dynamics than with dogs. We strongly encourage all stakeholders to spend some time reflecting on how BSL may be used as a scapegoating mechanism in policymaking. Just as people deserve to be treated as individuals, dogs should not be subject to harmful stereotypes and myths about who owns them. Here are some excerpts from that discourse:

Journalist Brooke Binkowski makes an interesting suggestion, noting that BSL is a type of code language where specific types of dogs are a substitute for deeper, systemic issues.

“Looking into the data on breed bans turns up an interesting finding: each region that has enacted breed-specific legislation of some sort appears to have also experienced significant, if not dramatic demographic changes over a relatively short period of time. For example, Denver, Colorado (a city that has one of the toughest breed bans in the United States—and routinely ranks among the highest in the nation in dog bites) has had breed-specific legislation in place since 1989, not long after the “energy bust” and associated migration dramatically changed the population of the city.”

Bronwen Dickey, author of *Pit Bull: Battle Over an American Icon*, does not shy away from the idea that discrimination against people plays a large role in the perpetuation of breed-specific legislation.

“Many people who believe that pit bulls are uniquely dangerous to humans maintain that their feelings are based solely on the actions of the dogs and not racial or cultural animus toward their owners, and for a number of them that is undoubtedly true. But the loud reverberation of racialized language, especially the word “thug,” in their criticisms is deafening. In much the same way that pit bulls have been systematically “de-caninized,” their owners have been dehumanized.”

In another example of how fears about human dynamics can drive policy change for animals, a township with one of the most egregious and convoluted breed bans in the country recently voted unanimously to prohibit Syrian refugees from settling down in their township. There is evidence to believe the breed ban in the same jurisdiction is designed to prohibit immigration into the town by residents of neighboring, lower-income communities.

It was clear during the 2014 ballot measure to repeal BSL in Aurora, Colorado, that the issue went beyond dog breeds. A city councilwoman was quoted as saying, “Oh, you bet if I could, I would ban the owners, too ... by banning the dogs, we lose the violent behavior that comes with the owners.” In what seems to plainly acknowledge that breed bans are substantiated by myths, she also stated that “it’s not about a fact, it’s about a feeling.”

An October 2016 *Washington Post* opinion piece, “The dirty secret behind banning certain dog breeds,” suggests “that the motivation behind movements to ban specific types of dog aren’t really about the dogs at all. They may instead be proxies by which uneasy majorities can register their suspicions about the race, class and ethnicity of the people who own those dogs.”



Repeal a breed-specific ordinance

ASSESS THE ORDINANCE’S HISTORY AND RESEARCH THE ISSUE

Take the time to look into the history of your ordinance; it will pay off later when you are talking to officials about your proposed repeal. It will be helpful to collect stories from residents about how BSL hurts families and other animals by taking up resources in the community. Be sure to know as many of the following points of information as possible:

- When was it passed?
- Was it motivated by an incident?
- When it was passed what else was going on in the community?
- What is the community like? Is it progressive or conservative? Research community demographics.
- Who were proponents and who opposed? Do they still? Often the animal control agency will have changed its mind on these ordinances after having to enforce it.

- Is it working for the intended purpose? How is that being measured?
- Do banned dogs still live in the community?
- Have dog bites or incidents been reduced?
- Has it accomplished anything positive?
- Who does the ordinance affect?

It is important that you be able to speak with authority about this issue and how it impacts all members of the community. If a neighboring community has recently repealed their BSL, you may want to begin by researching their repeal effort. Information about why the town made the change can often influence your public officials. Having testimonials from those officials is even more powerful.

Draft talking points to keep handy as you promote the idea of a repeal effort with your local city council and the public at large. You can include quotes from experts, arguments for public safety

