BREED SPECIFIC LEGISLATION

ANIMAL FARM FOUNDATION
Experts have proven that Breed Specific Legislation does not make communities safer for people or pets. It is costly, ineffective, and it undermines the human-canine bond.

Regulating breeds puts the focus on the dogs, without addressing owner behavior and owner responsibility to the animal and the community. For more information on breed neutral practices that create and support safe, humane communities, please see our booklet: Building Safe Communities.

For more information, please visit our website: www.animalfarmfoundation.org or contact us at: info@animalfarmfoundation.org
ORGANIZATIONS THAT DO NOT ENDORSE BREED DISCRIMINATORY LEGISLATION (BDL)

The following organizations do not endorse breed discriminatory legislation (BDL). This list is not intended to be comprehensive, as there are numerous other organizations that have publicly voiced that they do not endorse BDL.

The American Bar Association (ABA)
“…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.”
(http://www.abanow.org/2012/06/2012am100/)

American Kennel Club (AKC)
“The American Kennel Club supports reasonable, enforceable, non-discriminatory laws to govern the ownership of dogs. The AKC believes that dog owners should be responsible for their dogs. We support laws that: establish a fair process by which specific dogs are identified as “dangerous” based on stated, measurable actions; impose appropriate penalties on irresponsible owners; and establish a well-defined method for dealing with dogs proven to be dangerous. We believe that, if necessary, dogs proven to be “dangerous” may need to be humanely destroyed. The AKC strongly opposes any legislation that determines a dog to be “dangerous” based on specific breeds or phenotypic classes of dogs.
(http://www.akc.org/pdfs/canine_legislation/PBLEG2.pdf)

American Society for the Prevention of Cruelty to Animals (ASPCA)
“The American Society for the Prevention of Cruelty to Animals supports reasonable “leash” laws and laws that regulate dogs who have caused unjustifiable injury or who present substantial danger to the public. However, the ASPCA opposes laws that ban specific breeds of dogs or that discriminate against particular breeds. These laws unfairly discriminate against responsible dog guardians based solely on their choice of breed. Such laws also fail to achieve the desired goal of stopping illegal activities such as dog fighting, and breeding and/or training dogs to be aggressive. The ASPCA believes that strict enforcement of laws that ban animal fighting, and breeding and/or training animals to fight, is the proper means to address the problem.”
(http://www.aspca.org/about-us/policy-positions/breed-specific-bans.aspx)
American Temperament Test Society (ATTS)

“Because of breed-specific dog legislation and negative publicity associated with many breeds of dogs, temperament testing has assumed an important role for today’s dog fancier. The ATTS Temperament Test provides breeders a means for evaluating temperament and gives pet owners insight into their dog’s behavior. It can have an impact on breeding programs and in educating owners about their dog’s behavioral strengths and weaknesses as well as providing a positive influence on dog legislation.”
(http://atts.org/about-temperament/)

American Veterinary Medical Association (AVMA)

“The American Veterinary Medical Association supports dangerous animal legislation by state, county, or municipal governments provided that legislation does not refer to specific breeds or classes of animals. This legislation should be directed at fostering safety and protection of the general public from animals classified as dangerous.”
(http://www.avma.org/issues/policy/dangerous_animal_legislation.asp)

American Veterinary Medical Association PRIT (AVMA PLIT)

“The AVMA does not support the adoption of breed specific bans by insurers and does support education programs to teach the public proper safety precautions when dealing with strange or dangerous dogs.”
(www.avmaplit.com)

Animal Farm Foundation (AFF)

“There has never been any evidence that breed bans or restrictions contribute to improved public safety. Regulating breeds puts the focus on the dog, without addressing owner behavior and owner responsibility to the animal and the community.”
(www.animalfarmfoundation.org)

Association of Pet Dog Trainers (APDT)

“The Association of Pet dog Trainers APDT supports the adoption or enforcement of a program for the control of potentially dangerous or vicious dogs that is fair, non-discriminatory and addresses dogs that are shown to be dangerous by their actions. The APDT opposes any law that deems a dog as dangerous or vicious based on appearance, breed or phenotype. Canine temperaments are widely varied, and behavior cannot be predicted by physical features such as head shape, coat length, muscle to bone ratio, etc. The only predictor of behavior is behavior. As an organization comprised of dog trainers, behaviorists and other animal professionals, the APDT is fully aware that any dog can bite, any dog can maim, and any dog can kill. A dangerous or vicious dog is a product of a combination of individual genetics, upbringing, socialization, and lack of proper training. The solution to preventing dog bites is education of owners, breeders, and the general public about aggression prevention, not legislation directed at certain breeds. Singling out and publicly demonizing certain breeds as dangerous is unfair, discriminatory, and does an immense disservice to those breeds and the people who care about them. Even more chilling, breed specific legislation encourages the faulty public perception of other breeds as being inherently safe. This can lead misguided individuals to engage in unsafe conduct with other breeds that can result in injury or death by individual representatives of those breeds mistakenly perceived as safe. Also, designating certain breeds as inherently dangerous implies to the public that behavior is not effectively influenced, positively or negatively, by training. This misconception will likely produce a growing number of dangerous dogs as misinformed, complacent dog owners fail to practice responsible aggression-prevention measures.”
(http://www.apdt.com/about/ps/breed_specific_legis.aspx)

(continued on next page)
**Best Friends Animal Society (BFAS)**

“Best Friends opposes breed-discriminatory legislation (also called breed-specific legislation, BSL), which arbitrarily targets particular breeds. Breed-discriminatory laws are not only ineffective at improving community safety, they are extremely expensive to enforce and deplete needed resources from animal control.”

(www.bestfriends.org)

**Centers for Disease Control & Prevention (CDC)**

“A CDC study on fatal dog bites lists the breeds involved in fatal attacks over 20 years (Breeds of dogs involved in fatal human attacks in the United States between 1979 and 1998). It does not identify specific breeds that are most likely to bite or kill, and thus is not appropriate for policy-making decisions related to the topic. Each year, 4.7 million Americans are bitten by dogs. These bites result in approximately 16 fatalities; about 0.0002 percent of the total number of people bitten. These relatively few fatalities offer the only available information about breeds involved in dog bites. There is currently no accurate way to identify the number of dogs of a particular breed, and consequently no measure to determine which breeds are more likely to bite or kill. Many practical alternatives to breed-specific policies exist and hold promise for preventing dog bites. For prevention ideas and model policies for control of dangerous dogs, please see the American Veterinary Medical Association (AVMA) Task Force on Canine Aggression and Human-Canine Interactions: A Community Approach to Dog Bite Prevention (http://www.avma.org/public_health/dogbite/dogbite.pdf).”

(http://www.cdc.gov/HomeandRecreationalSafety/Dog-Bites/dogbite-factsheet.html)

**Humane Society of the United States (HSUS)**

“The HSUS opposes legislation aimed at eradicating or strictly regulating dogs based solely on their breed for a number of reasons. Breed Specific Legislation (BSL) is a common first approach that many communities take. Thankfully, once research is conducted most community leaders correctly realize that BSL won’t solve the problems they face with dangerous dogs. If the goal is to offer communities better protection from dogs who are dangerous, then thoughtful legislation that addresses responsible dog keeping is in order. Legislation aimed at punishing the owner of the dog rather than punishing the dog is far more effective in reducing the number of dog bites and attacks. Well enforced, non-breed-specific laws offer an effective and fair solution to the problem of dangerous dogs in all communities. Comprehensive "dog bite" legislation, coupled with better consumer education and forced responsible pet keeping efforts, would do far more to protect communities than banning a specific breed. The HSUS encourages you to read the Community Approach to Dog Bite Prevention by the American Veterinary Medical Association. The HSUS is committed to keeping dogs and people safe and is available and willing to offer advice, educational materials and model legislation to communities interested in decreasing the incidence of dog bites and aggression.”

(http://www.humanesociety.org/animals/dogs/facts/statement_dangerous_dogs_breed_specific_legislation.html)

**Maryland Veterinary Medical Association**

“The Maryland Veterinary Medical Association encourages and supports ordinances that promote responsible pet ownership and at the same time protects the public from dangerous and vicious animals. We oppose legislation that restricts or prohibits certain breeds of dogs, since we do not believe this is a workable solution.”

