



BREED-SPECIFIC LEGISLATION

BACKGROUND:

Breed-specific dangerous dog legislation is usually proposed by state or local lawmakers in response to a specific attack by a dangerous animal or a wave of irresponsible dog ownership in a community. Proponents of breed-specific legislation (BSL) are trying to find a way to protect members of their community, and have latched onto the idea of regulating a specific breed of dog as a quick and easy solution to animal control problems. However, breed-specific legislation does not address the underlying problem of irresponsible ownership. A better solution is to craft legislation that addresses the deeds of specific dogs and their owners, rather than to ban an entire breed.

POINTS TO CONSIDER:

- **BREED-SPECIFIC LAWS DO NOT PROTECT COMMUNITIES**
Instead of holding all dog owners accountable for their behavior, breed-specific laws only place restrictions on the owners of certain types of dogs. An owner intent on using his or her dogs for malicious purposes, such as dog fighting, will simply be able to switch to another type of dog, thereby continuing to jeopardize public safety. Under BSL, the list of regulated breeds or types could grow every year without ever addressing the underlying issue of responsible dog ownership. Deeds, not breeds, should be addressed in the ordinance.
- **BREED-SPECIFIC LAWS ARE DIFFICULT TO ENFORCE**
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.
- **BREED-SPECIFIC LAWS ARE UNFAIR TO RESPONSIBLE OWNERS**
Many owners of the targeted breeds are extremely responsible and loving towards their pets. The breed-specific laws may prevent responsible owners from freely interacting with, showing, breeding or providing pet therapy with their dogs, such as visits to schools, hospitals, and nursing homes. In addition, some forms of BSL may cause financial hardship to responsible owners.
- **BREED-SPECIFIC LAWS COULD INCREASE COSTS FOR THE COMMUNITY**
Shelter costs for the community could rise as citizens abandon household pets of the targeted breeds at shelters because of inability to comply with the breed-specific laws. In addition, adoptable dogs of the targeted breeds generally cannot be adopted out and would have to be euthanized at the shelter at public expense.
- **BREED-SPECIFIC LAWS MAY NOT WITHSTAND LEGAL CHALLENGES**
Some communities have had their breed-specific laws overturned on constitutional challenges. Because proper identification of the dogs to be included is difficult, the law may be deemed as unconstitutionally vague. It may also be found to involve the taking of property without due process.

A BETTER SOLUTION IS AVAILABLE

Strongly enforced animal control laws (such as leash laws), generic guidelines on dealing with dangerous dogs and increased public education efforts to promote responsible dog ownership are all better ways to protect communities from dangerous animals. Increasing public education efforts will address the root cause of the problem (irresponsible dog owners). Uniformly enforced animal control laws will force all owners, regardless of the breed of dog they own, to be responsible animal owners while preventing irresponsible owners from simply turning to a different breed.