

## Two decades of breed specific legislation has produced no positive results.

In 1989, Miami-Dade County passed an ordinance banning from the county all “pit bull” dogs. The county claimed that “pit bull” dogs were different from other dogs, that they inflicted injuries different from the injuries that a person might suffer from another dog, and that they posed a greater danger than other dogs. The county claimed that the ban would keep the community safer by reducing the number of serious incidents involving dogs.

Has the Miami-Dade ban reduced the number of dog bites? Has it averted severe dog bite-related injuries? Has it eliminated dog bite-related fatalities?

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Can the county even identify which dogs it has banned?

The answer to all these questions is: NO.

### **Number of Dog Bites Reported:**

There is no evidence that cities or counties, including Miami-Dade, that have enacted breed bans or restrictions have had a greater reduction in the number of reported bites than cities or counties without breed bans or restrictions.

Official reports from health departments and animal control agencies across the country show that the number of dog bites has plummeted to historic lows, despite the significant increase in both the human and dog population. Virtually all areas of the nation have witnessed dramatic reductions in the number of reported dog bites over the past 35+ years (1971-2007). For example; Minneapolis, New York City, and Baltimore, cities that have never enacted breed specific legislation, have experienced drastic reductions in the number of dog bites reported:.

- Minneapolis shows an 86% reduction, from 1,692 to 239.
- New York City has a 90% reduction, from 37,488 to 3,776.
- Baltimore has seen a 91% reduction, from 6,809 to 593.

Miami-Dade has in fact realized a lesser decrease in the number of dog bites reported to Miami-Dade Animal Control – from almost 6000 bites reported in 1979, to 992 in 2007. This decline, of a little more than 80%, is at the lower end of the national trend. Further, most of this decline occurred before the ban was enacted. Between 1979 and 1988, dog bites reported to Miami-Dade Animal Control dropped from almost 6000 to fewer than 2600.

### **What about severe dog bite-related injuries?**

Miami-Dade’s breed ban has not made Miami-Dade any safer than the rest of the state.

In enacting its ban in 1989, Miami-Dade argued that “pit bull” dogs inflict more serious injuries than other dogs, and promised that banning “pit bull” dogs would reduce serious injuries by dogs. This promise has not been kept. The percentage of Miami-Dade dog bite incidents that result in the victim’s being hospitalized continues to be higher than the rate for the state as a whole. In 1998, ten years after the breed ban had been enacted, the county’s population was 14% of the total population of Florida; yet it had 18% of the dog bite hospitalizations. In 2007, Miami-Dade’s population was 13% of Florida’s total population, but it had 16% of the state’s dog bite victim hospitalizations. Miami-Dade is the only Florida county with a breed ban.

### **Fatalities:**

With respect to dog bite-related fatalities in Miami-Dade, the ban is irrelevant.

Dog bite-related fatalities are, and have always been, vanishingly rare.

Over the past 4 decades there have only been two dog bite-related fatalities in Miami-Dade; one prior to the ban on “pit bull” dogs, in 1972, and the other in 2006. Neither incident involved a “pit bull” dog.

### **Can Miami-Dade identify the dogs it is trying to ban?**

No.

In March of this year, a county hearing officer ruled that the Miami-Dade ban on “pit bull” dogs was too vague to be enforced against a dog named Apollo. In fact, an attorney familiar with the case reported that it is not clear what criteria the county is using to determine whether or not a dog is to be classified as a “pit bull” dog, and thus forbidden under the statute.

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### **What can the citizens of Miami-Dade look forward to with respect to its breed ban?**

Miami-Dade can expect further expense and judicial proceedings, if they choose to continue the defense of the ban, with no appreciable decrease in dog bites, serious or otherwise, as compared with the rest of the state.

Law-abiding citizens will continue to live in fear that their family pet may be targeted by the ban.

Abusive owners, scofflaws, and criminals will continue to flout the law, and to obtain whatever dog they wish.

Miami-Dade can expect renewed legal challenges, similar to the case of Apollo. A report published in July, 2009 in the Journal of Applied Animal Welfare Science indicates low correspondence between visual breed identification by adoption agencies when compared with DNA identification of the same dogs. In only 25% of these dogs was at least one of the breeds named by the adoption agencies also detected as a predominant breed by DNA analysis. Predominant breeds were defined as those comprised of the highest percentage of a DNA breed make-up.

Dog bite numbers will remain constant, since the limited resources available for animal services are directed at the physical appearance of the dog, rather than for programs and policies holding owners responsible for the humane care, custody and control of their dogs: the approach that animal experts have consistently identified as contributing to a safer, more humane community.