

Dog Bite / Dangerous Dog



West Linn Municipal Code 5.250: Dangerous Dog: Any dog, which bites any human being, dog, cat or livestock, or which chronically, demonstrates menacing behavior toward human beings, dogs, cats or livestock. For purposes of this section, “menacing behavior” shall include, but not be limited to, bared of teeth, charging at a victim, growling in a threatening manner or approaching a victim within ten feet while barking.

How to Avoid a Dog Bite:

- Do not approach strange or loose dogs, stare a dog in the eyes (this is challenging or a threat), hug or pull on their ears or tails, put your face near a dog's face. Never pet a strange dog without permission from the owner first. Always allow a dog to sniff you and wait for the tail wag before trying to pet it.
- Watch for body language: barking, growling, ears layed back, snarling with teeth bared, or a dog circling around you with hackles raised are all signs of warning behavior.
- Fear signs: A dog which is cowering, tail between its legs, backing away are signs of a fearful dog. Stop trying to approach it.
- Do not run away. Do not turn your back. Do not scream or cry, as this might excite the dog more. Slowly walk away sideways away from the dog. Do not force or try to discipline behaviors in an unknown dog. Do not approach or touch injured or trapped dogs. They may bite out of fear or pain. Instead call your local animal control, which has the appropriate equipment to deal with the problem safely.
- Never try to pet a dog in a car or pickup truck. They may appear to be friendly but if you encroach or make what they perceive as a threatening motion toward their territory they may bite.
- Never break up a dogfight with your hands or legs.
- If you are riding a bike, jogging, or skateboarding and a dog starts to chase you, stop, turn to face the dog and yell “No!” or “Go Home!” If you flee they will continue to chase you. Carry a walking stick or umbrella with you when you walk (especially if you walk with small breed dogs).

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- Dog repellent and pepper spray will work as deterrents, but due to wind conditions and other factors, if you are not experienced in using it; you stand a fairly good chance of spraying not only the aggressive dog, but your dog and yourself as well.
- If a dog makes repeated charges at you, try to use whatever you're carrying or something near you as a shield between you and the dog (your bike, clipboard, skateboard, a garbage can, etc.) and use a firm and authoritative voice.
- In the event of a violent dog attack, especially if the dog knocks you down, try to get your forearm (preferably wrapped in a jacket or coat) or an object you are carrying, out in front of you to take the bite. The dog is going to bite whatever it gets to first. By offering your arm you may save your face, neck, chest, or other areas that may suffer permanent (loss of eye, artery puncture, etc.) or severely debilitating injury if savagely bitten.

Why do Dogs Act Aggressively or Bite?

Dogs do not bite randomly...there is always a reason. Unfortunately, that reason may only be readily apparent to the dog. Dogs do not attack out of plain meanness or viciousness. The majority of all attacks, bites and menacing encounters occur due to lack of proper training, socialization, confinement, or may occur due to fear, possessiveness, jealousy, chase response or accidentally during a dog fight.

Many dog bites occur because the dog feels a need to protect "their" territory or pack (you and your family). Unfortunately, for the improperly confined or socialized dog this territory may erroneously include the sidewalk, the street, and surrounding properties. When a dog charges out at a jogger or bicyclist, or runs barking and snarling at the mail carrier, the dog is not doing it out of viciousness, it is simply doing what it instinctually sees as its job...protecting its territory and pack (you and your children).

Dogs also may bite or charge people in defense of their puppies. NEVER approach a dog with puppies. Even if you know the dog, have the dog's owner pick up the puppy and hand it to you. A mother dog is not bluffing when she growls or snarls.

Possessiveness: Dogs sometimes bite out of possessiveness. A dog's possessions may be food, bones, balls, sticks and Frisbees, but could include anything from the dog's bed to the recliner it uses to watch TV. Bites or menacing behavior may occur if you try to snatch something from the dog or take control of one of the dog's toys or possessions.

~ How to Prevent it:

- Train your dog. Teach your dog to drop toys on command. Never permit your dog to growl or snap if you handle its food, toys or bed.
- Do not allow your dog to get onto furniture, or if you do, make sure it knows and respects the command "Off".
- Always make sure your dog knows the people in the pack outrank it and so they have the right to the dog's toys, food bowls, etc.
- If your dog already shows possessive type behaviors, for your SAFETY, seek the help of a qualified dog trainer if you are not experienced in correcting undesirable behaviors.

Jealousy: Some dogs get jealous of the attention their owners give friends or even other family members, and may express their jealousy by nipping and biting.

~ How to Prevent it:

- Train your dog. Make sure that your dog receives plenty of attention each day, and if it is feeling left out, or you have been away for an extended period of time (a trip, or extra long work day) it will help to show extra affection to the dog.
- Always assert control over your dog so it isn't allowed to growl, bark or behave aggressively when inappropriate.

