

June 12, 2012

TO: THE PEOPLE OF LEGISLATIVE DISTRICT 8

APPEALS COURT PIT BULL DECISION SHOULD BE OVERTURNED BY LEGISLATURE

On April 26, the State's highest court shocked the legal community, the Legislature and the world of dog owners by its ruling that for purposes of liability, pit bulls are inherently dangerous. In its decision, the Court ruled against a Baltimore County landlord whose tenant's pit bull mauled a 10-year old boy. The decision automatically repealed Maryland law which held that a bite victim seeking damages would have to prove that the dog's owner knew the pet had a history of being violence-prone and dangerous.

Without any notice or opportunity to appeal the decision, owners of pit bulls and mixed pit bulls were given two choices. They could take their dog to a no-kill shelter or release the animal into the wild. It should be noted that many shelters are so crowded, they are forced to put down some animals. Not all pit bulls are dangerous, unless they are abused or trained to attack. Nevertheless, the court has branded all pit bulls dangerous; whether or not they are. And the court has sentenced all pit bulls and pit bull mixes to abandonment and almost certain death.

The president of the Maryland Dog Federation, Adrienne Greenbelt, points out that visually identification of a dog breed is highly subjective and inaccurate. Costly DNA testing is the accurate way to identify a breed. There is simply no agreement among experts about what is and what is not a pit bull. According to the Humane Society of the United States, thanks to the Court of Appeals decision, Maryland is the only state that officially regards pit bulls and pit bull-type dogs as categorically dangerous.

I am a member of the 11-member Joint Task Force that has been appointed to study the court decision and make recommendations on possible legislation. The panel is directed to review state law and laws in other states, as well as the viability and definition of breed-specific standards in Maryland law, a dog owner or landlord's ability to secure property insurance and existing breed specific prohibitions in local jurisdictions.

Several bills, dealing with the court decision are slated for introduction in the upcoming July 9 special session. Meanwhile, until the Legislature acts, the court ruling will have a profound effect on dog owners and their pets, property owners, tenants and landlords. I am hopeful that the Task Force and the Legislature will work together to resolve an unfortunate situation created by the court decision.

Please do not hesitate to contact me on this or any other legislative issue of concern to you. I continue to encourage and welcome your input.