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Dog gone goal of lawmaker

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By Robert Barron

After a 3-year-old Moore boy lost an arm in a pit bull attack earlier this month, a state representative decided to take action.

Rep. Paul Wesselhoft, R-Moore, wants to ban pit bulls in the state.

In Enid Wednesday to promote his cause, Wesselhoft said he hopes eventually there will be no pit bulls in Oklaho-ma.

It's a moral is-sue for the retired Ar-my chaplain and Persian Gulf War veteran.

“This breed has been bred for 300 years to kill other dogs in fights,” he said. “If a dog evolves from a wolf and people try to domesticate it to be man’s best friend ... if breeders reverse the evolutionary direction to its wolf-dog state, they have succeeded with the pit bull and along the way crossed a moral line.”

Wesselhoft’s proposal would require those who own pit bull terriers to house the animals in a structure that is solid and “impenetrable by a child.”

Owners would have to keep the dog inside an 8-foot-high-fence that also extends one foot into the ground, in order to prevent the dogs from digging out. Each owner would be required to display a sign reading “pit bull dog” on their property. His proposal eventually would bring about the ban of pit bull dogs in the state.

A “grandfather clause” in the proposal would allow for the continuing existence of pit bulls currently in the state, he said. However, owners would have to have the dogs spayed or neutered, and the animals would need regular rabies shots.

In addition, a pit bull owner would have to be 21 or older and be required to have a \$100,000 liability insurance policy on every pit bull.

Also, each pit bull would have to be tattooed or otherwise marked when it was registered with the state, he said. Owners would not be able to sell or transfer the dogs to other individuals in Oklahoma, except family members, and a person living in Oklahoma will not be able to bring in a new pit bull from out of state.

After those pit bulls allowed to remain in Oklahoma under the grandfather clause die of old age, Wesselhoft said there should be very few pit bulls in the state.

Opposition

Wesselhoft's proposal is opposed by pit bull owners and breeders, who often say small dogs bite more often and other large dogs, such as German shepherds and Rottweilers, also are dangerous.

Paul Romine, of Tulsa, is circulating an online petition opposing Wesselhoft's plan.

Romine said pit bulls were judged to be as safe as many other breeds of dog and bite at a lower rate than many other breeds, including Doberman pinschers.

American Temperament Testing Society evaluated 122 dog breeds, he said, and found the American Staffordshire terrier, a type of pit bull banned in Denver, passed 83.3 percent of the time, just behind golden retrievers at 83.6 percent.

American Canine Foundation calculated rates of dog bites by breed and found pit bulls bite at a lower rate than many other dogs. The Doberman was found to bite 10 times as often as a pit bull, according to an Associated Press story.

However, pit bulls and Rottweilers have caused the most deaths from bites, according to a study by Centers for Disease Control and Prevention, American Veterinary Medical Association and Humane Society of the United States, which examined 20 years of dog bite data, according to the AP.

The same study concluded fatal attacks "represent a small portion of dog bite injuries to humans and, therefore, should not be the primary factor driving public policy concerning dangerous dogs."

Julie Gilchrist, a CDC doctor who researches dog bites, said many factors go into biting risk, including the health of the dog and how the animal was raised.

Who is responsible?

Other dogs can be called off or beaten off during an attack, but not pit bulls, Wesselhoft said.

"They are a land shark. They are a walking time bomb," he said, "and any number of things can set them off: another dog, a territorial issue with another dog or a person, a loud noise."

He also said pit bulls have a history of attacking their owners and members of their own families.

"Pit bulls are prisoners of their own genetic code. If something sets it off, it can kill. It wants to kill," he said.

Romine said responsibility needs to be placed on owners, not the dogs.

“The bottom line is people need to be responsible for their pets. The lady that was attacked a couple of weeks ago in Bartlesville was done so by loose dogs. If you look at various news accounts most indicate the dogs were running loose,” Romine said.

What now?

Several cities already are considering a ban on the dogs, and Wesselhoft said he hopes Enid also will consider it.

His bill is based on an ordinance approved by Denver City Council and tested before Colorado State Supreme Court.

Wesselhoft has asked for an attorney general’s opinion on his proposal.

“I want to know if a city passes the ordinance, if the state will litigate because (the city’s proposal) violates state law,” he said.

He hopes to have the decision within about three weeks. The bill is being drafted and will be pre-filed for next year’s Legislature, he said.

He is trying to move the legislation on two fronts, in the state Legislature and to local cities.

“Each year we lose 10 children and two elderly people because of pit bull attacks nationally,” he said.

Denver is not the only city that has banned the dogs. Others include Cincinnati. San Francisco is considering it because of the death of a 12-year-old boy recently, Wesselhoft said.

In Oklahoma, Moore, The Village, Warr Acres, Bartlesville, Atoka, Tonkawa and Grandfield have banned pit bulls.

Tonkawa Indians banned the dogs on Indian land, and police say there are now 51 dogs in the town of Tonkawa, causing town officials to consider the ban, Wesselhoft said.

Enid Police Chief Rick West said officers working drug cases often encounter dogs used as a form of guard or protection. A large majority of those dogs are pit bulls, he said.

During one recent SWAT team drug lab raid, the lead officer was confronted by a pit bull and had to shoot the dog for protection.

“It’s a trend, I’m sorry to say, for the animals. Drug dealers are using these dogs as a means to provide security, protection and attack,” he said.

West said, though, that does not mean everyone who owns a pit bull is in the drug business.

He also stopped short of condemning the breed.

“There is a problem, but I don’t know that banning a breed is the answer,” he said. “Personally, I’m not in favor banning an entire breed. I believe the owner should be liable for the action of the animal, but I don’t believe banning a breed of animal is the answer to the problem.”

Vicky Fox, of Enid Society for the Prevention of Cruelty to Animals, said there are other breeds more likely to bite, but a pit bull is more dangerous when it does bite.

“A lot of dogs bite and run, but it’s there to finish the job,” she said.

Dog bites usually start as a game with pit bulls, she said. The dog does not intend to be malicious or mean.

“I’m not for banning the breed. I do agree there should be some regulations for owner, but it’s not just them,” she said. “I’m more afraid of a Rottweiler or a shar-pei.”