BSL TALKING POINTS

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. Effective, breed-neutral alternatives for creating safe communities are available.

Communicate about these issues accurately and effectively with the help of the following well-researched talking points, sample letter, and suggested sources for further information.

Get to know your state and local laws, your local politicians, and be a part of the process. You can make a difference!

More information on BSL and breed neutral practices that create and support safe, humane communities, can be found in our booklets: **Building Safe Communities** and **Breed Specific Legislation**.

For more information, please visit our website: www.animalfarmfoundation.org
or contact us at: info@animalfarmfoundation.org
HOW BSL AFFECTS VARIOUS COMMUNITY MEMBERS

ALL COMMUNITY MEMBERS:
• BSL has been proven to be ineffective. It is a waste of hard-earned taxpayer dollars. The cost of enforcing BSL takes away precious resources from other matters of concern to the community.
• Every citizen deserves to be protected from ALL reckless dog owners, not just reckless owners with the targeted breeds of dogs. Everyone needs to be held equally accountable.

FAMILIES
• BSL discriminates against certain members of the community based on the pet they own.
• BSL forces families to relocate to other areas in order to keep their pets, making it difficult for families to stay connected. BSL discriminates against families on fixed-incomes, families with children or senior citizens, and people with disabilities: relocation may not be an option for these families.
• BSL breaks up families by forcing law abiding citizens to give up their family pets. They are forced to bring well behaved family dogs to the shelter where they may be destroyed.

ANIMAL SHELTERS
• BSL leads to increases in owner surrenders, creating more work for animal shelters, more euthanasia, and more financial resources required to care for/euthanize surrendered dogs.
• BSL hinders adoptions and increases length of stay by restricting which dogs can be placed, limiting the potential pool of adopters, and generating fear of all shelter dogs.

DOG OWNERS
• BSL has targeted 36 different breeds of dogs – from Chihuahuas to Neapolitan Mastiffs – and countless mixed-breed dogs based on their appearance. Even if
your dog is not currently being targeted, BSL is a slippery slope. Your dog could be the next target.

• BSL lowers the value of dogs and dog ownership by generating hysteria based on false and unfounded claims about dog behavior.
• BSL alienates dog owners from each other and the community. Neighbors turn on each other.

DOG BITE VICTIMS
• BSL singles out certain bite victims for special treatment and protection. BSL minimizes dog bite victims who are injured by dogs that are not included in the targeted breeds. All victims of dog bites deserve equal protection under the law.
• All reckless dog owners should be held accountable for their actions. Reckless owners of dogs that are not included in the targeted breeds should be held equally accountable for their actions.

POLITICIANS
• BSL has never been effective in reducing dog bites and enhancing public safety. BSL will not have the results that were promised to constituents. BSL wastes constituents’ taxpayer dollars.
• BSL can lead to politicians losing future elections because it alienates all dog owners – especially dog owners of the targeted breeds – and angers constituents who expected BSL to reduce dog bites and enhance public safety.

ANIMAL CONTROL OFFICERS
• BSL is expensive, time-consuming, and nearly impossible to enforce. It takes resources away from protecting the community from truly dangerous animals, including dangerous dogs not belonging to the targeted breeds.
• BSL makes animal control officers the enemies of the community by forcing them to seize and destroy well-behaved family pets.
HOW BSL FAILS

• Breed specific laws, whether they ban dogs outright or mandate separate control and containment restrictions, have never reduced incidents of dog bites, wherever in Europe or North America they have been tried. In addition, there is no scientific study or data that proves BSL reduces dog bites.

Example: In June 2008, the Netherlands repealed its 15-year-old ban on "pit bull" dogs because it had not resulted in a decrease in dog bites.

• BSL fails to reduce dog bites. Evidence-based analysis was published in the Journal of the American Veterinary Medical Association (JAVMA) to explain why breed bans are not effective.

