

# Safety First and Dangerous Dog/Reckless Owner Laws

## What Are Dangerous Dog/Reckless Owner Laws?

“Dangerous dog laws” address the problems of:

1. dogs whose behavior poses a threat to public safety, and
2. the reckless dog owners whose actions often give rise to this behavior.

SAFETY FIRST believes that dangerous dog laws should target only those dogs who truly pose unjustified risks to people or other animals. They should also acknowledge that there are situations where aggressive behavior is justified, such as when a dog is protecting herself, her owner, her puppies or her home, or where the dog has reason to fear a person or animal.

SAFETY FIRST views breed-neutral dangerous dog/reckless owner laws as the smart alternative to breed-specific legislation—also known as [BSL](#)—in which certain breeds of dog are highly regulated or even banned completely in the hope of reducing dog attacks.

The best, most effective breed-neutral dangerous dog laws include the following elements:

- Voluntary Spay/neuter programs
- At-large/leash laws
- Anti-tethering laws
- Anti-cruelty and animal fighting law enforcement
- Progressive/tiered levels of violations and enforcement of laws
- Responsible ownership programs & dog bite prevention training (Safety First)
- Owners held civilly/criminally liable
- Prohibit known reckless owners from having dogs

## **What Makes a Dog “Dangerous”?**

The broad definition of a dangerous dog is one who inflicts unjustified, serious injury—or poses an imminent threat of unjustified, serious aggression—toward people or other animals. However, “dangerous” is defined differently by different jurisdictions. It is up to the court to decide whether a particular dog satisfies its jurisdiction’s definition.

Terms used to define other symptoms or levels of canine aggression include “potentially dangerous” and “vicious.”

## **What Is the SAFETY FIRST’s Policy on Dangerous Dog/Reckless Owner Laws?**

SAFETY FIRST favors laws that hold dog owners responsible for unjustified harm or damage done by their pets. People who breed dogs for their aggressiveness, or train dogs to be aggressive or to fight, should not only be civilly liable for damage done by their dogs, but also held liable under criminal provisions that prohibit such conduct.

Furthermore, laws should focus on the behavior of the dog and all of the surrounding circumstances, including factors that may justify the dog’s actions. Laws should ensure that common puppy behavior—such as jumping up, rough play and nipping—are not deemed evidence of “dangerousness.”

SAFETY FIRST opposes discriminatory laws that define specific breeds of dogs as “dangerous” or “potentially dangerous” without regard to the temperament or behavior of the individual dog. Dangerous dog laws should define dangerous dogs as those who, without justification, have either attacked a person or other animal, causing serious physical injury or death, or who exhibit behavior that creates a grave risk of such an attack, as determined by a certified applied behaviorist, board-certified veterinary behaviorist or other qualified expert.

## **How Do These Laws Address Reckless Owners?**

Well-written, breed-neutral dangerous dog laws recognize the role reckless owners play in a dog’s poor behavior. They hold owners responsible for the proper supervision of their dogs and for any actions on their part that either create or encourage aggressive behavior—including knowingly allowing a dog to run at large. At the same time, laws that address dangerous dogs must be mindful of the rights of pet owners.

## **Are Breed-Neutral Dangerous Dog Laws Effective?**

Yes, they are. While there is no evidence that breed-specific legislation is effective, there is significant evidence that well-enforced, breed-neutral laws are. Cities that have enacted BSL tend to discover that BSL does not result in a decrease in dog bites. BSL is also extremely costly to enforce, which stretches animal control resources thin, thereby reducing animal control's ability to respond to other situations and help a greater number of animals.

## **Do Breed-Neutral Dangerous Dog Laws Label Dogs for Life?**

Good, breed-neutral dangerous dog laws permit dogs deemed to be dangerous—or who have otherwise obtained a “record” under these laws—to be declassified after a period of compliance.

In jurisdictions with such laws, incidents of aggression are generally ranked on a staggered scale according to severity. This allows dogs who have committed relatively minor infractions to have second and third chances to have their behavior and/or living circumstances corrected before authorities must take more serious measures to ensure public safety. The terminology used by such laws is often “potentially dangerous,” “dangerous” and “vicious.” Running at large with a pack of dogs may be included in the definition of a “potentially dangerous” dog (please see the Illinois law discussed below). The “vicious” classification should be assigned only where a dog has seriously injured or killed a human being. In such a case, euthanasia may be appropriate. (In New York State, in lieu of the vicious classification, dogs deemed “dangerous” may be euthanized if certain “aggravating factors” exist, such as serious injury or death to a human.)

Just like anyone who has been convicted of a crime, a dog owner whose dog is designated “potentially dangerous,” “dangerous” or “vicious” will have a record and possible fine or punishment in the jurisdiction where his/her failure to act responsibly, or the canine aggression, occurred. An individual dog who is designated “potentially dangerous” can after a predetermined length of time with no further incidents and a sustained record of compliance with any orders, the “potentially dangerous” or “dangerous” designation should be removed.