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Charting Progress and Challenges in the Fight Against Breed Restrictions

Our latest review of [2019 shelter data](#) proves that things are looking up for dogs in shelters. In fact, last year saw a record save rate of 85.2% for our canine friends. Although this boon extends to all breeds, we are still [fighting restrictions](#) when it comes to specific breeds, oftentimes pit bulls.

Myths about these dogs abound, that they are dangerous or “have locking jaws,” persist even in the face of compelling evidence to the contrary—and an increasing number of fans for the breeds that make up what is usually called a pit bull (The American Pit Bull Terrier, American Staffordshire Terrier, American Bully and Staffordshire Bull Terrier among them).

Unfortunately, dogs are still [labeled as particular breeds](#) based on their looks when in fact advances in DNA testing have shown that most dogs are a mix of breeds—each of which may or may not have the physical characteristics people presume are indicative of being a pit bull (or a German Shepherd, Rottweiler, etc.). As a result, these types of dogs continue to be mischaracterized as dangerous and the focus of breed-specific laws.

Best Friends started seriously fighting breed restrictions in 2010, spearheading a variety of wins including prohibiting it in [Utah](#) and [South Dakota](#). Since I joined the Best Friends legislative team in 2014, a good chunk of our time has been spent fighting ordinances based on the erroneous assumption that certain breeds are inherently dangerous. So, it seems like a good time to review how much progress has been made since then and where we need to turn our attention next to save the lives of dogs, no matter what breed they appear to be.

State-level successes

In 2014, only 18 states had laws in place making it illegal to enact local breed bans and other forms of breed-specific legislation (BSL). Today, [22 states](#) have passed provisions against BSL, with Washington, Delaware and Arizona being the most recent places to recognize that dangerous dog behavior has nothing to do with breed.

Whereas my early years at Best Friends were spent convincing municipalities that passing BSL would be a poor policy choice, such cases have waned over time. That tells me that the message that all dogs are individuals is being heard at all levels of government and encourages us all to continue fighting the fight wherever BSL exists.

Model dangerous dog ordinances

Our industry gained a big win in 2018 when the [International Municipal Lawyers Association \(IMLA\)](#) changed its model dangerous dog ordinance to reflect the most recent and accurate research about dog behavior and the factors that contribute to dog bites. The IMLA has counseled local government attorneys since 1935, so we've gained a powerful ally that is actively advising municipalities not to consider BSL and to repeal and replace any such archaic laws that still exist. Now, instead of recommending pit bull bans, the IMLA supports comprehensive, breed-neutral dog ordinances that focus on the behavior of the owner and the dog rather than what someone's pet happens to look like.

Communities deserve comprehensive dog laws that demand responsible dog ownership and that hold irresponsible owners accountable when their poor decisions wind up getting other dogs or other people hurt. The IMLA is helping us significantly in carrying that message to communities all over the country.

Dogfighting busts

The quest to give dogfighting victims like [the Vicktory dogs](#) a second chance at life continues, and over the last few years we've seen tremendous progress in repealing these types of laws. In only five years, Delaware, Rhode Island, Wisconsin, Massachusetts, California and New Jersey have all changed theirs. This shift in thinking is giving countless pups the chance to be therapy and service dogs, family pets or wonderfully lazy couch potatoes. We'll keep working until every one of these laws is replaced.

Homeowner's insurance and housing restrictions

We have a lot of ground to cover in getting insurance companies to stop restricting breeds in setting their policy costs and limitations. Only Pennsylvania and Michigan prohibit breed-based restrictions in the homeowner's insurance market.

These unfair policies victimize owners of the more common ["uninsurable" dog breeds](#) like pit bull terrier-like dogs, Cane Corsos, Rottweilers, Huskies and even Great Danes. The blacklist of breeds can veer into the ridiculous. An article in [Psychology Today](#) references an incident where an insurance application was denied for someone who owned a Schipperke, which is a "small, black, fox-faced little dog[s] with a height of around 12 inches... and weight of around 15 pounds."

These restrictive policies also force countless families to surrender their loving and loved pets to their local shelters. People should never be forced to choose between their loving pet or their home, and our entire legislative team is committed to continuing to fight until that type of injustice is completely gone.

Our legislative team is turning its attention to this critical issue and to legislation that prohibits dogs of a particular breed, size or weight in the housing market. We are currently working on legislation in Massachusetts that would prohibit almost all housing within the state from taking those characteristics into consideration for properties that allow pets.

Best Friends is also currently urging the United States House of Representatives to add language to the National Defense Authorization Act (NDAA), requiring the Department of Defense to mandate that all dog policies across military branches be [breed-neutral](#) and based instead on behavior. Currently, it is not uncommon for military personnel to be forced to surrender their pets due to an arbitrary policy based on breed.

The Senate has included this type of pet-friendly language in its version of the NDAA for fiscal year 2021—but we need you to [show your support](#) for the bill, which will soon be debated by the House. Enacting such a sweeping policy would impact huge numbers of people and pets and make a noticeable impact on dogs being relinquished to, or adopted from, rescues and shelters.

The intersection of dog breeds and racism

The Black Lives Matter movement has placed our society's systemic racism squarely on the front page recently and forced us all to reckon with our role in perpetuating these systems of oppression. Just as there are false assumptions about breeds, there are false assumptions about the "typical" owners of certain breeds.

The [2018 Animal Law article](#), "The Black Man's Dog: The Social Context of Breed Specific Legislation," describes a study in which participants were given photos of six dogs—Golden Retrievers, Dachshunds, Maltese, American pit bull terriers, Collies, and German Shepherds—and asked to guess the owner's likely gender, race/ethnicity, and age. "Pit bulls were perceived as most commonly belonging to people of color—specifically, young, Black males... this same result held true regardless of the participant's gender, race or age."

Author Ann Linder notes that pit bull terrier-like breeds are “cultural symbols of ‘urban ghettos’ and ‘Afro-American’ lifestyles.” The Ohio Supreme Court went so far as to reason “that pit bulls were dangerous in part because they are ‘found largely in urban settings where there are crowded living conditions and a large number of children present.’”

The result of these perceptions is a “metonymic feedback-loop [that has come to] characterise the relationship between pit bulls, Blackness, and the perception of criminality” Or as author Malcolm Gladwell put it in a [2006 Current Affairs piece](#), “The link made between savage beasts or dangerous animals and black humans is as old as the history of enslavement. As the actor Michael B. Jordan memorably phrased it: ‘Black males, we are America’s pit bull. We’re labeled vicious, inhumane and left to die on the street.’”

As recent events illustrate, such attitudes and beliefs may finally be changing.

How you can help

Every piece of BSL we repeal moves us closer to a time when dogs of any breed will be judged on their own merits, and not on long-disproven stereotypes. Fewer and fewer people are falling for the negative messaging about pit bulls; many are educating themselves through [research, studies and policies](#) from the National Canine Research Council, the Center for Disease Control and Prevention and the American Bar Association. In fact, [84% of Americans](#) believe that federal, state or local government should not tell citizens which breeds of dog they can and cannot own.

But we will not end restrictions against certain breeds and their people without mobilizing our entire industry. Network Partners can help by [signing up](#) for our legislative alerts to keep on top of key animal-related legal action. It’s also critical that everybody gets to know their elected officials because they are the ones who will determine whether good laws pass, or bad laws get repealed. Consider how advocacy plays into your organization’s mission and make it part of the work you do.

In America, responsible people should be allowed to love and care for any breed of dog they choose- it’s that simple. We are winning this battle. Compared to years ago when Best Friends first in the fight, safe and humane communities for people and pets is now a universal goal.

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