(http://www.forpitssake.org/BSLPositionStatements.pdf)

(continued on next page)
National Animal Control Association (NACA)
“Dangerous and/or vicious animals should be labeled as such as a result of their actions or behavior and not because of their breed. Any animal may exhibit aggressive behavior regardless of breed. Accurately identifying a specific animal’s lineage for prosecution purposes may be extremely difficult. Additionally, 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. When applicable, agencies should not hesitate to prosecute owners for murder, manslaughter, or similar violations resulting from their animal’s actions, and their owner lack of responsibility. Laws should clearly define “dangerous” or “vicious”, and provide for established penalties. Penalties may include fines, imprisonment, and/or the relinquishing of total privileges to pet ownership. If a dangerous/vicious animal is allowed to be kept, laws should specify methods of secure confinement and control. A dangerous/vicious animal when kept outside should be confined in an escape-proof enclosure which is locked and secured on all six sides. Signs should be posted at property entrances and be visible from the nearest sidewalk or street. The licensing record could include a notation which will immediately identify an animal which has been deemed dangerous or vicious.”
(http://www.nacanet.org/guidelines.html#dangerous)

National Canine Research Council (NCRC)
“There is no scientifically valid evidence and no reasonable argument to support breed-specific legislation. Instead of discriminating against breeds, take responsibility for dog ownership and management practices.”
(www.nationalcanineresearchcouncil.com)

United Kennel Club (UKC)
“United Kennel Club believes that breed specific legislation is a poor choice for communities interested in protecting citizens from dog bites and attacks. Breed specific legislation, or BSL, is the singling out of a breed or breeds of dogs to take varying degrees of enforcement action against, in a weak attempt to reduce the numbers of dog attacks. The majority of BSL is directed at American Pit Bull Terriers, proudly our number two breed, but other breeds such as Rottweilers and Akitas are targeted as well. Realistically, the number of dog bites nationwide has been fairly consistent over the last century, and there has not been any meaningful increase. Attempting to attribute bites to a single breed and labeling that breed is fruitless, as there exists no real, factual data to show that any one breed is more responsible for bites and attacks than others. Singling out a breed to attach blame does not work to decrease dog attacks. Case in point, the Dutch government has lifted a 15-year ban on ‘pit bulls’ because there has not been ANY decrease in dog bites. There are many other factors at play behind dog attacks, such as the purpose the dog is used for, owner management and maintenance, neglect or cruelty factors, and other variables such as sex, age, socialization, etc., that are not breed related. Not only is BSL ineffective, it also increases costs to cities and communities to enforce these laws and defend the laws against challenges in court. Some cities have overturned long standing bans due to a dramatic increase in enforcement costs and an influx to animal control; the economic impact was far too great. BSL is also extremely difficult to enforce. Many laws and ordinances either do not correctly identify what breeds are included, or are overly vague. Often these laws include mixes of the listed breeds as well. There currently exists no legally accepted scientific method to positively identify breeds or mixes, and many breeds look very similar, especially to the general public. While even professionals have difficulty in identifying what a mix may be comprised of, inexperienced law enforcement officials with no dog background are expected to identify mixtures, and end up with arbitrary and often incorrect identifications. BSL results in punishing and ultimately driving away responsible owners of the targeted breed(s) while having little to no impact on the actual cause of problems, those using dogs for illegal or immoral purposes.

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Instead of enacting BSL, communities should be more aggressive in enforcement of dangerous dog, anti-fighting, and anti-cruelty statutes. More emphasis must be placed on owner responsibility, as the majority of attacks are due to owner neglect or mistreatment. Targeting the actions and non-action of owners will be more effective and sensible in realistically decreasing dog attacks.”

(https://www.ukcdogs.com/WebSite.nsf/WebPages/ComBSLPosition)

**United States Department of Justice (DOJ)**

“The Department [of Justice] does not believe that it is either appropriate or consistent with the Americans with Disabilities Act (ADA) to defer to local laws that prohibit certain breeds of dogs based on local concerns that these breeds may have a history of unprovoked aggression or attacks. Such deference would have the effect of limiting the rights of persons with disabilities under the ADA who use certain service animals based on where they live rather than on whether the use of a particular animal poses a direct threat to the health and safety of others [...]. State and local government entities have the ability 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-- not based on fears or generalizations about how an animal or breed might behave. This ability to exclude an animal whose behavior or history evidences a direct threat is sufficient to protect health and safety.”

Almost every proponent of breed-specific legislation relies on one ten year old study to make their case. Both the CDC and the AVMA have warned that the findings of that study are not an argument for breed legislation of any kind.

**CENTERS FOR DISEASE CONTROL STATEMENT**

“[The study] does not identify specific breeds that are most likely to bite or kill, and thus is not appropriate for policy-making decisions related to the topic...There is currently no accurate way to identify the number of dogs of a particular breed, and consequently no measure to determine which breeds are more likely to bite or kill.”

**AVMA STATEMENT**

“In contrast to what has been reported in the news media, the data...CANNOT be used to infer any breed-specific risk for dog bite fatalities...”

**WHY DEBATE WHAT THE EXPERTS HAVE ALREADY CONCLUDED?**

**THERE IS NO SCIENTIFICALLY VALID EVIDENCE AND NO REASONABLE ARGUMENT TO SUPPORT BREED-SPECIFIC LEGISLATION.**

Instead of discriminating against breeds, take responsibility for dog ownership and management practices. The CDC recommends “a community approach to dog bite prevention” that focuses on improving the quality of human-canine interactions and the care of all canine species.

(AVMA) Task Force on Canine Aggression and Human-Canine Interactions (http://www.avma.org/public_health/dogbite/dogbite.pdf)
New Study Explains Why Breed Specific Legislation Does Not Reduce Dog Bites

Important article now available from JAVMA website.

October 1, 2010 -- For years, evidence has mounted that breed specific legislation (BSL) fails to reduce dog bite incidents. The data supporting this conclusion has come from cities and counties all over North America, and from four European countries.

An insightful new analysis, recently published in the *Journal of the American Veterinary Medical Association*, explains why BSL has consistently failed to reduce dog bites. The authors, Gary J. Patronek, VMD, PhD, and Amy Marder, VMD, CAAB, of the Center for Shelter Dogs, Animal Rescue League of Boston; and Margaret Slater, DVM, PhD, of the ASPCA, have applied one of the most valuable and well-recognized tools of evidence-based medicine to this question.

Number needed to treat (called NNT) measures the effectiveness of new medicines or treatments. It asks the question: How many patients have to take the medicine or get the treatment in order for one patient to avoid a bad outcome? The fewer patients that have to be treated in order to avoid a bad outcome, the more effective scientists consider a medicine or treatment to be.

But what if we had to treat thousands of patients to avoid even one bad outcome? Would we bother with a new medicine if the number of people we needed to treat to prevent one bad outcome, was 10,000? If we could only identify 9,900 people suffering from the disease, we could not treat enough people with the new medicine to be sure that even one of them would avoid the dreaded symptom.

This is precisely the result that Patronek and his colleagues obtained when they applied this evidence-based method to estimating how many dogs a community would have to ban to prevent a single, serious dog bite. They called their mystery number the number needed to ban (NNB). Using dog bite injury data from the Centers for Disease Control, the State of Colorado, and other, smaller jurisdictions, along with guestimates of the population of various breeds or kinds of dogs, the authors calculated the absurdly large numbers of dogs of targeted breeds who would have to be completely removed from a community, in order to prevent even one serious dog bite. For example, in order to prevent a single hospitalization resulting from a dog bite, the authors calculate that a city or town would have to ban more than 100,000 dogs of a targeted breed.

To prevent a second hospitalization, double that number.
Dog bite-related fatalities are so extremely rare that not even a state could ban enough dogs to insure that they had prevented even one. (Consider: in Denver, Colorado, after they banned “pit bull” dogs in 1989, they had another dog bite-related fatality in the Denver area, involving another type of dog.)

Spain, Italy, Great Britain and the Netherlands have all reported that their breed specific regulations have not produced a reduction in dog bite incidents. The Toronto Humane Society surveyed health departments throughout the province of Ontario, and reported that the breed ban enacted in 2005 had not produced a reduction in dog bites. In Winnipeg, Manitoba, after the city banned one type of dog, dog bites actually rose, just involving other types of dogs. Reports from Denver, Colorado, Miami-Dade, Florida, Prince George’s County, Maryland, and Omaha, Nebraska all tell the same story.

While there is no scientific evidence that one kind of dog is more likely to injure a person than another kind of dog and BSL’s documented record is one of ineffectiveness, BSL remains a policy that some find attractive. Patronek, Marder and Slater explain why.