REPEAL A BREED-SPECIFIC ORDINANCE

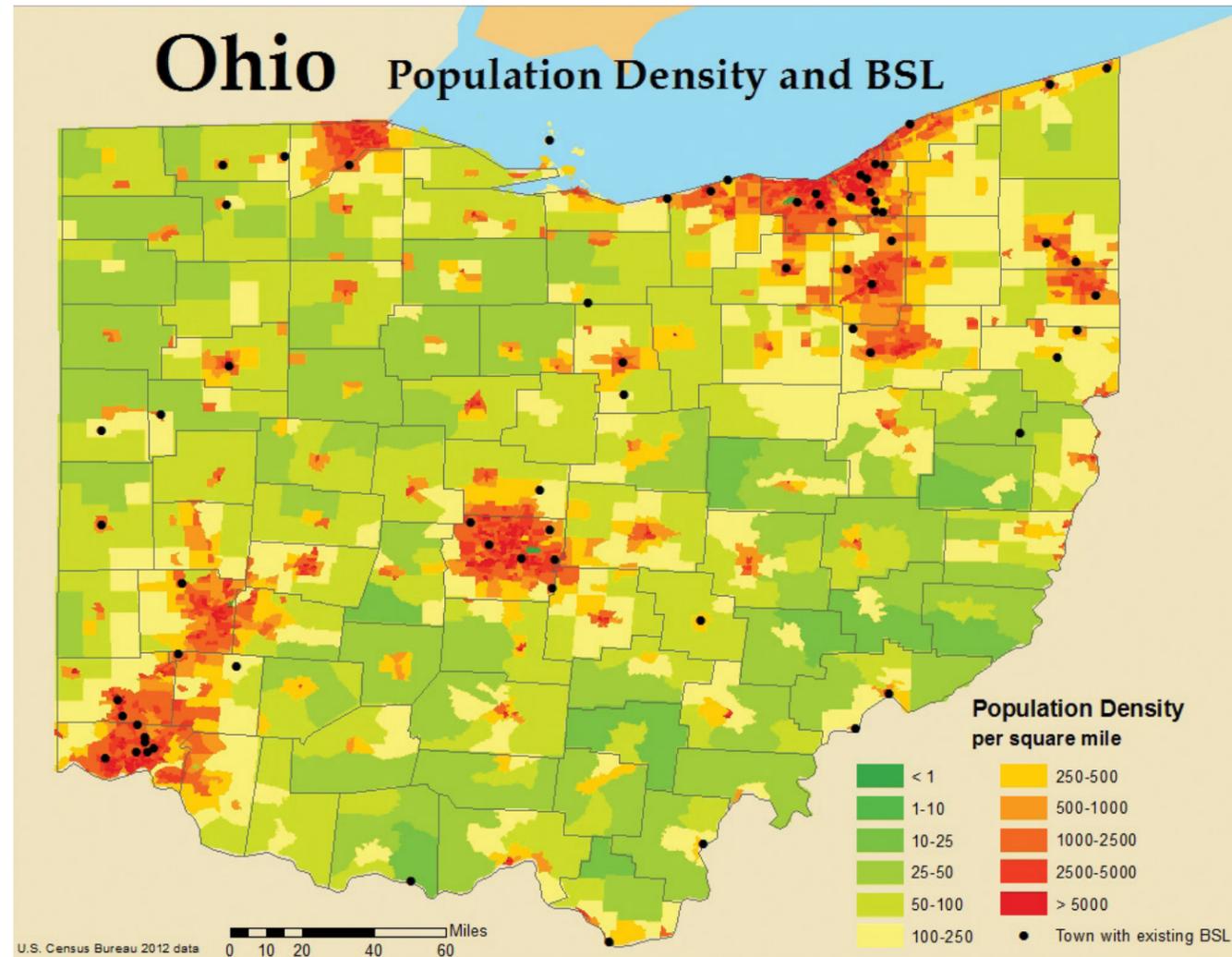
and effects on the sheltering community, as found in the previous section of this toolkit. For sample talking points, see page 25. It is important to remember that BSL is not about one type of dog, but instead affects all dogs and people in the community. Your repeal effort should reflect this principle.

It can be helpful to get a big-picture view of BSL in your state by creating a map similar to the one below. It illustrates the patchwork of laws that existed in Ohio at the time of writing this toolkit and how they can potentially affect human populations and activities.

You can see that the BSL ordinances in place are largely centered around the cities where the human density is highest. A substantial number of ordinances are located in the less densely populated areas of the state as well. Visuals like this can help draw perspective

on BSL and raise pertinent questions. For example:

- Do these ordinances limit people's access to animal wellness and veterinary services?
- If banned dogs are brought to those service providers for care, what happens?
- Does this place more dogs and people in jeopardy and decrease access to care?
- How do these ordinances compare with shelter intake and euthanasia in Ohio?
- Do these ordinances prevent families from relocating within the state?
- Do these ordinances limit economic or employment opportunities for residents?
- How do these ordinances compare with human demographics in the state?



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When Montreal proposed BSL, the Montreal SPCA took a stand and refused to enforce it as part of their service contract with local municipalities. “Like any organization, we need to act in a way that respects our fundamental values. Contributing to a system that would ultimately result in the euthanasia of healthy animals that do not pose any danger is a step that the Montreal SPCA cannot take,” says Benoit Tremblay, executive director.

have been dog-related incidents in one neighborhood, engage residents who live there, and include them in your campaign.

It is extremely important for you to connect with animal care and control agencies and private shelters and rescues in your community. These organizations feel the impacts of BSL because BSL increases intake and limits adoption options, decreasing their ability to life-save. Find out what their positions are—they may have questions and concerns for you, and it is important for you to listen and seek common ground whenever possible. They may be able to share statistical information regarding intake, adoptions, transfers, relinquishments, animals seized by animal control, etc. that you will be able to use in support of your proposal. Many animal enforcement agencies in areas with BSL are tired of taking people's dogs away and euthanizing dogs for no reason. BSL is costly, difficult to enforce and takes limited resources away from more effective animal management strategies. However, sometimes these agencies are unable to take a political position, so be sensitive to this and seek solutions which work to those interests.

In addition, here are some of the other stakeholders we encourage you to reach out to and involve in your effort. We've included some primary talking points that could help you approach them:

MOBILIZE WITHIN YOUR COMMUNITY

Getting a local ordinance repealed or replaced takes significant effort and strategy, so be prepared for the long haul! Getting active community support can make or break the legislation you are trying to pass. A diverse coalition of advocates will show your elected officials that a significant portion of the community supports your efforts. We strongly recommend a group approach to ensure that the viewpoints of all stakeholders are heard. Don't be surprised if fellow citizens have questions and need information; the powerful hype around pit bull dogs has influenced many people. But remember that people are mostly kind, smart and have common sense. Center your messages on those commonalities like wanting to live in a community where members are trusted to care for their dogs safely, and employing non-discriminatory approaches to addressing problems. Be positive and consistent, focusing on the bright spots. Make sure you reach new audiences and avoid “preaching to the choir.” If there

Families and individuals with dogs who are affected by the ordinance	Their testimony on how this has impacted their family will be critical. Guarantee their anonymity when necessary.
Citizen dogs owners of all breeds and types	No one wants to be told what kind of dog they can or cannot have—BSL is a slippery slope of encroachment into privacy.
Animal advocates, aside from those mentioned above	Most animal advocates operate under the premise that “no one is free when others are oppressed” and will want to support your effort.
Veterinary professionals	They are often called upon to provide breed identification in BSL enforcement. Most veterinarians support animal welfare measures.
Community safety interest groups and advocates – outside of the animal welfare field	Anyone with concerns for public health and safety, as well as protecting civil rights for members of the community, should be approached. BSL wastes taxpayer dollars and creates an illusion of safety, not to mention that it disproportionately affects people of lower incomes and resources.
Dog breed and responsible dog ownership groups, such as the local AKC chapter	These groups tend to disagree with BSL.