• In “A Community Approach to Dog bite Prevention,” the American Veterinary Medical Association (AVMA) Task Force reported: “...singling out 1 or 2 breeds for control can result in a false sense of accomplishment. Doing so ignores the true scope of the problem and will not result in a responsible approach to protecting a community’s citizens.”

• BSL creates a false sense of security, with no actual increase in public safety. Citizens believe they are safer, but they are not. In fact, some areas with BSL have seen dog bites decrease at slower rates than communities that have breed-neutral dangerous dog laws.

Example: Denver, CO enacted a breed ban in 1989. Citizens of Denver continued to suffer a higher rate of hospitalization from dog bite-related injuries after the ban, than the citizens of breed-neutral Colorado counties.

• Laws that deem dogs dangerous based on breed or appearances, rather than behavior, fail to protect
citizens from truly dangerous dogs. Scarce resources are diverted to target dogs based only on appearances, not behavior.

• BSL is both over and under inclusive: it fails to capture all dangerous dog owners, while unnecessarily persecuting responsible family pet owners.

• BSL fails to reach reckless owners – of both the targeted dogs and non-targeted dogs -- because reckless owners disregard public safety laws in the first place.

• All dog owners should be held to the same standards of humane care, custody, and control of their dogs, regardless of breed or appearance.

• Bill Bruce, Former Director of Animal and By-Law Services, Calgary: “BSL is intended to be the silver bullet that will end animal aggression, and it never has. When we see it applied, it typically tends to see an escalation in animal aggression because it’s attempting to deal with the dog, not the problem. The problem is the owner. The other problem with it is that when it’s that broad-brushed, you catch the wrong fish in the net. So when you propose BSL, what you do is you polarize the entire community. Instead of drawing a community of responsible pet owners together, you polarize them by attacking people who are not part of your problem...”
THE HIGH COST OF BSL

• BSL wastes precious public resources and requires extensive additional funding and resources to enforce.

Example: A Task Force for Prince George County, Maryland examined the results of a 1996 pit bull ban in that county. They determined the cost to the county to confiscate and euthanize a single dog with the label “pit bull” was approximately $68,000. Despite the financial investment, the Task Force found no measurable results in regards to increasing safety.

• Best Friends Animal Society developed a fiscal impact calculator that allows communities to estimate the cost of attempting to enforce BSL, which includes: enforcement, kenneling, veterinary care, DNA testing, litigation costs, euthanasia, and disposal of bodies. Calculator: www.guerrillaeconomics.biz/bestfriends/

• The dollars and manpower required to implement BSL take away resources from other important matters facing the community.

• BSL can be a disincentive to dog license compliance, so communities may lose licensing revenues that could have been used to fund important animal services.

• BSL can drive business away. Dog shows, sporting events, and other pet-related events are not likely to be held in areas where certain dogs maybe confiscated for attending. Tourists with targeted dogs will also choose not to visit.

• BSL results in costly lawsuits. Citizens who feel their constitutional rights are being violated, their dogs were wrongly identified as a “dangerous breed”, or residents

(continued on next page)
of towns with local BSL that contradicts state law, can and have brought lawsuits against their municipalities.

**Example:** The Department of Justice issued guidelines under the Americans with Disabilities Act (effective 3/11) stating that it is not appropriate to prohibit service animals based on local BSL. In places where a disabled person was denied use of their service dog because of its breed or appearance, the result has been long, expensive, high-profile court battles to overturn the discriminatory action and provide financial compensation to the plaintiff. This occurred in 2012 in Aurelia, IA in the Officer Sak case.

- BSL is costly to individual dog owners, who must relocate or surrender their family pet. The emotional cost to pet owners cannot be measured. When dogs are not banned, but are subject to restrictions, pet owners must bear ordinance-imposed financial costs as a result of requirements that they maintain higher liability insurance limits or purchase expensive containment systems. This financially penalizes responsible families.
• There is no dog bite epidemic. Reports to public health agencies of dog bites have declined significantly since the 1970’s, despite significant increases in both human and canine populations. Across the board, communities are safer than ever before.