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Chase Response: Dogs may bite when their chase response is triggered. Many dogs will chase whatever is moving...be it sticks, cars, joggers, or other animals. Trying to stop it, they will grab it with their teeth, and that is when a bite happens.

~ How to Prevent it:

- Train your dog. Be sure that your dog is never outside without proper leash or fencing.
- Practice your dog's recall so your dog responds instantly to a recall, no matter what the stimulus.
- Sometimes in emergencies, a dog that will instantly drop to a "down" command no matter how distant the owner, or what the dog is doing, has better results in the end than a recall.
- Never allow your dog to chase people, bicycles, cats, or cars. Better to train it to chase "appropriate" targets such as balls and Frisbees.

Dog Fights: During a fight, dogs bite at whatever's near. Many dog owners are bitten trying to break up a dogfight. When in combat, dogs go for each other's neck, and the owner who tries to restrain his dog by reaching for a collar is right in the line of fire.

~ How to Prevent it:

- Properly socialize your dog. Most dog fights occur when dogs are not properly socialized or isolated from contact with other dogs.
- SPAY and NEUTER! Many fights are the result of intact males fighting over a female in heat.
- Train your dog. Teach your dog it is not appropriate to bark, growl or act aggressively at other dogs, especially in a social setting.
- If your dog has dog-aggressive tendencies keep it leashed and out of off leash parks!
- If your dog already shows dog-aggressive tendencies, or was not properly socialized as a puppy, consult a qualified dog trainer to help fix the problem.

What is a Trespasser?

West Linn Municipal Code 5.260 (6): maintains "It shall be an affirmative defense that a dog bites, attacks, or menaces a trespasser on the property of its keeper". A trespasser is someone who enters or remains on a property or in a vehicle unlawfully.

This does not include: Postal employees or mail carriers, UPS, FedEx or other delivery drivers, newspaper carriers/delivery people, meter readers/gas or electric company employees or any other like person.

If your dog menaces or bites anybody who has an assumed or implied right to be on your property, you may be charged with keeping a dangerous dog. To ensure the safety of people, if you know your dog is very protective or aggressive, be sure they are confined in a manner that prevents them from reaching the mailbox, newspaper box or front porch.

If that is not possible, clearly post your property with "Beware of Dog" or "Dangerous Dog" signs and make other arrangements for the picking up of parcels and mail.

Postal Service and many other delivery services could stop delivery to your home if one of their employees is menaced or bitten by your dog? For the safety of their employees they will not restart delivery to your address until they are certain the dog is gone from the premises.

Financial Thoughts:

If your dog bites or attacks a person or a pet you may be required to pay all costs incurred by the victim for medical expenses. This can get very expensive, as many bites damage the muscles, tendons, or nerves, and may require

surgery or extensive rehabilitation to correct. A bite to the face may require plastic surgery. Dog bites can cause people to be unable to work.

All dog owners should be certain their homeowner's or renter's insurance covers them for liability in the event their dog bites someone. Also be aware if your dog does bite someone, you will most likely end up paying very high premiums to continue to cover that dog, or the insurance company may cancel your coverage altogether if you do not get rid of the dog.

You will also be responsible for any fines the court chooses to impose for keeping a dangerous dog. Impound and daily boarding fees for the ten days that your dog will be quarantined (if home quarantine is not approved) will also be your responsibility.

Could My Dog Be Showing Signs of Aggression?

The majority of all dogs, which become aggressive or show potentially dangerous behaviors don't get that way over night. Watch for signs your dog may be headed toward inappropriate aggression and seek help immediately from a qualified dog trainer or dog behaviorist to stop the problem before it ends in a biting or other type incident that may get it classified as a dangerous dog. Watch for the following signs:

- Your dog is overly protective of the premises and will not respond to commands to stop barking or growling at visitors. If your dog (assuming its properly trained in the first place and understands what you are asking) refuses to respond to commands, especially those involving interactive behavior.
- Your dog chases cats, squirrels or other animals while barking or growling. Your dog chases or lunges out at passing cars and bicyclists and will not heed your correction.
- Your dog lunges at other dogs while you are out walking. Your dog attacks or charges the fence at neighbors or passerby's. If the dog ever growls at children.
- If your dog ever growls, bares its teeth or shows other signs of aggression when you try to get it off of furniture, make it go outside, into a kennel, or do anything else it doesn't want to do.
- If your dog ever growls, bares its teeth or shows other signs of aggression if you touch its food-dish or toys. If your dog ever attacks or kills another animal.
- If your dog becomes so aggravated it becomes destructive (ripping boards off of fences, breaking windows or screens, etc.) to get out at a delivery person or visitor at the front door or a passerby in front of your house.
- If your dog begins to exhibit dominant behavior while in an off-leash park or other place where it is free to interact with other dogs.

