



Lola and Carly Hamilton. Photo by: APA.

# Breed-Specific Legislation (BSL) Hurts Good Dog Guardians and Fails to Protect the Public from Severe/Fatal Dog Attacks

By Michel Meunier, Las Cruces, NM



Imagine coming home from work one day to find a notice from Animal Control on your door telling you your beloved, family dog was taken into custody when you were not home because he was deemed a “dangerous dog” by a local animal ordinance? The notice also tells you that you have 48 hours to get him out of the community or else he is going to be killed at the municipal shelter. If you don’t have family or friends or a rescue from outside the area that will take the dog immediately, your canine family member is going to be killed, and there’s nothing you can do about it.

This scenario has played out over and over again in Denver, CO, for thousands of families since the passing of their “breed” ban in 1989. With Gestapo-like tactics, many thousands of innocent dogs in Denver have been ripped from their families and killed in an attempt by misguided politicians to protect the public from dangerous dogs in a knee-jerk reaction to a fatal dog attack. The National Canine Research Council (NCRC), the leading experts in dog bite and attack research, recently reported the following: Denver, Colorado, enacted a ban in 1989. Thousands of dogs have been seized and killed, some literally snatched from their own-

ers’ arms. All of this government-sanctioned animal cruelty has produced no increase in public safety. In fact, Denver’s citizens have suffered a higher rate of hospitalizations for dog bite-related injuries than neighboring breed-neutral Boulder, which has half the population of Denver. Breed-specific legislation (BSL) takes on many forms. There’s an estimated 300 communities nationwide which have some form of bans or restrictions on specific breeds or types

*“Pit bulls are the most abused, most euthanized, most maligned and most misunderstood type of dog in America today. The media has been a big part of this problem sensationalizing negative pit bull stories, spreading myths and inciting hysteria. Pit bulls are therapy dogs, service dogs, search and rescue dogs and, most famously, loving family pets (including pets to many celebrities).” - Stubby Dog.org*

of dogs, including their mixes. Some take the form of requiring all dogs of a certain breed to be spayed or neutered, some call for special enclosures and insurance policies to own a certain type of dog, and then there are others which ban breeds or types of dogs entirely and which give authorities the right to seize and kill dogs indiscriminately.

In New Mexico, Tijeras is a community with an all-out ban on American Pit Bull Terriers (APBTs), which has been in effect since the late 1980s. It was also passed after a fatal dog attack, and it reads as follows: It is unlawful to own or possess in the Village any dog of the breed known as American Pit Bull Terrier. Any such dog may be impounded by the Mayor or Animal Control Officer to be destroyed as provided herein. It shall be held until a determination is made by a court of competent jurisdiction that the animal is an American Pit Bull Terrier and shall accordingly order that the dog be destroyed.

Recently, in Elephant Butte, New Mexico, as a response to a dog attack, the community's lawmakers did as others so often do. They referenced only part of a dated (1989), statistically-problematic Center for Disease Control (CDC) study about dog bites and used it to call out strict restrictions on owners of pit bulls, Rottweiler's, and German shepherds. If they had read the entire CDC report, they would have seen the conclusion, which states that attributing dog bites to breeds alone is misguided and won't protect the public from future attacks. Now, owners of such dogs in Elephant Butte must carry expensive insurance that is not easy to come by locally, enclose their dogs in kennels with concrete flooring, etc., even if their dog has never caused any trouble.

Targeting certain dogs this way is tantamount to racial profiling. The reason BSL does not work, though the laws are expensive to enforce, is because breed looks alone do not help identify potentially dangerous dogs and their negligent owners. When it comes to "pit bulls," which is not a breed and is a slang term used to describe a host of breed types with similar looks, it is racial profiling akin to assuming every young man with tattoos wearing a hoodie is a dangerous criminal.

Misinformation, myths, and media hype have also fed into the issues pit bulls face today. Though they are the most abused and neglected dog type in our nation, few resources exist to help them, and even many in animal welfare discriminate against them as they are often deemed unadoptable, killed first at shelters, etc. Though other types of dogs bite and attack, the media downplays those stories or doesn't even cover them. If a pit bull does anything negative at all, the media is quick to react. This, in turn, makes the dogs attractive to criminal elements as well. It's a vicious cycle of abuse and neglect for many dogs.

