

THE ENDANGERED BREEDS ASSOCIATION

Bulldog Banter

NUMBER 90 • NOVEMBER 2010

It's time to vote

November will be an important month for us all. Not only will we be making important decisions on the direction our country will follow, but we will be making decisions on board members of Endangered Breeds Association.

Nominees include current board members Doris Hutson of Walker, LA; Lucretia, Ashcraft of Silsbee, TX; and Sharon Sundy of Phelan, CA.

Also nominated is Tom Lundberg of Fruitvale, TX.

Hutson, EBA's current secretary, has been a board member many years and has attended countless city and state hearings in Louisiana when issues of breed specific legislation, mandatory spay/neuter,

tethering and kennel licensing are being discussed. Her hard work has been instrumental in stopping legislation before it became law, or in significantly reducing measures contained in proposals.

She and her husband Keith are well known in the weight pull events of ADDBA shows.

Ashcraft has served as board member four years. Together with EBA member Liz Stevens, she has assembled an impressive display of information and story boards which are used to promote responsible ownership and the American Pit Bull Terrier. Ashcraft annually takes the display to the AKC Reliant Dog Show in Houston, TX

and helps owners find the information needed to fight proposed legislation in their areas.

Sundy also has served as a board member four years and works in the California area. She is the current EBA vice president and is a sanctioned ADDBA judge of conformation.

Lundberg has served as president of Lone Star State Pit Bull Club two years and has owned American Pit Bull Terriers 27 years. He has shown in ADDBA events since 1986 and with his 11-year-old daughter, Elise, operates Legacy Kennels.

He attends meetings with dog groups in his area and gets their support of the vast array

Vote for 3

- LUCRETIA ASHCRAFT
- DORIS HUTSON
- TOM LUNDBERG
- SHARON SUNDY

of dog issues which have been hitting Texas the past few years. He works closely with Texas Pet Breeders Association, state hunting groups and rifle associations and was part of a coalition meeting with Texas legislators to get logical legislation passed in his state.

Voting will be throughout the month of November and e-mail votes may be sent to EBA board member Russ Krohn at ttck1@swbell.net

Ballots may be mailed to EBA President Kim Krohn, 4600 Hickory Lane, Blue Springs, MO 65015.

Bulldog Banter by e-mail helps our dogs

Still not getting your Banter via e-mail. Help save our dogs by saving EBA money. Send your e-mail address to Banter editor Joan Morrison (morrison@mynewroads.com) and receive your edition by e-mail.

You will get it sooner than those who still receive it by conventional mail, and you will save EBA precious funds.

Dogs win the day in Ohio! Toledo adopts breed neutral law

From BestFriends Animal Society

The City Council of Toledo, OH has adopted a comprehensive breed neutral dangerous dog/reckless owner law.

The new law was written based on recommendations compiled by the Lucas County Dog Warden Advisory Committee at the request of Toledo Mayor Mike Bell in February.

The ordinance, which now defines a vicious dog based on its behavior, not its "breed," will replace the long-time breed-specific ordinance in the city. The law also contains harsher fines for dog bites and restrictions on how long a dog can be chained up in the community. The law also requires dogs to be altered

Continued on Page 2

Memberships expire Dec. 31 unless multi-years are paid.



BULLDOG BANTER

Joan Morrison,
Editor

Route 1, Box 71
Gore, OK 74435

The Bulldog Banter welcomes articles, news clippings, letters and other comments from its readers. The editor reserves the right to edit submissions as needed. All letters for publication must be signed.

Material in the Bulldog Banter may be reproduced, but please credit the Bulldog Banter as the source.

To subscribe to the Bulldog Banter, please see the EBA Membership application on the back page.

ELECTRONIC DIRECTORY

Endangered Breeds
Association

www.endangeredbreeds
association.org

American Kennel Club

www.akc.org
www.animallaw.com

www.responsiblepetowners.org

American Dog Breeders
Association

www.adba.cc

National Animal Interest
Alliance

www.naiaonline.org

WE WANT TO MEET YOUR PET!