“It is our belief,” they write in their conclusion, “that BSL is based largely on fear, and it has been emphasized that appeals to fear have their greatest influence when coupled with messages about the high efficacy of the proposed fear-based solution.”

The documented failures of BSL, now combined with the NNB analysis, can be marshaled to undermine such fear-based appeals. BSL proponents will be unable to show “high efficacy of the fear-based solution” or that BSL is rationally related to the public safety issues communities are typically attempting to address when implementing BSL.

The complete article can be purchased from the Journal of American Veterinary Medical Association at http://avmajournals.avma.org/doi/full/10.2460/javma.237.7.788

Patronek, G., Slater, M., Marder, A., “Use of a number-need-to-ban calculation to illustrate limitations of breed-specific legislation in decreasing the risk of dog bite-related injury,” JAVMA, vol 237, Number 7, October 1, 2010
Breeds Implicated in Serious Bite Injuries

In a range of studies, the breeds found to be highly represented in biting incidents were German Shepherd Dog, 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16 pit bull type, 5,9,13,16,17,18,19,20,21 mixed breed, 1,4,6,8,10,11,12,22 Rottweiler, 15,19,21,23 Chow Chow, 7,20 Jack Russell Terrier, 18,23 and others (Collie, 3 Springer Spaniel 14 Saint Bernard, 17 and Labrador Retriever 2 ). If you consider only the much smaller number of cases that resulted in very severe injuries or fatalities, 17,19 pit bull-type dogs are more frequently identified. However this may relate to the popularity of the breed in the victim's community, reporting biases and the dog's treatment by its owner (e.g., use as fighting dogs 17 ). It is worth noting that fatal dog attacks in some areas of Canada are attributed mainly to sled dogs and Siberian Huskies, 43 presumably due to the regional prevalence of these breeds. See Table 1 for a summary of breed data related to bite injuries.

Controlled Studies

The prevalence of particular dog breeds can also change rapidly over time, often influenced by distinct peaks of popularity for specific breeds. It seems that increased popularity is sometimes followed by increases in bite reports in some large breeds. For example there was a distinct peak in American Kennel Club registration of Rottweilers 24 between 1990 and 1995, and they come at the top of the list of 'biting breeds' for the first time in studies of bites causing hospitalization in the late 90s and early 2000s 21,23,15,46 While it must be noted that other fad breeds such as Dalmatians and Irish setters do not seem to make similar appearances, any estimate of breed-based risk must take into account the prevalence of the breed in the population at the time and place of serious biting events 25.

For example, researchers may compare well-documented bite cases with matched control households. Using this method, one study found that the breeds disproportionately involved in bite injuries requiring medical attention in the Denver area (where pit bull types are not permitted) were the German Shepherd Dog and Chow Chow 52.

Other studies use estimates of breed prevalence that do not relate specifically to the households where the bites occurred, such as general community surveys, breed registries, licensed dogs or animal shelter populations (See Table 2.). These studies implicate the German Shepherd Dog and crosses 48,49,50,51 and various other breeds (mixed breed, 50,51 Cocker spaniel, 49,53 Chow Chow, 52,53 Collie, 49 Doberman, 48 Lhasa Apso, 35,53 Rottweiler, 38 Springer Spaniel, 34 Shih Tsu, 34 and Poodle 50).

Aggressive Breeds

Based on behavioral assessments and owner surveys the breeds that were more aggressive towards people were small to medium-sized dogs such as the collies, toy breeds and spaniels 26,27,28,29 For example, a survey of general veterinary clientele in Canada (specifically practices in New Brunswick, Novia Scotia, and Prince Edward Island) identified Lhasa Apso, Springer spaniel and Shih Tsu as more likely to bite 34.

While small dogs may be more aggressive their size means they are less likely to inflict serious bite injury except on vulnerable individuals or as part of a pack attack. 30 Referrals for aggression problem more closely approximate...
the breeds implicated in serious bite attacks, probably because owners are more likely to seek treatment for aggression in dogs that are large enough to be dangerous. Larger dogs (regardless of breed) are implicated in more attacks on humans\textsuperscript{31} and other dogs.\textsuperscript{32}

Certain large breeds are notably under-represented in bite statistics such as large hounds and retrievers (e.g., Labrador Retrievers and Golden Retrievers)\textsuperscript{28,34}—although even these breeds may have known aggressive subtypes.\textsuperscript{33} Results relating to German Shepherd Dogs are mixed,\textsuperscript{29,34} suggesting there may be particularly high variability in this breed, perhaps depending on regional subtypes or ownership factors.

**Pit Bull Types**

Owners of pit bull-type dogs deal with a strong breed stigma,\textsuperscript{35} however controlled studies have not identified this breed group as disproportionately dangerous. The pit bull type is particularly ambiguous as a "breed" encompassing a range of pedigree breeds, informal types and appearances that cannot be reliably identified. Visual determination of dog breed is known to not always be reliable.\textsuperscript{36} And witnesses may be predisposed to assume that a vicious dog is of this type.

It should also be considered that the incidence of pit bull-type dogs' involvement in severe and fatal attacks may represent high prevalence in neighborhoods that present high risk to the young children who are the most common victim of severe or fatal attacks. And as owners of stigmatized breeds are more likely to have involvement in criminal and/or violent acts\textsuperscript{37}—breed correlations may have the owner's behavior as the underlying causal factor.

**Breed Bans**

While some study authors suggest limiting ownership of specific breeds might reduce injuries (e.g., pit bull type,\textsuperscript{38} German Shepherd Dog\textsuperscript{39}) it has not been demonstrated that breed-specific bans affect the rate or severity of bite injuries occurring in the community.\textsuperscript{8} Factors that are reliably associated with serious dog bite injury (requiring hospital treatment) in the United States are the victim being a young child and the dog being familiar (belonging to the family, a family friend or neighbor).\textsuperscript{40,41} Strategies known to result in decreased bite incidents include active enforcement of dog control ordinances (ticketing).\textsuperscript{42}

**Conclusion**

Maulings by dogs can cause terrible injuries\textsuperscript{40} and death—and it is natural for those dealing with the victims to seek to address the immediate causes. Serious bites occur due to a range of factors in which a dog's size and temperament are known to be the risk factors. Also important are dog management factors such as neutering and tethering, and child care factors such as supervision around animals.

Given that pit bull-type dogs are not implicated in controlled studies, and the potential role of prevalence and management factors, it is difficult to support the targeting of this breed as a basis for dog bite prevention. If breeds are to be targeted a cluster of large breeds would be implicated including the German shepherd and shepherd crosses and other breeds that vary by location.

**See Also:**

National Animal Control Association Guideline Statement: "Dangerous and/or vicious animals should be labeled as such as a result of their actions or behavior and not because of their breed."
### SUMMARY TABLES

#### TABLE ONE

<table>
<thead>
<tr>
<th>Period</th>
<th>Data Source</th>
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<th>Country</th>
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<tr>
<td>2002-2005</td>
<td>Veterinary referral</td>
<td>111</td>
<td>United States (PA)</td>
<td>Springer Spaniel, German Shepherd Dog</td>
<td>14</td>
</tr>
</tbody>
</table>

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### TABLE TWO
Studies of Serious Dog Bite Injury by Breed taking into Account Breed Prevalence