Chasing...Harmless "Natural" Fun or Dangerous Behavior?

Chasing (or prey-drive) is a normal, strongly ingrained instinct in dogs. It does not mean, however, it is appropriate for dogs to chase animals or people. When a dog owner is charged with keeping a dangerous dog because their dog has chased (or chased and killed) a cat, inevitably the response is there is nothing wrong with their dog..."All dogs chase cats...all dogs will kill cats...it's what they do." And guess what? They are right. All dogs will chase something that runs, and if they catch it, many of them will end up killing the smaller animal, even if it is only accidental.

When dogs are taught to play with squeaky toys, ropes and rubber tug toys, owners encourage ripping and shaking and tugging. When that occurs with a smaller dog, cat, bunny or other small animal it usually results in death. Many large dogs do not intentionally kill what it is they've chased down. They simply do not understand they may be much bigger and stronger than the smaller animal or are acting instinctively.

When dogs get into a field with livestock, a chicken coop, a duck enclosure or rabbit hutch, it is not viciousness or bad temper that drives them to kill. It is the natural prey-drive they are all born with. This behavior seems to be more predominating in many of the working breeds, probably due to the tendency to breed high drive into these dogs.

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A dog's hands are their teeth, so when the herding dog attempts to stop the fleeing animal (or jogger), or move the children away from an area, or a hunting dog chases something down, they grab it with their teeth. Vicious? No. Instinctual and natural? Yes.

That is why it is every dog owners' responsibility to teach their dogs it is never appropriate to chase animals or people. Dogs can be trained not to chase cats, birds, small animals and people.

Also, be sure your dog will respond to commands, and never allow the dog to be outside if it is not leashed or confined behind a sturdy fence. Know where your dog is at all times.

When a dog chases an animal or kills a cat, or other animal, it is not the fault of the dog. It is solely the fault of the dog owner. Dogs do not know any better, therefore, it is up to you to be sure your dog has the proper training and skills to live in an urban setting, where it will be exposed to situations where chasing can lead to a dangerous dog classification or an order for the dog's destruction.

West Linn Municipal Code 5.290: Seizing Certain Dogs. A dog found biting a person or which has bitten any person may be summarily seized by any person and promptly delivered to any member of the police department or the dog control officer for impounding. The West Linn Police Department or the dog control officer may allow impoundment of the dog in the keeper's home if the person is bitten on a part of the body below the neck.

Quarantine Procedures:

If your dog bites somebody and the skin is broken Oregon law requires your dog be quarantined for 10 days.

In the event a bite occurs above the shoulders, Oregon State Law **REQUIRES** the dog be impounded for quarantine. The officer has no discretion in the matter of a bite that occurs above the shoulders and breaks skin. They must impound the dog for quarantine. If the dog owner cannot show proof of current rabies vaccination the officer must impound the dog for quarantine. Always make sure your dog is wearing its current license as proof of rabies vaccination and keep vaccination records in an easily accessible place.

The officer, based on the following Home Quarantine Checklist, decides upon the method of quarantine:

Circumstances surrounding the bite incident:

- Was the attack provoked?
- Was the dog at large at the time of the attack?
- Severity of the attack.
- Who was involved?
- Does the dog have a current rabies vaccination and a current dog West Linn Dog License?
- Prior history of the dog - past attacks or bites?
- Prior complaints of aggression?
- Chronic running at large complaints?
- Dog owner's attitude/perceived responsibility. Is the dog owner taking the incident seriously or are they in denial?
- Have they proven to be a responsible pet owner in the past?
- Have they always kept their dog suitably confined in the past?
- Have they maintained a current license and vaccinations for their dog?
- Are they cooperative during the investigation?
- Do they try to transfer blame to the victim?
- Are they truthful regarding the dogs past behavior?
- Are they receptive to the limitations of owning a dog, which has been classified, as dangerous?

The Environment:

- Is there a suitable area to quarantine the dog at home?
- How many other dogs/cats are in the household?
- Is it an adult family or are there a lot of children around?
- Who is the dog's primary care provider?
- Is the area where the dog may be quarantined being maintained in a clean and safe manner?
- The weather, time of year.

Quarantine methods:

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There are two options for quarantine. The dog may be impounded for quarantine at Clackamas County Dog Control or you may be approved for home quarantine.

