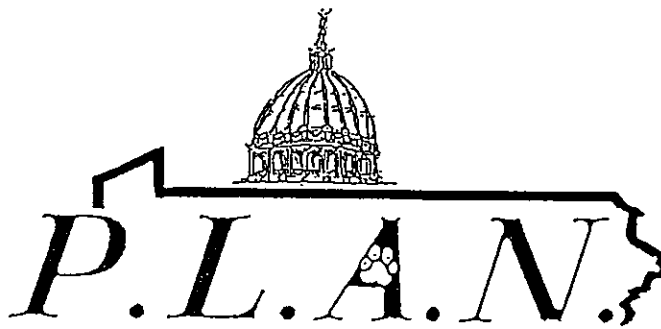


P.O. Box 12085  
Harrisburg, PA 17108-2085



Ph 717 233-5770  
Fax 717 233-0611  
E-Mail [plannet@epix.net](mailto:plannet@epix.net)

*Pennsylvania Legislative Animal Network*

**TESTIMONY**

**ON**

**DANGEROUS DOG LEGISLATION**

**BEFORE THE**

**PENNSYLVANIA**

**HOUSE JUDICIARY COMMITTEE**

**OCTOBER 3, 1996**

**BY**

**JOHNNA L. SEETON**

***P.L.A.N.* CHAIRPERSON**

Good afternoon Mr. Chairman, members of the House Judiciary Committee and guests. My name is Johnna Seeton, and I'm chairperson of the Pennsylvania Legislative Animal Network, a statewide volunteer lobbying group. Thank you for the opportunity to testify today on the Dangerous Dog Legislation. As you know, *P.L.A.N.* has been lobbying in Harrisburg for the past ten years, and we appreciate your consideration of our views.

“WHEN A DOG BITES, EVERYBODY GETS HURT.” I'd like to read you some statistics compiled by the Humane Society of the United States. The information appears in the back of my packet. Yes, when a dog bites, everybody gets hurt.

Everyone is trying to find a solution to the problem. In the legislative arena alone, many bills have been passed affecting dogs. Pennsylvania has an excellent dog fighting law, passed in 1986, making animal fighting a third degree felony. How often is this law enforced? I don't know, but from what I'm told, not often enough. Dog fighting – is it on the rise in our state? You bet! How many busts have been made? Where do these fights take place? What animals are involved? Someone recently told me that people were gathered in a basement, apparently betting money on how many rats it would take to kill the dog. Yes, rats! People kept throwing rats in the “ring.” It seems that the dog killed about 75 rats before... he never told me the rest of the story, only that the dog involved was a “pit bull.”

Another important bill, the “dangerous dog law,” was amended to the Dog Law (Act of 1982, P.L. 784, No. 225) in 1990. This law, thought by many as the solution to the problem of horrific attacks by dogs, set stringent restrictions for dogs that were declared “dangerous.” According to a recent newspaper article, the state registry for dangerous

dogs, for which the law provides, shows that since 1990, the state has declared about 240 dogs as legally dangerous. Among them are:

- Akitas – 10
- Dalmatians – 4
- Dobermans – 3
- German shepherds – 30
- Great Danes – 6
- Malamutes – 4
- Pit bulls – 30
- Rottweilers – 48

I just checked my spelling of Rottweiler, and was amused to find Webster's definition – "*n.* any of a breed of large, strong dog with a short tail and short, black hair with tan markings." Sounds like a lot of other dogs besides Rottweilers! I plan to find out more information concerning the state dog registry.

My point is this – the Dangerous Dog Law has been used a mere 240 times (give or take a few) in the past six years for a total dog population in Pennsylvania that is estimated to be nearly three million! **Where's the enforcement?** Do we have enough law enforcement officers out there? Are complaints, investigations and convictions proportionate to the tragedies that are occurring? Perhaps we should concentrate on **enforcing the laws that are in existence.**

*P.L.A.N.* opposes the three new pieces of dangerous dog legislation recently introduced in the Senate and the House (SB 1653, SB 1654, HB 2878). We recognize the tremendous problem. No one wants to see humans or animals injured. *P.L.A.N.* urges strict enforcement of the Dog Law and the Animal Cruelty Statutes, not more laws. We support the Humane Society of the United States' new development of a Task Force

to study and train police and humane society police officers for the specific crime of dog fighting. We would like to see Pennsylvania's puppy mills, which continue to engage in widespread breeding without concern for the dogs' inborn temperament, cleaned up and out! We agree with Dr. Randall Lockwood of the H.S.U.S when he says, "Perhaps the main reason why progress has been limited is that animal-control agencies and local humane societies (and I might add Dog Wardens), with sparse and often diminishing resources, are attempting to deal with dangerous dog problems that have very deep *human* roots. The underlying causes are the ways *people* breed, raise, train, socialize, and supervise their animals. It is time to look at what *individuals*, rather than governments, can do to end the dog-bite epidemic."

The dangerous dog incidents are not limited to cities. Here's an article that appeared in a rural newspaper last month. They say a picture is worth a thousand words. Sorry I didn't have this enlarged and reprinted. I'd like to read a portion of the story. This took place in Evergreen, Bradford County, PA. Christine Anderson, a staff writer for *The Daily Review*, Towanda, PA, penned this one.

