

Dangerous Breeds?

Is it right to breed dogs whose primary purpose in life is to fight?

► **By Julie Richard**

The lead story on the six-o'clock news is yet another dog mauling. A senior citizen, a child, or maybe even an animal rescuer has been attacked. There is a public outcry to ban dangerous dogs.

Laws that target specific breeds are fast becoming the hot topic around the country, and one of the most complex and problematic issues facing the humane community.

In a two-part series, Best Friends takes a hard look at the laws, the debate, and the underlying problems faced by dogs and the people who love them.



On a warm summer's day last June, Mabel Wong went to visit a friend. The 88-year-old was a fixture in her quiet suburban cul-de-sac, negotiating the street with her walker to call on neighbors for a quick chat. On this day, Mabel was checking up on 19-year-old Jackie Alston, a girl she had known from birth, to see how a spider bite Alston had received over her eye was healing. After their visit, Mabel took a shortcut to another neighbor's house through the girl's backyard – something she had done hundreds of times before – as Alston returned inside to watch a movie with friends.

Forty minutes later, a commotion outside caught the attention of Alston and her guests. When they investigated, they found Mabel lying on the ground, her ears torn off, deep wounds to her face and arms, covered in dirt from being dragged around. She had been under attack for over half an hour, and the assailant was Alston's 18-month-old pit bull, China, a dog that Mabel knew well and had petted and cuddled countless times.

What happened in the yard that day is still a matter of speculation and scrutiny. China was seized and destroyed, and Alston's two other adult pit bulls and three puppies were confiscated pending further investigation. Alston conjectured that China was upset over losing her puppies as Alston sold them off one by one. Another neighbor had a differing view. Maryann Quinn, who lives on the street and knows both women, told a *Contra Costa Times* reporter that she believed Alston was training the dogs to fight. She had seen orange cones hung from the trees in front of the house, and the dogs jumping up to bite them, hanging on with clenched jaws.

Incidents like these spawn more than headlines. They reverberate across the country into courts, legislative bodies, animal shelters, humane organizations, and ultimately into private homes.

Dangerous dog laws exist throughout the United States. How strongly they are written and enforced varies wildly. Breed-specific legislation takes it one step further, targeting specific breeds. Boston recently joined up; Caraway, Arkansas, came on board; New Jersey is seeking a statewide bill. The list is growing rapidly.

Pit bulls and pit mixes always top the list. Some places like Caraway add Rottweilers and Dobermans; several have included other breeds like chows and Siberian huskies. Most locales don't outright ban pit bulls from their jurisdiction. Rather, they require restrictions such as registration, confinement within a properly enclosed yard or even kennel, shorter leash lengths, and mandatory large insurance policies (a true Catch-22 that lands countless sweet-tempered dogs in shelters as increasing numbers of insurance companies refuse coverage). Some cities, including Denver, have taken limitations to the max, banning not just pit bulls but any dog that even *resembles* one!

And that has put Maddie at risk. Maddie is a boxer puppy. And although a boxer is decidedly not a pit bull and is not a breed known for aggression problems, Maddie's short snout and squarish face places her in Denver's pit bull class. When Maddie's person, Amy Haimerl, walks the dog around her own lower income neighborhood, the kids on the street immediately identify Maddie as a pit bull. Even when Haimerl corrects them, she says they think she's just that

crazy lady who doesn't know what kind of dog she has. (When she occasionally takes Maddie across town to play in a more upscale park, fellow dog lovers recognize at once that she's a boxer.)

"She's not a purebred," Haimerl says. "I think she may have some Dalmatian in her. But whatever she is, she's not aggressive. She loves to run with other dogs, and she usually winds up as the 'prey.' The other dogs love chasing her down, and Maddie doesn't defend herself at all; she just lies in the submissive mode."