Home Quarantine: To be approved for home quarantine the officer must feel comfortable with the answers to all of the questions on the Home Quarantine Checklist and the dog owner must agree to the following terms:

1. The dog must be kept confined and isolated at all times in a fully enclosed setting. No person other than immediate members of your household may have contact with the dog. No other animal, including other household pets, may have contact with the dog. (The officer will specify the approved location: kennel, garage, spare bedroom, etc.)
2. If it is necessary the dog relieve itself outside, it must be on a leash and under the direct control of a responsible person (over 18 years of age). It must remain on the dog owner's property. It may only stay outside long enough to relieve itself.
3. The dog must not leave the premises at any time. The only exception is if the dog has a medical emergency requiring treatment by a veterinarian. The dog owner must then immediately inform Animal Control and identify the veterinarian who is treating the dog. The dog owner must arrange for the veterinarian to contact Animal Control directly and confirm the dog is there. The dog owner must inform the veterinarian the dog is under quarantine.
4. Under no circumstances may the dog owner euthanized, kill or "put to sleep" the dog without the specific, prior approval of Animal Control.
5. The dog may not be vaccinated against rabies during the quarantine period.
6. Quarantine will not end until the Animal Control Officer confirms the dog to be in good health.

Failure to abide by the Home Quarantine conditions will result in the Home quarantine being revoked and the animal being confined at the dog control shelter at the dog owner's expense. Further legal action against the dog owner may also follow.

Impound for Quarantine: If the officer feels home quarantine is not appropriate for the situation, or if the dog owner does not have proof of current rabies vaccination, or if the bite was above the shoulders, the dog will be impounded by the officer and transported to Clackamas County Dog Control. It will be held in the quarantine area of their kennels for ten days. Upon completion of its quarantine stay the dog will be released back to its owners.

It has long been thought any dog seized or impounded for quarantine, or any dog that bit a person was immediately euthanized or "put down". No dog, with a known owner, may be euthanized without the signed consent of the owner. The only exception would be if the dog owner had already appeared in court on "Keeping a Dangerous Dog" charges and the courts had ordered the destruction of the dog.

What Does it Mean If A Dog is Classified as Dangerous?

The dog may only be outside if it is behind sturdy fencing capable of confining the dog or securely fastened to a solid object with a sturdy cable (if it can be tied in such a manner neighborhood children or passerby's won't be exposed or able to come into contact with the dog).

The dog is no longer permitted into any off leash park within the City of West Linn.

If a dog, which has been classified as dangerous, is found to be running at large the owner will automatically receive a citation.

Any further complaints of aggressive or dangerous behavior will result in citations.

Penalties and Fines:

You may be cited to appear in court and fined up to \$500.00 per violation. The judge may also order your dog be removed from the City of West Linn for chronic violations.

Destruction of a dog may be ordered if:

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- The dog, whether or not confined, causes the serious injury or death of any person
- A dog, while at large, kills any domestic animal.
- A dog engages in or is found to have been trained to engage in exhibitions of fighting.
- A dog repeats behavior such as aggressively biting or causing physical injury to any person or domestic animal.
- Repeated aggressive or menacing behavior.

Is It Fair?

When a dog is ordered removed from the City of West Linn, or destroyed, the dog owner inevitably demands to know if it is fair that the dog should have to suffer for acting instinctively. Is it really the dog's fault?

The answer to both of those questions is no. It is not fair and it is not the dog's fault. The fault lies firmly upon the owner who did not take the time to properly train and confine their dog. Unfortunately, if the dog owner has not trained their dog, once it has bitten or menaced people or other animals, the safety of the citizens of the City of West Linn must be the primary concern of the police department and the courts.

And as dogs are rarely ordered removed or destroyed for a first time offense (unless it is an extremely horrific attack) the outcome of repeated aggressive or dangerous behavior lies solely on the dog owners. It is always very sad when a loving family pet must be removed from its family or put to sleep because of the irresponsibility of the dog owner.

~ How to Prevent it:

- Never allow your dog to show dominant behavior or body language toward any human being.
- Train your dog. Never allow your dog to ignore or disobey a command.
- Teach your dog it is absolutely inappropriate to growl, snap or nip at any human.
- Never allow your dog to displace you, or take your space on any piece of furniture.
- Never leave children unattended with any dog, no matter how nice the dog is supposed to be.
- Never let your dog steal "people food" or eat food at the table...try to arrange it so your dog eats after the family, but do not allow it to beg at the table.
- Properly socialize your dog and make sure your dog is inside and a member of your family. A dog left tied up in the back yard or locked in a kennel, or kept outside 24/7 will not develop the necessary social skills to fit into its human "pack" or family.

If your dog is already exhibiting dominant behaviors, for your safety, seek the help of a qualified dog trainer. Trying to correct this problem without the proper experience may result in injury to you or your pet.

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