REPEAL A BREED-SPECIFIC ORDINANCE

Just as it is important to connect with your allies, it can be helpful to meet with members of the opposition to see what their concerns are and whether or not any of them can be mitigated. Sometimes even a letter to the leadership of a local opposition group soon after the issue is introduced can go a long way. Unwavering proponents of BSL represent a small but vocal minority of advocates and chances are none of them live in or near the community at hand.

Below are some of the common arguments against repealing BSL and suggested responses.

“The ban/restriction is not being enforced.”

Some localities may have breed-based bans or restrictions in their code, but do not enforce them. We still want to repeal those ordinances! As long as restrictions remain on the books, they can be selectively and loosely enforced. If an ordinance is not being enforced, that is all the more reason to update the code to reflect more effective animal management strategies.

“Certain breeds of dogs are inherently dangerous.”

Experts have found that no breed is more likely to bite than another. On the contrary, data suggests that the small percentage of dogs who do bite and attack include a range of breeds and mixes, and that areas where BSL has been repealed have experienced fewer or the same number of dog bite incidents. The American Veterinary Medical Association, the National Animal Control Association and the U.S. Centers for Disease Control and Prevention oppose BSL, along with leading animal welfare organizations.

“BSL helps to curb the over-breeding of certain types of dogs.”

Breeds don't magically disappear. Animal shelters in jurisdictions with BSL remain flooded with legally unadoptable dogs, and shelters in neighboring cities and counties usually end up taking in the dogs from places with bans, like a shell game. Even animal welfare programs which target by breed with the best of intentions have found it to be counter-productive.

GET TO KNOW YOUR ELECTED OFFICIALS

The local legislative process varies around the country, so take the time to get familiar with how things work in your community. An official or employee in your local government may be able to help you.

Elected officials tend to take constituents' interests seriously, so try talking to your own council member, county commissioner or alderman first. As much as we'd like the people we vote for to agree with us, this may not always work. If your own council



member isn't interested, don't despair. Try to find another official with an interest in animal issues and pitch your idea to them. Often, your local animal control bureau or nonprofit humane society can point you towards a sympathetic decision-maker.

Once you've identified an elected official, request a meeting with this person to discuss the potential repeal effort.

Prepare for the meeting:

- Gather a small group of your allies to accompany you. Having the animal control officer or a shelter contact present at the meeting can often be very beneficial. Determine the message you wish to convey before meeting. If in a group, divide up the tasks of who is the main spokesperson and who will answer questions on specific topics. Also, assign someone to take notes and to write the follow-up letter. Include brief personal stories or experiences which demonstrate why this issue is important to you or the group. Finally, keep your message brief and clear.
- List all arguments for and against BSL and develop responses. This will help you to avoid being put on the spot. It will help to prepare your message in a letter or fact sheet to leave with the elected official.
- Public officials will want to know the answers to the following questions:
 - Why is this issue important?
 - How does this impact his/her district?
 - How will the proposed language solve the issue?
 - Who supports the proposal?
 - Who opposes the proposal? Do they have political clout?
 - Will the proposal have a significant fiscal impact?
 - How have other states and cities dealt with the issue?
 - Is there opportunity for positive media (or negative)?
 - How does his/her community feel about the issue?

REPEAL A BREED-SPECIFIC ORDINANCE

Mary Jones is terrified of her next door neighbor's two large dogs who live 24/7 on chains in an unfenced yard. When she is in her yard they bark and lunge at her and she is fearful for her safety should they get loose, so she contacts her local animal services agency. Chaining may or may not be a restricted activity in this town, but either way the animal services agency mediates constructive dialogue between the neighbors and works with the owner of the dogs to mitigate possible risks. The dogs are sterilized through reduced-cost or free programs, a secure enclosure or fence is constructed for the dogs (including proper outdoor shelter), and some basic training for the dogs makes them easier to handle so the owner can socialize them more and bring them indoors at least some of the time. Animal services achieve all of this by proactively and positively engaging these two neighbors and acting as a conduit between them and community resources and programs.

Bob Smith calls 911 to report that his neighbor's dog attacked his dog, who is at the vet and is expected to survive. When animal services talks with the neighbor, they discover the dog is not current on vaccines, not sterilized, is under-socialized, lives mostly outdoors with an unsecured fence, and has attacked animals and bitten people previously without being reported. The dangerous dog law only applies if the attacked dog dies, but the officer knows intervention makes sense in this case. The neighbor is resistant to securing his fence and having his dog neutered but because the officer is serious and clear about the importance of it and the consequences in case of future bites and attacks, the owner responds favorably and works with the officer.

