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The Impacts of the City and County of Denver's Breed Specific Legislation

Sloane M. Hawes
University of Denver

Devrim Ikizler
University of Texas at Austin

Katy Loughney
University of Denver

Justin F. Marceau
University of Denver

Philip Tedeschi
University of Denver

See next page for additional authors

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Authors

Sloane M. Hawes, Devrim Ikizler, Katy Loughney, Justin F. Marceau, Philip Tedeschi, and Kevin N. Morris

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Author List

Sloane M. Hawes, MSW¹

Devrim Ikizler, PhD²

Katy Loughney, MBA¹

Justin F. Marceau, JD³

Philip Tedeschi, MSSW¹

Kevin N. Morris, PhD¹

Address correspondence to: kevin.morris@du.edu

Contributors

Aurora Temple Barnes, JD³

Tess Hupe, MSW Candidate¹

Alexandria Kurtz, MSW Candidate¹

Julia Senecal, MSW Candidate¹

Jennifer Tuuk, MSW Candidate¹

¹Institute for Human-Animal Connection, Graduate School of Social Work, University of Denver

²Department of Economics, University of Texas at Austin and Intelligent Analytics and Modeling

³Sturm College of Law, University of Denver

Note: The full version of this paper will be published in the *Animal Law Review*, https://law.lclark.edu/law_reviews/animal_law_review

Executive Summary

In August of 1989, the City and County of Denver, CO, USA enacted legislation that prohibits the presence of all “pit bull” type dogs (PBTB) (defined in Denver as: American Pit Bull Terrier, American Staffordshire Terrier, or Staffordshire Bull Terrier) within the city limits. In the 30 years the “pit bull ban” has been in place, the City and County of Denver and its animal control agency, Denver Animal Protection, have committed substantial resources to removing PBTBs from the community, including patrolling communities and/or responding to complaints made by neighbors, conducting thorough breed evaluations of suspected PBTBs, and kenneling PBTBs found in the city limits. This Social-Environmental-Economic Impact Assessment (SEEIA) examines how the City and County of Denver’s Breed-Specific Legislation (BSL) policy has impacted the economic and social systems of the Denver community.

An economic assessment of BSL identified that the City and County of Denver has spent at least \$5.8 million on enforcing the legislation, with additional economic analyses estimating that BSL resulted in approximately \$107 million in lost direct and indirect economic activity related to lost pet care revenue. BSL in the City and County Denver has resulted in an extended length of stay for PBTBs in the care of animal shelters and also places additional strain on transfer partnerships with shelters in surrounding communities. An estimated \$1 million has been spent by shelters in surrounding communities to care for the PBTBs that are transferred as a result of BSL. An assessment of the social impacts of BSL determined that the removal of a single breed of dog is inconsistent with the documented benefits of increasing opportunities for pet-keeping in community. Furthermore, the disproportionate enforcement of BSL in underserved communities and communities of color perpetuates historic trends of discrimination and marginalization in the U.S. and negatively impacts social cohesion of these communities.

Despite some of the more negative impacts of the legislation, there appear to be a number of social factors that have sustained Denver’s “pit bull” ban. While in the minority of opinions, 19.4% of Denver residents who participated in an online survey about BSL (n = 252) said that the City and County of Denver’s breed ban positively impacted their perception of Denver and 24.6% of Denver residents said that the breed ban makes them feel safer. This perceived increase in sense of safety, even if only reported for a minority percentage of Denver residents, may continue to serve as the primary reason for policymakers to continue the ban in the present day (Maher, 2009, September 24).

The breed ban’s prioritization of human public safety at the expense of the welfare of a specific type of dog, particularly without a substantial impact on the former, represents a diversion from the components that contribute to a Humane Community. In conclusion, we recommend alternatives to BSL that will address the root causes of the issue of dangerous dogs, including: building the City and County of Denver’s capacity to support residents in caring for their pets by identifying and expanding pet-support infrastructure such as affordable and accessible veterinary and behavior services, implementing robust non-breed-specific dangerous dog laws, and implementing evidence-based interventions for challenges to social cohesion and interpersonal and interspecies violence.