

August 31, 2006

The Honorable Jim Peden  
Chair, Government Administration, Rules, Ethics and Audit Committee  
Louisville Metro Hall  
527 West Jefferson Street  
Louisville, KY 40202

Dear Chairman Peden:

The American Veterinary Medical Association (AVMA) has been monitoring recent discussion of a proposal to introduce breed-specific language into the Louisville animal control ordinance. We join the Kentucky Veterinary Medical Association in opposing such language and briefly, I'd like to set forth the reasons why the AVMA opposes breed-specific language in any type of legislation.

Banning specific breeds to control dog bite injuries ignores the scope and nature of the problem and is unlikely to protect a community's citizens. Breed bans assume all dogs of a specific breed are likely to bite, instead of acknowledging that most dogs are not a problem. These laws rarely assign appropriate responsibilities to owners.

Statistics on injuries caused by dogs are often used to demonstrate the "dangerousness" of particular breeds. Such arguments are seriously flawed. It is not possible to calculate a bite rate for a breed or to compare rates between breeds because: 1) the breed of a biting dog is often not known or is inaccurately reported; 2) the actual number of bites that occur in a community is not known, especially if they did not result in serious injury; 3) the number of dogs of a particular breed or combination of breeds in a community is not known because it is rare for all dogs in a community to be licensed; 4) statistics often do not consider multiple incidents caused by a single animal; and 5) breed popularity changes over time, making comparison of breed-specific bite rates unreliable. Breed data likely vary between communities, states, or regions, and can even vary between neighborhoods within communities.

Breed-specific ordinances have also raised constitutional questions concerning dog owners' fourteenth amendment rights. Because all types of dogs may inflict injury, ordinances addressing particular breeds of dogs are argued to be underinclusive and to violate equal protection. Because identification of a dog's breed with certainty is prohibitively difficult, such ordinances may also be considered vague and to violate due process.

A dog's tendency to bite depends on at least six interacting factors: heredity, early experience, socialization and training, physical and behavioral health, victim behavior, and environment. Breed-specific approaches ignore five of the six and are not likely to result in effective injury control. Banning specific breeds may give owners of other breeds a false sense of security and decrease their desire to seek appropriate socialization and training for their pets.

The AVMA recommends the following strategies to prevent dog bite injuries: 1) enforcement of generic, non-breed-specific dangerous dog laws, with an emphasis on chronically irresponsible owners; 2) enforcement of animal control ordinances such as leash laws; 3) prohibition of dog fighting; 4) encouraging neutering; and 5) school-based and adult education programs that teach pet selection strategies, pet care and responsibility, and bite prevention.

The AVMA has documents that can assist in formulating a community approach to preventing dog bites. I would be glad to assist the Committee by providing these materials, or any other information you may find helpful. Please feel free to contact me, or your Kentucky Veterinary Medical Association Director, Louise Cook at (502) 226-5862 with any questions regarding our position on breed-specific language.

Sincerely,

Adrian Hochstadt  
Assistant Director  
State Legislation and Regulation