E-mail your photograph to featuresboss@yahoo.com.

Photographs are printed as space allows. Include your name, your pet's name and the town where you live. NO SALES.

Pet corner



Four-year-old Huey Ridgell, 4, sits on 6-year-old Anna Ridgell's back. Huey and Anna were in the EBA Bulldog Banter (October 2006) when Huey was 2 weeks old. As you can see, nothing has changed. Huey is Anna's human. They are BEST FRIENDS! Photo submitted by Chad and Jen Ridgell, Zachary, LA.



Linda Carey of Dorset, Ontario, Canada, submitted this photo of her APBT, Maggie. Maggie passed away on March 23. "She was a wonderful girl and the joy of our lives. She will be dearly missed." Linda said the breed ban makes losing Maggie that much harder because they can not get another APBT. "Our attorney general and his group of posies decided that a few sound bites were more important than the truth."

Ohio

From Page 1

at the owner's expense and give animal control the ability to seize dogs if the owners are deemed reckless.

The change in the ordinance comes after many months of discussions following a January court ruling that the Toledo city law was unconstitutional, and following the "resignation" of long-time Lucas County Dog Warden Tom Skeldon amid a flurry of controversy last fall.

Highlights of the new ordinance passed by city council include:

- An escalating scale of fines for unprovoked dog bites. Penalties would rise from \$150 to \$500 to \$1,000 and could include

mandatory pet ownership classes or community service with an animal welfare organization.

- New "level one" and "level two" threat classifications for nuisance and dangerous dogs.

- Restrictions against leaving a dog unattended for more than 24 hours.

- Mandatory spay or neuter surgery at the owner's expense for dogs caught running at large more than once.

- The ability to seize the dogs of owners deemed reckless.

Toledo ordinance 389-10 of Municipal Code §505.14, prohibited the ownership of "pit bulls or pit bull mixed breed dogs."



EBA BOARD

Kim Krohn, President
Blue Springs, MO
816-228-1512
krohndog@swbell.net

Sharon Sundy, Vice President
Phelan, CA
760-949-4863
sharonsundy@hotmail.com

Doris Hutson, Secretary
Walker, LA
225-665-0314
kdhutson@cox.net

Joan Morrison, Treasurer
Gore, OK
918-487-5798
morrison@mynewroads.com

Jean Carpenter
Albany, LA
225-567-5120
ebajeanc@aol.com

Lucretia Ashcraft
Silsbee, TX
409-385-5497
jolupits@yahoo.com

Russ Krohn
Blue Springs, MO
816-228-1512
ttck1@swbell.net

JoAnn LeBlanc
Dayton, TX
936-258-8490
tadpits@aol.com

Linda Emmert
Seneca, MO
417-776-8281
flyinge@netins.net

Laura Dapkus
Whitewright, TX
972-924-8080
laura@lucydog.com

Judith Brecka
Santa Monica, CA
310-417-4091
champalf@hotmail.com

Hank Greenwood, ADBA Rep./Advisor
Salt Lake City, UT
801-936-7513
adba@adba.cc

Can you teach a bad dog new tricks?

By Jim Gorant
Parade Magazine

The little black-and-white dog knocked into furniture and hid things in his crate. He couldn't go up or down stairs, didn't know how to climb onto a couch. Flushing toilets and clanging pots sent him running from the room. He wasn't a bad dog — he simply didn't know any better; he'd never lived in a house. His lack of social grace earned him the name Jonny Rotten. "He was a caveman," says Cris Cohen, a Burlingame, Calif., car-dealership manager who provided Jonny with a foster home. "He had no manners."