<table>
<thead>
<tr>
<th>Period</th>
<th>Data Source</th>
<th>Prevalence estimate</th>
<th>N</th>
<th>Country</th>
<th>Breeds Identified as Higher Risk</th>
<th>Ref</th>
</tr>
</thead>
<tbody>
<tr>
<td>1974-1975</td>
<td>Animal control</td>
<td>Licensed dogs</td>
<td>?</td>
<td>United States (MD)</td>
<td>German Shepherd Dog and shepherd crosses Doberman Pinscher</td>
<td>48</td>
</tr>
<tr>
<td>1976-1977</td>
<td>US Bases</td>
<td>Relative risk versus mixed breed</td>
<td>529</td>
<td>United States (IL, MO)</td>
<td>Collie German Shepherd Dog Cocker Spaniel</td>
<td>49</td>
</tr>
<tr>
<td>1982</td>
<td>Pediatric practice</td>
<td>Non-biting pets of other patients</td>
<td>194</td>
<td>United States (MO)</td>
<td>German Shepherd Dog and shepherd crosses mixed breed over 30lb Poodle</td>
<td>50</td>
</tr>
<tr>
<td>1986-1987</td>
<td>Health Unit</td>
<td>Licensed dogs</td>
<td>318</td>
<td>Canada</td>
<td>German Shepherd Dog mixed breed</td>
<td>51</td>
</tr>
<tr>
<td>1991</td>
<td>Plastic surgery cases</td>
<td>Prevalence in community</td>
<td>146</td>
<td>Australia</td>
<td>German Shepherd Dog</td>
<td>39</td>
</tr>
<tr>
<td>1991</td>
<td>Animal control</td>
<td>Case controls</td>
<td>178</td>
<td>United States (CO)</td>
<td>German Shepherd Dog Chow Chow</td>
<td>52</td>
</tr>
<tr>
<td>1990-1993</td>
<td>Hospital records</td>
<td>Survey</td>
<td>356</td>
<td>Australia</td>
<td>Doberman Pinscher German Shepherd Dog Rottweiler</td>
<td>38</td>
</tr>
<tr>
<td>1993</td>
<td>Shelter animals</td>
<td>General shelter admissions</td>
<td>170</td>
<td>United States (WI)</td>
<td>Chow Chow Cocker Spaniel Lhasa Apso</td>
<td>53</td>
</tr>
<tr>
<td>1996</td>
<td>Owner self-report (biters)</td>
<td>Owner self-report (non-biters)</td>
<td>3226</td>
<td>Canada</td>
<td>Lhasa Apso, Springer Spaniel Shih Tsu</td>
<td>34</td>
</tr>
</tbody>
</table>

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DOG BREED SPECIFIC LEGISLATION The cost to people, pets and veterinarians, and the damage to the human-animal bond.

Veterinarians, their clients, and their clients’ pets in 300 cities and towns in the United States live with special burdens and added costs because of ordinances banning or restricting dogs of one or more breeds and breed mixes. Thirty-six breeds of dogs and mixes of those breeds have been restricted, in various combinations and groupings. These restrictions and bans compromise the human-animal bond and complicate the professional landscape for veterinarians.

AVMA, the CDC, the National Animal Control Association, the Association of Pet Dog Trainers, and virtually all animal welfare charities oppose breed-specific regulation. AVMA PLIT recently released a statement opposing breed discrimination by insurers.

There has never been any evidence that breed bans or restrictions contribute to improved public safety. The Netherlands repealed its breed ban last year because, based upon a report from a committee of experts, the ban had not led to any decrease in dog bites. Italy repealed its breed-specific regulations in April of this year.

DEMONIZED DOGS THEN

As America’s conflict over slavery intensified, public attitudes towards the bloodhound paralleled the increasingly negative attitudes towards the dogs’ most publicized function: slave catching. The depiction of the slave catcher’s dog in stage re-enactments of UNCLE TOM’S CABIN made him an object of dread to ordinary citizens, and an object of attraction to dog owners who wanted dogs for anti-social purposes. As these owners acquired more and more dogs, serious incidents – and fatalities – associated with dogs identified as bloodhounds became prominent in the public press.

In the 20th century, other groups of dogs replaced the bloodhound as objects of dread, most notably the German Shepherd (In 1925, a New York City magistrate said they should be banned. Australia banned the importation of German Shepherds from 1928 until 1973), the Doberman Pinscher (frequently associated with soldiers of the Third Reich), and the Rottweiler (portrayed as the guardian of Satan’s child in the popular 1976 film THE OMEN).

DEMONIZED DOGS NOW

Early in the 20th century, pit bull type dogs enjoyed an excellent popular reputation. An American Bull Terrier had symbolized the United States on a
World War One propaganda poster. “Tighe”, a pit bull type dog, had helped sell Buster Brown shoes. Pete the Pup, the “little rascals” pit bull pal of the Our Gang comedies, was the first AKC-registered Staffordshire Terrier (Registration number A-103929).

In 1976, the Federal government amended the Animal Welfare Act to make trafficking in dogs for the purposes of dog fighting a crime. The media focused on the dogs, rather than on the people who fought the dogs; and the dogs made headlines. Monster myths of super-canine powers began to dominate the stories. As had happened to the bloodhound, the myths attracted the kind of owners who use dogs for negative functions. Sensationalized, saturation news reporting of incidents involving dogs called pit bulls, linked them in the public mind almost exclusively with criminal activity. This small subset of dogs being used for these negative purposes came to define the millions of pit bull type dogs living companionably at home.

WRONG NUMBERS, NOT STATISTICS

The Centers for Disease Control (CDC) attempted to identify the breeds of dogs involved in fatal human attacks. The study period, 1979–1998, happened to coincide with the sensationalized media portrayal and resulting notoriety of pit bulls and Rottweilers.

In reporting their findings, the researchers made clear that the breeds of dogs said to be involved in human fatalities had varied over time, pointing out that the period 1975–1980 showed a different distribution of breeds than the later years. Subsequently, Karen Delise of the National Canine Research Council reported that, in the decade 1966–1975, fewer than 2% of all dogs involved in fatal attacks in the United States were identified as of the breeds that figured prominently in the CDC study.

The CDC has since concluded that their single-vector epidemiological approach did not “identify specific breeds that are most likely to bite or kill, and thus is not appropriate for policymaking decisions related to the topic.” AVMA has published a statement to the same effect.

“Dog bite statistics are not statistics, and do not give an accurate representation of dogs that bite.” Nevertheless, the questionable data-set covering only one particular 20-year period, and not the researchers’ conclusions and recommendations, is repeatedly cited in legislative forums, in the press, and in the courts to justify breed discrimination. Dr. Gail Golab of the AVMA, one of the researchers involved in the CDC project, said, “The whole point of our summary was to explain why you can’t do that. But the media and the people who want to support their case just don’t look at that.”

The researchers had suspected that media coverage of “newsworthy” breeds could have resulted in “differential ascertainment” of fatalities by breed attribution. Relying on media archives, of the 327 fatalities identified within the 20-year period, the researchers located breed or breed-mix identifications for 238, approximately 72% of the total. More than 25 breeds of dogs were identified.

Of those incidents for which the researchers could find no breed attributions (n = 89), Karen Delise of the National Canine Research Council later located breed attributions in 40; and 37 of these cases involved dogs identified as other than Rottweiler and pit bull, a result that confirmed the researchers concerns regarding “differential ascertainment” of incidents because of breed bias.
In addition to the problem of the small, unrepresentative, and incomplete data sets, the researchers expressed concern about the reliability of the breed identifications they had obtained, and were uncertain how to count attacks involving “cross bred” dogs.8

It is estimated that at least one-half of the dogs in the United States are mixed breed dogs.13 What is the reliability or significance of a visual breed identification of a dog of unknown history and genetics?

Pit bull is not a breed, but describes a group of dogs that includes American Staffordshire Terriers, Staffordshire Bull Terriers, American Pit Bull Terriers, an increasing number of other pure breeds, and an ever-increasing group of dogs that are presumed, on the basis of appearance, to be mixes of one or more of those breeds. Ordinances restricting or banning dogs generally rely on someone’s visual assessment of their physical characteristics.

The modern science of genetics renders a breed label based on visual identification problematic. According to Sue DeNise, vice-president of MMI Genomics, creators of the Canine Heritage Breed Test for mixed breed dogs, each test result is furnished to the dog owner with the following proviso: “Your dog’s visual appearance may vary from the listed breed(s) due to the inherent randomness of phenotypic expression in every individual.”14

Scott and Fuller, in their landmark genetic studies, produced offspring of considerable phenotypic variety from purebred and F1 crosses.

Breed identification of a mixed breed dog based on its phenotype is unscientific, and is likely to be contradicted by a DNA test. A study to be published in the Journal of Applied Animal Welfare Science points to a substantial discrepancy between visual identifications of dogs by adoption agency personnel and the breeds identified in the same dogs through DNA analysis. Of 16 mixed breed dogs labeled as being partly a specified breed, in only 25% of these dogs was that breed also detected by DNA analysis.15

THE LANDSCAPE OF BREED SPECIFIC LEGISLATION

Legislative restrictions range from an outright ban in Denver, Colorado, where, since 1989, thousands of dogs have been seized and killed16; to a regulatory catalog of muzzling, neutering, and confinement mandates that only apply to the regulated group, however defined; and to requirements that owners pay special license fees and maintain higher levels of liability insurance. Apart from statutory requirements, some homeowners’ insurers are imposing special requirements before they will include liability coverage for dogs of certain breeds, or are declining to cover dogs of an increasing number of breeds altogether. Rental apartments, planned communities, campgrounds, and neighborhood associations impose a wide range of special rules or restrictions regarding many breeds of dogs.

