



Dog attacks kill, injure children

By Tom Finnegan - The Garden Island
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Dog attacks are not uncommon on Kaua'i, and a child is usually the victim, according to Kaua'i Police Department records. The most notable recent incident of a dog attacking, and killing, a child is the case of the late Trusten Heart Liddle.

Trusten - the son of Raven and Damon "Love" Liddle of Moloa'a - was only 17 months old when he was killed by a basset hound/shepherd mix near his home in February, 2004.

According to the Liddle family lawyer, Susan Marshall, the dog was kept on a 22-foot-long chain, and "the chain was long enough to allow the dog to create its own 'territory' on the Liddle property."

The boy was mauled by the most dangerous of dogs, regardless of breed: an unneutered male on a chain, said Dr. Rebecca "Becky" Rhoades, executive director of the Kaua'i Humane Society.

According to Rhoades, a veterinarian, any breed of dog that spends his or her life on a chain and is not neutered can be a danger.

"There really isn't ever a bad dog," Rhoades said. "It's just a dog that's not socialized, not played with, not handled."

Rhoades said dogs on chains become fiercely territorial of their small world where they patrol. And when they bark and people stay away, they become more confident that their world is theirs. When someone enters that world, Rhoades said, there is a good chance they'll be bit.

"They go nuts on that chain," she said.

However, with 40 percent of Kaua'i households having a dog as a member of the family, the vast majority of dogs are well-behaved and members of the family, Rhoades added.

And, therefore, it's usually a member of the family that gets bit.

Rhoades said that dogs usually bite out of fear, that someone is going to take away their food, water or toys, or threaten their physical body.

"The majority of dog bites occur within the family," she said, when roughhousing or taking away an item can be seen as an aggressive act.

Dog bites outside the family can get an owner cited or even sent to jail.

The owner of the mixed-breed dog that attacked Liddle, Buenaventura Ednilao, is facing a dangerous-dog-prohibition charge, a petty misdemeanor which carries a maximum of 30 days in jail and a \$1,000 fine. He has pleaded not guilty, and is awaiting trial in Hanalei District Court. A hearing on the status of the trial is scheduled for next week.

But even if he is convicted, Marshall said, the punishment surely does not fit the crime.

"A 'guilty' plea would not result in a serious penalty," Marshall said in a written statement. "There is a serious need for new laws that hold animal owners criminally responsible for the actions of their dogs. Dog owners who fail to prevent their dogs from attacking people must be charged with a crime with substantial penalties," she said.

Her clients agreed.

"We miss him terribly. Losing a child is the worst thing that can happen to anyone," the Liddles said in a statement released by Marshall. "Dog owners should be held 100 percent responsible for any attack, mutilation, or death caused by their animal(s), regardless of the animal's prior behavior or quality of care."

Rhoades said that there are roughly an average of five or six prosecutions a year for dangerous-dog violations on Kaua'i, since a county ordinance was created in October, 2002.

But there are more cases: humane society officials investigated 56 cases of aggressive dogs from July 2003 to June 2004. And Kaua'i Police Department officers recorded 14 dog bites in 2004. Of the 14 incidents, only three dangerous-dog citations were issued.

Some incidents, Rhoades said, did not result in citations, because "you have to be specific to the ordinance."

According to county law, "a dog owner commits the offense of negligent failure to control a dangerous dog if the person negligently fails to take reasonable measures to prevent the dog from attacking a person or animal," and the attack causes injury to a person or animal.

But any dog off a leash and off the owner's property can mean a citation for an owner, said KPD Assistant Chief Clay Arinaga. The citation, for the leash-law violation, "is like getting a (traffic) ticket," Arinaga said.

Both KPD and humane-society officials enforce county dog laws, but humane society officials have been asked to consult police on all bite cases, since animals are their focus, Rhoades said.

Another dog owner, Russell Boyer of the North Shore, is awaiting sentencing after pleading guilty to a dangerous-dog misdemeanor after a 9-year-old girl was bitten in the back.

Daniel Hempey, an attorney who represents the North Shore girl, said that the attack, which occurred in August, 2004 in Wainiha, happened when a neighbor's pit bull came into the yard where the girl was playing with a friend.

"It was a savage attack," Hempey said. "The dog ran from across (Alaekē) Street directly at my client, mauled her to the ground, and savagely attacked her."

The Lihu'e lawyer said he intends to file a civil suit on behalf of the family this week.

"Show me a vicious dog and I'll show you a bad dog owner," said Hempey, who said he is the guardian of seven dogs, many rescued from horrible circumstances. "Proper training and socialization is the basic responsibility of dog ownership."

Boyer, according to court records, was returned his dog after he complied with court conditions regarding the care of the dog. Ednilao's dog was put down at his request, Rhoades said, but other

dogs from his property were taken to the humane society.

Some of those dogs were adopted.

"They weren't completely un-socialized," she said. But the dog in the attack "was just a male, un-neutered dog, living his life on a chain."

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