But her personality doesn't matter under Denver's law. "Assessment is based on 36 points," says Haimerl. "The size of the head, chest, and paws are all part of it. But not temperament, only the physical attributes. If you want to challenge that, it goes before a board that includes a city vet and people from animal control. All have to agree that it's a pit bull. If they say it is, they'll give you a citation, and you'll have 24 hours to get it out of the city. They will only give the dog back to you as long as you sign an affidavit along with a witness that the dog will leave. The problem with breed-specific legislation is that it gives a very false sense of security to the community. It makes people feel that the pit bulls are gone, so every other dog is safe."

For now, it's Maddie who is safe. Denver's law has been overridden by the state of Colorado, which has declared breed-specific legislation illegal. But Denver is challenging that decision, claiming the right to home rule, and is taking the matter to court. Meanwhile, Haimerl is holding her breath for the outcome. Within Maddie's predicament lies one of the most fundamental problems with breed-specific leg-

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islation: What exactly constitutes a pit bull? (The term, after all, doesn't refer to a specific breed, but is simply a generic description applied to dogs with particular characteristics or traits.)

If it looks like a . . .

"Some of the 'appearance laws' are so vague that any dog in the world could fit their descriptions," says Dr. Gail Golab of the American Veterinary Medical Association (AVMA). "One that I saw described a 30- to 50-pound white dog with an elongated stout. A poodle could fit that description!"

In any case, what qualifies as a particular breed? What about a dog that is one-quarter American Staffordshire terrier? Under some cities' laws, that dog is a pit bull. And that's one reason why most major humane organizations stand against any breed-specific legislation. So do the AVMA and the Centers for Disease Control (CDC).

A few years ago, the AVMA conducted a joint study with the CDC to assess fatal dog bites and make recommendations on how communities could protect their citizens. Golab co-authored the report with the CDC's Dr. Julie Gilchrist.

"It is frustrating for me personally," Golab says, "because people who want to enact breed-specific legislation keep using that paperto

try and make a case against pit bulls. But all we did was match breeds with fatalities over a 20-year period. And the numbers show that the breed that goes to the top changes over time, which suggests that something *other* than breed is responsible for the fatalities. But people try to use just the last few years in the table, which shows pit bulls and Rottweilers on top. 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."

Years ago, Dobermans topped the list; then came Great Danes and Rottweilers. Right now, it's pit bulls. But the CDC's Gilchrist argues that it changes over time based on what breeds are popular. "So if we enact breed-specific legislation," she explains, "the breeds involved are going to vary. The more encompassing way is to deal with dangerous dogs so that every dog and every owner is covered all the time."

Dogs have been biting us since we first got together with them. And there have always been humans to encourage ferocity. The Greeks were fond of dog fighting as a sport, and the Romans elevated it to an art form. But what's happening today with what are labeled the "bully breeds" (with the pit bull as poster child) is causing a furor the world over. On one side are governments under pressure to protect the public; on the other are humane organizations arguing any dog can bite and that what's needed is owner accountability. And in the middle, as usual, are the dogs.

There are numerous stories of fatal attacks by other breeds. Dachshunds and Pomeranians have killed infants; cocker spaniels and St. Bernards have ripped into children's faces; even Labs and golden retrievers have been involved in fatalities. But since the sickening fatal attack by two presa canarios on 33-year-old Diane Whipple in a posh San Francisco apartment complex four years ago, any pit bull attack will lead the local news and most likely make it into the national. And that drives more and more cities to add breed-specific legislation to their books.

But all the debating and arguing, constitutional issues and moral questions about branding a whole breed of dogs as killers is not addressing a core issue: why there really *are* more dangerous pit bulls around.

Protecting dogs & people from each other

In an inner-city neighborhood, a teenager walks his pit bull past dilapidated buildings covered with graffiti down streets filled with trash. The dog was easy for him to get for practically no money. There are backyard breeders galore catering to clients just like him. The dog makes him feel both protected and tough. And he's beaten the dog and tortured her enough to make sure that she's as aggressive a dog as you can get. When he encounters another boy with a similar dog, challenges are exchanged. Both contend their dog is "badder" than the other's so the only thing to do is put it to the test. They strut into a nearby park for a face off. The dogs are encouraged by their owners to simply rip each other apart.