In a jurisdiction with breed-specific regulations, veterinarians can easily be drawn into an official controversy. When a police officer in Maquoketa, Iowa identified a dog as a pit bull and served notice on the owner that she had to remove it from the town, the owner appealed to the state Office of Citizen’s Aide/Ombudsman. The 21-page report that resulted, chronicles the failure to arrive at an agreed-upon breed identification for the dog. Among other documents, the owner produced

“Breed identification of a mixed breed dog based on its phenotype is unscientific, and is likely to be contradicted by a DNA test.”
vaccination certificates from her veterinarian that described the dog as a “Rott-mix.” The town countered with another veterinarian’s intake form that described the dog as a “pit mix.”

In January, 2009, the U.S. Department of the Army banned Chows, Rottweilers, pit bulls, wolf hybrids and Doberman Pinschers from all privatized military housing. The previous July, Fort Hood, Texas banned pit bulls and pit bull mixes from government housing. The Fort Hood mission support order specifies that, in the event of a dispute, “the Fort Hood Veterinary Clinic [emphasis mine] will be the deciding authority to determine if a dog is a Pit Bull [sic] cross.”

HUMANE COMMUNITIES ARE SAFER COMMUNITIES

In “A Community Approach to Dog bite Prevention,” the AVMA Task Force reported, “An often asked question is what breed or breeds of dogs are ‘most dangerous’? This inquiry can be prompted by a serious attack by a specific dog, or it may be the result of media-driven portrayals of a specific breed as ‘dangerous.’ . . . singling out 1 or 2 breeds for control . . . ignores the true scope of the problem and will not result in a responsible approach to protecting a community’s citizens.” Delise, based upon her study of fatal attacks over the past five decades, has identified poor ownership/management practices involved in the overwhelming majority of these incidents: owners obtaining dogs, and maintaining them as resident dogs outside of the household for purposes other than as family pets (i.e. guarding/ protection, fighting, intimidation/status); owners failing to humanely contain, control and maintain their dogs (chained dogs, loose roaming dogs, cases of abuse/neglect); owners failing to knowledgeably supervise interaction between children and dogs; and owners failing to spay or neuter resident dogs not used for competition, show, or in a responsible breeding program.

Focusing on breed or phenotype diverts attention from strategies veterinarians and other animal experts have consistently identified as contributing to humane and safer communities.

BREED LABELING AND VETERINARY PRACTICE

In an environment of breed discrimination, the breed identification of a dog can have serious consequences with municipal authorities, animal shelters, landlords, and insurers, all of which will compromise the bond between a family and their dogs. Ordinances may obligate owners with expensive special housing and containment requirements. Owners may even be forced to choose between sending a beloved family pet away, or surrendering it to be killed.

Veterinarians who attempt to visually identify the breeds that might make up a dog do not derive any benefit from this activity, while the client may hold the veterinarians to the same professional standard as they would with respect to the delivery of medical services.

It is impossible to breed label dogs of unknown origin and genetics solely on the basis of their appearance. There is so much behavioral variability within each breed, and even more within breed mixes, that we cannot reliably predict a dog’s behavior or suitability based on breed alone. Each dog is an individual. Owners may be influenced as to what behavior to expect from their dog, based upon breed stereotypes. Veterinarians must take the lead, and free themselves from stereotypes, in order to better serve their clients, their clients’ animals, and society.

Jane Berkey, President
Animal Farm Foundation, Inc.
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18 HQ, III Corps & Fort Hood Fort Hood, TX 76544 041229LAug 08, MISSION SUPPORT ORDER PC 08-07-269


A COMPARISON OF VISUAL AND DNA IDENTIFICATION OF BREEDS OF DOGS

We are all aware of the newspaper articles, magazine stories, and TV segments that show pictures of dogs and then reveal DNA breed analyses of the dogs. Surprise—the DNA results are not what were expected based on the appearance of the dogs or the owners’ beliefs. Those of us who walk through shelters and animal control facilities compare the posted breed descriptions of the dogs to what they look like with frequent differences of opinions. Those who have worked at shelters and similar facilities are aware that as dogs move through the steps in admission or during their stay that their breed descriptions may change. It is my impression, when visiting animal control or adoption agencies, that most medium to large size dogs with straight, short/medium length brown hair coats are cast as German shepherds or shepherd mixes, dogs with a black spot on their tongues are designated Chow mixes, and most medium sized, stocky, broad headed, small eared dogs with a short hair coats are pitbulls or pit-bull mixes.

It is not easy to visually identify the breeds of dogs of unknown parentage accurately. Sometimes dogs just don’t look like either parent. Scott and Fuller’s work on the genetics and social behavior of dogs involved studying purebred dogs, F1 crosses of purebreds, backcrosses and F2 crosses. Photographs of some of these F1 and F2 puppies depict that they do not resemble either purebred parent, nor do the photographs of the F2 generations dogs look like their mixed breed parents. We don’t know how many of the offspring did look like their purebred ancestors, but clearly not all resembled parents or grandparents.

Shelter dog breed assignments may be based on what the dogs look like to someone at the shelter or because owners relinquishing their dogs have identified the dogs as a specific breed. Newborn and young puppies may be identified as a certain breed because the mother dog resembled a purebred dog. In the latter case, the sire of the litter could have been any breed or several dogs could have fathered puppies in the same litter. When the puppies grow up they don’t look anything like their mother or litter mates. These breed or mixed breed identifications may eventually find their way into data bases—be it through population data, dog bites, serious dog attacks, behavior problems, or disease statistics.

Rarely are owners permitted to simply fill out forms that ask about the breed by only stating that the dog is a mixed breed or of unknown parentage. If they do so, the follow-up question often is “What is it mostly?”, or “What is its most predominant breed?”, or “What does it look like mostly?” This information may be solicited by insurance companies, landlords, housing associations, licensing agencies, mandatory dog bite reports, veterinary...
medical records, the media, and researchers trying to determine the likelihood of involvement of specific breeds in study populations. For example, in the methodology of one elegantly designed study, owners were asked “what breed they considered their dog: if more than one breed was specified, they were asked which breed they considered to be predominant.” This article became part of the impetus for many recommendations and restrictions intended to reduce dog bites.

High profile articles in JAMA and JAVMA have reported dog bite fatalities and listed breeds involved in such attacks. The data used was obtained by “combining data from the National Center for Health Statistics and computerized searching of news stories. Karen Delise has presented compelling arguments in her recent book, The Pit Bull Placebo, that undermines conclusions and implications of these reports.

A short report in press in the Journal of Applied Animal Welfare Science indicates low agreement between the identification of breeds of dogs by adoption agencies and DNA identification. The dogs in this study were of unknown parentage and had been acquired from adoption agencies. In only a quarter of these dogs was at least one of the breeds proposed by the adoption agencies also detected as a predominant breed by DNA analysis. (Predominant breeds were defined as those comprised of the highest percentage of a DNA breed make-up.) In 87.5% of the adopted dogs, breeds were identified by DNA analyses that were not proposed by the adoption agencies. A breed must have been detected at a minimum of 12.5% of a dog’s make-up to be reported in the DNA analysis.

Reports of DNA analyses of percentages of pure-bred dog breed ancestry, while accurate most of the time, are not infallible. The laboratories providing such analyses may have qualifiers in their reports stating that there is an 85% or 90% validity of the results and indicate which results have lower confidence levels. Different testing laboratories may report different results depending on which dogs were used to develop their standards and how the laboratories analyze the samples. As the tests are refined, the same laboratory may report slightly different results at different points in time.

The discrepancy between breed identifications based on opinion and DNA analysis, as well as concerns about reliability of data collected based on media reports, draws into question the validity and enforcement of public and private policies pertaining to dog breeds.

Dr. Amy Marder, Animal Rescue League of Boston and Director for the Center for Shelter Dogs, has proposed that dogs adopted from shelters in the U.S. simply be identified as “American Shelter Dogs”. This might solve a lot of problems, as well as promote pride and ownership of an “American Shelter Dog.”

