



# PIT BULL TERRIERS & BREED-DISCRIMINATORY LAWS

## Frequently Asked Questions

### What is breed-discriminatory legislation (BDL)?

Breed-discriminatory legislation (BDL) is any law or policy that prohibits or places restrictions on individual dogs because of their supposed breed. Sometimes people use the term “pit bull ban” to describe breed-discriminatory legislation, but BDL actually refers to legislation that prohibits any dog breed. Over time, different breeds have been targeted, including German Shepherds and Dobermans. Today, pit bull terriers are often the target of BDL, so when we read about BDL in the news, it’s a safe bet that the law is about them.

BDL also includes laws that don’t outright ban pit bull terriers but create de facto bans. In other words, the law might not say that pit bull terriers are prohibited, but the effect is the same. For example, the law might require owners of supposed pit bull terriers to buy expensive insurance policies or keep the dog muzzled at all times. The law creates such tough restrictions that many owners are forced to give up their family pet.

### Does BDL make communities safer?

No. Multiple peer-reviewed studies have found that breed-discriminatory legislation does not improve public safety. Also, multiple cities in the United States enacted BDL in the 1980s and 1990s in a misguided attempt to address dog bites. Decades of data from these cities tell us that BDL does not reduce dog bites or make communities safer.

The American Veterinary Medical Association (AVMA) did an in-depth review of dog bite studies in 2014. The review looked at studies from the last 40 years and from 10 countries including the United States, the United Kingdom, and Australia). The AVMA concluded:

“There is no evidence that breed-specific bans reduce the rate or severity of bite injuries.”<sup>1</sup>

Other countries have realized the same thing. The Public Health Department of Aragon, Spain studied dog bites before and after BDL. It found that BDL was “not effective in protecting people from dog bites in a significant manner.”<sup>2</sup> And in the United Kingdom, a study found that the ban on “pit bulls” did not decrease dog attacks.<sup>3</sup>



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### Of course animal groups oppose BDL, do any other organizations oppose BDL?

Yes. Because of the overwhelming evidence, a wide range of groups including the Centers for Disease Control,<sup>4</sup> American Bar Association (ABA), the National Animal Control Association (NACA), and the Obama Administration oppose BDL. The ABA passed a resolution in 2012 urging:

“[L]ocal legislative bodies...to adopt comprehensive breed-neutral dangerous dog/reckless owner laws that ensure due process protection 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.”<sup>5</sup>

For a longer list of organizations that oppose BDL, see Animal Farm Foundation’s fact sheet, “Organizations That Do Not Endorse Breed Specific Legislation (BSL).”<sup>6</sup>

### Is “pit bull” a breed of dog?

No. “Pit bull” does not refer to a specific breed of dog. “Pit bull” is an umbrella term that includes a number of different dog breeds and mixed breed dogs. The list of specific breeds included has expanded over time (and will likely continue to expand) but usually includes American Pit Bull Terriers and Staffordshire Bull Terriers.

Not only is “pit bull” not an actual dog breed, there isn’t a single definition of “pit bull.” If a dog has certain physical characteristics (like a square head or barrel chest), she may be labeled a “pit bull” regardless of her actual breed.

### Are pit bull terriers more aggressive than other dog breeds?

Multiple controlled studies of dog aggression and dog bites have found that this just isn’t true.<sup>7</sup> For example:

- A 2008 study published in Applied Animal Behavior Science, the journal of the International Society for Applied Ethology, determined that “...it is inappropriate to make predictions about a given dog’s propensity for aggressive behavior based solely on its breed.”<sup>8</sup> *(continued on page 3)*



# PIT BULL TERRIERS & BREED-DISCRIMINATORY LAWS

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### Are pit bull terriers more aggressive than other dog breeds? *(cont.)*

- A study of Golden Retrievers versus targeted dog breeds found that Golden Retrievers showed aggression at the same rate.<sup>9</sup>
- And the AVMA Literature Review stated, “Given that breed is a poor sole predictor of aggressiveness and pit bull-type dogs are not implicated in controlled studies it is difficult to support the targeting of this breed as a basis for dog bite prevention.”<sup>10</sup>

### So why do I hear more about pit bull terriers in the news?

The media has sensationalized pit bull terriers. The National Canine Research Council tracked four dog bite injuries covered in the local news over the course of four days. The case involving a supposed “pit bull” received 230 newspaper articles. The dog bite that killed a person only received two articles.<sup>11</sup>

And again, “pit bull” is not a breed of dog nor is the term used scientifically by media reports and even some early studies on dog bites. Journalists and bystanders mistakenly identify a wide variety of dogs as “pit bulls” using visual breed identification. However, it is nearly impossible to identify a dog’s breed without DNA testing or knowledge of the dog’s breeding.<sup>12</sup> As a result, “any short-haired stocky dog is likely to be called a pit bull.”<sup>13</sup>

Studies have found that visual breed identification is so inaccurate that the National Canine Research Council decided, “Any studies that rely on visual breed identification, including those that link DBRFs [dog bite-related fatalities] and breed, can no longer be responsibly cited in the developing literature.”<sup>14</sup>

### Isn't there a report showing pit bull terriers are responsible for more dog bite-related fatalities?

There is a study by the Centers for Disease Control that reviewed dog bite-related fatalities reported by the media in the 1980s.<sup>15</sup> But the report relied only on these media stories instead of verifying the actual dog breed. And if a news story didn't name a dog breed, the report didn't include it. The results were flawed and overemphasized pit bull terriers because that's what the media chose to report on. In any case, Centers for Disease Control explicitly does not support BDL because it is ineffective.