That scene, along with many more violent ones, is played out every day in cities across the country. And it's exactly what made pit bull lover Phyllis Daughtery believe that a strong form of legislation and enforcement is needed for pit bulls – not to protect people from the dogs, but to protect the dogs from people.

"I love this breed so dearly," says Daughtery who has been rescuing pit bulls since the 1980s. "It didn't used to be that pits attacked

people. They used to be wonderful family pets because they're so good with children. They were terrible watchdogs because they would never attack humans. They'd just bound up and give you a big lick on the face. They were bred to be fighting dogs, but only to be aggressive to other dogs. If they were aggressive to people, their handlers couldn't work with them, so dogs that displayed any tendency toward human aggression were destroyed.

"But all that has changed now. Backyard breeders are specifically breeding for more and more aggressive strains. Now, so many of them are simply not genetically sound. They're being bred purposely to be fighting dogs who will attack indiscriminately."

Stroking Jeremy, her own pit bull whom she rescued from the streets of L.A. after his ears had been cut off, Daughtery is determined to do something about it. "We're just covering up the problem. Why are we so afraid to do something that will protect this breed? Rather than create a ban that's negative, let's think of a positive way.

"We should insist that anyone who has a pit bull registers him and has to have a permit for him and then give law enforcement the right to inspect any dog at any time and without a warrant to make sure that the dog isn't being mistreated. That way, if somebody knows of a dog being abused, it can be investigated immediately. They can ask to see the person's permit, to see the dog to make sure he's okay. It's for the animal's safety. "We have no problem with breed-specific legislation for any animal who is endangered. This breed is in danger from people who want to hurt them and train them to hurt other dogs and people."

What drives the market

Most pit bulls on city streets live lives that are nasty, brutish, and short. Shelters are packed with them as breeding them explodes along with drug dealing and dog fighting – both high stakes and highly organized and common street crime. These dogs make money for people, whether it's five bucks or \$50,000. Gang bangers and white supremacists keep them to intimidate and control. They want their pit bulls aggressive, and backyard breeders like 19-year-old Alston have sprung up to service them. The dogs who make it to shelters are simply the ones who have been discarded because they just couldn't make the grade when it came to the killing instinct.

And popular culture has helped the breeding and the killer image along. Hip hop stars like 50 Cent and Snoop Dog glorify dog fighting in their music videos. Outkast advertises them for sale in their CD packages. Mainstream department stores sell T-shirts emblazoned with pictures of teeth-baring pit bulls, and parents buy them for their teenagers. Rapper turned Hollywood actor DMX was convicted of animal cruelty and still promotes dog fighting. Sports stars such as the NFL's Leshon Johnson make fortunes from it. (Johnson was recently charged with dog fighting and racketeering, and 80 pit bulls were seized at his property.) Nike included snippets of two pit bulls snarling at each other in an ad for basketball shoes to give it a hip urban edge. It's little wonder the breed's popularity continues to soar.

A pit bull by any other name

Ironically, in some ways the humane community isn't helping. In an effort to rehabilitate the pit bull's image and help find homes for the ones flooding shelters, programs were launched to educate the public about the breed's good qualities. In 1996, San Francisco's SPCA re-branded them "St. Francis terriers," placing about 60 dogs

with the new names. The effort had to be abandoned when some of the re-homed dogs ended up killing cats. They still adopt pit bulls, but the dogs' public image wasn't helped last year when one of their volunteer trainers was fined after her own pit bull attacked and severely injured a police horse. Earlier this year, New York City's animal control initiated its own re-branding effort, dubbing pit bulls "New Yorkies," but public outcry ended that in just days.

Another proposal from the humane community is to find a gentle, loving celebrity pit bull spokesperson, a la Petey of *Our Gang* fame. The intention may be honorable, but the end result is going to be exactly what the humane community doesn't want: more dogs.

(That's why, when movies like *101 Dalmatians* are released, pressure is put on companies like Disney to warn moviegoers about all the difficulties with the breed before they rush out to buy their own cute Dalmatian puppy who will later end up at the dog pound. It's why humane groups cringe at the success of the Taco Bell Chihuahua, knowing what's to come. With *Frasier* came an influx of Jack Russell terriers. After *Babe*, everyone wanted a border collie.)

