

Chris Schindler, manager of animal fighting law enforcement for The Humane Society of the United States, shares a happy moment with a dog seized from an alleged fighting situation. The old arguments against placing fight-bust dogs “just aren’t really justified,” he explains.

# A NEW DAY FOR FIGHT-BUST DOGS

**Advocates push the individual approach for dogs rescued from fighting operations**

BY JAMES HETTINGER

**BERNIE DOESN'T DISCRIMINATE: HE LOVES EVERYBODY.**

Children, old people, tall people, short people. “He comes up and he leans in, and he looks up at you with his little eyes, and his adorable little black face, and then he opens his mouth like a pant ... and it’s like a big smile,” explains Marthina McClay, an animal trainer who founded and serves as president of Our Pack Inc., a pit bull rescue group in California. “And he’s just like, ‘Gosh, don’t you love me? I sure love you.’”

He gives more love now than he likely received in his formative years. Bernie is one of the “Ohio 200”—a group of pit bulls rescued last September from an alleged dogfighting operation in southeastern Ohio. Our Pack acquired him through the New York-based Animal Farm

Foundation Inc. (AFF), which assisted with the fight bust and its aftermath.

In California, Bernie became a certified therapy dog, and began visiting at-risk children during Our Pack’s humane education presentations at the Oakland Animal Services (OAS) shelter.

McClay says as a visual aid, he’s hard to beat.

She tells the kids where he came from and asks what they would have expected. Invariably, they’re surprised, and say they would have expected him to be aggressive or unfeeling. They’ll stare at him, McClay says, and start thinking about why someone would want to hurt such a loving creature, and whether they’d want to be treated that way.

"We've had some of them actually make the comment, 'I know what it's like to be in trouble. I know what it's like to be trapped and feeling like you can't get out,'" McClay says. "... Hopefully—I'm crossing my fingers here—we're making that connection with the kids, and providing a different future for the animals that way."

Our Pack has helped rescue several dogs from fighting operations, including one from the Michael Vick case in 2007. McClay—who's been working with animals since the 1970s—says the experience has amounted to a college for behavior. "One thing I learned is that you can't judge a dog by the property he's lived on, and you can't judge him by any breed profile," she says. "You have to judge him as an individual."

But these dogs haven't always been treated that way.

Years ago, many law enforcement officials viewed dogs from fighting operations not as victims of cruelty, but as evidence or criminal tools—"the four-legged equivalent of an automatic weapon"—and that mentality was pounded into animal control officers in training, says Mark Kumpf, animal control director for Montgomery County, Ohio. The dogs were deemed unsuitable for adoption simply by consensus, not by formal evaluation, Kumpf recalls, and many were euthanized. "It was simply, 'These are fighting dogs. They should never go back into circulation.'"

## The Vick Case's Silver Lining

The Vick case challenged everyone—including the public, prosecutors, defense attorneys, judges, animal shelters, and animal control officers—to view dogfighting in a new light, Kumpf says. "Everybody got a wake-up call from the Vick case, and they said, 'Ooh, there are other options.'"

Media coverage of the Vick case spotlighted both the horrors of dogfighting and the rescued dogs' potential for rehabilitation, as several of them got adopted or became therapy dogs. Kumpf believes the Vick case helped make the status quo no longer acceptable. "The public is not willing to accept a broad brush that these dogs are all bad," he says. "Basically they end up suffering twice: once at the hands of the people who were cruel to them, and then the second time at the system that didn't even give them a chance to show that, 'I'm not a bad dog.'"

Shelter officials still face the challenge of convincing their bosses that adopting out dogs from a fight bust is a viable option—that a shelter can do it without getting sued, and that people won't necessarily get attacked, Kumpf notes. Peer pressure works to keep some communities' longstanding practices in place, he adds: Administrators look at what the next town over is doing, and don't want to do anything different.