Here in New Mexico, we have a good state law that helps protect us from dangerous dogs. Our 2006 Dangerous Dog Act tries to prevent dog bite and attack tragedies, and this law does not call out dogs based on looks and breed. It calls out owners and dogs who have shown behavior and negligence which can ultimately lead to a dog bite or attack. If this law is correctly enforced in every community in New Mexico, it will do wonders at lowering the incidents of dog bites and attacks, especially if coupled with public relations and education on how to avoid dog bites and dog behavior.

There was a fatal dog attack in T or C, New Mexico, a few years back which keenly illustrates the need for enforcing the NM Dangerous Dog Act. A woman was attacked and killed by four free-roaming dogs. At first, media reports simply stated it was a group of pit bull mixes. Luckily, many details were revealed in a Las Cruces Sun-News story some weeks after the attack, and that

Continued next page

## Why Is BSL Wrong? (From PBRC)

- BSL does not improve public safety or prevent dog bites.
- BSL ignores the plight of victims and potential victims of non-targeted breeds.
- BSL is costly.
- BSL requires each and every dog to be identified as a breed- something that has proven impossible to do accurately and objectively.
- BSL makes targeted breeds more desirable to irresponsible and criminal owners.
- BSL does nothing to make irresponsible dog owners accountable.
- BSL punishes responsible dog owners.
- Not a single canine welfare organization supports BSL.

Lola and Charissa Paskowski, Lola was our ambassador pit bull at the screening of Beyond the Myth, a documentary about pit bulls and breed discrimination, on April 7th, in Las Cruces. Lola was on hand to give kisses for \$1 to help raise funds for APA's Second Chance Dogs fund. Photo by: APA.





Picture attached of Nimi, a service dog, photo by: The Currell family



Angus and Hershey, the author's bully mixes, photo by: Michel Meunier

Continued from previous page

media story did a good job showing that the dogs' owners were not only abusive to their dogs, they were training them to attack people, and then they knowingly let them run loose. People in the community knew about the dogs and feared them; they were owned by a former police officer's family.

If the New Mexico 2006 Dangerous Dog Act had been fully enforced in T or C in regards to the dogs' known aggression and behavior, and if the owners had been held accountable for safekeeping the dogs on their own property or if authorities had removed the dogs from the home, this tragedy would have been thwarted. Passing a law today that bans pit bull mixes as a response to this attack will end up punishing innocent families and dogs but doing little to safeguard T or C from a future dog attack if reports of aggressive dogs running loose are not taken seriously. Such laws may help lawmakers sleep better at night or give the public a false sense of security, but they have been shown time and again to be expensive and ineffective. The best thing our lawmakers can do is become educated about this topic when they are considering ways to safeguard their communities against dog bites and attacks. One of the best online sources, which tracks dog bites and attacks by state and recommends safe and sane laws, is the NCRC ([www.nationalcanineresearchcouncil.com](http://www.nationalcanineresearchcouncil.com)). The director of that organization, Karen Delise, is also the author of *The Pit Bull Placebo: The Media, Myths and Politics of Canine Aggression*. This book is downloadable for free as a PDF at the NCRC website, and not only does it discuss the CDC report often used incorrectly by lawmakers, it talks about media's role in how they report dog bites and attacks; it describes fatal dog attacks in the U.S. for the past few decades and the signs leading up to them by all types of dogs involved in attacks; it talks about the important difference between resident dogs and family dogs; and it offers sound advice to law-

## National Organizations which oppose BLS

- American Animal Hospital Association
- American Dog Owner's Association
- American Humane Association
- American Kennel Club
- American Society for the Prevention of Cruelty to Animals (ASPCA)
- American Veterinary Medical Association
- Association of Pet Dog Trainers
- Best Friends Animal Society
- Canadian Kennel Club
- Centers for Disease Control
- Humane Society of the United States
- International Association of Canine Professionals
- National Animal Control Association
- National Animal Interest Alliance
- National Association of Obedience Instructors
- No Kill Advocacy Center