• Dog bites are a societal problem that cannot be characterized apart from people. They result from problematic human behaviors that place people and animals at risk. Responsible dog ownership is the key to addressing public safety issues involving dogs.

• Intense focus on select and isolated incidents of serious dog bite injuries incites fear and hysteria. It is not a sound basis for making effective public policy. Such an approach prevents a useful understanding of the complexity of dog bite-related incidents, and ignores the benefits to society of positive human-canine bonds and responsible pet ownership.

• To reduce dog bites, expert recommendations have remained consistent since the 1960’s: dog-safety education, owner responsibility, detailed reporting, and enforcement of dangerous dog laws. The American Veterinary Medical Association (AVMA) Task Force details these proactive approaches in their report A Community Approach to Dog Bite Prevention.

• No dog bite study claiming to correlate dog bite-related injuries by breed – whether published recently or in earlier decades – can be considered valid or reliable because the reporting is based primarily on visual breed identification, a methodology which has been discredited by modern science.

• We all deserve to be safe in our communities. We all want fair, effective laws that are based on the best scientific evidence available. Animal and legal experts from the AVMA to the American Bar Association advocate for safe communities via breed neutral, responsible dog ownership.
THE CDC STUDY (2000)


• 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.

• The CDC has since released a 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.”

• One of the researchers involved in the CDC project, Dr. Gail Golab of the AVMA, 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.” (Golab was quoted in the Sept/Oct. 2004 issue of Best Friends Magazine)

• The American Veterinary Medical Association (AVMA), also released a statement: “In contrast to what has been reported in the news media, the data [from the study]…CANNOT be used to infer any breed-specific risk for dog bite fatalities…”

• Using the 2000 CDC study to promote BSL is not accurate, reliable, or evidence based. It flagrantly ignores the CDC’s own recommendations to explore breed neutral policies, “Many practical alternatives to breed-specific policies exist…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.”
DEFINING “PIT BULL” DOGS

• There is no universally accepted legal definition for “pit bull.”

• Definitions of “pit bull” vary significantly across North America and Europe. What one city considers to be a “pit bull,” another does not. The definition of “pit bull” is subjective and changes frequently, from place to place.

• “Pit bull” is not a breed or breed mix, but an ever expanding group that includes whatever an animal control officer, shelter worker, dog trainer, politician, dog owner, police officer or newspaper says it is.

• There is no kennel club in the world that recognizes “pit bull” as breed.

• The term “pit bull” is also usually paired with “pit bull mix” or “pit bull cross,” rendering the group incoherent in terms of genetics, physical appearance, behavior, or personality.

• The dogs subjectively lumped under the “pit bull” label are a genetically diverse and expanding group of purebred and mixed-breed dogs with a variety of individual personalities and behaviors. It is impossible to apply breed traits to this genetically incoherent group of dogs.

• Dr. Kristopher Irizarry, geneticist, Western University: “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.”
THE PROBLEM WITH BREED IDENTIFICATION

- BSL requires that municipalities identify a dog’s breed, in order to determine restrictions. This process has proven to be highly problematic. Different observers, irrespective of their professional experience with dogs, very often do not agree with each other on what breeds comprise an individual dog’s DNA.

- No dog bite study claiming to correlate dog bite-related injuries by breed – whether published recently or in earlier decades – can be considered valid or reliable because the reporting is based primarily on visual breed identification, a methodology which has been discredited by modern science.

- Approximately 50% of the 78 million dogs living in the U.S. today are mixed-breed dogs (2009-10 American Pet Products Manufactures Association survey). Veterinary behaviorists have proven that there is no standard by which we can reliably identify the breed composition of mixed-breed dogs, based on their appearance or behaviors.

- Research shows that breed identification of dogs with unknown parentage is unreliable.