Few people ever actually educate themselves about the personalities and needs of the breed they buy, so many dogs are quickly abandoned as uncontrollable. The reality is that while pit bulls may be getting a bad rap, any organized, media-driven campaign to re-educate the public would ultimately spawn a new crop of backyard breeders ready to cater to the new market.

The key missing element

A key element is conspicuously missing from both breed-specific legislation and the humane community's battle against it. Paradoxically, it is the one law that the humane world couldn't rationally decry and one that could actually help stem the tide of dangerous pit bulls: a complete ban, not on the dogs already here, but on *any further breeding of pit bulls*.

By making backyard breeding illegal and enforcing *that* vigorously, animals yet unborn are spared a life of misery, and pet overpopulation is reduced. Of course, breeders (both backyard and otherwise) will still operate undercover and scream about their constitutional rights being trounced, but the fact is that right now very few responsible, mainstream dog lovers purposefully seek pit bulls to adopt or buy. The dogs being bred are wittingly or unwittingly going to end up either with people wishing them to be aggressive or abandoned on the streets. And so the cycle continues.

Eric Sakach, the director of the Humane Society of the United States' West Coast Office, is an ardent opponent of breed-specific legislation, having spent more than 18 years focusing on dog fighting and dangerous dog issues. He travels the country teaching police about dog fighting and the need to make investigations of it a priority. He's worked with more than 8,000 police officers (a number that he says is a "drop in the bucket"), and has been consulted by law enforcement from as far away as Kosovo, Bosnia, London, Chechnya, Taiwan, and Italy.

Dog fighting is illegal in all 50 states; in 48, it's a felony. But, says Sakach, "the law is one thing, enforcement is another. Cops are more likely to enforce things they've been trained on, and there isn't any training at police academies for that."

So Sakach's eight-hour workshop gives police the history of animal fighting and the knowledge of how to investigate it and gather evidence for successful prosecutions. He wants police academies to begin add-

ing it to officer training. And he says there are several easy steps that would stem the tide of dangerous dogs.

"First, it should be illegal for people to adopt or sell dogs to minors," says Sakach. (It is illegal in several European countries.) "They don't have the ability to afford or care for a dog properly. We need to make state laws more uniform, close federal loopholes, and make cock fighting illegal everywhere because cock fighting and dog fighting go hand in hand.

"And we need to understand where dangerous dogs are ending up. If someone is on probation or parole for any kind of crime involving drugs, gangs, or violence to a person or animal, they should not be allowed to own, possess, or be on the same premises with a dog. If they knew their probation was going to be revoked, they might think twice about it. This doesn't even require a law to be passed; all it requires is probation boards adopting it as a condition.

"Ask any probation or police officer who has to go to a parolee's home how many times they've had to wait outside because a dog is barking and had to be contained in another room. It gives the parolee time to flush their drugs. That's why they have the dogs in the first place. And there are a huge number of dogs who get shot every year during entries with search warrants. If they genuinely want a pet, they should go get a goldfish."

Another area is prosecution. With budgets tight and D.A.'s overworked, pleading out all kinds of cases is simply the norm. Prosecutors must spend their time on cases they consider winnable. So animal cruelty usually doesn't make it to the courts unless it's clear the perpetrator is also a danger to society at large.

That may change as a new generation of lawyers takes a greater interest in animal issues.

"If someone steals my car, I want them caught," says Sakach. "But if the choice is between my car thief going to trial or someone who's set the neighbor's dog on fire, crimes against humans or animals should come before crimes of property."

Enacting these measures will not solve the entire problem, but it would be a strong start. "We didn't get into this overnight," says Sakach. "And it's not going away overnight."

One thing is certain: Unless we understand and address the core issues affecting these animals, unless the problems of gangs and white supremacists, and drug and dog fighting rings are brought to heel, no amount of legislation, breed-specific or otherwise, can protect people or dogs from cruel bites or biting cruelty. 🐾

Next time: Breed Legislation: Does it really work, and at what cost?

