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dvm NEWS

OVMA readies to weigh in on dangerous dog law

By Jennifer Fiala
SENIOR EDITOR

COLUMBUS, OHIO—An Ohio Supreme Court decision deeming the state's dangerous dog law unconstitutional has veterinary leaders and dog wardens on high alert.

In a 4-3 decision, justices stripped wardens of their authority to determine whether dogs are vicious and/or dangerous — a move critics claim impacts public protection. At the same time, the ruling leaves the injured law vulnerable to attempted rewrites from stakeholders on both sides of the issue.

At presstime, the Ohio Veterinary Medical Association's (OVMA) Legislative Committee awaits lawmakers' attempts to open Ohio Revised Code (ORC) 955.22 in an effort to rework the dangerous dog directive that, among other things, claims Pit

Pit Bulls bear brunt of breed bans

By David Frabotta
MANAGING EDITOR

COUNCIL BLUFFS, IOWA—The City Council joined the almost 200 municipalities nationwide to enact some sort of breed ban, according to the American Canine Foundation, a Belfair, Wash.-based cooperative that actively fights breed-specific legislation. The ordinance prohibits the ownership, possession, transportation or harboring of any American Pit Bull Terrier, Staffordshire Terrier or any dog displaying the majority of physical traits of a Pit Bull.

The proposal allows current owners to keep dogs if they comply with certain regulations:

- Proof of at least \$100,000 liability insurance
- Proof of spay or neuter
- Compliance with leash laws in public and containment when at home
- Notification of lost, stolen or deceased dogs
- Notification of a litter to the Public Health Department
- Insertion of an identifying microchip from the Council Bluffs Animal Shelter.

A licensed veterinarian, as well as the city animal shelter, can temporarily harbor any Pit Bull for the purpose of care and treatment of the animal or to comply with the ordinance. The law takes effect in 2005.

The Iowa Veterinary Medical Association (IVMA) opposes so-called dangerous dog legislation that bans entire breeds, but the association did not fight the specific ordinance.

"The only way we catch something like this is in the newspaper or a member lets us know about it," says Tom Johnson, executive director of IVMA.

The association supports removing or euthanizing a dangerous dog that has injured or killed any person or domestic animal more than once.

"A dangerous dog is any dog that has, without provocation, injured or killed any person or domestic animal," the IVMA conveys in its position statement.

The IVMA supports the establishment of a dog-bite registry that would microchip animals with dog-bite histories.

Nice doggy, aye?

The entire province of Ontario, Canada is well on its way to banning Pit Bulls via verbiage from provincial Attorney General Michael Bryant, who suggests that the breed is "genetically predisposed to being dangerous."

The Canadian Veterinary Medical Association argues that the same is true for all dogs.

"We at the CVMA feel that banning a specific breed or group of breeds will be an exercise in frustration and likely will not solve any problems. Dangerous dogs and legislation about dangerous dogs should be taken one case at a time," says Dr. Keith Campbell, president of CVMA. "Historically, people who want aggressive dogs will get them, whether they are Pit Bulls, Rottweiler or mixtures of different breeds. So owners of the dogs must take responsibility for the actions of their dogs; they have to be prepared to keep the dogs under control at all times, and they have to train the dogs well."

Specific breed bans might give people a false sense of security by indicating that permitted dogs are safe despite risky behavior that might prompt a dog to bite, Campbell says.

"We think this is a difficult piece of legislation to enact and enforce because someone is going to have to decide what types of characteristics constitute a dangerous breed or cross-breed of dog," he says. "So the decision of what dogs are subject to the ban is fairly arbitrary. ■"



Jack Advent

Bulls are a dangerous breed. For that reason, the public will be best served if veterinarians have their hands in the review, OVMA Executive Director Jack Advent says.

"The biggest issue in this, quite honestly, is the one that deals with breed specific mention in Ohio law," he says. "Once the law's opened, people are going to argue whether it's fundamentally flawed because it discriminates against a specific breed. We'll be that scientific voice of reason in the middle of what I'm sure will be an emotional debate. There's no question in my mind that we have an important role to play."

Taking a stance

While OVMA has no formal position on breed specific language, Advent surmises the group will mirror the American Veterinary Medical Association's (AVMA) stance, which supports dangerous animal legislation provided it does not refer to specific breeds or classes of animals.

"My instinct is that OVMA will say clearly, breed specific legislation is the wrong way to go," he says. "We're going to review the decision as well as the current law as it pertains to vicious dogs and look at it in the context of what modifications might be beneficial to the existing statute. We're trying to anticipate what might be proposed and how we should react. I hope that as lawmakers look at this issue, they ask for our opinions."

Protecting society

Tom Skeldon, of Lucas County, wants lawmakers to consider dog wardens' views, too. While breed specifics don't weigh heavily on Skeldon's mind, the dogcatcher who covers the Toledo area claims the Supreme Court erred on the side of dogs, not constituents, and the decision bars him from doing his job.

"Because of this ruling, if a dog went

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