



concerned friends of man's best friend

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American Bar Association Urges Adoption of Breed-Neutral Dog Laws and the Repeal of Breed Discriminatory (Pit Bull) Ordinances

The American Bar Association's 560-member policymaking House of Delegates met during their Annual Meeting in Chicago last year to discuss policies relating to a broad range of issues which are advocated for by state and local bar associations, specialty legal groups within the ABA or affiliated with the association, and individual members.

"Dogs, like people, cannot be fairly judged solely by appearance or heritage", says ABA Tort Trial & Insurance Practice (TIPS) Chair Eugene G. Beckham of Miami.

That sentiment resounds in the passage of ABA's "TIPS Resolution 100"* , which urges all state, territorial, and local legislative bodies and governmental agencies to repeal any breed discriminatory or breed specific laws or provisions, and instead 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.

According to Ledy VanKavage, Past Chair of the TIPS Animal Law Committee, "People love their pets, no matter what their appearance. This is America. Responsible pet owners should be allowed to own whatever breed they want. They should not have to live in fear of their pets being seized and killed simply because of their appearance."

The Governor of Massachusetts signed legislation last August making breed discriminatory legislation (BDL) illegal in that state--becoming the 13th state in the nation to reject canine profiling, joining states such as New York, Virginia, Pennsylvania, New Jersey, Maine, California, Oklahoma, Texas, Minnesota and Washington. In 2012, the state of Ohio repealed its long-standing state law that declared "pit bulls" vicious, with major Ohio cities repealing their breed bans as well. Connecticut, New Mexico, and Nevada state legislatures are also poised to pass anti-BDL. The town of North Beach, Maryland, repealed its long standing breed ban last July. The Mayor of Wilmington, Delaware, sought repeal of that city's ban due to increased difficulty in finding a vendor willing to execute the animal sheltering contract that would be required to kill innocent dogs. Prince George's County, Maryland, spends \$250,000-\$500,000 per year to enforce its 15-year long BDL.

Breed-specific measures such as the law in Prince George's County, Maryland, often declare a particular dog as dangerous simply by its outward physical characteristics. However, a number of studies performed by canine genetics experts demonstrate that at least 25%, and sometimes as much as 75% of visual dog identifications of "pit bulls" are actually mis-identifications. The consequences of this classification in Prince George's County is at the least, exile often from a family who loves their dog. In the worst case scenario, which happens hundreds of times a year, beloved pets are seized, often from living rooms and right from

under the embrace of young children, then killed by Prince George's County government. Often, for doing absolutely nothing wrong.

** RESOLVED, That 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.*

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