Both of the above scenarios are based on real-life incidents where instead of intervention, nothing was done to address the concerns of the citizens or prevent the problem from escalating. The real-life versions of these stories resulted in tragedy for the people, the dogs and the communities. These examples are given as a reminder of why communities don't need huge budgets or fancy laws to address public health and safety, and why they certainly don't need BSL.

During the meeting:

- Be on time and dress professionally. Initial impressions are important in this setting and a good one can only help your message.
- Make sure your opening remarks are brief and contain a clear description of the issue. State your position on it and what you want the elected official to do.
- If you lose your train of thought or get flustered, pull out your fact sheet to refresh your mind or let another member of the group pick up the discussion.
- After presenting your message, let the official respond. Listen carefully. Have another member of your group take notes so you can focus on what the official is saying.
- Answer questions as best you can. Do not make up answers. Acknowledge what you do not know. Make a note of the questions you could not answer and tell the legislator you will follow up with answers.
- Keep the discussion focused on BSL. If the discussion gets off course, steer it back.

After the meeting:

- Immediately take notes regarding the main points of discussion, the official's remarks and any unanswered questions.
- Complete your research to find information for unanswered questions.

- Promptly follow up with a thank-you letter that restates your key points, responds to outstanding questions and reiterates any commitments made.

IDENTIFY ORDINANCE CHANGES

It is important for you to be familiar with the ordinance language you want changed. Some BSL is written into law as a standalone section of the ordinance and other times it is woven into one or more sections. BSL can include an outright ban on ownership or additional restrictions placed on certain breeds of dogs.

In this section of the toolkit, we will outline our recommendations for breed-neutral dog management ordinances, but keep your eye on the prize and don't let perfect be the enemy of good. Your goal is to eliminate BSL and sometimes change comes incrementally.

Your proposal may include strictly a nullification of breed-specific language in your city code by striking a standalone section, or it might include a more detailed set of changes to breed-neutralize the code. Depending on the current ordinance, you may want to include recommendations for effective dog management as well. If the ordinance already has dog management regulations that are suitable with the removal of the breed-specific language, you might not need to alter the ordinance after repealing the BSL. However, if

REPEAL A BREED-SPECIFIC ORDINANCE

the ordinance is completely lacking in dog regulations aside from the breed restrictions, we recommend replacing the BSL with breed-neutral dog management provisions. Every community needs a set of fundamental rules to maintain public health and safety as well as animal welfare standards. But remember to take it one step at a time.

The best approach to effective animal management is a balance of proactive services applied evenly across the community and reactive response to problems, complaints and incidents involving animals. Municipalities should focus resources on establishing standards for humane, safe communities through the use of basic regulations such as leash and safe confinement laws for dogs. These are both areas where law enforcement can work to establish “social norm” behaviors in a community and prevent problems before they occur. When owners are allowed to let dogs routinely roam or keep dogs on chains, there are bound to be problems, and often those problems are allowed to persist from a lack of resources and attention when enforcement agencies are spread thin. We strongly encourage communities to build a solid foundation of outreach and compliance in these areas to achieve minimum animal welfare and public safety standards and identify red flag situations.

No law can prevent dog bites, especially if no one knows what the law says. Think about how much marketing and awareness raising is done around driver safety laws: Speed limits, seat belts and distracted driving laws are all good examples to be mindful of when considering the purpose of a law and how it gets implemented. Animal management laws are most effective when they are used to create expectations in a positive way, rather than used only reactively and punitively.

Dogs at large

Most suburban and urban communities prohibit free-roaming dogs, but at-large laws are uncommon in more rural areas. Aside from laws, it is common to find free-roaming dogs in underserved communities, some owned and some quasi-owned community dogs. Preventing owned dogs from roaming freely is important because loose dogs pose a risk to public safety (dog bites, auto accidents, etc.), other animals and themselves. To minimize these risks, your ordinance should prevent dogs from running at large, and should include incremental intervention strategies for repeat offenders with the big-picture goal being keeping those dogs securely in their homes. Many communities establishing new at-large laws have transitioned residents to this new rule by implementing a grace period or a one-time pass to residents.

Restraint laws should generally require owners to safely and humanely confine pets on their property, balancing animal welfare with

public safety. A good restraint law also regulates how animals should be handled when off their property, e.g., leashed on walks, transported inside vehicles, under control of a physically capable adult.

Tethering

Constant tethering is bad for both dogs and people. Dogs are naturally social creatures who need interaction with people and/or other animals, and long-term restraint often severely damages their physical and psychological well-being. Importantly, tethering is a major risk factor for serious dog bites and attacks. Dogs feel naturally protective of their territory; when confronted with a perceived threat, they respond according to their fight-or-flight instinct. A tied dog, unable to take flight, resorts to fight, attacking any unfamiliar animal or person who unwittingly wanders into his territory. Communities need to take a hard look at tethering and confinement and recognize that when dogs are denied the ability to exercise their natural behaviors, it has negative behavioral consequences, which can cause dogs to bite and attack.

While the HSUS supports efforts to ensure dogs are not continuously tethered, we recognize that people tether their dogs for a variety of reasons, including well-intentioned efforts to comply with leash laws and keep their dogs from running off, and many people are unaware of the harm it can cause. As such, efforts to inform pet owners about the dangers of tethering and assist them with solving the underlying problem that led to the tethering in the first place can be very effective in eliminating the problem. (For example, is the dog an escape artist? Perhaps helping the owner build a fence will eliminate the tether permanently.)

