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The Platte Institute strongly believes in the importance of citizens participating in the public dialogue on issues

# PLATTE CHAT

## Pit Bull Ban a Waste of Taxpayer Dollars

By Jessica Strutzel  
Platte Institute

In 2008, the Omaha City Council passed an ordinance which included breed-specific legislation directed towards Pit Bulls in order to reduce Pit Bull bites in the city. This ordinance went into effect in 2009, and a report on its success is due to the City Council before October 1<sup>st</sup> of this year.<sup>[1]</sup> A potential response to the evaluation of this ordinance could be the consideration of a Pit Bull ban by the City Council. A Pit Bull ban will most likely have no effect on dog bites in the city and cost hundreds of thousands of tax payer dollars. Dog bites are a serious problem in the United States, with approximately 350,000 injurious bites reported per year.<sup>[2]</sup>

In order to deal with this threat to public safety, many cities around the country have introduced breed bans. Pit Bulls are often the target of breed-specific legislation due to their reputation as vicious, powerful, fighting dogs. However, breed-specific legislation aimed at Pit Bulls is ineffective. It punishes responsible dog owners and allows reckless dog owners to continue to violate dog ownership responsibilities without decreasing the number of overall dog bites.

Many factors play into situations that lead to dog aggression and biting. In most cases, dogs that bite have histories of being tethered or running loose, suffering abuse,

important to Nebraska. Writing a letter to the editor is an outstanding way to partake in the discussion and have your voice heard by thousands of people. To make the process easier, the Platte Institute has assembled a list of links which allow you to submit a letter to the editor to nearly all Nebraska newspapers. Simply [CLICK HERE](#) for a listing of the newspapers and follow the appropriate link to submit your letter.

## Contact Us

If you would like to contact someone at the Platte Institute, you are always welcome to give us a call, drop us an email or stop by the office. Our telephone number is 402.452.3737. We are located at 10050 Regency Circle – Suite 120 – in Omaha. Below is a list of staff email address:

John S. McCollister  
Executive Director  
[john.mccollister@platteinstitute.org](mailto:john.mccollister@platteinstitute.org)

Anne Duda  
Senior Policy Analyst  
[anne.duda@platteinstitute.org](mailto:anne.duda@platteinstitute.org)

Kimberly Stephenson  
Development Director  
[kims@platteinstitute.org](mailto:kims@platteinstitute.org)

Berk Brown  
Director of

malnourishment or dehydration, and are unaltered (not neutered or spayed) and poorly socialized. 82 percent of fatal bites result from loose dogs.<sup>[3]</sup> Tethering dogs also increases aggression, and tethered dogs are much more likely to retaliate and bite someone. Omaha has leash laws and anti-tethering laws in place to combat these problems.<sup>[4]</sup>

In 2009, Omaha introduced breed-specific legislation aimed at Pit Bulls. Under the current law, the city of Omaha identifies Pit Bulls as "any dog that is an American Pit Bull Terrier, American Staffordshire Terrier, Staffordshire Bull Terrier, Dogo Argentina, Presa Canario, Cane Corso, American Bulldog, or any dog displaying the majority of physical traits of any one or more of the above breeds (more so than any other breed), or any dog exhibiting those distinguishing characteristics which substantially conform to the standards established by the American Kennel Club or United Kennel Club for any of the above breeds."<sup>[5]</sup> Owners of dogs considered to be Pit Bulls must have the dogs leashed, muzzled, and under the control of someone at least 19 years of age when they are in public. In addition, Pit Bull owners must keep the dogs in securely fenced areas when not leashed and must have at least \$100,000 in liability coverage. Well-behaved Pit Bulls can avoid the muzzle requirement by passing a Canine Good Citizenship test through the Breed Ambassador program at the Nebraska Humane Society.<sup>[6]</sup>

A Pit Bull ban in Omaha would deprive responsible pet owners of their right to private property without impacting the overall number of bites in the city. Pit Bull bans target all the Pit Bulls in the city, whether they are well-behaved family pets or have an aggressive history. This approach places blame on the breed of dog, which does not decrease bite rates, rather than on the behavior of the owner. Council Bluffs enacted a Pit Bull ban in 2005. While the number of Pit Bull bites significantly decreased after the ban (because Pit Bulls not already owned and registered were not allowed in the city), the number of overall dog bites increased the year after the ban was instituted from 115 bites in 2005 to 132 bites in 2006.<sup>[7]</sup> Denver enacted a Pit Bull ban in 1989 and has lost about \$250,000 per year since then due to enforcement costs.<sup>[8]</sup> Despite this long standing and costly ban, Denver has a higher hospitalization rate due to dog bites than any other county in Colorado. The chart below from the National Canine Research Council shows that Boulder, a city with approximately half the population of Denver, had only one sixth the amount of serious dog bites as Denver, even though Boulder has no legislation directed at Pit