That was understandable. Jonny was one of 51 pit bulls seized in April 2007 from Bad Newz Kennels, the Smithfield, Va., dogfighting ring run by Michael Vick, then quarterback of the NFL's Atlanta Falcons. Although too young to have been a fighter, Jonny probably had his mettle tested a few times, and like most of the other Bad Newz dogs, he'd spent his entire life either locked up in a pen or chained to a rotating axle in the woods, with little or no positive interaction with people or other dogs.

After the raid on Vick's property, Jonny and the other dogs were deemed evidence and put into shelters to be held until the investigation was complete. Conditions varied, but even the best dogs can break down after a few months of confinement. With Vick's dogs, this wasn't much of a concern; it was assumed they all would be destroyed upon the delivery of a verdict.

But public outcry, as well as the defendant's bulging bank account, moved U.S. District Court Judge Henry E. Hudson to issue an almost unprecedented order: that nearly \$1 million be set aside to rescue and rehabilitate as many of the dogs as possible.

That these were pit bulls — a breed that induces such fear it's banned in many U.S. counties and cities, including Miami and Denver — was not a mark in their favor. In addition, Vick's plea agreement detailed treatment that went beyond neglect and into abuse. By the time the case was over and the team had done its evaluations, the dogs had been in shelters for up to nine months. "We'd been told these were some of the most vicious dogs in America," says ASPCA executive vice president Dr. Stephen Zawistowski, who led the evaluation team. Was rehab even a possibility?

What the team found was a mixed bag. Fewer than a dozen of the dogs were hardened fighters. Two had to be put down — one was excessively violent and the other was suffering from an irreparable injury. Then there was a group characterized as "pancake dogs" — animals so traumatized they flattened themselves on the ground and trembled when humans approached. Another group seemed to be dogs of relatively friendly normal temperament who simply had never been socialized.

Jonny was one of the unsocialized-but-happy crowd, which is how he ended up with Cohen, who had a pit bull of his own and had previously fostered six others as a volunteer for the rescue group Bay Area Doglovers Responsible About Pitbulls.

"The first step was to let him unwind his kennel stress," Cohen says, referring to the jitters that follow dogs out of long-term confinement. He countered Jonny's anxiety with quiet time and "the rut," as he calls it.

"Dogs love a schedule," he explains. "They love knowing that the same things are going to happen at the same times every day. Once they have that consistency, they can relax."



Denver loses court battle

Compiled from Internet services

The city of Denver has lost in court, again.

The great folks over at the Game Dog Guardian (who are having quite a week this week) report that Denver has once again lost in the courts regarding their breed ban.

This time, Denver's motion to dismiss claimed that there were no material facts regarding whether their breed ban was rationally related to a legitimate government purpose.

The courts denied their request.

Even more interesting about the court's decision is that the city's "expert" witness cited two different studies to substantiate his position that pit bulls are more likely to bite than other types of dogs. However, one of the studies is the 2000 report by the Center for Disease Control. One of the writers of the CDC report, Randall Lockwood, has testified that the city's

expert has "misused" the study and noted that the information in the report cannot be used to determine that certain types of dogs are dangerous.

So the city of Denver must continue paying legal fees to defend their ordinance in court. This of course is in addition to a legal settlement they paid back in March, and two other pending law suits regarding violation of the ADA Guidelines on people who have "pit bulls" as service dogs.

The city continues to pay for lawsuits regarding the city's breed ban — and continues to try to find ways to avoid ADA Guidelines — all at the increasingly high cost to the city's taxpayers.

There is more in the judge's decision and it can be read at Game Dog Guardian. But none of it bodes well for the city of Denver — and the taxpayers who are paying for it.

EBA plans to centralize mail

Endangered Breeds Association no longer will be receiving mail at the P.O. Box 879, Walker, LA 70185 address.

All correspondence and membership dues should be sent to EBA, Route 1, Box 71, Gore, OK 74435.

Any mail that should be forwarded to a board member will be promptly sent to that individual.

Centralizing mail will save our organization more than \$100 per year.

