

City Of Reading  
815 Washington Street  
Reading, PA 19601

August 13, 2007

Dear [Mayor McMahon/City Council Members],

As you are well aware, an enormous amount of attention has been given to the apparent pit bull “bite epidemic” in Reading during 2007. As an agency with both a humane mission to help animals and an obligation to enforce state and local animal-related laws and ordinances, the Humane Society of Berks County (HSBC) has found itself in an unusual situation.

These dual roles allow us to see the best and worst of animals and their caretakers (if an animal is lucky enough to have one). The HSBC’s staff regularly and *primarily* sees the best, most wonderful pit bull terriers in the world. However, we also see the aftermath of brutal attacks by dogs, attacks that are particularly severe when caused by the powerful jaws of dogs such as pit bull terriers. Therefore, we have sympathy for both sides of the “animal control ordinance” debate—those who believe that the ordinance will penalize the vast majority of wonderful, well behaved pit bulls and those who say it is a reasonable safety measure to help decrease the devastating effect of the upturn in reported dog bites in Reading, a disproportionate number of which are by pit bulls.

However, with the potential re-instatement of animal control ordinance dangerous breed provisions, which will have a significant impact on the owners of one particular group of dogs, likely pit bull terriers, the HSBC must take a clear stand regarding the elements of the ordinance. The Board of Directors of the HSBC has recently authorized the following position statement, which consists of two specific recommended revisions to the existing ordinance and two potential revisions which we strongly urge the city consider.

**Position Statement:** The Humane Society of Berks County recognizes the necessity to create a safe community for city residents, both two- and four-legged. The HSBC recognizes that the desire for regulation of certain aspects of dog care and behavior based on specific, quantifiable data is understandable and reasonable, and that these regulations should be thoughtful, based in fact, constitutional, and demonstrably effective. The current animal control ordinance is an understandable and well-meaning attempt on the part of city government to balance public safety and animal welfare.

*However, the ordinance contains one provision and lacks another that are vital to ensuring that this well intentioned ordinance is both effective and fair for pet owners and humane for pets.* The Humane Society of Berks County recommends that two alterations be made to the existing ordinance and two areas be investigated for potential consideration:

1. **The muzzling requirement for a breed determined to be “dangerous” should be removed from the ordinance.**
2. **Owners of well behaved, sterilized dogs that are of the breed deemed dangerous based on the animal control ordinance’s numerical formula should be given a means to be "exempted" from the enforcement provisions.**
3. **The HSBC strongly encourages the consideration, based on the quantifiable statistics collected, that the sterilization status of a dog be considered as strongly as its breed.**
4. **The HSBC encourages a mechanism for changing the triggering formula based on the demographic statistics of a given breed of dog, as well as all breeds combined.**

**The muzzling requirement for a breed determined to be “dangerous” should be removed from the ordinance.** Although this provision is intended to safeguard citizens, there is no proof that it will or ever has done so. In 2007, no bite occurred while a dog was under leash control. All bites occurred while dogs were either running at large or confined in a yard or building, times one would not expect a dog to be muzzled.

Additionally, while an argument may be made that a properly fitted muzzle is not inhumane or detrimental to dogs, the fact remains that most owners do not know how to obtain an appropriate muzzle or properly fit it. The resulting poor fitting muzzle can lead to injury of the dog, social stigma on the part of the owner, and negative behaviors from the dog.

There is no reasonable basis in historical bite statistics for this requirement and there is no substantive argument to justify this provision.

**Owners of well behaved, sterilized dogs that are of the breed deemed dangerous based on the animal control ordinance numerical formula should be given a means of being “exempted” from the enforcement provisions.** Since virtually everyone agrees that at least some great, well behaved dogs are going to be swept up in the enforcement of the ordinance, the HSBC recommends a standardized means for dog owners to prove their companion dogs' “good citizen skills”.

The HSBC endorses allowing dog owners of breeds deemed to be “dangerous” to avoid enforcement requirements through a passing evaluation from a recognized, certified evaluator administering a recognized, standardized behavioral evaluation. The HSBC recognizes the American Kennel Club’s Canine Good Citizen Test as one such nationally

recognized, standardized, and locally available test. This test evaluates the social and behavior skills of a dog, the very traits at question under the ordinance.

Owners of dogs passing this test would be able to display an alternate to the “Dangerous Dog” placard and dog tag. They would instead be able to display a “Canine Good Citizen” placard and tag and could avoid the associated increased licensing expenses, etc. “Good” dogs and owners could demonstrate their exceptional behavior and not be caught up in a net rightfully intended for “bad” dogs and owners. Any animal related violation could result in the immediate rescinding of the exemption.

The test is already given locally by area dog training clubs and others and is readily available and affordable.

**The HSBC strongly encourages the consideration, based on the quantifiable statistics collected, that the sterilization status of a dog be considered at least as strongly as its breed.** While pit bulls account for 47% of reported dog bites in 2007, unsterilized dogs of any breed account for 87% of reported bites (as of 8/13/07). Sterilization status is the single biggest quantifiable risk factor related to dog bites in the city-- more than breed, sex, indoor/outdoor living, or anything else.

The HSBC encourages city government to investigate whether sterilization status should be taken into account when triggering ordinance enforcement of a given breed. Moreover, consideration should be given to extending the license cost differential built into the ordinance for “dangerous breeds” (with unsterilized dogs costing ten times more to license than sterilized dogs) to all dogs. As the single biggest common factor in all dog bites, this may, in fact, be a more effective means of controlling the number of bites across the spectrum of breeds.

**The HSBC encourages a mechanism for changing the triggering formula based on the demographic statistics of a given breed of dog, as well as all breeds combined.** The current ordinance, originally crafted in 1997, requires 30 bites total and 40% by a single breed to trigger the ordinance. However, this does not address changes in the number of dogs living in the city. If the formula was deemed reasonable in 1997, is it still reasonable if there are twice as many dogs or half as many? Clearly, changes in canine population will impact the number of bites, yet the formula remains static.

Additionally, the 40% breed trigger has remained static. If a breed accounted for 25% of the population in 1997 and 50% of the population in 2007, it would be reasonable to project a corresponding increase in the percentage of bites by that breed. No such demographic study has been performed and no consideration for these changes is even possible as the ordinance now reads. The HSBC strongly encourages investigation into this option.

The Humane Society of Berks County understands that these modest revisions will not assuage the concerns of some people on both sides of this issue. However, after a great deal of research and deliberation, the HSBC feels that these revisions will address the

major substantive concerns of both a safety-minded public and conscientious dog owners. The revisions allow for reasonable legislative initiatives, a means for great dog owners to avoid unnecessary expense and hardship, an avoidance of draconian care and behavior restrictions on good dogs, and *the safety of the residents of Reading*.

It is our hope that these suggestions will be carefully considered and implemented in the spirit of animal welfare, public safety, and effective government. I will be happy to meet with any member of city government or city resident to more fully explain these recommendations.

Sincerely yours,

Karel I. Minor  
Executive Director