But these dogs deserve better. In many ways, the dogs who come from fighting seizures are like those seized from hoarders, puppy mills, or other cruelty cases: They may have some behavioral and health issues particular to their

## Lessons from Leo

Optimistic. Gregarious. Happy to see people. And "like a big, doofy puppy."

Those aren't descriptions traditionally associated with dogs raised in dogfighting operations, yet that's how Marthina McClay describes Leo, a pit bull rescued in 2007 from the notorious kennel in southern Virginia owned by football star Michael Vick.



Leo and a patient

Nearly four years later, Leo—now around 6—leads a life dramatically different from the one he had at Vick's Bad Newz Kennels. Adopted by McClay—a dog trainer who founded and serves as president of

Our Pack Inc., a California-based pit bull rescue organization—he's become a certified therapy dog who frequently helps spread cheer by visiting cancer patients at a treatment facility.

The Vick case helped change people's perceptions of fight-bust dogs, and opened the door for shelters to realize that there is support available, says McClay. Her group, for example, provides free talks in the community, adoption counseling and training, and helps with rescue efforts.

Leo is one of Our Pack's best ambassadors.

He gets excited when McClay puts on his clown collar and vest, a sign that they're heading to the cancer treatment facility. When they walk into the reception area, everyone calls him "Dr. Leo." The patients, some of whom have IVs in their arms, sit in a circle of reclining chairs as McClay and Leo make the rounds.

"We walk in, and of course I ask, 'Would you like a visit with Leo?' And usually they're like, 'Yes, that would be great,' because it takes their mind off of the chemotherapy," she says. "I had one patient say, 'You know, it's really easy to kind of feel sorry for yourself, and you feel sick, and you feel tired, and you're thinking about how horrible it is. And then Leo comes in and ... his big face just kind of brightens up the room.'"

Leo loves the petting and the attention. The work is his reward; McClay says she doesn't need to use treats.

When she tells people about the dog's history, they often act like they didn't hear right.

"I'll say, 'He came from the Michael Vick dogfighting case,' and they literally, their mouths open, their eyes open, they go, 'This dog came from *there*? No way did this dog come from there.' They're just shocked. That's actually changed so many people's minds."

To see a six-minute video of Leo visiting a cancer treatment facility, go to [ourpack.org/leo.html](http://ourpack.org/leo.html).

Our Pack founder Marthina McClay says she initially considered placing Leo, but soon realized the two of them had bonded, "and I just really fell madly in love with him."



circumstances, but these issues can often be helped with time and TLC. And as with other kinds of cruelty cases, a shelter's ability to house, provide enrichment for, and adopt out the victims will depend on its resources and how well it's able to balance the needs of these abused dogs with the overarching mission to save as many animals as possible. Since the Vick case, Kumpf adds, some people assume shelters will be able to devote the same level of resources to animals rescued from other dogfighting operations. That's simply not realistic, he explains. The Vick dogs came with a stipend to offset the expenses associated with their rehabilitation; most seized dogs won't. Tight budgets often mean that shelters can't always afford to have staff trained in behavior assessment, much less have a certified behaviorist on the payroll.

But contrary to their reputation, says Chris Schindler, manager of animal fighting law enforcement for The Humane Society of the United States (HSUS), many of the dogs seized from fighting operations don't have major behavioral challenges. For example, he's currently working with several seized dogs who—despite having been chained up in a yard for much of their lives—are perfectly housetrained and will be easy to place in homes.

Changing people's ideas of what these dogs are like won't happen overnight, but positive adoption stories can help prove to the higher-ups that the sheltering community shouldn't accept euthanasia by default. Many fight-bust dogs simply need an opportunity to demonstrate that they are "not necessarily these genetic monsters that everyone makes them out to be," Kumpf says.

### A New Approach to Victims

That idea also took hold with representatives of several national animal welfare organizations who met at Animal Care Expo in Las Vegas in 2009 and formed the Victims of Cruelty Working Group, which discussed new approaches to dogfighting and other cruelty cases. The HSUS, altering its earlier position, adopted a policy about two years ago that all dogs seized from dogfighting cases should be professionally evaluated for potential placement.