As advocates, it is important for us to find positive, constructive ways to enable owners to unchain their dogs themselves. They will be more likely to keep their dogs untethered, keep future dogs untethered and spread the word to others they know who may tether their dogs, reserving the scarce resources of animal welfare organizations for the serious cases of cruelty and neglect.

If a legislative solution, such as a tethering restriction, is being considered, it is important to know that there is no one-size-fits-all tethering ordinance. The proposed legislation must be a good fit for the community given available resources and realistic prospects for enforcement. For more information on tethering laws, as well as model ordinance language, please visit our webpages on tethering at humansociety.org/tethering.

Dangerous dogs

The term “dangerous dog” is generally applied to dogs who have been deemed “dangerous” by a judge following one or more bites or attacks. Most states have dangerous dog laws and some are

sufficient for localities, but in some cases localities have enacted more detailed laws. If your state law is sufficient, it is not necessary to change your local ordinance, but we often find local officials are unaware of what their state law is.

Dangerous dog laws allow for law enforcement to intervene after a bite or attack has occurred. Some communities include bites or attacks on domestic and wild animals in their dangerous dog laws as well. Just as in the criminal system, every individual is innocent until proven guilty; with the stakes so high, it is important to create a breed-neutral process that allows a court of law to determine whether a dog should be declared dangerous or potentially dangerous without unnecessarily removing dogs from their homes. Requirements for dogs declared dangerous should not be overly harsh and should still allow dogs to be dogs (e.g., no over-muzzling or using harmful restraint). We recommend that dogs who have bitten are required to be altered, receive appropriate training and always be supervised and safely confined. Dogs who have bitten should not be kept on chains for long periods of time.

Spaying and neutering

Spaying/neutering a dog effectively manages their hormones in a way which reduces problem behavior and makes the dogs safer. Knowing this makes it tempting to think that a law requiring people to spay or neuter their dogs would solve all the problems. However, it doesn't work that way in reality and we caution against that approach. Mandatory spay/neuter does not create long-term social change, and often results in a backlash effect of owners who want to keep their dogs having to relinquish or rehome them—this is not what we want.

Make it easier for people to spay/neuter their dogs by using more effective outreach strategies as part of animal management and advocacy. Programs like the HSUS's Pets for Life program provide a great model for increasing spay/neuter rates in a community. Because cost is the primary barrier to spay/neuter services, it's important to create funding streams to subsidize the cost to people who cannot afford it. The HSUS supports efforts to create funding streams for spay/neutering programs, especially those providing services and subsidies to underserved populations of pet owners. These can be state or local, private or government funds.

The HSUS has found that when spay/neuter services are made accessible and costs are subsidized, sterilization rates increase. When the opposite occurs, animal care resource deserts emerge, and this lack of access has a profound impact on the well-being of a community.

Please see our list of resources at the end of this toolkit for more information on public policy for animals.

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ADVOCATE FOR YOUR PROPOSAL

A key to your success will be strategically lobbying and testifying in support of your resolution. While you have hopefully already met with your official, you will need advocates to lobby other members of the Council to gain their support. Be sure to use media in order to gain more exposure for your proposal.

Don't forget that local officials read local papers! Schedule a meeting with the editor or editorial board of your local paper to ask them to support your proposal. Contact other media outlets, including television and radio, to let them know about your efforts. Send letters to the editor to your local paper, remembering to state your case concisely. For sample LTEs, see page 26.

You should also use social media and encourage your coalition to do the same. As a citizen, you have the right to express your opinion to your elected official, and social media has become a great way for your voice to be heard. Twitter and Facebook have created an avenue for concerned citizens to reach their legislators directly and create meaningful discussion. When many social posts come in regarding a specific issue, the elected official is compelled to notice and hopefully take action.

If your council calls a public meeting to discuss your proposal, you should attend and testify in support of your resolution. A large and well-informed turnout at a town hall meeting or a community forum is an extremely effective way to send a strong message to your local officials, the media and the general public (via the media).

Try to recruit others to attend the meeting with you. Inform them of the date, time, address and nature of the meeting. Plan ahead of time to make sure that everyone doesn't speak on the exact same points (a common problem at public hearings). It's especially important to have an individual who enforces the current ordinance testify at the meeting.

As much as breed discrimination is a bad thing for dogs, you need to be sure to spend equal time focusing on the reasons that it is bad for families and communities.

AFTER THE VOTE

You may not win the first time around, but don't give up. Talk to the individuals who voted against the repeal effort and find out why. You can learn from this experience and try to pass a better bill in the future.

If your ordinance passes, congratulations! You have completed a great accomplishment, so be proud of all of your hard work. Your community will be safer for dogs



Final thoughts

No law can prevent dog bites. No law has ever prevented dog bites. Laws enable law enforcement to take steps after an incident has occurred, which is important. But preventing dog bites is an effort that needs to take place on a grassroots community level. Preventing dog bites happens only when all community members with dogs have access to animal care services, information and resources. When segments of the community are cut off from important resources, problem dog behavior is likely to occur due to a lack of awareness. True prevention is about building strong community infrastructure.

Often in the wake of dog bite tragedies, pain and ideology divide people and turn neighbors against each other. We understand why the immediate reaction to these incidents is often anger and that in our anger we look for someone to blame. We blame the dogs, the owners or whoever else we can.

The reality is these attacks are a collective fault—from those directly involved to the systems that govern our communities. But we have an incredible opportunity to evaluate this collective wound and to take action to fix it and prevent it from happening again.

