



Colorado VMA opts for diplomacy to stop Denver's euthanasias

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DENVER — A breed ban and subsequent euthanasia of 341 Pit Bulls in Denver is garnering concern from the Colorado Veterinary Medical Association (CVMA).

The Colorado VMA and other veterinary and animal advocates are devising alternate policies to address aggressive dogs rather than specific breeds, but no legal action is planned.

The association supports a more regulatory method of maintaining potentially aggressive animals and plans to voice concern at a dangerous dog summit scheduled to take place this month.

Denver's hard line on Pit Bull ownership is raising ire and concern among veterinary leaders.

more logical approach."

"This is really a problem for the profession," says Ralph Johnson, CVMA executive director. "Veterinarians are the authority on animals, yet they were not consulted. City council has made emotional decisions to ban a breed instead of considering a

The city council deemed the law necessary after four Pit Bull attacks within a two-year period, says Doug Kelley, director of Denver animal control. One of the attacks resulted in the death of a 3-year-old boy.

While local officials have been killing, on average, two healthy dogs a day since the inception of a May 9 breed ban, CVMA has been engaging in conversation with city council and municipal leaders in an attempt to convince authorities the association's stance is more appropriate.

"A lot of innocent dogs have died because of this ignorance. This law eliminates many dogs that are not harmful and does nothing to stop the ones that are dangerous," says Dr. Karen Overall, an animal behaviorist and contributor to **DVM Newsmagazine**.

Johnson concurs.

"We are against specific breeds being named in legislation, not aggressive dog bans," Johnson says. "AVMA shares our stance and has been against such legislation since 1988."

The American Veterinary Medical Association (AVMA) has not been asked to step in to assist CVMA in its efforts to deregulate the city law.

"We have been following the legislation not only in Denver but other areas of the country as well," says Adrian Hochstadt, JD, CAE, assistant director of state legislative and regulatory affairs for AVMA Communications Division. "A committee meeting will take place this month to set priorities on state legislative issues. This issue is definitely on our radar."

The Denver ban includes all dogs within city limits with physical traits characterized under the name Pit Bull, including the American Staffordshire Terrier, American Pit Bull and Staffordshire Bull Terrier.

The city's home-rule status exonerates officials from following the same law as the rest of the state; therefore owners of prohibited dogs are forced to relinquish their pets or have them forcefully taken for euthanasia as the city ban mandates.

"At this point, we don't think there is sentiment in the council to lift the ban," Johnson says. "They remain unmoved by our protest. It will take time to educate people."

"The opinion is pretty split in the city," Kelley says. "We keep stray Pit Bulls the standard five days, with the animals being euthanized on day six. We do work with some owners who are trying to find a home for the dog outside city limits so we give them a while longer."

Denver's stance

In 2003, the city nabbed 652 registered Pit Bulls. From May 9 to Aug. 4, 481 Pit Bulls were impounded; with 111 returned to owners under guarantee the animals would be taken outside city limits.

"About 90 percent of the Pit Bulls are found by animal control when neighbors call and tell us," Kelley says. "A few veterinarians have called anonymously to turn in clients that own Pit Bulls they felt could pose a threat to the community."

Taking animals from homes isn't incredibly difficult, Kelley says. Most people are cooperative. Those who are not cooperative are threatened with a warrant.

"Since animals are considered property, entering a home to investigate the breed is the same as entering a home after drug paraphernalia is observed," Kelley adds.

Animal control uses 56 characteristics of the breed as defined by the American Kennel Club — sling of jaw, broadness of the chest and the way the animal's eyes are set are a few characteristics noted.

"The easiest way to define a dog as a Pit Bull is to just look at it. If it looks more like a Pit Bull than anything else, we confiscate it."

Veterinarians' view

DVMs are taking a stance on the issue.

"This is like racial profiling of the dog world," says Dr. Todd Wolf, ABVP, Morris County SPCA, N.J. "City officials think this law is the greatest thing since sliced bread. Really all this law does is put a band-aid on the real problem of aggressive dogs."

Wolf says animal experts should have been consulted on this issue, citing veterinarians as the authority on dog behavior.

"The city used a PhD as an expert witness," he contends. "A veterinarian knows most bad dogs are owned by irresponsible people. A set of ordinances that require responsible owners for pets is needed."

He says communities can benefit from:

- An identification method,
- Better leash laws and registration method,
- A trained and well-funded animal control staff to enforce laws.