The HSUS has since helped place close to 200 dogs from fighting operations, including more than 150 from the Ohio 200 case last September, says Schindler. All the dogs The HSUS has seized from organized dogfighting operations have been purebred American pit bull terriers with papers proving their pedigree, Schindler says.

The Ohio 200 case, in which The HSUS assisted law enforcement and other animal welfare organizations, "was a groundbreaking case in that HSUS took the lead, and they treated all the dogs as individuals," says Stacey Coleman, executive director of AFF, which aims to secure equal treatment and opportunity for pit bulls. "... They didn't look at the dogs as if they already



She now has a chance to turn the world on with her smile. Mary Tyler Moore, left, known as Momo, relaxes with her friend Creature at Animal Farm Foundation in New York after being rescued last fall from an alleged dogfighting operation in Ohio. In April, Momo got adopted by her foster family.

knew who the dogs were based on the environment that they had come from. They allowed the dogs to speak for themselves."

AFF, which helped evaluate the Ohio dogs, conducts a fairly short evaluation that's not pass or fail, but designed to put dogs in particular categories that will help guide their placement, explains Bernice Clifford, the organization's director of behavior and training. The evaluation includes seeing how long it takes the dog to interact with a person, and how comfortable he is having his teeth and ears checked, or being petted softly and roughly—interactions that might occur in a home. AFF also tests dogs for resource-guarding their food bowls and other objects, does a dog-to-dog introduction, and finally an arousal test, which gets the dog amped up to see how long it takes him to calm down. The dogs are graded because the different organizations that might take them have different skills, Clifford explains; if a dog isn't crazy about handling, AFF would want to make sure he goes to a rescue that has a training department.

The old arguments against placing fight-bust dogs "just aren't really justified," explains Schindler, noting that his own thinking changed after spending time with dozens of dogs rescued from dogfighters. "As we've all seen with the dogs that come from these cases, they're just dogs—like any other dog," he says. Like dogs from other cruelty situations, fight-bust dogs might start out scared and shy, in need of several months to relearn how to be a dog again, Schindler says. There will always be some dogs who can't be placed with families because of medical or behavior issues, for

## placing fight-bust dogs

Once a captive at Michael Vick's Bad Newz Kennels, Leo has a new life as a certified therapy dog in California, where his activities include visiting schools to demonstrate positive reinforcement.



A seized pit bull stretches out to enjoy a friendly back scratch from Janette Reeve of the Animal Fighting Law Enforcement section at The Humane Society of the United States.

example, but not because they're a particular breed or come from a particular situation.

The HSUS is now recruiting groups from around the country to form a network to take in and potentially adopt out animals following seizures from dogfighting operations. The partners will be nonprofits and could include shelters, pit bull rescue groups, all-breed rescues, and sanctuaries. The application process for potential partners will help match the organizations' capacities to the dogs' needs. Some fight-bust dogs can go to any shelter that adopts out dogs, Schindler explains, while other dogs might require a shelter with a behavior department. The HSUS also plans to put a support mechanism in place so that the partner organizations can consult a behaviorist or trainer if the need arises, Schindler says.

"We want the sheltering community to see the positives," Schindler adds. Simply put, dogs rescued from fighting operations deserve the same opportunity as any other animal who comes through your door.

### Considering Capacities

So how can you give them that second chance?

A key first step is to know your organization's capabilities. Select individual dogs who are likely to do well in your shelter. "They shouldn't just look at the dog," Coleman advises. "They should look at their

own organization, recognize what their strengths and weaknesses are, and then pull the dogs that they know they're going to be able to help."

"Don't go out and try 10 at once, but take one, and know your limits," agrees Sarah Barnett, a volunteer for the Lost Dog and Cat Rescue Foundation, a Washington, D.C.-area-based organization that took four dogs from the Ohio 200 case. Barnett, the online community manager for The HSUS, fostered one of her rescue group's Ohio 200 dogs for several months before he got adopted.