Fortunately, breed-based laws are on the decline and soon to be a thing of the past. The vast majority of people practicing animal management on the local level agree that breed has nothing to do with the job. The HSUS works hard to fight breed-based laws and policies and guide officials and lawmakers to ones that we know will serve the community better.

But it is not enough to say no to BSL and ignore the problem at hand. We have to stare this problem in the face and solve it head-on. We need to accept the fact that sharing our society with dogs involves a minimal degree of calculated risk, and establish rules and expectations around it. This is a fundamental reality based on multiple species sharing space. To that end, we support reasonable, breed-neutral regulation of dogs; it is the bedrock of this human-animal relationship that enriches our lives and our culture.

Community-based animal management is an entirely underrated and severely under-resourced function. As a result, animal control is forced to choose reactive efforts over proactive strategies because they cannot afford to do both, and there are constant fires to put out. We have evidence from within our field and from other, more practiced and data-driven fields informing us that proactive strategies that create long-term social change often prevent fires in the first place.

The Humane Society of the United States devotes resources to programs like our Pets for Life initiative, providing meaningful support for families living in “pet care deserts.” Our outreach in these communities and others like it helps pet owners get the training, veterinary care and tools they want and need to keep their dogs and families safe. This is what support for healthy human-animal bonds looks like, not indiscriminate bans.



OPPOSITE PAGE: SYLVIEDESIGN/ISTOCK.COM; THIS PAGE: LISA PHILLIPS

Campaign materials

TALKING POINTS

- BSL is on the decline. Many lawmakers now know it is the wrong path, leading nowhere.
 - There are no more states with BSL—all have repealed their laws, and there have been no increases in dog bites or attacks.
- 21 states and counting prohibit BSL on a local level.
- BSL only exists at a local level and is being repealed at a steady pace.
- BSL does not help, it hurts. There is no evidence of BSL having worked in any sense, anywhere, on any level of government.
- BSL does nothing to prevent dog bites or improve public safety. Proactive animal management and enforcement with a balance of community support is the best way to reduce animal bites and create a safer, more humane community.
- BSL takes dogs with no problem behavior away from their loving families and homes. Shelters are tired of taking in animals who already have homes when they are struggling to find homes for animals who do not. BSL floods already overburdened animal shelters with large volumes of dogs, using space that should be reserved for animals who are truly homeless.
- BSL is incredibly difficult to enforce and drains resources for no good reason.
- BSL is unrealistic—it has not ever and will not ever eliminate a specific breed from a community. People love their dogs and will risk non-compliance before giving up their pets. This makes the problem worse because people and dogs become more difficult to reach for providers of animal care and wellness services. BSL creates more unvaccinated, unsterilized and unsocialized dogs.
- Americans do not want to be told what kind of dog they can or cannot have, nor should they be. Most pet owners love and care for their companions.



- Breed does not indicate a dog’s propensity to bite—all experts agree on this (AVMA, CDC, etc.). There is no credible evidence that supports breed as an indicator of whether a dog is safe.
- BSL is bad for all dogs, not just the ones currently being regulated. BSL is a slippery slope.
- “Pit bull” is not a breed but an arbitrary term used to describe a diverse group of dogs. Efforts to define what a “pit bull” is vary widely, underscoring the lack of science behind BSL. Research shows that visual identification is unreliable even by experts and vets.
- “Pit bull” dogs are just dogs like any other and should be treated as individuals.

FACT SHEET

Support Ordinance XXX

Breed-based policies aren't founded on science or credible data, but on myths and misinformation surrounding different breeds. Their impact on dogs, families and animal shelters, however, is heartbreakingly real.

Experts have found that no breed is more likely to bite than another. On the contrary, data suggests that the small percentage of dogs who do bite and attack include a range of breeds and mixes, and data shows that areas where BSL has been repealed have experienced fewer or the same number of dog bite incidents. The American Veterinary Medical Association (AVMA), the National Animal Control Association and the U.S. Centers for Disease Control and Prevention oppose breed-specific legislation (BSL), along with leading animal welfare organizations.

- BSL is bad for dogs.
 - Dogs with no problem behavior are removed from families who love them.
 - Some owners—fearful of their dog being removed—take their dogs underground, making it harder to reach them with services that would benefit them and improve community safety, such as sterilization, veterinary care, and training.
 - Animal shelters in jurisdictions with BSL remain flooded with legally unadoptable dogs, most of whom end up destroyed even when they've shown themselves to be nothing but sweet pets.
- BSL is bad for the community.
 - Targeting dogs by breed is not an effective solution to any public policy matter, including public safety issues or dog bite prevention.
 - BSL actually moves communities farther away from safety because it provides a false sense of security and wastes critical resources.
 - The AVMA notes in its report on community dog-bite prevention that “singling out one or two breeds for control can result in a false sense of accomplishment. Doing so ignores the true scope of the problem and will not result in a responsible approach to protecting a community’s citizens.”
- BSL is bad for law enforcement and animal control.
 - Breed bans and restrictions force dogs out of homes and into shelters, taking up kennel space and resources that could be used for animals who are truly homeless.
 - Underfunded animal control agencies bear the burden of enforcing the laws and are often called on to decide, based on looks alone, whether a dog belongs to a certain breed, tearing wonderful pets away from families who love them.
 - Shelters in neighboring cities and counties usually end up taking in the dogs from places with bans, like a shell game. Even animal welfare programs which target by breed with the best of intentions have found it to be counter-productive.
 - BSL is incredibly difficult to enforce and is ineffective, as it's legally impossible to eliminate a breed from the community.