Victoria Lea Voith
PhD, DVM, DACVB
Professor, Animal Behavior, Western University
REFERENCES


Breed Specific
Or Looks Specific

The term “pit bull characteristics” and “all three bully breeds” are used as descriptions of the dogs that the breed-specific laws would apply to. However, I’m not sure what a “pit bull characteristic” is because the term pit bull does not refer to any specific breed of dog. It is ironic that legislation containing the words “breed” and “specific” define “the specific breed” as a nebulous group of three or more distinct breeds along with any other dog that might be mixed with those breeds. It is my professional opinion that this group of dogs must be the most genetically diverse dog breed on the planet. I find it paradoxical that the consensus medical and genetic view is that even one single letter difference between two people’s DNA can result in dramatic differences in behavior, susceptibility to disease and risk of adverse drug reactions, but, when it comes to man’s best friend, the exact opposite argument is made. I think these attempts to “protect society” from dangerous dogs are flawed because the inherent assumption in these laws is that anatomical and morphological characteristics in dogs correlate with certain behaviors. The genetic program that results in a large thick skull, like that of a Labrador Retriever, is not the same genetic program that builds the brain. The former regulates genes that control the cellular differentiation and anatomical patterning of cartilage, muscle and bone. The latter regulates completely different processes including the highly ordered growth of millions of different neurons that migrate and interconnect to form neuronal circuits that communicate the biochemical language of the brain.

The “science” of inferring cognitive and behavioral traits from physical properties of the head and skull (called phrenology) had been discredited in the last century (20th century). Why we would allow laws based on phrenology to be enacted in the 21st century is a question worth investigating.

“I am beginning to believe that breed specific legislation targets nothing more than a small subset of morphological characteristics of dogs and does not address behavior at all.”

Kristopher Irizarry, PhD
Assistant Professor, Bioinformatics, Genetics, Genomics, Western University. Advisor to NCRC
Voith is a professor of veterinary medicine at Western University in Pomona, California, and a specialist in the animal/human relationship, so she became curious: Just how often do people visually misidentify the breeds of dogs? She decided to conduct a study that might give her an answer.

In 2008 she randomly chose 20 different dogs who had been adopted from 17 different shelters, rescue groups and other adoption agencies that had attempted to identify the dogs’ breeds. All of the 20 dogs had been labeled as mixed breeds – either a mix of specific breeds (e.g., German shepherd and Labrador) or breed types (e.g., shepherd mix), or a combination of both (e.g., chow/terrier mix). Voith had the dogs’ DNA analyzed to see how the agencies’ breed identifications matched up to the genetic tests.

The DNA tests, which report breed compositions in percentages, revealed multiple breeds in all but one of the dogs, whose only DNA-identified breed was 12.5 percent Alaskan malamute. The highest percentage of one breed found in any of the dogs was 50 percent, and that too occurred in only one dog. Otherwise, predominant breeds represented only 25 percent or 12.5 percent of the dogs’ genetic makeup. (The DNA reports are in units of 12.5 percent to represent the approximate percentage that each great-grandparent contributed to the individual dog’s DNA.)
So, how did the adoption agencies’ identifications match up with the DNA results? According to the DNA, the agencies correctly identified a specific breed in only 31 percent of the 20 dogs. Usually, the breeds correctly identified by the agencies represented only 25 percent or 12.5 percent of the dogs’ makeup. “Even when there was an agreement between a specific adoption identification and DNA identification, the same dogs usually had additional breeds identified by DNA that were not suggested by the adoption agencies,” Voith says.

Voith has expanded her breed identification research to include more than 900 trainers, veterinarians, kennel workers, animal control staff and other dog experts, all tasked with visually identifying a sample of mixed-breed dogs. Voith has compared their answers with the DNA of these dogs. Though she can’t yet reveal what the results are, she does say, “My ongoing studies indicate there is often little correlation between how people visually identify dogs and DNA-reported results.

“Voith suspects that as many as 75 percent of all mixed-breed dogs may be mislabeled.”

Voith’s research triggers a slew of questions, among them: If professionals can’t even correctly identify breeds of dogs by sight, how can law enforcement in cities where certain breeds are banned? Given how hard it is to correctly identify breeds of dogs by sight, do breed-discriminatory policies make sense — in whatever arena they exist? By claiming their dogs are the offspring of certain breeds, with the characteristics commonly associated with those breeds, are adoption agencies inadvertently creating false expectations among adopters of how those dogs might behave?

And is it time, finally, to stop viewing dogs through the prism of their supposed breeds?

A CASE OF MISTAKEN IDENTITY

The propensity we have for wanting to know our dogs’ breeds and talk about it is perhaps as natural to us as wanting to know our own ancestry and tell others about it. It’s often a matter of pride that our dog has, say, Newfoundland in him, just as it’s a matter of pride that our grandparents or great-grandparents emigrated from Italy, Russia, India or some other exotic location.
But once person’s pride can be another person’s, or city’s, bias, as we well know from places that have banned pit bull-type dogs.

Ledy VanKavage, senior legislative attorney for Best Friends, has taken note of Voith’s breed identification research and cited it in support of an argument presented last year in an article for the American Bar Association’s The Public Lawyer. VanKavage says that breed-discriminatory legislation is bad fiscal policy based largely on erroneous data that pegs pit bull terriers as the common culprit in dog bites. The data is gleaned largely from the media.

“Not even all dogs in the same litter of purebreds are identical. There’s tremendous variation in the behavior and the morphology within a breed, even among litter mates.”

“It’s sort of like an urban legend or hoax promulgated by the media,” VanKavage says. “You can’t just go by the headlines, because a lot of times they’re wrong. A lot of times it’s law enforcement who’s giving the media incorrect information. They’re wrongly identifying the breed, because they think that any short-haired muscular dog is a pit bull.”

Voith suspects that as many as 75 percent of all mixed-breed dogs may be mislabeled. “So the whole database on which these [breed] restrictions exist is in question,” Voith says.

A number of cases in cities and counties with breed bans have underscored the fallibility of animal control when it comes to identifying pit bull terriers. Last year in Toledo, Ohio, for instance, the Lucas County Dog Warden’s Office seized from a Toledo man’s house what animal control officials insisted were three pit bull terriers, two more than the city allows for one owner. Police also charged him with violating an ordinance that mandates pit bull owners to keep a muzzle and leash on their dogs when in public. The owner fought the charges in court, proving that the dogs were, in fact, cane corsos, not pit bulls. The judge ruled that the dogs be released. (The judge also struck down the provisions in the dog ordinance that limited the number of pit bulls an owner may have and mandated that pit bulls wear muzzles in public.)

Of course, even if the dogs had been pit bull terriers, that doesn’t mean they were dangerous dogs simply by virtue of their breed. “Not all dogs of the same breed act the same,” Voith says. “Not even all dogs in the same litter of purebreds are identical. There’s tremendous variation in the behavior and the morphology within a breed, even among litter mates.”

UNFAIR ASSUMPTIONS

Voith’s research throws a monkey wrench into more than just breed-discriminatory legislation. It also challenges the feasibility and fairness of breed-discriminatory policy wherever it might be found, be it policy set by landlords, dog parks, dog rescues and shelters, even insurance companies. American Family Insurance, for instance, denies homeowner’s insurance to people with pit-bull-terrier-type dogs.

It’s conceivable then, given Voith’s research, that a family may think they have adopted a pit bull terrier (because that’s what they were told when the family adopted the dog) and come to find that their insurance company won’t cover them anymore or that their landlord won’t allow them to remain on his property.
INTRODUCTION
On July 5, 2000 the government of Lower Saxony, Germany ruled that 14 breeds of dogs were especially
dangerous and placed restrictions on the ownership, management and breeding of dogs of these breeds.
The breeds cited included Bull Terriers, American Staffordshire Terriers, Pit bull Terriers, Staffordshire Bull
Terriers, Rottweilers and Dobermans. Exemption from the restrictions required that the owner and dog pass
a standardized temperament test administered by veterinary behaviorists at the University of Veterinary
Medicine in Hannover, Germany. A passing score demonstrated that the dog displayed no exceptional
aggressive behavior or aggressive behavior in inappropriate situations.

MATERIALS AND METHODS
415 dogs of the targeted breeds were tested in 21 situations of dog-human
contact and 14 situations of dog-environment contact. The dog's behavior in
each situation was scaled from 1 to 7.