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### If BDL doesn't work, what does?

Safer communities start with breed-neutral dog laws. Breed-neutral laws address owner behavior and responsible pet ownership. The research surrounding dog bites and attacks has found, “preventable human decisions regarding care, husbandry, and control of their canine charges” are the most important factors.<sup>16</sup>

And multiple studies have found that the way a dog is treated in his home is very important. A 2013 study by the National Canine Research Council uses the terms “family dogs” and “resident dogs.”<sup>17</sup> A resident dog was defined as “a dog, whether confined within the dwelling or otherwise, whose owners isolated them from regular, positive human interactions.” A “family dog” was defined as a “dog whose owners kept them in or near the home and also integrated them into the family unit.” Over 76% of dog bite-related fatalities involved a “resident dog.” In other words, it's not the breed of the dog that matters, it's the owner.

Thus, the most effective laws are breed-neutral ones that focus on individual owners and animals. Two effective breed-neutral dangerous dog laws, in Skokie Park, Illinois, and Highlands Park, Illinois, are available on the Best Friends Animal Society website.<sup>18</sup>

From a wider standpoint, anti-tethering and anti-dog fighting laws also improve public safety. Tethered dogs are more likely to be aggressive. Another study determined that 17% of reported dog bites (including dog bite-related fatalities) involved a dog who was tethered on their owner's property.<sup>19</sup>

### Why do communities pass BDL despite all the evidence that it doesn't work?

Sometimes, legislation is passed in response to a dog bite in the community. It's a knee-jerk response fueled by a desire to improve public safety. But the law doesn't actually fix the problem. One study on BDL noted that the popularity of these laws “is based largely on fear...”<sup>20</sup>

*(continued on page 5)*





# PIT BULL TERRIERS & BREED-DISCRIMINATORY LAWS

## Frequently Asked Questions

### Why do communities pass BDL despite all the evidence that it doesn't work? (cont.)

The case of Prince George's County, Maryland is an example. Five years after enacting BDL, the county created a task force to study whether the law was effective. The task force determined that BDL was not effective and very expensive. The task force advised the county to repeal the breed-discriminatory language.<sup>21</sup> But the legislature refused to listen and ten years later, the law is still there. However, most cities are moving away from BDL. Cities and counties are repealing BDL at a higher rate than these laws are being passed. A 2014 USA Today story reported, "Over the past two years, more than 100 municipalities across the USA have overturned bans and other restrictions that target dogs in the pit bull family..."<sup>23</sup>

Today, the trend is toward breed-neutral laws. In fact, some states have passed laws prohibiting BDL because it's so ineffective.

### Is BDL expensive?

Yes. BDL is expensive and time-consuming to enforce. Dog owners and taxpayers suffer.

Many cities and counties already have small animal control budgets, and BDL is another drain. The following are possible BDL costs:

- Animal control (seizing and impounding animals)
- Sheltering seized animals (Prince George's County, MD spent roughly \$570,000 in two years in kenneling costs after instituting a ban)
- Euthanasia (and disposal of body)
- Court fees
  - Litigation to Verify Actual Dog Breed
    - Owners can contest whether their pet is actually a pit bull terrier. DNA testing is usually required in this cases, and the burden of proof (and payment) is on the city attempting to enforce the ban.
  - Americans with Disabilities Act
    - Breed bans conflict with disabled people's right to have a service dog regardless of breed.
  - Constitutional Violations
    - Some legal experts have argued that breed-discriminatory legislation violates the 14th Amendment. A challenge could result in a lengthy court battle. (continued on page 6)



# PIT BULL TERRIERS & BREED-DISCRIMINATORY LAWS

## Frequently Asked Questions

### Is BDL expensive? (cont.)

Animal protection group, Best Friends Animal Society, created a formula to estimate the annual animal control costs in cities or states with pit bull terrier bans.<sup>26</sup> Using the estimated number of dogs and number of pit bull terriers, the formula calculates costs for enforcement, kenneling and veterinary care, euthanizing and disposal, litigation costs, and DNA testing. For example, the city of Albany, NY would have to spend \$185, 667 on BDL every year.

### If pit bull terriers make such great pets, why are there so many in animal shelters?

Pit bull terriers are one of the most popular breeds in the United States. As a result, a person is more likely to own a pit bull terrier than a Giant Schnauzer or a Portuguese Water Dog. Furthermore, some people try to cash in on the pit bull terrier's popularity by overbreeding them to make a little bit of money. BDL itself also contributes to the higher rate of pit bull terriers in shelters. Families are forced to surrender their healthy, happy pit bull terriers to shelters where most are killed.

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Breed-Discriminatory Legislation hurts taxpayers and dogs alike. Support breed-neutral legislation to make your community safer!



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