Example: Dr. Victoria Voith, PhD, DVM, DACVB, Western University: “A short report 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. In 87.5% of the adopted dogs, breeds were identified by DNA analyses that were not proposed by adoption agencies.”
• Dr. Amy Marder, VMD, CAAB, The Center for Shelter Dogs: “In most shelters across the United States the majority of dogs are mixed breeds of unknown parentage. Nevertheless it is common practice for staff to guess a dog’s breed based on appearance. This ‘best guess’ is used to identify the dog, although the actual pedigree is unknown.”

• Breed labeling dogs of unknown origin/pedigree based on appearance inevitably leads to conflict and litigation, because it frequently does not correlate with DNA analysis of the same dog.

• No company offering DNA breed analysis claims that their results predict the behavior of an individual dog.

• What you see on the outside – pure breed or mixed breed – does not determine how a dog will behave. Physical appearance alone cannot predict behavior or personality. A dog’s entire physical appearance is determined by a very small amount of genetic material. For example, of the 19,000 genes in the canine genome, as few as six can determine a dog’s head shape; none of the genes associated with head shape influence behavior or personality. (Report of Dr. Kristopher Irizarry, Nicholas Criscuolo et al. v. Grant County et al., United States District Court Eastern District of Washington 2011)

• Experts agree that breed identification should not be used as a tool to determine if a dog is or is not dangerous. Each dog is an individual and its physical and behavioral traits will be the result of multiple factors, including genetics, training, handling, and environment. This applies to pure breed dogs as well. Pure breed dogs are not genetic clones. There is always variation among individual dogs, even within dogs of the same litter. Rather than focus on breed, evaluate dogs based on present behavior.
“PIT BULL” DOG BEHAVIOR

• There is no behavior that is unique to only one breed or type of dog. Dogs are more alike than they are different.

• There is so much behavioral variability within each breed, and even more so within breed mixes, that we cannot reliably predict a dog’s behavior based on breed alone. Every dog is an individual.

• There is no scientific evidence that one breed or type of a dog is more likely to injure a human than any other breed or type of dog.

• The American Veterinary Medical Association (AVMA) exhaustive review of dog bite studies conducted in North America and elsewhere has concluded that separate regulation of “pit bull” dogs is not a basis for dog bite prevention. "Serious bites occur due to a range of factors," conclude these authors.

• There is no scientific evidence that “pit bull” dogs cause more damage when they bite.

• Regarding dog bites, there is no anatomical structure that could be a locking mechanism in any dog.

• The claim that “pit bulls,” unlike all other dogs, do not give notice prior to attacking a person is an outdated myth and urban legend that has been overwhelmingly refuted by science. All dogs signal intent.

• Each dog is an individual, and its physical and behavioral traits will be the result of multiple factors, including genetics, training, handling and environment. Behavior is not determined by appearance. It is not determined solely by genetics. There is variation in dog behavior even in pure breed dogs from the same litter. Dog behavior can only be evaluated on an individual basis.
“PIT BULL” DOG OWNERS

- “Pit bull” dog owners are no different than other dog owners; the overwhelming majority love and care for their pets in a responsible manner, which includes proper maintenance, control, and containment of their dogs.

- There are millions of “pit bull” dog owners across the United States who live peacefully and unremarkably with their family pets. They are neighbors, family, friends, public servants, and valued members of the community. They are not the exception; they are the rule.

- A very small minority of people who own dogs – including but not limited to “pit bull” dogs – are reckless owners, yet those few individuals account for a disproportionate amount of reckless behavior.

- Reckless owners cannot be correlated with any particular breed or type of dog; the only factor reckless dog owners have in common is their problematic behavior resulting from a disregard from public safety and animal welfare.

- All dog owners, including “pit bull” dog owners, want to be protected from the reckless few who disregard the laws that govern responsible pet ownership. Discriminating against dog owners because of what their dog looks like will never make for a safer community. Holding reckless owners accountable will.