"A breed ban does not protect the public adequately. Any large-breed dog can be dangerous. This law is accountable for the countless deaths of innocent pets," Wolf says. "Breed bans are ridiculous and kindergarten mentality."

Veterinarians practicing within the city say the ban has already been considered for adoption by surrounding suburbs, such as Aurora, where some Denver owners sought refuge for their pets.

"The city has taken a proactive approach to the situation creating a heightened environment where breeds other than Pit Bulls are suspect," says Dr. Susan Barden, University Hills Animal Hospital in Denver. "One of my clients who owns a Boxer mix was threatened to have her dog confiscated when she was turned in while buying a dog license. She had recently bought a house in Denver and was concerned she would have to sell it in order to keep her dog, which wasn't even a Pit Bull."

Like many practitioners, Barden says she is against specific breed bans but is not against legislation that restricts owners of aggressive dogs in general.

"I have plenty of aggressive dogs at my practice, and none are Pit Bulls, she says. "If you look back on ownership, more than likely it's a lack of supervision in ownership than anything else. If one breed is banned, those who want a tough dog will find another breed to keep."

Legislation versus logic

Overall says breed-specific legislation responds to the emotions of the community but not the reality of the problem.

"No one disagrees there are aggressive dogs, but Pit Bulls and some other massive breeds are the ones that make the news," Overall says. "If Mrs. Jones' Golden Retriever mauled a neighborhood kid, it wouldn't be news; but if the dog were a Pit Bull it would be 'evidence'."

Human behavior must be addressed and modified in order to stop the cycle of overly aggressive animals becoming adversely involved in a community setting, Overall says.

"The breeds most represented in dog bite data vary over time, indicating a breed preference by owners rather than breed specific aggressiveness tendencies. The breed Pit Bull is often applied without biological basis to a range of dog types regardless of genetic stock," she adds.

Two dogs from the same mixed-breed litter could be viewed entirely different under the law, Wolf notes.

"The law isn't even considering temperament, which is the real issue here. The problem is aggressive, out-of-control dogs, not the specific breed," he says.

Overall, who was asked to serve as an expert witness to quash an Ontario Pit Bull ban, supports Wolf in saying the outlaw of specific breeds isn't logical.

"This law is taking us back on what we know about dogs' behavior. It is anti-scientific, anti-intellectual and is a foolish approach."

Legislation for veterinarians

For now, veterinarians are allowed to treat Pit Bulls for medical reasons within the city without legal obligation to report the owners, Kelley says. "However, grooming or exercising the dog in the city is not permitted."

Veterinarians concerned with this legislation fear other cities will look to Denver as a model for promulgating the ban. Pit Bulls are the dogs in question today, what breed will be targeted tomorrow?

"Akitas, Chow Chows, Shar-peis and Rottweilers are also known to be aggressive. Are they next to go?" Wolf asks. "There are certain individuals that own vicious dogs — those who are well-meaning and can't admit their dog will hurt someone and those who have a history of criminal activity and are from a lower economic level: This is where the law needs to be focused."

Wolf scoffs at a statistic citing Denver as the fourth friendliest dog city in the country and says the city's law must be repealed.

Unconstitutional consideration

The city's law did lighten up after a portion of the text was deemed unconstitutional. The city once prohibited the

transport of Pit Bulls through the city. Now the dogs can pass unmolested, however Kelley says walking the dog on a city street is not recommended.

Considering behavior

Overall is on an Ontario council defending what many veterinarians are calling logical and scientific data supporting Pit Bulls.

"Considering how people keep their dog is a factor with the animal's behavior. If the dog is tied up most of the time, it isn't receiving the socialization it needs and naturally becomes defensive," Overall says. "The ones that are dangerous are often not seen until it's too late."

Overall notes the times she has been concerned for her safety with an animal have not been with Pit Bulls. She says a ban on specific breeds instead of focusing on aggressive animals fails to protect communities.

"The most terrifying dog I have ever worked with was a black Labrador," Overall says. "The next most aggressive dog was a Scottish Terrier that caused nerve damage to owner. This goes to show any breed of dog can be aggressive."

"If these lawmakers are assuming the behavior of a dog can be determined by the way it looks, then all German Shepherds should make excellent police dogs, and there would be a 100-percent success rate with Golden Retrievers as seeing-eye dogs."