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>No aggressive behavior</td>
</tr>
<tr>
<td>2</td>
<td>Visual or acoustic threat behavior while backing away or remaining stationary</td>
</tr>
<tr>
<td>3</td>
<td>Bite movements while backing away or remaining stationary</td>
</tr>
<tr>
<td>4</td>
<td>Bite movements while moving forward but stopping at some distance</td>
</tr>
<tr>
<td>5</td>
<td>Bite with preceding threat signals</td>
</tr>
<tr>
<td>6</td>
<td>Bite with no preceding threat signals</td>
</tr>
<tr>
<td>7</td>
<td>Bite with no preceding threat signals and unable to calm within 10 minutes</td>
</tr>
</tbody>
</table>

70 Golden Retrievers, having been volunteered by their owners, were also tested using this same
standardized temperament test.
RESULTS

- There was no significant difference between the volunteered Golden Retrievers and the dogs from the targeted breeds that were required to submit to the test in the occurrence of aggressive behavior in inappropriate situations.
- Dogs of the targeted breeds signal their intent just like other dogs.
- Dogs of the targeted breeds are statistically no more likely to show inappropriate aggressive behavior than are Golden Retrievers.

No indicators of greater dangerousness of any of the then-restricted dog breeds were found. Rather than regiment dogs by breed, more emphasis should be put on the dog owners’ education.

This study contributed to the repeal of breed specific legislation in Lower Saxony.

For additional information:


Dr. Esther Schalke holds a degree in Veterinary Medicine from the University of Hannover in 1997 and a Doctorate in Veterinary Medicine from the Department of Animal Welfare and Behavior of the University of Veterinary Medicine of Hannover.

She has been a practicing animal behavior therapist since 1998 and runs the Animal Behavior Clinic at the University of Veterinary Medicine in Hannover, where she teaches courses in animal behavior, learning theory and behavior problems in dogs as well as in cats. She runs puppy socialization and pet dog training classes, training classes for SAR dogs and police dogs. She lectures nationally and internationally on various aspects of animal behavior.

Her recent areas of research include the various aspects regarding aggressive behavior in dogs. For example, temperament testing, assessing and comparing aggressive behavior in various dog breeds, including Pit Bull Terriers, Golden Retrievers, and others according to the guidelines of the Dangerous Animals Act of Lower Saxony, Germany (GefTVO) of 05.07.2000.
FEAR VS FACT

FEAR: “Pit bull” dogs have “locking jaws.”

FACT: No dog, of any breed or mix, has an anatomical structure that could be a locking mechanism in their jaw.

“We found that the American Pit Bull Terriers did not have any unique mechanism that would allow these dogs to lock their jaws. There were no mechanical or morphological differences...” Dr. I. Lehr Brisbin, University of Georgia

FEAR: “Pit bull” dogs have massive biting power measuring in 1,000s of pounds of pressure per square inch (PSI).

FACT: On average, all dogs bite with approximately 320 lbs of pressure per square inch. This includes dogs commonly labeled “pit bull.”

The bite pressure of a German Shepherd, an American Pit Bull Terrier and a Rottweiler were tested. The American Pit Bull Terrier had the least amount of bite pressure of the three dogs tested. Dr. Brady Barr, National Geographic

FEAR: “Pit bull” dogs attack without warning.

FACT: All dogs, including dogs commonly labeled “pit bull”, signal their intent.

“Pit bulls signal like other dogs.” The Institute of Animal Welfare and Behavior of the University of Veterinary Medicine, Hannover, Germany temperament tested over 1,000 dogs.

FEAR: While there are some “pit bull” dogs with good temperaments, they are the exception not the rule.

FACT: The American Temperament Test shows the American Pit Bull Terrier, American Staffordshire Terrier, and the Staffordshire Bull Terrier (three pure breed dogs, typically referred to as “pit bulls”), as well as the dogs labeled “Mixed Breed”, consistently score above the average for all breeds tested, year in and year out.

The American Temperament Test Society, www.atts.org

Every dog is an individual and should be evaluated as such.

FEAR: “Pit bull” dogs are more dangerous than other dogs.

FACT: There is no scientific evidence that one kind of dog is more likely than another to injure a human being than any other kind of dog.

“...Controlled studies have not identified this breed group [pit bull-type dogs] as disproportionately dangerous.” American Veterinary Medical Association (AVMA)

www.animalfarmfoundation.org
In 1989, Miami-Dade County passed an ordinance banning from the county all “pit bull” dogs. The county claimed that “pit bull” dogs were different from other dogs, that they inflicted injuries different from the injuries that a person might suffer from another dog, and that they posed a greater danger than other dogs. The county claimed that the ban would keep the community safer by reducing the number of serious incidents involving dogs.

Has the Miami-Dade ban reduced the number of dog bites? Has it averted severe dog bite-related injuries? Has it eliminated dog bite-related fatalities?

The answer to all these questions is: NO.

Can the county even identify which dogs it has banned?

Number of Dog Bites Reported:

There is no evidence that cities or counties, including Miami-Dade, that have enacted breed bans or restrictions have had a greater reduction in the number of reported bites than cities or counties without breed bans or restrictions.

Official reports from health departments and animal control agencies across the country show that the number of dog bites has plummeted to historic lows, despite the significant increase in both the human and dog population. Virtually all areas of the nation have witnessed dramatic reductions in the number of reported dog bites over the past 35+ years (1971-2007). For example; Minneapolis, New York City, and Baltimore, cities that have never enacted breed specific legislation, have experienced drastic reductions in the number of dog bites reported:

- Minneapolis shows an 86% reduction, from 1,692 to 239.
- New York City has a 90% reduction, from 37,488 to 3,776.
- Baltimore has seen a 91% reduction, from 6,809 to 593.
Miami-Dade has in fact realized a lesser decrease in the number of dog bites reported to Miami-Dade Animal Control – from almost 6000 bites reported in 1979, to 992 in 2007. This decline, of a little more than 80%, is at the lower end of the national trend. Further, most of this decline occurred before the ban was enacted. Between 1979 and 1988, dog bites reported to Miami-Dade Animal Control dropped from almost 6000 to fewer than 2600.

**What about severe dog bite-related injuries?**

Miami-Dade's breed ban has not made Miami–Dade any safer than the rest of the state.

In enacting its ban in 1989, Miami-Dade argued that “pit bull” dogs inflect more serious injuries than other dogs, and promised that banning “pit bull” dogs would reduce serious injuries by dogs. This promise has not been kept. The percentage of Miami-Dade dog bite incidents that result in the victim's being hospitalized continues to be higher than the rate for the state as a whole. In 1998, ten years after the breed ban had been enacted, the county's population was 14% of the total population of Florida; yet it had 18% of the dog bite hospitalizations. In 2007, Miami-Dade's population was 13% of Florida's total population, but it had 16% of the state's dog bite victim hospitalizations. Miami-Dade is the only Florida county with a breed ban.

**Fatalities:**

With respect to dog bite-related fatalities in Miami-Dade, the ban is irrelevant.

Dog bite-related fatalities are, and have always been, vanishingly rare.

Over the past 4 decades there have only been two dog bite-related fatalities in Miami-Dade; one prior to the ban on “pit bull” dogs, in 1972, and the other in 2006. Neither incident involved a “pit bull” dog.

**Can Miami-Dade identify the dogs it is trying to ban?**

No.

In March of this year, a county hearing officer ruled that the Miami-Dade ban on “pit bull” dogs was too vague to be enforced against a dog named Apollo. In fact, an attorney familiar with the case reported that it is not clear what criteria the county is using to determine whether or not a dog is to be classified as a “pit bull” dog, and thus forbidden under the statute.

“Miami-Dade’s breed ban has not made Miami-Dade any safer than the rest of the state.”

**What can the citizens of Miami-Dade look forward to with respect to its breed ban?**

Miami-Dade can expect further expense and judicial proceedings, if they choose to continue the defense of the ban, with no appreciable decrease in dog bites, serious or otherwise, as compared with the rest of the state.

Law-abiding citizens will continue to live in fear that their family pet may be targeted by the ban.

Abusive owners, scofflaws, and criminals will continue to flout the law, and to obtain whatever dog they wish.

www.nationalcanineresearchcouncil.com
Miami-Dade can expect renewed legal challenges, similar to the case of Apollo. A report published in July, 2009 in the Journal of Applied Animal Welfare Science indicates low correspondence between visual breed identification by adoption agencies when compared with DNA identification of the same dogs. In only 25% of these dogs was at least one of the breeds named by the adoption agencies also detected as a predominant breed by DNA analysis. Predominant breeds were defined as those comprised of the highest percentage of a DNA breed make-up.

