

AMERICAN BAR ASSOCIATION (ABA) URGES REPEAL OF ALL BREED-SPECIFIC LAWS

On Monday, August 6, 2012, the American Bar Association (ABA) House of Delegates, meeting at the 2012 ABA convention in Chicago, approved a resolution urging “all state, territorial, and local legislative bodies and governmental agencies [. . .] to repeal breed discriminatory or breed specific provisions.”ⁱ

This comprehensive recommendation is accompanied by an extensive report detailing the legion of problems associated with breed specific regulation, including significant questions of due process; waste of government resources;¹ documented failure to produce safer communities;² enforcement issues connected with identifying the dogs to be regulated or seized;³ and infringement of property rights.

The [American Bar Association \(ABA\)](#), founded in 1878, considers itself to be the world’s largest voluntary professional organization, with some 400,000 members. In addition to being dedicated to accrediting the nation’s law schools and providing practical resources for legal professionals, the ABA prides itself in working to improve the administration of justice.

In addition to urging repeal of all breed specific regulations, Resolution 100 endorses “breed-neutral dangerous dog/reckless owner laws that ensure due process protections for owners, encourage responsible pet ownership and focus on the behavior of both individual dog owner and dogs[.]”⁴

With the passage of Resolution 100, the ABA adds its name to the long list of national organizations that oppose breed specific regulation and/or urge repeal, including the American Veterinary Medical Association (AVMA) and the National Animal Control Association (NACA), the association of animal services professionals charged with enforcing the nation’s animal ordinances.⁵

Last updated August 8, 2012

ⁱ The source materials for this commentary are: American Bar Association (ABA). Resolution 100. (August 2012). [Text of Adopted Resolution and Report]. Accessed at: <http://www.abanow.org/2012/06/2012am100/>

Cassens-Weiss, Debra. Annual Meeting of the ABA House of Delegates. (August 6, 2010). Pit Bull Bias? ABA House OKs Resolution Urging Breed-Neutral Dog Laws. *ABA Journal*. Accessed at: http://www.abajournal.com/news/article/pit_bull_bias_aba_house_oks_resolution_urguing_breed-neutral_dog_laws/

NOTES

1. See: [Best Friends Animal Society's Breed Discriminatory Law \(BDL\) Fiscal Impact Calculator](#).
2. See these additional NCRC Commentaries for reference: [The Worldwide Failure of Breed-specific Legislation](#); [Denver: Selective Counting and the Cost to People and Pets](#); [Maryland's Experience: the Public Record and the Tracey v Solesky Ruling](#); [Miami-Dade County: No Positive Results](#); [Dog Breed-Specific Legislation: The Cost to people, pets and veterinarians, and the damage to the human-animal bond \(AVMA Convention, July 11 - 14, 2009 Seattle, Washington\)](#), and [Sioux City Breed Ban Misses the Mark](#). Additional commentaries are accessible [here](#).
3. See also: [A Comparison of Visual and DNA Identification of Breeds of Dogs](#), by Victoria L. Voith, PhD, DVM, DACVB. Published in Proceedings of Annual American Veterinary Medical Association (AVMA) Convention, July 11-14, 2009 Seattle, WA. (See also: Voith, V., Ingram, E., Mitsouras, K., & Irizarry, K. (July 2009). Comparison of Adoption Agency Identification and DNA Breed Identification of Dogs. *Journal of Applied Animal Welfare Science*. 12(3). 253-262.) A poster illustrating the project, which was presented at ACVB/AVSAB July 2010 can be viewed [here](#).

Also refer to "[Dog breed identification is no basis for shelter policy](#)," an NCRC commentary on a study report and poster authored by Kimberly R. Olson, BS and Julie K. Levy, DVM, PhD, DACVIM, of the Maddie's® Shelter Medicine Program, University of Florida and Bo Norby, CMV, MPVM, PhD, of the Department of Large Animal Clinical Sciences, Michigan State University. The poster can be viewed [here](#).

4. See also NCRC's 'Responsible Pet Ownership' information. [Click here to open these webpages](#).
5. See also related statements from the CDC and AVMA on this subject by clicking [here](#). Click [here](#) to view the NACA statement regarding breed-specific legislation (which can be read under the section heading 'Extended Animal Control Concerns').

Also see this NCRC report summarizing a recent AVMA Task Force Report (AVMA Animal Welfare Division. (17 April 2012) The Welfare Implications of the Role of Breed in Dog Bite Risk and Prevention) for further reference: ['Pit Bull' Regulation Not a Basis for Dog Bite Prevention](#).