



Animal Protection Voters

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Dear Legislator:

Animal Protection Voters has recently learned that during the upcoming 30-day legislative session, Senator Sue Wilson Beffort plans to introduce legislation that has us and many other animal advocates very concerned. Senator Wilson Beffort proposes to amend the state's Dangerous Dog Act by specifically targeting so-called "pit-bulls" as dangerous dogs. It also would add new registration requirements and responsibilities for dog owners and amend sections related to the seizure of dogs.

Animal Protection Voters has been deeply engaged in the issue of dog bite safety for decades. Specifically, in 2005 we spearheaded and lobbied extensively for the passage of the Dangerous Dog Act, recognizing, along with law enforcement officials, that people needed to be held more accountable for harboring animals that can maim and kill other animals and even people.

Given our understanding of the proposed legislation, we oppose Senator Wilson Beffort's bill and we've asked Governor Martinez not to message it. In case a message *is* given, however, we respectfully ask that you not support the bill for the following reasons:

1. The proposed breed-specific bill will not help address issues of public safety in relation to dangerous dogs.

Any type of dog has the potential to bite.¹ It is well-documented that rather than being correlated with specific breeds, the root causes of dog attacks or bite incidents are neglect, cruel abuse and abandonment. Maltreatment of pit bull-type dogs in New Mexico is extremely common, since many of these dogs are acquired for purposes of guarding, displaying a tough image and dog fighting. Popular large breeds, such as pit bull-type dogs so numerous here in New Mexico, appear more often in dog attack/bite statistics precisely *because* of their prevalence, and because big dogs physically can do more damage if they do bite. Zeroing in on pit-bull type dogs will not make the public safer. It is worth noting that the dogs involved in killing Margaret Salcedo of Truth or Consequences were apparently horribly abused by their owners.

2. Responding to dog bite and attack incidents through breed-specific legislation leads to a false sense of security² and should be considered a rash and poorly conceived response.

The legislature could take many actions that would directly and indirectly lead to fewer dog bite incidents and attacks, but breed-specific legislation is not one of them. We would be very supportive, for instance, of legislative initiatives to address the overpopulation of dogs, improper or lack of training, and the neglectful conditions in which so many dogs are kept. Meaningful funding of statewide spay-neuter programs, humane education and humane dog training programs, enhanced consequences for people who neglect their animals, and improved inter-agency cooperation and training would all comprise an effective response to dog bite incidents and attacks.

3. The state's Dangerous Dog Act, as it currently stands, correctly focuses on behaviors of individual dogs and their owners.

The statute holds dog owners criminally and civilly accountable if their dogs cause harm and prescribes ways to identify, register, handle and house dangerous or potentially dangerous dogs. Animal Protection Voters would consider supporting amendments to the statute to allow for financial restitution to victims, making it even clearer that people must be held accountable for what their dogs do.

4. Senator Wilson Beffort's proposed bill will create a new set of problems, beginning with the fact that it is virtually impossible to identify and articulate what is a "pit bull." In addition, her bill will create costs to owners of many types of animals, such as requiring them to purchase liability insurance based on faulty and unenforceable provisions. The registration process also will be problematic, particularly in rural areas.

Animal Protection of New Mexico (APNM), the non-legislative arm of Animal Protection Voters, continues to work on ways to address the exact issues presented here by reaching out to enforcement agencies statewide with training opportunities. APNM is currently in the process of extending outreach to New Mexico Children, Youth and Families Department (CYFD) and other human service agencies to encourage timely reporting to animal control agencies situations that signal dangerous conditions for animals and people. APNM also provides dog safety and humane education presentations for students, community groups and enforcement personnel, and sees a benefit of extending the same education to employees at CYFD and other similar agencies.

Animal Protection Voters is committed to identifying and implementing pragmatic and effective solutions to the problems facing animals and people in our state. Therefore, we respectfully ask that you not support Senator Wilson Beffort's proposed legislation.

Sincerely yours,



Elisabeth Jennings
Executive Director

¹ The Centers for Disease Control and Prevention and the American Veterinary Medical Association agree that dogs – of any breed – may show aggression for many reasons: being provoked or fearful; being protective of an owner or of territory; being chained, isolated or abused; being stray, injured or untrained; and not spayed or neutered. Other possible causes include inherited and learned behaviors, bad breeding, poor socialization, poor physical condition, size and individual temperament.

² A 2001 report by the American Veterinary Medical Association's Task Force on Canine Aggression and Human-Canine Interactions concludes that singling out any one breed for control - as in Senator Wilson Beffort's draft bill - can result in a false sense of security and will not result in a responsible approach to protecting people.