Most shelters don't have a ton of foster homes available, so they may be better off taking the more laid-back dogs rather than the more active ones who don't kennel as well, Barnett says.

It's also important to have an exercise regimen and enrichment program in place to prevent the animals from getting bored, says Schindler. Providing Kongs with peanut butter for dogs in kennels—or even bowling balls with their holes filled with the treat—gives dogs something to do to keep them from being bored. High-energy dogs can get great benefits from being allowed supervised time outside the kennel to race around a play area and stretch their minds and bodies.

It's a process Schindler's managing now at a temporary shelter for seized dogs in Florida. Staff ensure that enrichment is worked into the daily cleaning schedule; while they clean the kennels, dogs are let out to play in a makeshift yard,

## Sweet Home Alabama

Mindy Gilbert didn't go to Ohio looking for love.

Gilbert, the Alabama state director for The Humane Society of the United States (HSUS), answered a call for help at an emergency shelter in September 2010 after The HSUS helped rescue 200 dogs from an alleged fighting operation in Jefferson County, Ohio.

She headed to St. Clairsville, Ohio—where the “Ohio 200” were held—to help care for dogs being evaluated for possible placement as family pets. She was there to work, but one of the dogs cast a “hypnotic spell” on her.

Journey, shorter and more compact than a typical pit bull, was a beautiful female dog, but she was “beyond fearful,” Gilbert says. She didn't want to be touched. She cowered in the back of the pen. A sign on the front of her cage read “Staff Only.”

But the dog's pull proved irresistible.

Gilbert approached Bernice Clifford of Animal Farm Foundation, who was there doing evaluations, and explained that she was “strangely drawn” to the dog and wanted to take her home to keep, not to adopt out.

“She was very polite to me, even though I could see the question mark above her head,” Gilbert says. She recalls Clifford telling her, “You might be the one that would draw this dog out. [But] she's got so many fear-based issues that she won't really know who she is for several months.”

“Every rational fiber of my being was screaming, ‘This is a bad idea,’” Gilbert says, but she decided to not listen to that voice. Instead, she canceled her flight home, rented a car one way, and drove Journey home to Alabama. “And all the way home was telling myself, ‘Self, you know, this is just not a good idea. You're by yourself in a vehicle. You know this dog's got issues.’”

Beyond the immediate concerns—like how she would handle a flat tire—Gilbert wondered how Journey would get along with her other animals at home, an ever-shifting population that includes 15 dogs, most of whom are old and infirm. And Gilbert acknowledges that she is no dog trainer. “I have a lot of experience in *being* trained by dogs,” she says. “For example, I know what time I have to be home and put the food out.”

Gilbert suspects that Journey was put on a chain early in life and used for breeding; she also has a few scars, indicating she might have been involved in minor skirmishes. Her former life left her socially inept when it came to interacting with the other dogs, and she was terrified of human hands, which made it impossible to reward her by patting her on the head or giving her a treat.

But the dog improved quickly after a week or so in her new home. Gilbert initially crated her at bedtime, but one night when it was time to sleep, Journey jumped up on Gilbert's bed, then cowered in the corner of it, up against the wall. Gilbert, accompanied by some of her other dogs, climbed in, turned on the TV, and just left her alone. “That was the beginning of the end of her being totally fear-based,” Gilbert says, noting that Journey soon melted into a more relaxed creature. Now, hopping on the bed is her favorite thing to do at the end of the day.



Journey, one of the “Ohio 200” dogs rescued last year from an alleged dogfighting operation, was extremely fearful when adopter Mindy Gilbert first brought her home to Alabama. But Journey has learned to relax by spending time with Gilbert's laid-back menagerie of 15 other dogs.

Gilbert describes her other dogs as a relaxed bunch, and she believes Journey learned to follow suit. “She would find herself doing what they did without openly understanding why,” she says. Journey's resistance to being touched by hands persisted, but she would bump Gilbert with her hip or lean up against her.

