



DENVER BREED SPECIFIC LEGISLATION

Myth vs Fact



Animal aggression is a result of breed.

... All scientifically valid research shows the same results: there is no way to determine aggressiveness or dangerousness of dogs based on breed.^{1,2,3} All dogs are capable of biting⁴ and all large breed dogs share similar likelihood to bite and severity of bite.



A visual assessment is able to identify what breeds and what percentage of those breeds exist within a dog.

... Scientists and animal experts agree: it is impossible to accurately determine the different breeds that exist within a dog based on its appearance.^{5,6} There are many recorded instances throughout Colorado and the country where multiple animal professionals assessed the very same dog using the standards outlined in Denver BSL and came up with conflicting results.



A dog that is 51% or more of a banned breed is dangerous, while a dog that is 50% or less of a banned breed is safe to live among our citizens.

... The 51% number is arbitrary and unenforceable.⁷ Not only is there no way to visually determine what percentage of different breeds are present in mixed-breed dogs,⁸ there is no way to determine what percentage of a specific breed's genes in a dog's DNA would theoretically make it safe or dangerous. The subjective nature of visual breed assessment by animal control officers means that Denver citizens' due process rights are violated over and over.⁹



Breed Specific Legislation makes cities safer.

... BSL fails to reduce the risk of dog bites¹⁰ and in many cases directly or indirectly leads to an *increase* in dog bites and attacks.^{11,12,13,14} The focus on dog breeds gives the public a false sense of security, punishes people for owning dogs that have never been involved in an incident, and distracts attention from the actual, research-based solutions to preventing dog bites - including socialization, spaying/neutering, and stricter leash laws.¹⁵ Cities, counties, and countries¹⁶ around the world are replacing BSL with effective breed-neutral legislation.



Breed Specific Legislation makes Denver safer.

... BSL has been law in Denver since 1989 and yet Denver consistently ranks as one of the worst cities in the country for most dog bites. Dog attacks on postal workers in Denver have *doubled* in five years. Denver ranks higher than the vast majority of cities in the country, that do *not* have Breed Specific Legislation.^{17,18} In fact, Colorado is full of cities that do not have BSL and they all have fewer dog bites per capita annually than Denver.



Breed Specific Legislation is a reasonable burden to place on the taxpayer.

... It costs the city \$90/week to house a single dog; from investigation to impound to euthanization, BSL costs the city roughly \$256/dog.^{19,20} At its highest point, attempted enforcement of BSL cost the city and residents of Denver nearly *one million dollars* in a *single year* on a law that does not work. BSL exhausts the limited resources of underfunded animal control programs and costs communities big bucks.²¹



The government has the right to seize or destroy your property without cause.

... There is literally no other instance in the United States where the government is legally allowed to seize or destroy the property of a private citizen without cause. This law violates your property rights. BSL has also been challenged in multiple states and cities on account of overly vague procedural due process. The Massachusetts Supreme Court found its BSL unconstitutional in 1989.²² In another case, after hearing extensive expert testimony, an Ohio appeals court found in *Tellings vs. Ohio*, that "BSL is not only ineffective and inefficient, but irrational."²³

MYTH



THIS IS A GOOD LAW.

FACT

We can do so much better.

The answer is a breed-neutral, evidence-based law that focuses on responsible ownership and animal behavior.



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¹ <https://www.avma.org/KB/Resources/LiteratureReviews/Pages/The-Role-of-Breed-in-Dog-Bite-Risk-and-Prevention.aspx>
² https://www.avma.org/KB/Owner/psf_health_library/dog_care/behavior/biting.aspx
³ [https://www.journalofbehavior.com/article/S1558-7678\(07\)00264-X/fulltext](https://www.journalofbehavior.com/article/S1558-7678(07)00264-X/fulltext)
⁴ https://cdn.yourmaw.com/colorado-site-ym.com/resource/resmgr/Key_Findings_Five_Year_Bite_pdf
⁵ Comparison of Visual and DNA Breed Identification of Dogs and Inter-Observer Reliability (American Journal of Sociological Research, 2013)
⁶ <https://www.journals.avma.org/doi/abs/10.2460/javma.2000.217.838> (Journal of the American Veterinary Medical Association, 2000)
⁷ https://www.americanbar.org/content/dam/aba/administrative/mental_physical_disability/Resolution_100_authcheckdam.pdf (American Bar Association 2012)
⁸ Comparison of Visual and DNA Breed Identification of Dogs and Inter-Observer Reliability
⁹ <http://www.westword.com/news/in-denver-animal-control-decides-which-dogs-are-pit-bulls-but-what-happens-if-theyre-wrong-5105621>
¹⁰ https://www.americanbar.org/content/dam/aba/administrative/mental_physical_disability/Resolution_100_authcheckdam.pdf
¹¹ https://le.utah.gov/publicweb/MCKELMK/PublicWeb/2170/Attachment_1_-_Denver_BSL.pdf
¹² <https://www.irishtimes.com/news/environment/dangerous-dogs-alert-after-50-rise-in-hospitalisations-study-1.2188148>
¹³ https://www.torontohumanesociety.com/pdfs/Breed_Specific_Legislation_Jan-14.pdf
¹⁴ https://soucityjournal.com/news/dog-bite-reports-show-slight-upside-years-after-pit-bull/article_fc19f9bd-8875-5453-9db2-8894cc2fe4b5.html
¹⁵ https://www.torontohumanesociety.com/pdfs/Breed_Specific_Legislation_Jan-14.pdf
¹⁶ <https://animalfarmfoundation.org/community-advocates/bal-map/>
¹⁷ https://le.utah.gov/publicweb/MCKELMK/PublicWeb/2170/Attachment_1_-_Denver_BSL.pdf
¹⁸ <http://www.westword.com/news/boulder-takes-a-bite-out-of-bad-dog-behavior-5105388>
¹⁹ <http://www.westword.com/news/for-two-decades-pit-bulls-have-been-public-enemy-1-in-denver-but-maybe-its-time-for-a-recount-5105359>
²⁰ <http://www.westword.com/news/5-497-dead-dogs-and-other-numbers-from-denvers-pit-bull-ban-5834767#more>
²¹ <https://www.eidsoks.com/DocumentCenter/View/118/Fiscal-Impact-of-BSL-in-the-US-PDF-The-Fiscal-Impact-of-Breed-Discriminatory-Legislation-in-the-United-States--2012>
²² https://scholarship.law.gwu.edu/cgi/viewcontent.cgi?article=2014&context=faculty_publications
²³ https://scholarship.law.gwu.edu/cgi/viewcontent.cgi?article=2014&context=faculty_publications