*"Discrimination of any kind pushes our society backward. Breed-specific and discriminatory legislation is no different. So many of us in the world today are working so hard, every day, to push society forward, especially those of us working in animal welfare. Sound and just animal laws based on facts rather than fear and ignorance are what New Mexico needs. I hope we succeed to this end for our families, for both the 2-legged members and the 4-legged members." Melissa Roberts, New Mexico Pets Alive*

makers on how to help protect their communities with common-sense laws and other efforts to preserve the human-canine bond. I have a bully mix at home named Angus, and he's the closest thing to a child that I have. I can't imagine this sweet dog being taken away from me and killed. He's one of the most docile, calm, and sweet dogs I have ever had the pleasure of sharing my household with. He is neutered, vaccinated, microchipped, and never allowed to run loose in the community. He spends the majority of his time inside the house with our family. Why should dogs like Angus and families like mine pay for the sins of neglectful, ignorant, abusive owners who create the perfect storm of circumstances which lead to fatal dog attacks? Dog bites may be numerous in our nation each year, but severe and fatal attacks are not. Though it is horrific when one occurs, when you look into the background stories on these attacks, the signs were usually there that the dog or dogs involved in the attack posed a threat to the community. By enacting sane Dangerous Dog Laws and enforcing them, any community can do a better job protecting its citizens from future attacks. By educating the public on safe ways of interacting with dogs and avoiding dog bites, even more people and children will be able to avoid bites and attacks. It takes many efforts to make for a safe community, as illustrated so well by Calgary, Alberta.

In 2006, Calgary enacted a breed-neutral Responsible Pet Ownership Bylaw built on four simple yet important principles: license and provide permanent identification for pets; spay or neuter pets; provide training, socialization, proper diet and medical care for pets; and do not allow pets to become a threat or nuisance. By educating its citizens on these principles, facilitating their compliance with them instead of punitively enforcing them, and backing that up with rigorous enforcement when necessary, Calgary Animal Services has achieved a combined record of compassion for animals and safety for human citizens without equal anywhere in the world. In 2009, 86% of the dogs handled by Calgary's Animal Services were returned to their owners. Fewer than 5% were euthanized. Further, in 2009, this city of over one million people had reports of only 159 dog bites, of which 101 did not even break the skin. According to the NCRC, there is no community in Europe or North America can boast such a record of safety around dogs. 🐾

## Online resources for learning more about Pit Bulls and BSL:

[nationalcanineresearchcouncil.com](http://nationalcanineresearchcouncil.com)  
[pbrc.net](http://pbrc.net); [badrap.org](http://badrap.org)  
[animalfarmfoundation.org](http://animalfarmfoundation.org)



Michel Meunier is the founder and president of Action Programs for Animals (APA), [www.actionprogramsforanimals.org](http://www.actionprogramsforanimals.org), in Las Cruces, New Mexico. APA is a progressive animal-welfare non-profit charity based on the No Kill philosophy and programming efforts as set forth by the No Kill Advocacy Center. Michel is also on the board of directors for New Mexico Pets Alive (NMPPA). Michel has been an advocate and spokesperson for the plight of pit bull-type dogs for many years, and APA works to rescue and re-home former abuse-case bully mixes from Dona Ana County (our Second Chance Dogs program). Michel works for a Department of Defense organization at White Sands Missile Range as a technical writer/editor.



### Cheyenne

Cheyenne is a small bully mix female; she weighs about 30 pounds and is about 4 years old. She is spayed, vaccinated, and microchipped. She grew up in a foster home with kids and another dog; she was part of an abuse case, but she was seized as a puppy. She requires exercise and attention because her energy level is high, but she also does well in a crate or kennel for some down time with her chews. She is a sweet girl that will thrive in a good home. Because she can jump, she needs a secure yard with at least a 5 ft. fence.



### Ashley

Ashley is a medium bully mix female; she weighs about 60 pounds and is about 2 years old. She is spayed, vaccinated, and microchipped. She was part of a neglect case. She is a very sweet, social dog who loves to be around other dogs and people/kids. She is learning some housetraining skills but will need some extra training in her new home; she is also crate trained. She has medium-to-high energy so requires some regular exercise and attention. Because she can jump very high, she needs a secure yard with at least a 5 ft. fence.



### Rusty

Rusty is a large bully/masiff mix male; he weighs about 90 pounds and is about 3 years old. He is neutered, vaccinated, and microchipped, and he is being treated currently for a low level of heartworms that we expect will resolve within a few months. He was part of a domestic violence case and was beaten with a chain in his former home. Despite this, he absolutely loves people and kids, especially men, and he is a loyal dog who would do best as an only dog or possibly with another large female dog. His energy level is medium-to-low; he is a very mellow big guy. He lived his life outdoors, so he does need to be housetrained.

All our dogs come with free training support, if needed. Anyone interested can contact me directly at 575-644-0505 or [actionprogramsforanimals@yahoo.com](mailto:actionprogramsforanimals@yahoo.com).