Today, Gilbert reports that her home in Alabama is indeed very sweet. Journey, who never displayed aggression, has become very affectionate and gets along well with the other animals. Gilbert describes herself as “totally smitten.”

“It's been an interesting process, I think, for both of us,” Gilbert says, noting that she's gained a new appreciation for the challenges that fight-bust dogs face from not being socialized. While Journey is a strong dog, she remains a shrinking violet at heart; when strangers come to the house, she retreats to the guest room. She's also deathly afraid of thunderstorms; she knows a day ahead of time when one's coming, and it makes her so sick that she won't eat. “Imagine being chained up out in the weather 365 days a year with that kind of phobia—I can only imagine it'll drive you mad.”

Despite being a frightened victim of cruelty when she arrived at the emergency shelter, Journey exuded an appeal that left Gilbert as helpless as a lovesick teenager. “I just went to do my own four or five days, and help out, do whatever was necessary,” she says of her trip to Ohio. “And it was amazing how that dog put its tractor beams on my head.”





Dogs rescued from fighting operations—like Leo, center—deserve a chance to be evaluated individually. “They’re not all gonna be the same because they were owned by Michael Vick,” says Leo’s owner, Marthina McClay. With proper training and socialization, many can thrive as pets.

which helps them burn off some energy. It doesn’t require any more staff time than leaving them in cages, Schindler says, and it makes a huge difference to the animals.

### The Lawsuit Myth

One of the main reasons shelters have often worried about placing dogs seized from fighting raids is because they fear getting sued should the animal end up biting someone. But according to Bonnie Lutz, a California-based lawyer who serves as general counsel for several large humane societies and SPCAs, while there’s no way to guarantee you won’t get sued over a bite, shelters don’t face any particular liability issues by adopting out dogs rescued from fighting operations.

Shelters could be liable if they retain ownership of the dog after adopting it out—“a big mistake,” according to Lutz—or if they’re found to be negligent because they knowingly adopted out a dog who was likely to bite. But Lutz says she would be comfortable defending a case where the animal welfare organization had a proper behaviorist evaluate the dog’s temperament, then documented the evaluation, and disclosed to potential adopters the results of the evaluation as well as the fact that the dog came

from a fight bust. “It’s all about disclosure. It’s all about testing,” she says. (For more about post-adoption liability, see *Humane Law Forum*, p. 47.)

Still, sheltering and placing fight-bust dogs poses a number of challenges, says Kumpf, whose shelter assisted with the Ohio 200 case and other fight-bust dogs.

For starters, the dogs can be a hard sell with potential adopters. Some seized dogs may require an owner to be more careful around other pets; others will be perfectly animal-friendly. Education of the adopter and full disclosure about the dog’s behavior will be key. And while some potential adopters may be put off by the remnants of the dogs’ sad beginnings—a missing ear or other scars and puncture marks—not all dogs from fighting operations have any visible scars; many have never actually fought. In large operations, many are simply breeding stock and will be perfectly attractive to the average adopter.

Space is another challenge. Each fight-bust dog requires his own kennel—a problem if you take in 50 of them and have only 50 kennels, Kumpf notes.

As with other animals seized from cruelty cases, fight-bust dogs often must be held as evidence while the criminal case against the dogfighters proceeds. When

cases get continued (as they typically do), courts can require shelters to keep animals not just for weeks or months, but years. They get sick or injured and require constant care, and the medical bills can pile up. Kumpf recalls a pit bull at his shelter who injured her abdominal organs, likely by constantly jumping in her kennel, making euthanasia necessary. The dogs might have issues with the staff or other canines; Kumpf recalls hearing about a dog at another shelter who climbed through a small hole to try to attack the dog in the next kennel. “In some cases, they eat the shelter. They’re not picky,” he adds. “They’ll eat kennel decks. They’ll chew water bowls off the walls.”

