Attorneys for Animals

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September 6, 2016

Representative Lee Chatfield
Chair, Local Government Committee
Michigan House of Representatives

Via Email: Mary Lou Terrien, Committee Clerk mterrie@house.mi.gov

Re: Support of SB 239

Dear Rep. Chatfield and Committee Members:

Please accept the following as part of the record for the Local Government Committee Hearing on SB 239, to be heard September 7, 2016.

Attorneys for Animals, Inc. (AFA) is a Michigan non-profit and 501(c)(3) organization of legal professionals and animal advocates. We work within the legal system so animals are recognized and protected as individuals by combining advocacy, litigation and legislative efforts with education.

SB 239 would prohibit a local unit of government from enacting an ordinance or rule that regulates a dog based solely on breed, perceived breed, or type of dog. Introduced by Sen. David B. Robertson, it passed the Senate on October 8, 2015.

Attorneys for Animals supports this bill.

The policy reasons for supporting this legislation have been developed during testimony when the bill was being considered by the Senate. These policy considerations are summarized in the most recent Senate Fiscal Analysis, which can be found at:
https://www.legislature.mi.gov/documents/2015-2016/billanalysis/Senate/pdf/2015-SFA-0239-U.pdf
These include: lack of evidence that the underlying assumption (i.e., particular breeds are more likely to bite) is correct; difficulty of implementation (since dog breeds are often misidentified); expense of enforcement; availability of alternatives to prevent dog bites; and the relative rarity of dog bites serious enough to require hospitalization.

In addition to the reasons stated above, AFA notes the following factors in support of SB 239:

- Impact on shelters: communities which adopt BSL see an increase in admissions of so-called pit bulls to local shelters, which are often already overburdened and lacking in resources
- Studies have shown that BSL does not lead to a reduction in dog bites; for example, in Toronto, which has banned pit bulls since 2005, a study compiling reports that physicians treating dog bites are required to file, showed dog bites (from other breeds) actually increased in the years 2012-2014; the article can be found at: http://globalnews.ca/news/2527882/torontos-pit-bulls-are-almost-gone-so-why-are-there-more-dog-bites-than-ever/
- From an animal welfare perspective, BSL targets many responsible guardians and friendly dogs by casting too wide a net. For example, an Animal Control official in Prince George's County, MD, which has enacted BSL, reports that 80% of the 500-600 animals seized and killed each year pursuant to the ban, are "nice, family dogs" (see the ASPCA Position Statement on Breed Specific Legislation which can be found at: http://www.aspca.org/about-us/aspca-policy-and-position-statements/position-statement-breed-specific-legislation).

Furthermore, this issue is particularly amenable to having a consistent approach throughout the state. Most of us intuitively understand that animals are widely considered as part of the family. The AVMA's *U.S. Pet Ownership & Demographics Sourcebook (2012)*, confirms this, reporting that in 2011, 63.2%, considered their pets to be family members. The Sourcebook can be found at: https://www.avma.org/kb/resources/statistics/pages/market-research-statistics-us-pet-ownership-demographics-sourcebook.aspx. People are mobile, and, absent a statewide ban on BSL risk the choice between breaking the law and giving up a beloved pet, when they move to another community. The bill only bars local governments from using one method of combating aggressive dogs and dog bites, Breed Specific Legislation, which is of questionable efficacy.

Thank you for your consideration of this information.

Very truly yours,

Beatrice M. Friedlander, J.D.
President
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