Federal law leashes pit bull restrictions

By Bob Barr

Municipal governments from New York City to Miami, and from Council Bluffs, Iowa, to Denver, have responded to fear of pit bulls and similar breeds of dogs, by severely restricting their ownership or banning them entirely from their jurisdictions. Now, thanks to a rule issued recently by the U.S. Department of Justice, such actions are subject to being struck down. Jurisdictions now considering such overreactions, such as Douglasville, Ga., would be well-advised to review the Justice Department's opinion before proceeding.

Dog owners and humane societies have long opposed such arbitrary and overly broad laws that penalize thousands of pit bull owners who maintain their canine companions properly and without incident, because of a small number who fail to properly train and control the dogs. Courts generally have permitted such ordi-

nances to stand, based on deference to the so-called "police power" of local governments to protect the public "safety and welfare."

The 20-year old, federal Americans With Disabilities Act (ADA), however, may put a stop to such "breed-specific legislation. The ADA protects measures designed to help persons with disabilities, which includes dogs used by disabled persons for assistance. Laws that outlaw ownership of entire breeds, including those that might be used for assistive purposes, would limit the ability of persons with disabilities to use such pets, and would violate the ADA and be deemed by the Justice Department to be unlawful.

In what some might consider a rare example of the federal government recognizing that laws can be overly broad and therefore harmful to individual liberty, the Justice Department's opinion on breed-specific legislation noted that such laws

sweep too broadly; and that it is inappropriate to outlaw an entire breed of dogs because a small number cause problems. Such problems are the result of owners not restraining their dogs properly or inadequately training them, and can be addressed by more narrow legislation.

Unfortunately, there are still those, like the mayor of Douglasville, Ga., who favor overly restrictive measures. The mayor recently noted in support of the city's proposed pit bull ordinance, that he had no problem singling out pit bulls, because he sees them "on TV" causing "incidents." One would hope that local government officials might on their own possess some understanding of limited government and individual liberty; but if the Justice Department at least in this instance will ensure that they do so by way of a federal law, then the feds are serving as an important check on excessive government power.



Around the nation: *Legislation that affects you*

Ten state legislatures and the District of Columbia are currently in regular session, and New York is in special session. To date, more than 1,200 bills at all levels of government have been tracked by Endangered Breeds Association, American Dog Breeders Association, American Kennel Club and other groups.

You should contact your state and federal representatives about concerns with these proposals.

MICHIGAN — Senate Bill 1503 seeks to regulate “commercial breeders,” defined as those who possess or maintain 25 or more unaltered dogs or cats over four months of age in whole or in part for the purpose of sale. Breeders are subject to inspection and cannot sell a dog until it has received all vaccinations, including rabies. The bill has been referred to the Committee on Agriculture and Bioeconomy.

MISSOURI — A statutory initiative, known as Proposition B or “The Puppy Mill Cruelty Prevention Act” will be on the November ballot. The initiative contains a 50-intact female ownership limit. The measure also includes a number of other standard care and conditions requirements for commercial breeders, which are already part of existing Missouri commercial breeder law. The Missouri Federation of Animal Owners and other groups opposed to this initiative lost a court challenge to change the measure’s language earlier this year.

NEW YORK — Assembly Bill 11684 seeks to ban devocalization of dogs and cats unless the procedure is medically necessary to treat or relieve an illness, disease, injury, or congenital abnormality that is causing (or may cause) harm to the animal. Before performing the procedure, the veterinarian must submit a report to the clerk of the municipality providing the reason for the devocalization and any diagnostic opinions or test results

that prove it is necessary. No one may sell a devocalized animal unless they have a copy of these records. The bill has been assigned to the Assembly Agriculture Committee.

OHIO — The Ohio General Assembly remains in recess and has not yet announced when it will reconvene to consider legislation. There are three bills of interest:

- **House Bill 55** — Revises penalties and clarifies Ohio’s animal cruelty provisions. It was amended on the House floor to remove breed-specific language (specifically, the term “pit bull”) from the state’s vicious dog definition. The amendment was added after House Bill 79, which sought to remove the breed-specific language, was stalled in a House committee. The bill now goes to the state Senate.