TESTIMONY

Hello, my name is [name]. I appreciate the opportunity to speak this morning and share this information with you. As a citizen of [town], I wholeheartedly support regulations for dogs and their owners, including provisions for regulating dogs who have shown themselves to be dangerous. However, restricting and regulating dog ownership by breed does not accomplish that; it actually puts [town] farther away from the desired objective.

Effective dog management has nothing to do with breed. The most effective animal management strategies in the country center around basic laws applied consistently to all dog owners. These laws, such as proper restraint (i.e. leash laws) and confinement laws (e.g., restrictions on chaining), create standardized rules, norms and expectations in the community and create a safer environment.

When basic laws are enforced consistently, animal enforcement agencies are able to positively engage the community through

intervention, providing support and information to the vast majority of pet owners who love their pets and take good care of them. When basic laws are enforced consistently, animal enforcement agencies are also able to identify and address problem situations before they result in tragedies.

Effective animal enforcement agencies respond to dog bites and attacks equally, no matter the type of dog involved. These agencies know that most dogs never bite, risk factors are not breed-specific, and most bites come from dogs belonging to family or friends in a home environment.

Breed specific policies have no basis in science. Experts like the American Veterinary Medical Association, the American Veterinary Society of Animal Behavior, the U.S. Centers for Disease Control and Prevention, and the National Animal Control Association agree that no breed of dog is inherently dangerous and reject breed-specific policies in lieu of effective policies.

Data from insurance risk assessments also supports this thinking: State Farm, one of the country's largest providers of insurance and risk assessment, has a long standing breed-neutral policy. The company doesn't even ask for breed information and explicitly states that insuring all dogs, regardless of breed, is not a real risk for them. After Ohio repealed its breed prohibition in 2012, State Farm saw a decrease in the number of dog-related claims.

Breed-based regulation has never been successful anywhere it has been tried, including here in [town], and is on a steep decline in public policy. 21 states and counting have rejected breed-based laws to the degree they prohibit cities and counties from enacting dog law based on breed.

Singling out certain residents by the breed of dog they own is a flawed strategy that hurts the law-abiding, dog-loving citizens of [town] the most and wastes precious shelter space and resources on dogs who already have loving homes and have done nothing wrong.

Actual breed-neutral factors are often ignored when a community is misdirecting their efforts on breed. Factors that actually matter include whether a dog is well socialized, altered, receiving veterinary care and more. These issues are significantly more predictive of the likelihood that a dog may be dangerous,. Focusing on providing access to pet services and resources to all parts of the community, particularly those living in underserved neighborhoods, is significantly more likely to create safer communities. An estimated 23 million pets in the U.S. are living in poverty, with owners who love them but need access to services, resources and sometimes just information and encouragement. Laws should be designed to lift up and strengthen a community, not regulate it to its knees.

Animal control directors from cities and counties with long-standing breed specific laws have been vocal about how wasteful and difficult to enforce these laws are, how tragic and heartbreaking it is to remove beloved dogs who have not violated any laws, and how much they regret having these ordinances in place. If breed remains the focus in [town], real, effective strategies for preventing dog bites will continue to be ignored.

Managing dog behavior and protecting public safety are serious responsibilities for our community officials. I propose that the [governing body] repeal the breed-specific language in our code, which will move our town toward a safer future for our residents and companion animals.

LETTERS TO THE EDITOR

Breed-specific legislation (BSL) is ineffective, costly, impossible to enforce, and harms families, dogs and communities (cite article name, date of story). BSL is based on the factually wrong assumption that breed is predictive of whether a dog may be dangerous. Moreover, BSL relies on the unreliable standard of using physical features to identify a dog's breed, which is problematic because many dogs with divergent backgrounds look similar and even animal experts, including shelter workers and even veterinarians, cannot identify a dog's breed based on physical characteristics. This leads to chaos and expensive lawsuits between people who disagree about whether a dog fits an arbitrary description that has nothing to do with community safety.