*P.L.A.N.* will continue to be involved with animal legislation. We would be glad to listen to additional concerns from anyone in this room. I'll close with another quote from Randall Lockwood, H.S.U.S. "At a time when stories of dog attacks continue to fill the media, it is often easy to forget that most of our more than 50 million dogs *never* bite anyone. However, the problems caused by the highly visible minority of animals and their owners have far-reaching consequences for all of us who care about the special

relationship between people and dogs. Each of us must renew his/her commitment to seeing that safe and healthy animals share their lives with understanding and responsible owners.”

Yes, **“WHEN A DOG BITES, EVERYBODY GETS HURT.”** We need everybody to work together to find solutions.

Thank you.

## When a Dog Bites, Everybody Gets Hurt

	<u>Statistic</u>	<u>Source</u>
• Number of letter carriers bitten in the past year:	2,851	U.S. Postal Service
• Number of dogs owned in U.S.:	52 million	American Veterinary Medical Assn.
• Estimated amount paid out by U.S. insurance companies in 1994 for dog-bite claims	\$1 Billion	Insurance Information Institute, Inc.
• Average amount of a dog-bite insurance claim:	\$12,000	State Farm Insurance
• Chances that a bodily injury homeowner's insurance claim will involve a dog bite:	1 in 3	State Farm Insurance
• Chances an American will be bitten by a dog this year:	1 in 50	Centers for Disease Control (CDC)
• Likelihood that the biting dog will be male:	8 in 10	Humane Society of the U.S. (HSUS)
• Likelihood that the biting dog will not have been neutered:	6 in 10	HSUS
• Chances that the bite will require medical attention:	1 in 5	CDC
• Chances that the bite victim requiring medical attention will be a child:	3.2 to 1	CDC
• Average number of fatal dog bites every year:	9-12	HSUS/CDC
• Ratio of households keeping a dog due to fear of crime 1981 compared to 1993:	2 to 1	HSUS
• Chances that the victim of a fatal dog attack will be a burglar	1 in 177	HSUS
• Chances that the victim of a fatal attack will be a child:	7 in 10	CDC/HSUS
• Likelihood that a dog which has bitten will be destroyed:	High	HSUS

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## VICIOUS DOG LAWS

<u>STATE</u>	<u>ENACTED</u>	<u>FELONY OFFENSE</u>
Arizona	1989	Class 6 Felony - YES
California	1989	NO
Colorado	1991	Felony only if death occurs
District of Columbia	1988 1996	NO Emergency amendment passed
Florida	1990	YES
Georgia	1988	Felony with prior convictions
Illinois	1987	NO
Indiana	1993 1994	NO Animal as a "deadly weapon"
Kentucky	1978	NO
Maine	1983	NO
Maryland	1988	NO
Michigan	1988	YES
Minnesota	1988/1991/1994	NO
Nebraska	1988	NO
New Hampshire	1977	NO
North Carolina	1935/1990	NO
*Ohio	1987	NO
Oklahoma	1991	NO
Pennsylvania	1990/1991	NO

## State

# VICIOUS DOG LAWS

## Summary

Twenty-six states and the District of Columbia currently have laws regarding vicious dogs (AZ, CA, CO, FL, GA, IL, IN, KY, ME, MD, MI, MN, NB, NH, NC, OH, OK, PA, RI, SC, SD, TX, UT, VA, WA, WV, and Washington, D.C.).

In seven of the twenty-six states, violations of the vicious dog law can be considered a felony offense. (CO and UT are felonies only if death occurs. GA and WA are felonies only if there are prior convictions.)

Indiana passed a law in 1994, changing the definition of "deadly weapon" to include an animal that is readily capable of causing serious bodily injury and is used in the commission or attempted commission of a crime.

The three states of California, Colorado and Minnesota have local governing bodies which prohibit the adoption and ownership of a specific breed of canine or mix of this specific breed.

In eight of the twenty-six states, there are laws that establish categories such as "potentially dangerous," "dangerous," and "vicious" dogs. (CA, IL, GA, NJ, OH, WA, NC, VA).

In nine of the twenty-six states, the owner of an impounded dog can appeal to the municipal court, district court or designated person or board handling the case. Most of the states (with the exception of CO), require the owner appeal within a certain number of days of the impoundment or of the notification of the determination of the hearing held in regard to the impoundment of the dog. (FL, CA, CO, IL, NH, NJ, NC, RI, TX, and Washington, D.C.)

In eleven states, once a dog has been found to be "dangerous," "vicious," or "potentially dangerous", the owner must post the property with special warning symbols. (AZ, MN, OK, PA, SC, FL, NJ, WA, RI, TX, VA, and Washington D.C.)

In eleven states, the owner of the dog is required to purchase special home owner's insurance. (AZ, GA, MI, OH, NJ, OK, WA, PA, RI, SC, TX, and Washington D.C.)

In seventeen states, there is a special license required for dogs labeled "vicious", "dangerous", or "potentially dangerous". (AZ, CA, FL, GA, KY, MI, MN, OH, NJ, OK, WA, PA, RI, SC, TX, VA, WV, and Washington D.C.)

In Ohio, "vicious dog" includes any dog that belongs to the breed that is commonly known as a pit bull.

In eighteen states, there is a requirement that dogs officially designated as vicious be properly restrained and/or muzzled when in public and off the owner's private property. (AZ, CA, FL, IL, KY, ME, MD, MN, OH, NJ, NH, WA, NC, PA, RI, SC, TX, VA, and Washington D.C.)

**FOR MORE INFORMATION, CONTACT THE HUMANE SOCIETY OF THE UNITED STATES, 2100 L STRET, NW, WASHINGTON, D.C. 20037, (202) 452-1100.**

7/23/96