



Best Friends Animal Society

SAVE THEM ALL

November 30, 2016

C.F. 15-0002-5182

City Clerk Holly Wolcott
200 N. Main St, Rm 360
Los Angeles, CA 90012

Action needed: Amendment to state vicious dog definition (Assembly Bill 1825)

Dear City Clerk Wolcott:

Governor Brown recently signed into law Assembly Bill 1825, which struck part of the definition of "vicious dog" found in Section 31603 of the Food and Agricultural Code ("Section 31603"). Specifically, the state deleted part (a) of the definition, which had previously designated all dogs "seized under Section 599aa of the Penal Code and upon the sustaining of a conviction of the owner or keeper under subdivision (a) of Section 597.5 of the Penal Code" as "vicious."

We were so thankful for the city's support of AB 1825 when it was under consideration and appreciate your recognition that all dogs rescued from fighting situations can and should be judged as individuals and evaluated as such.

As a result of the new law, the state no longer considers dogs and puppies seized from convicted dog fighters to be per se vicious. California is now the 40th state that gives all victims of dog fighting a second chance at life.

Indeed, in the most high-profile dog-fighting case in recent memory, some of the dogs seized from Michael Vick have become therapy or service dogs (and many also went on to become loving family pets). Their stories can be seen in the documentary film, The Champions.

The new law also reflects the recommendation of the American Bar Association, which passed a resolution in 2011 urging states and municipalities to allow for individualized evaluations of all dogs, including the victims of dog fighting. All of these dogs will now have that opportunity on the state level, and they most certainly should have it on the municipal level as well.

The City of Los Angeles dog ordinance is in need of updating. The definition in your community's ordinance does not reflect the most current approach to handling these dogs and it also no longer reflects state law. As noted, victims of dog fighting can and do live wonderful lives as family pets and should be afforded the same opportunities as any other dog brought into a shelter setting- individualized assessment and adoptive placement, when appropriate.

Sadly, because of the arbitrary "vicious" label automatically assigned to these dogs in your county it makes it nearly impossible to find them loving homes. Updating your ordinance to reflect the new state law would solve this problem and help create more forever homes for these dogs and the people that love them.

Best Friends Animal Society was the primary organization that pushed to enact AB 1825 and we have worked on similar laws throughout the country. If you have any questions or concerns, we are here to help you with the language or to understand the rationale behind the bill.

Please don't hesitate to contact me if there is anything I can do to be of assistance.

Sincerely,

Handwritten signature of Lee Greenwood

Lee Greenwood, Esq.

Enclosure

RECEIVED
CITY CLERK'S OFFICE
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BY CITY CLERK
DEPUTY

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California
LEGISLATIVE INFORMATION

AB-1825 Vicious dogs: definition. (2015-2016)

Assembly Bill No. 1825

CHAPTER 97

An act to amend Section 31603 of the Food and Agricultural Code, relating to dogs.

[Approved by Governor July 25, 2016. Filed with Secretary of State July 25, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1825, Gordon. Vicious dogs: definition.

Existing law provides for the designation and disposition of certain categories of dogs as potentially dangerous or vicious dogs pursuant to a specified judicial process, and requires that designation to be included in the registration records of the dog. Existing law defines the term "vicious dog" to include, among others, dogs seized pursuant to specified animal cruelty laws.

This bill would delete this category of dog from the above-specified definition of "vicious dog."

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 31603 of the Food and Agricultural Code is amended to read:

31603. "Vicious dog" means any of the following:

(a) Any dog that, when unprovoked, in an aggressive manner, inflicts severe injury on or kills a human being.

(b) Any dog previously determined to be and currently listed as a potentially dangerous dog that, after its owner or keeper has been notified of this determination, continues the behavior described in Section 31602 or is maintained in violation of Section 31641, 31642, or 31643.