

# Denver pit bull ban draws dog lovers' ire

## Protesters smuggle canines to safety

By Jeff Kass, Globe Correspondent | July 6, 2005

DENVER -- Within the last month, more than 200 pit bulls have been plucked from the municipal animal shelter and euthanized as the city cracks down on the sometimes-dangerous breed. That has sparked a petition drive to overturn the pit bull ban and fueled a sort of canine underground railroad in which dog lovers secretly ferry the outlawed animals out of town.

Some say they will move out of the city rather than see their beloved pit bulls killed.

"I will do whatever it takes to get the animals to safety," said Boulder resident Rita Anderson, who is heading rescue efforts. She owns two dogs that she believes may have some pit bull in them.

The Denver City Council, meanwhile, is standing by enforcement of the ban that was renewed May 9 after a court battle. "The problem is when you have a specific breed used for dogfighting and to protect drug premises," said Councilwoman Carol Boigon. "They're trained to be rough."

Denver's ban has reignited the debate on whether the dogs or their human handlers are to blame for vicious behavior and who should pay. A number of municipalities, including Prince George's County in Maryland, have banned pit bulls, and supporters fear Denver's recent action will prompt more to follow.

The history behind Denver's ban dates back more than 20 years. From 1984 to 1989, according to the city's website, Colorado saw 20 pit bull attacks. In Denver, that included the 1986 death of a 3-year-old boy and the 1989 mauling that left the Rev. Wilbur Billingsley, 59, with more than 70 bites and two broken legs. The same year as Billingsley's attack, the City Council passed a resolution banning the dogs from Denver. The ban survived a prompt court challenge, but ran up against state law. In 2004, Governor Bill Owens signed a bill prohibiting local governments from regulating a specific breed, though a pit bull technically is not a single breed, but a catch-all term for a variety of breeds.

Denver suspended enforcement of its ban while it challenged the state law, arguing that the city had a right to regulate specific breeds within its borders. Denver prevailed and resumed enforcement of the ban.

The number of pit bulls in the city is difficult to determine. In 1989, when the city passed the ban, Denver counted 224 registered pit bulls. But the number of impounded pit bulls has been steadily rising during the last few years, from 103 in 1999 to 652 in 2003.

"If you judge the success of the program by the number of pit bulls we're impounding, then we're getting more success," said Doug Kelley, Denver animal control director. "If you judge by the number who keep choosing to have pit bulls and break the law, then we're not."

The misdemeanor penalty for harboring an illegal pit bull is a fine of up to \$1,000 and a year in jail.

Boigon, who supports the ban, said generations of breeding pit bulls to fight has made them violent. "This is a strategy we have for managing a breed that is being encouraged not to be its best self," the at-large councilwoman said.

Pit bull supporters say the dogs are actually less violent than other breeds. They point to statistics from the Georgia-based American Temperament Test Society, which shows a relatively high 83.4 percent passage rate of 469 American Pit Bull Terriers tested for temperament. The dog is put through a series of scenarios, from being approached by a stranger to hearing gunshots. The tests measure characteristics such as shyness, aggressiveness, and friendliness. One of the lowest rates was registered by bearded collies; a little more than half, or 23 of 43 dogs tested, passed.

The Washington-based Humane Society of the United States opposes breed-specific bans such as Denver's because the organization said many factors, including how the dogs are treated, determines violence.

"Breed is one part of what can go into whether a dog will bite," said Stephanie Shain, director of companion animal outreach. "But pulling out that one piece of five or six things just does not make sense."

Some alternatives offered to an outright ban include stiffening penalties for dogs that are caught running loose, because they may be more likely to bite. Some suggest that pit bulls be required to undergo temperament testing and be muzzled in public and their owners be required to carry insurance.

Kelley, the animal control director, said he is reviewing such proposals with the city attorney's office, but ultimate approval lies with the City Council. Boigon, however, has already expressed reservations, indicating that more monitoring could be costly, and the city has more important concerns.

Opponents of the ban aren't waiting. More than 100 people rallied outside City Hall after the ban took hold, and they say they have gathered more than 2,000 signatures to rescind the ban.

For now, a network of volunteers will continue to drive illegal pit bulls to the Mariah's Promise Animal Sanctuary in the southern Colorado mountain town of Divide, about 100 miles from Denver. So far, the sanctuary has taken in about 30 pit bulls.

If an animal control officer comes to the door looking for an illegal pit bull, volunteers are urging dog owners to deny them entrance and demand a search warrant. In the meantime, pit bull owners are told to call the "underground railroad" to have the dog ferried out of town or temporarily placed in one of the many safe houses inside and outside of Denver.

Sonya Dias, who has been helping lead the opposition to the ban, lives just outside Denver's downtown in the Capitol Hill neighborhood. Her pit bull, Gryffindor, is now at Mariah's Promise, and her stylish loft is for sale for \$259,000.

"It's the equivalent to me of saying, 'You have to give up your children,' " she said. ■

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