- **House Bill 570** — Seeks to provide an alternative to Senate Bill 95 (see below). It defines a commercial breeder as anyone who maintains at least five dogs used for breeding; promotes, advertises, operates, supervises, or manages the business of breeding dogs; or sells, leases, trades, barter or auctions dogs. The bill also limits ownership to 50 dogs, bans debarking, ear cropping, and tail docking, and allows for inspections and seizure of animals regardless of whether the kennel owner is present. The bill was introduced on Aug. 23, and has not yet been assigned to committee.

- **Senate Bill 95** — Seeks to regulate “high volume” dog breeding in Ohio, and was passed by the Senate State & Local Government & Veterans Affairs Committee. It defines “high volume dog breeder” as one who produces at least 9 litters and sells at least 60 puppies and/or adult dogs per year. Numerous amendments have been added, including ensuring breeder representation on the new Kennel Control Authority Board and eliminating the limits on breeding ages.

PENNSYLVANIA — Senate Bill 1417 transfers all duties prescribed in the state’s

“Dog Law” (including individual dog and kennel licensing, penalties, etc.) from the Pennsylvania Department of Agriculture to the Department of Health. The bill has been assigned to the Senate Agriculture and Rural Affairs Committee.

WISCONSIN — The Wisconsin Department of Agriculture, Trade, and Consumer Protection conducted a series of public forums in September to elicit feedback on proposed regulations for dog breeders who sell at least 25 dogs from more than 3 litters per year. This would include co-ownerships. The rules include exacting primary enclosure requirements and other problematic provisions.

NATIONALLY:

S.3424/H.R. 5434 — This legislation, known as the Puppy Uniform Protection and Safety (PUPS) Act, would require all breeders who breed and sell more than 50 puppies in a 12-month period to be regulated under USDA dog dealer regulations. Requirements would include obtaining an annual USDA license, maintaining minimum federal standards of care, and regular inspections at least biennially. It also would require that breeding dogs receive daily access to exercise that is sufficient to maintain normal muscle tone and mass, provides the ability to achieve a running stride, and is not a forced activity. S.3424 has been assigned to the Senate Committee on Agriculture, Nutrition, & Forestry. H.R. 5434 is assigned to the House Committee on Agriculture. No hearings have been scheduled for either bill.

H.R. 5422 — This bill provides grants to states that ban debarking “for purposes of convenience”. The grants, which may be up to \$1 million, must be used to fund “activities that prevent or promote the prevention of cruelty to animals”. This bill has been assigned to the House Committee on Agriculture. No hearings are scheduled.



**ABOUT THE
ENDANGERED
BREEDS
ASSOCIATION**

(EBA) is a non-profit organization founded in 1980 for the purpose of preserving the American Pit Bull Terrier. Our goals are public education, media monitoring, legislative lobbying, and legal intervention to protect responsible owners from breed-specific legislation and unfair harassment by public officials or agen-

cies. We oppose animal abuse or any illegal activities with animals. Membership is \$15-single and \$20-family per year or \$300-lifetime with members receiving three newsletters a year. Canadian and overseas members please send US dollars money orders only. All memberships expire Dec. 31 of each year.

EBA MEMBERSHIP APPLICATION

(PLEASE PRINT CLEARLY!)

Name (s) _____ Occupation _____
 Address _____ City _____ State _____ Zip _____
 Phone _____ E-mail _____
By providing your e-mail address, you agree to receive your newsletter via e-mail.
 Membership type: New _____ Renew _____ Single _____ Family _____ Lifetime _____

Information packet included

Please make check or money order payable to the Endangered Breeds Association and mail to:
 Joan Morrison, Route 1, Box 71, Gore, OK 74435

ENDANGERED BREEDS ASSOCIATION
 Route 1, Box 71
 Gore, OK 74435