CAMPAIGN MATERIALS

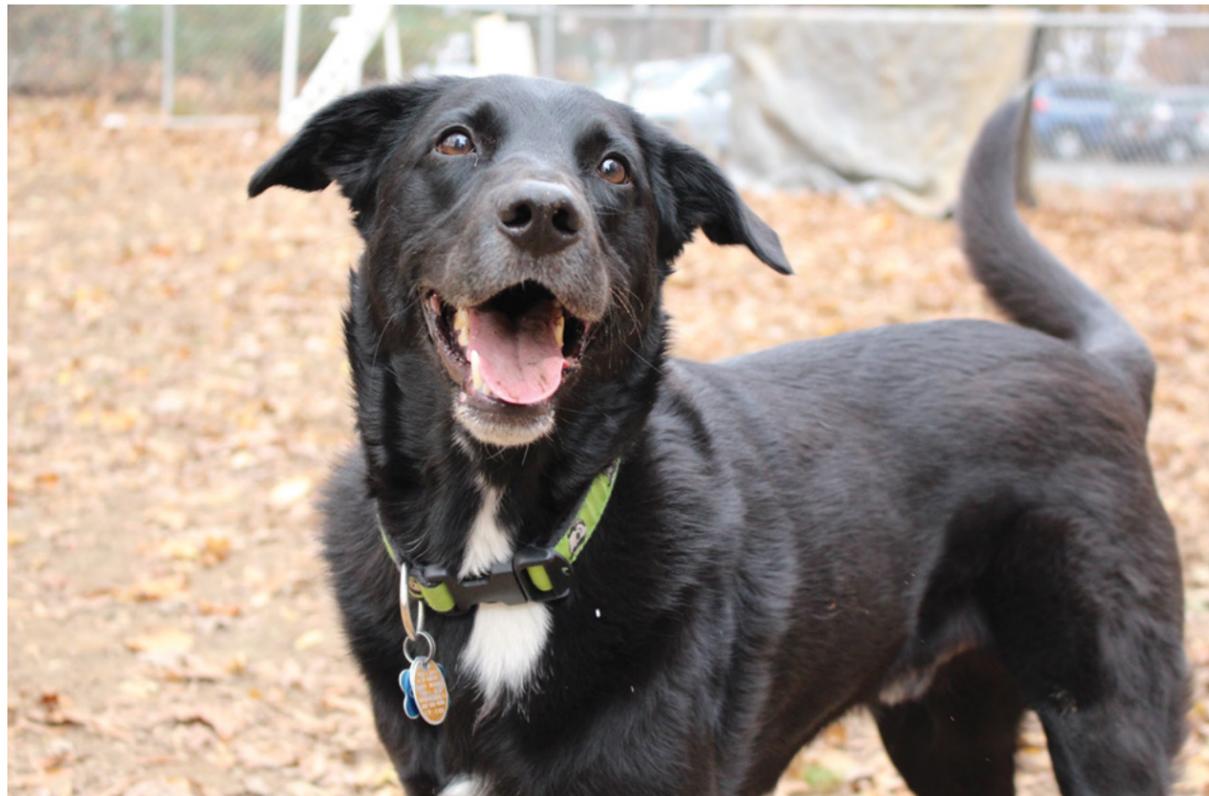
Everyone wants to live in a safe community, and we should do everything possible to prevent harmful dog related incidents from occurring, but BSL is not an effective dog management tool. I urge the governing body to repeal the BSL in our city code.

Breed specific legislation (BSL) is often a reactionary measure to a bite incident, and it ignores the true scope of the problem (*cite article name, date of story*). There is no data that supports BSL, and no jurisdiction (state or local) with BSL has ever been able to demonstrate an increase in public safety or a significant reduction in population of the banned dog breeds. In fact, it is not possible to completely legislate away a breed (or type) of dog legally, and experts in policy-making recommend against using breed or any single-factor approach towards dog management. If the governing body wants to increase the safety of our town for residents, they should vote to repeal the BSL.

The truth is, no law will prevent dog bites (*cite article name, date of story*). That is why it is important to proactively work to prevent dog bites from occurring within our community. The best approach to this is ensuring that all pet owners in the community have access to services and resources that are crucial to achieving humane pet-keeping, such as veterinary care, spay/neuter services, vaccinations, socialization opportunities, training and other resources.

Focusing on providing access to pet services and resources to all parts of the community, particularly those living in underserved neighborhoods, is significantly more likely to create safer communities. An estimated 23 million pets in the U.S. are living in poverty, with owners who love them but need access to services, resources and sometimes just information and encouragement. Our laws should be designed to lift up and strengthen a community, not regulate it to its knees.

Community management of dogs has nothing to do with breed. And having animal services focused on breed restrictions rather than engaging residents in a positive, proactive way is a waste of precious resources. I encourage the governing body to continue the journey toward breed-neutral dog policy, moving our city toward a safer future.



Additional resources

Links found throughout the document

STATEMENTS AGAINST BSL

American Bar Association

americanbar.org/content/dam/aba/administrative/mental_physical_disability/Resolution_100.authcheckdam.pdf

American Kennel Club

cdn.akc.org/Government_Relations/Updated_April_2016_GDLGB2.pdf?_ga=1.11712116.1391756025.1467142082

American Veterinary Medical Association

avma.org/KB/Resources/Reports/Pages/A-Community-Approach-to-Dog-Bite-Prevention.aspx

American Veterinary Society of Animal Behavior

avsabonline.org/resources/position-statements

National Canine Research Council

nationalcanineresearchcouncil.com/dog-legislation/breed-specific-legislation-bsl-faq/

Obama Administration

petitions.whitehouse.gov/petition/ban-and-outlaw-breed-specific-legislation-bsl-united-states-america-federal-level-0

U.S. Department of Housing and Urban Development

portal.hud.gov/hudportal/documents/huddoc?id=servanimals_ntcf-heo2013-01.pdf

U.S. Department of Justice

ada.gov/regs2010/service_animal_qa.html

HSUS MATERIALS

Animal Sheltering

animalsheltering.org/topics/laws-policies

Pets for Life

humanesociety.org/about/departments/pets-for-life/

Pets are Welcome

humanesociety.org/petsarewelcome

Tethering

humanesociety.org/tethering

OTHER ONLINE RESOURCES

The Humane Society of the United States

humanesociety.org/bsp

humanesociety.org/breedspecific

Best Friends Animal Society

bestfriends.org/our-work/pit-bull-terrier-initiatives

The American Society for the Prevention of Cruelty to Animals

aspca.org/animal-cruelty/dog-fighting/what-breed-specific-legislation

Animal Farm Foundation

animalfarmfoundation.org/pages/Breed-Specific-Legislation

ADDITIONAL RESOURCES

Citations

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Olson, K.R., Levy, J.K., Norby, B. (2012). *Pit Bull Identification in Animal Shelters*. Retrieved from: maddiesfund.org/incorrect-breed-identification.htm.

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