Dog bite numbers will remain constant, since the limited resources available for animal services are directed at the physical appearance of the dog, rather than for programs and policies holding owners responsible for the humane care, custody and control of their dogs: the approach that animal experts have consistently identified as contributing to a safer, more humane community.
DENVER’S BREED-SPECIFIC LEGISLATION: BRUTAL, COSTLY, AND INEFFECTIVE

In 1989, the City and County of Denver banned the keeping of “pit bull” dogs. Thousands of companion dogs have been seized and killed in the years since. Despite significant and costly legal challenges, and notwithstanding a Colorado state law that recommends that cities and counties not regulate dogs on the basis of breed or appearance, Denver has maintained its ban. Presumably, Denver’s purpose, and the motive behind its ruthless enforcement, was to improve community safety.

Has Denver’s result been worth the public resources that the County has expended? Has the result been worth the price paid by pet owners and their treasured family companions?

Does Denver have a lower rate of dog-bite hospitalizations than other counties? Has the ban eliminated dog bite-related fatalities in Denver?

The answer to these questions is: NO.

“Breed-discriminatory Denver County, with a population of about twice that of breed-neutral Larimer County, had more than seven times as many dog bite-related hospitalizations during the same seventeen-year period.”

DENVER CONTINUES TO HAVE SIGNIFICANTLY HIGHER DOG BITE-RELATED HOSPITALIZATION RATES THAN OTHER COUNTIES.

Dog bites are not a serious public health issue. Dog bite-related hospitalizations constitute less than 0.5% of the total hospitalizations/transfers on account of unintentional injuries in the United States.¹

While dog bite-injury hospitalizations are infrequent, the breed-discriminatory County of Denver continues to have a significantly higher rate of dog bite-related hospitalizations than all counties in the state except for one, according to the Colorado Department of Public Health and Environment statistics. The Colorado Trauma Registry Database has classified Denver County with a rating of “H” - an injury rate significantly higher than the rate for the state - over a seventeen-year period (1995-2011). Denver is one of only two counties in the state designated “H”. Denver’s breed ban was enacted six years prior to the first year reported (1995).
Three counties (El Paso, Boulder, and Larimer) were designated "L," with significantly lower rates of dog bite-related hospitalizations than the state, during the same time period:

- Denver County (2010 pop.: 600,158) - 367 dog bite hospitalizations (1995-2011)²

Breed-discriminatory Denver County, with a population of about twice that of breed-neutral Larimer County, had more than seven times as many dog bite-related hospitalizations during the same seventeen-year period.

![Rate of Hospitalizations from Dog Bites: Colorado Counties, 1995-2011](chart.png)

A study of Denver dog bite-injury hospitalizations published in the Journal of Pediatric Surgery reported that, “because it is illegal to own a pitbull in the County of Denver, we rarely see injuries caused by this breed.”³

**THE BAN HAS NOT ELIMINATED DOG BITE-RELATED FATALITIES IN DENVER.**

Dog bite-related fatalities remain exceedingly rare in Denver, and in Colorado, just as they are everywhere. In the last 46 years, there have been a total of 9 dog bite-related fatalities in Colorado.

One (1) of Colorado’s fatalities occurred in Denver 7 years after enactment of the ban, and is attributed to a type of dog not subject to the ban.
A TIME FOR CHANGE

In 2012, the AVMA published a report stating that there is no evidence from which to conclude that one kind of dog should be considered disproportionately dangerous. The report also stated that it has not been shown that breed-specific legislation has ever reduced the rate or severity of dog bite-related injuries anywhere. The lack of results in Denver is another example of what has been a failure of breed-specific legislation on a worldwide basis.

The American Bar Association (ABA) House of Delegates passed a resolution in 2012 urging all towns and counties in the United States to repeal any breed-specific laws still in effect. The analysis supporting the resolution highlighted the many problems of breed-specific legislation: significant questions of due process; waste of government resources; failure to produce safer communities; inability to reliably identify dogs to be regulated or seized; and infringement of property rights.

Consistent with the ABA recommendation, Massachusetts, Nevada, Connecticut, and Rhode Island have recently enacted laws that preempt towns and counties from regulating dogs on the basis of breed. From January 2012-May 2013 more than three times as many jurisdictions either rejected proposed breed-specific legislation or repealed an ordinance previously in effect as enacted breed-specific legislation of any kind. The message of this trend is clear: improved community safety results when we hold dog owners responsible for humane care, custody and control of their dogs, regardless of the dogs’ presumed or actual breed.

By every standard of responsible governance, Denver should acknowledge that its breed ban has been an unambiguous failure, and abide by the wisdom of the Colorado state legislature. Denver should repeal its costly, ineffective, and brutal breed-specific legislation.

Updated: 2 August 2013
SOURCES


Imagine being locked in a dusty shed for months on end. You can’t go outside because people might see that you look like a pit bull and turn you in. If you’re turned in, you’ll be killed.

This is exactly how Otis lived after his hometown of Fayette, Missouri, passed a breed ban in Feb. 2009. The ordinance banned acquiring pit bulls. Pit bulls already in the town could be grandfathered in if their owners met certain requirements, including showing proof of $100,000 of liability insurance, muzzling their pets when in public (on a leash no longer than four feet) and meeting specific confinement requirements for dogs kept outside.

However, with a median household income in Fayette of only $32,925 (in 2008), many residents couldn’t afford to meet the requirements.

“These people can’t afford $1,500 a year for a rider on their insurance policy,” said Melody Whitworth, the Columbia, Missouri, area representative for Dogs Deserve Better, a non-profit organization dedicated to helping chained dogs.

“There are a lot of dogs in hiding [in Fayette], and Otis was one of those dogs in hiding,” said Kathryn Ward, the Fayette area representative for Dogs Deserve Better.

When the ordinance went into effect, Otis’s guardian couldn’t afford the insurance policy. “Otis ended up being hidden in a shed in his backyard and chained,” Whitworth said. “This went on for months and months. His owner would go out and feed him when he felt like his neighbors weren’t home and wouldn’t see him.”

When Otis’s guardian had to call an ambulance for his mother-in-law one night, the authorities discovered the dog, and his guardian was cited. “[He] was told to either get rid of the dog or the dog would be killed,” Ward said. The guardian contacted the local shelter, which luckily

(continued on next page)
referred him to Ward, who had been working with the shelter, trying to save as many area pit bulls as possible.

“He worked directly with Dogs Deserve Better”, Withworth said. He signed a relinquishment form and allowed us to put Otis on Petfinder to try and rehome him in order to keep him out of a shelter situation.

After months of being tied in the dark, Otis would growl when approached by strangers, but Ward and Whitworth saw this as a consequence of his circumstances rather than a reflection on his true nature. Prior to the ordinance, Otis had fathered several litters of puppies. One of the first things Dogs Deserve Better did was to arrange to have Otis neutered.

While Whitworth worked to find a new home for Otis, Ward tried to educate his grandson about pet overpopulation and the problems associated with chaining (including increased aggression).

“He said that he could see it was wrong to chain him,” she said. “My feeling is that education of the people is the only thing that’s going to change the way pit bulls are treated. That is when people need to focus their efforts instead of these stupid bans that don’t do anything but further harm the dogs.”

She said that according to her research, dog bites in Fayette have actually increased since the ordinance.

Through their collective efforts, a miracle was in the works for Otis. Unlike most victims of breed bans, he was about to get a second chance.

Jessica Murphy of Columbia was searching through the listings on Petfinder.

“A miracle was in the works for Otis. Unlike most victims of breed bans, he was about to get a second chance.

“I came across a picture of this dog in what appeared to be a barn, and he just looked pitiful. It was so sad,” Murphy said. “There was just something about him. When I found out about his story, it made it that much more heartbreaking. I had to meet that dog. I had to help that dog.”

Murphy’s husband agreed, and the couple went to meet the then 4-year old Otis.

“He said that he could see it was wrong to chain him,” she said. “My feeling is that education of the people is the only thing that’s going to change the way pit bulls are treated. That is when people need to focus their efforts instead of these stupid bans that don’t do anything but further harm the dogs.”

“His allergies were horrible, I guess from living in his barn that was so dusty. His eyes looked like they popping out of his head,” Murphy said. “He came right up to me, and I fell in love.”

Jessica and Robert have two children, ages 6 and 7, and are expecting their third child.

“He’s very patient with the kids,” Murphy said. “He’s the best dog we’ve ever had.”

A year after his adoption, Otis now lives with three other dogs, including his son, whom the couple also rescued. Today, Otis has his own spot on the couch, inside with the family.

His transformation from backyard dog in hiding to a beloved family pet illustrates both the tragedy of breed-specific legislation, which will sentence dogs to death just for the way they look, as well as the fact that all dogs, regardless of breed, are a reflection of how they’re kept and treated.

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