- “Pit bull” dogs are increasingly popular family pets: Banfield Pet Hospitals, the largest general veterinary practice in the world, reports that the percentage of “pit bull” dogs visiting their U.S. network of clinics has increased by 47 percent over the past 10 years (2000 to 2010).

- A recent survey by Vetstreet concluded that dogs identified as “pit bulls” are one of the most popular family dogs in this country.

- “Pit bull” dogs live with and provide a service to many of their owners and neighbors. Around the country “pit bull” dogs are used as therapy dogs, service dogs, police K9s, and military dogs.
• By treating all dogs as individuals and empowering pet owners to be responsible, we can create communities that are not only humane, but safe as well. Creating and enforcing non-discriminatory Responsible Pet Ownership laws is the most effective path to building safe, humane communities.

• Effective policies put the focus on the dog owners, not the dogs. Dogs do not exist out of the context of their owners. We must hold ALL owners equally accountable for their actions and reckless behavior – no matter what their dogs look like.

• Breed neutral, Responsible Pet Ownership laws, such as Calgary’s, are creating safe communities by putting the emphasis on human behavior;“The whole model is about responsible pet ownership . . . In North America, we don’t really have an animal problem: we’ve got a people problem. I think that’s the first realization you’ve got to come to. It’s not about the animal, it’s about the people.” Bill Bruce Former Director of Calgary Animal Services and By-Law Services

• Key elements of Responsible Pet Ownership laws include, but are not limited to the following: licensing and identification, spaying and neutering, training, socialization, and medical care, and not allowing pets to become a nuisance or threat in the community. Once responsible owner laws are adopted, residents should be educated about their benefits, facilitated in complying, and then enforcement should hold those that do not comply accountable for their actions.

• Before jumping to the conclusion that BSL is the answer, consider: Are your current animal control ordinances effective and are they being enforced? Are you protecting the public from dog bites through restraint laws? Are dogs chained in your community? (continued on next page)
Set the tone for responsible dog ownership in your community by updating current ordinances and enforcing them with those who do not comply.

• Look to dog owners to fund the programs necessary to create safe, humane communities. Programs can be funded entirely by animal-related revenues, primarily licensing. Many families are happy to pay increased licensing fees when they are aware of how the programs benefit their community through positive pet programs and services.

• There is overwhelming support from animal and legal experts for breed neutral laws that focus on responsible ownership. The CDC recommends: “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.”
Dear (Insert Name),

I understand that there has been discussion of dog breed specific legislation (BSL) in Smithville. Just as you do, I wish to ensure that Smithville is a safe community. However, BSL is not an effective method of creating a safe community; in fact BSL has never been proven to reduce dog bites. This misguided approach places blame on the breed of dog, rather than on the behavior of the owner.

I urge you to avoid this costly and ineffective approach of regulating dogs on the basis of breed. Breed regulation promotes a false sense of security and animal cruelty, not community safety. It is good for neither people nor pets. None of the experts advocate regulating dogs on the basis of breed. This includes the American Bar Association (ABA), American Veterinary Medical Association (AVMA), the Centers for Disease Control (CDC), the Humane Society of the United States (HSUS), and the National Animal Control Association (NACA, the national association of animal control professionals nationwide).

I am pleased to send you just some of the overwhelming evidence that breed discriminatory bans do not work. The enclosed papers and illustrated materials further elaborate on these key points:

• There is no scientific evidence that one kind of a dog is more likely to bite or injure a human being than another kind of a dog. (Attachment 1)
• Regulating dogs on the basis of breed or physical description does not reduce dog bites. (Attachment 2a) A recent evidence-based analysis published in the Journal of the American Veterinary Medical Association offers one perspective on why this has been the case. (Attachment 2b)
• Visually identifying which dogs are subject to breed discriminatory legislation can be difficult. In fact, scientific studies show that attempts to visually identify breed in dogs of unknown origin is usually inaccurate. (Attachment 3) If this is the case, we can also expect no reliability on reports that attempt to correlate a dog bite incident with a breed descriptor of the dog.
• Regulating dogs on the basis of breed results in fiscal waste. Please use the link to estimate the additional cost to Smithville associated with attempting to enforce breed-specific legislation: http://www.guerrillaeconomics.biz/bestfriends
  Also, please read this article by the Platte Institute for Economic Research: http://www.platteinstitute.org/research/comments/pit-bull-ban-a-waste-of-taxpayer-dollars
• The model that promotes the safety of both humans and animals is a responsible pet ownership model, as you will see from the enclosed short summary concerning Calgary, Alberta. (Attachment 4)

BSL is a waste of precious public resources. An example of this can be seen in Topeka, KS, which in 2010 repealed their BSL after Animal Control was running $27,000 over budget annually from housing dogs that had, as stated by Assistant city attorney Kyle Smith, “not… exhibited vicious behavior” but instead were just “in violation of our breed-specific ordinances.”

Breed specific legislation will result in fiscal waste, regulatory confusion, and political opposition, without increasing the safety of residents in Smithville. Communities are best served by enacting breed-neutral dangerous dog laws that will hold all dog owners equally accountable for their actions.

If I can be of further assistance, I hope you will feel free to contact me at (555) 555-5555 or janedoe@tmail.com. Thank you for reading this letter.

Respectfully,
Jane Doe
Smithville, Iowa
RESOURCES FOR TALKING POINTS

HOW BSL FAILS:
http://www.animalfarmfoundation.org/pages/Breed-Specific-Legislation
Specifically: JAVMA’s Exploring the Bond, Case Studies of Denver and Miami
http://stopbsl.org/bsloverview/the-failure-to-improve-safety/

HIGH COST OF BSL:
http://www.guerrillaeconomics.biz/bestfriends/
http://www.animalfarmfoundation.org/pages/Special-Projects-Officer-Sak
http://www.animalallaw.info/articles/arus74fordhamlrev2847.htm

THE CDC STUDY:

CREATING SAFE COMMUNITIES:
http://www.animalfarmfoundation.org/pages/Building-Safe-Communities

“PIT BULL” DOG OWNERS:
http://www.animalfarmfoundation.org/pages/Special-Projects-Majority
http://www.banfield.com/Banfield/files/bd/bd826667-067d-41e4-994d-5ea0bd7db86d.pdf

“PIT BULL” DOG BEHAVIOR:
http://www.animalfarmfoundation.org/pages/Breed-Specific-Legislation
Specifically: Beyond Breed, AVMA’s Role of Breed in Dog Bites, and Aggression in Dogs
http://www.animalfarmfoundation.org/pages/FAQs-Myth-Busting

DEFINING “PIT BULL” DOGS:
http://animalfarmfoundation.org/files/5E._Irizarry_View_Point_NEW.pdf
http://www.animalfarmfoundation.org/files/MARS_FAQ.pdf
http://www.animalfarmfoundation.org/files/Maryland_ Turbocharging.pdf

THE PROBLEM WITH BREED ID:
http://www.animalfarmfoundation.org/pages/Labels-Language
http://www.animalfarmfoundation.org/files/MARS_FAQ.pdf

THE DOG BITE EPIDEMIC:
http://animalfarmfoundation.org/files/Organizations_That_Do_Not_Endorse_BDL.pdf
http://nationalcanineresearchcouncil.com/dogbites/whatisadogbite/
http://nationalcanineresearchcouncil.com/dogbites/dog-bites-faq/

SAMPLE LETTER:
http://www.animalfarmfoundation.org/files/5H._AggressionNo_significant_differences_between_breeds_SCHALKE.pdf
http://www.animalfarmfoundation.org/files/Patronek_Slater_Marder_NNB_JAVMA__2010.pdf