Bulls.[9]

		From 1995-2006	
Denver	567,000 people	273 dog bite hospitalizations	Breed ban enacted in 1989
Boulder	290,000 people	46 dog bite hospitalizations	No breed-specific legislation

Pit Bull bans affect responsible owners who have raised their pets as family members. These types of dog owners are the owners that follow leash laws and anti-tethering laws and would adhere to the Pit Bull ban. Negligent owners who are attracted to Pit Bulls because of their negative reputation and who use them as status symbols or for fighting will not be influenced by the law. According to the American Kennel Club, **"To provide communities with the most effective dangerous dog control possible, laws must not be breed specific. Instead of holding all dog owners accountable for their behavior, breed specific laws place restrictions only on the owners of certain breeds of dogs. If specific breeds are banned, owners of these breeds intent on using their dogs for malicious purposes, such as dog fighting or criminal activities, will simply change to another breed of dog and continue to jeopardize public safety."**[10] Rather than punishing dog owners that exacerbate the problem of dog bites, breed bans deny responsible owners the right to private property and subject them to unnecessary regulations and hardships.

It would be a mistake for Omaha to enact a Pit Bull ban. According to an online calculator constructed by Best Friends Animal Society, Omaha would spend an estimated \$556,700 per year in order to enforce the ban. It is estimated that the ban would affect 6,540 Pit Bulls out of the total 94,110 dogs in Omaha.[11] There is no proof that this legislation would decrease the number of dog bites in the city. Legislation should target careless and irresponsible dog owners rather than breeds of dogs. Omaha should take an approach more like Lincoln, which is considering strengthening city ordinances that cite reckless dog owners by increasing fines for owners who let their dogs run loose.[12] By strictly enforcing Chapter 6 of the Omaha Municipal Code that deals with dangerous dogs and reckless owners, the city would encourage responsible ownership and penalize negligent owners, thus

reducing bite rates in a fair and cost effective manner.

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[1] Omaha Douglas Connection. May 2010. <http://omaha-douglasconnection.com/animals-a-pets>

[2] Hussain, Safia Gray. "Attacking the Dog-Bite Epidemic: Why Breed-Specific Legislation Won't Solve the Dangerous Dog Dilemma." Fordham Law Review reprinted at Animal Legal & Historical Center. 2006. May 2010. <<http://www.animallaw.info/articles/arus74fordhamlrev2847.htm>>.

[3] "Dog Bites: Are there Dangerous Breeds?" AAHA. May 2010. <[http://www.healthypet.com/PetCare/PetCareArticle.aspx?art\\_key=7a79c0a6-86a6-4dc1-97eb-920a8a149fd9](http://www.healthypet.com/PetCare/PetCareArticle.aspx?art_key=7a79c0a6-86a6-4dc1-97eb-920a8a149fd9)>.

[4] Omaha Municipal Code Chapter 6. May 2010. <[http://library5.municode.com/default-test/home.htm?infobase=10945&doc\\_action=whatsnew](http://library5.municode.com/default-test/home.htm?infobase=10945&doc_action=whatsnew)>.

[5] Nebraska Humane Society. May 2010. <[http://www.nehumanesociety.org/site/PageServer?pagename=laws\\_responsible\\_owner](http://www.nehumanesociety.org/site/PageServer?pagename=laws_responsible_owner)>.

[6][6] Ibid.

[7] "Some thoughts about Omaha and Clarification about Council Bluffs." 30 June 2008. May 2010. <<http://btoeliner.typepad.com/kcdogblog/2008/06/some-thoughts-and-clarification-about-omaha.html>>

[8] Marcus, Peter. "Pit bull ban repeal eyed." Denver Daily News. 3 August 2009. May 2010. <<http://thedenverdailynews.com/article.php?aID=5166>>.

[9] "Denver Hospital Rates." National Canine Research Council. 2010. May 2010. <<http://nationalcanineresearchcouncil.com/in-your-state/Colorado/dog-bites/Denver-hospital-rates/>>.

[10] Weiss, Linda S. "Breed Specific Legislation in the United States." Animal Legal & Historical Center. 2001. May 2010 <<http://www.animallaw.info/articles/aruslweiss2001.htm>>.

[11] "Breed Discriminatory Legislation in Omaha Nebraska." Best Friends Animal Society. May 2010. <<http://www.guerrillaeconomics.biz/bestfriends/ReportViewer.aspx>>.

[12] "Lincoln, Nebraska: Addressing Dog Bites Reasonably and Responsibly." National Canine Research Council. July 2009. May 2010. <<http://nationalcanineresearchcouncil.com/in-your-state/nebraska/updatesin-the-news/>>.

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