But Schindler points out that many of these “stir crazy” behaviors can be addressed through enrichment, such as the work HSUS staff are doing with the seized dogs at the Florida facility. Providing toys that make the dogs figure out how to get the treat from the middle, giving dogs who are a little shy some quiet time in the office with people, and keeping an eye on dog-to-dog relations are all helpful, Schindler says. “We use common sense in housing any dogs, and monitor how the dogs interact with each other in the kennel,” he says. Doing so allows staff to shift dogs around within the cages and find a setup where the dogs are less agitated. It doesn’t require any more time—just a little extra awareness, he says.

Some fight-bust dogs arrive at the shelter starved for attention, having forgotten how to be a dog, then they get stuck in a system that doesn’t give them a chance to relearn that—preventing them from becoming good adoption candidates, Kumpf says. “It’s almost a given that the adoptability drops as the stay extends, because you end up with more behavioral issues, more medical issues.”

But Kumpf does not paint an entirely bleak picture. “Lots of these dogs do well,” he says, pointing to the many Ohio 200 dogs who have been placed in homes.

His advice to organizations considering taking on the placement of fight-bust dogs is to look before you leap, and follow the model of organizations that are successfully battling the stereotypes about pit bulls and promoting the breed. Groups like Bad Rap and Hello Bully have factual information that can help you sell a proposed program up your chain of command.

## Making Connections

McClay knows that Bernie is making an impact “by just being who he is, and putting out those love bugs everywhere.” Following his visits to at-risk kids at the Oakland shelter, she’s heard that they talk about Bernie all the way home, and one child expressed an interest in working with animals and pursuing an internship with the San Francisco SPCA. His teacher wrote to McClay, asking, “How cool is that!?”

In April, Bernie’s story took another positive turn when, after multiple weeks as one of Our Pack’s available dogs, he got adopted—a development that thrilled McClay.

It’s a happy ending that never would have happened had he been branded an unadoptable fight-bust dog—a message that isn’t lost on Megan Webb, OAS’s director.


Webb says her shelter frequently takes in groups of dogs from cruelty situations, including suspected fighting operations. The staff members often don’t know the dogs’ exact histories, and they take care to not lump them together and assume they’ll all behave the same. Some are dog-aggressive, while others are extremely social and friendly. “Some of the nicest dogs I’ve ever met have come from these large-scale dog groups that we’ve taken from suspected dogfighters,” she says.

Dogs who pass the temperament test are made available for adoption. The shelter takes precautions to make sure they don’t fall prey again to the criminals who initially abused them, Webb explains. In cases where the dog was taken from someone who’s known to be violent or has been arrested for abuse, for example, the dog would be sent away from Oakland for adoption. Volunteers working with such dogs might do so in the back of the shelter rather than the front, she adds, to limit their visibility.

OAS has learned to lean on outside groups for assistance. The shelter has used Our Pack to help counsel adopters, and several staff are slated to do internships at AFF. Such connections are crucial for municipalities, Webb says, because outside groups often have both expertise and time.

Those connections can help land dogs in unexpected places. Webb says she never would have considered placing a dog in South Dakota, but that’s what happened to Amarylis. The deaf dog was one of 33 pit bulls rescued last December from an alleged cruelty situation in an Oakland home, where many of the animals were housed in crates stacked on top of each other. “When I first got her out of the crate ... she couldn’t even stand up. She was covered in urine,” Webb recalls.

Thanks to OAS’s connections with Our Pack and volunteer Megan Alexander, arrangements were made to send Amarylis and another dog to the Sioux Empire Pit Rescue in South Dakota. The Friends of Oakland Animal Services picked up the transportation costs.

“She’s an amazing dog—just extremely stable with other people and other dogs,” Webb says. “If we had ... made assumptions about what she would be like, and didn’t test her, we would have never found her and gotten her placed.” 

*For information about aiding The Humane Society of the United States’ efforts to place dogs rescued from fighting operations, email Chris Schindler at [cschindler@humanesociety.org](mailto:cschindler@humanesociety.org).*