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THE HUMANE SOCIETY
OF THE UNITED STATES

February 10, 2015

Insurance and Real Estate Committee
Room 2800, Legislative Office Building
Hartford, CT 06106
(860) 240-0510

Re: Please **SUPPORT** H.B. No. 5361 (COMM), AN ACT CONCERNING THE USE OF BREED OF DOG AS AN UNDERWRITING FACTOR FOR HOMEOWNERS AND TENANTS INSURANCE POLICIES

Dear Co-Chair Crisco, Co-Chair Megna, and Honorable Members of the Insurance and Real Estate Committee,

On behalf of the Connecticut supporters of The Humane Society of the United States, please accept this testimony in support of legislation that would prohibit an insurance company from cancelling, refusing to issue or renew, or charging an increased premium for a property insurance policy solely on the basis of a policyholder's ownership of a certain breed of dog.

Connecticut state law (PA13-103) prohibits municipalities from passing breed-specific ordinances, reflecting a strong acknowledgement by policymakers to the fact that community management of dogs has nothing to do with breed.

What's wrong with breed discrimination as a method to prevent dog bites?

According to the American Veterinary Medical Association's multidisciplinary Task Force on Canine Aggression and Human-Canine Interactions, "a dog's tendency to bite depends on at least five interacting factors: heredity, early experience, later socialization and training, health (medical and behavioral), and victim behavior."¹

Breed identification is unreliable and subjective, as physical features are not an indicator of breed. The inability to "prove" breed can create challenges to insurance claims and could result in expensive delays or court cases. Additionally, many "breeds" are actually *classes* of dogs. For example, "Husky" refers to several types of dogs within a similar family. Similarly, there is no AKC-standard breed called "Pit Bull." "Pit Bull" is a collective classification of the American Staffordshire Terrier, Staffordshire Bull Terrier, and Bull Terrier, and mixes of any of these breeds.²

Further, dog bite data is inconsistent and not widely available. There is no national reporting system for dog bites. Further, when attempts to collect breed type while investigating dog bites are used, consideration must be given to the popularity of a breed in a given area when extrapolating that data to define prevalence.

¹ American Veterinary Medical Association, Task Force on Canine Aggression and Human-Canine Interactions, A Community Approach to Dog Bite Prevention, 218 J. AM. VETERINARY MED. ASS'N 1732, 1733 (2001)

² Ohio Valley Dog Owners, Inc., OVDO is Opposed to Breed-Specific Bans, at <http://www.canismajor.com/orgs/ovdo/bslho.html> (2003)

Otherwise, data will not reflect the overall population size of that breed in a given area, causing the data to be unreliable.

Who disagrees with breed discrimination by insurance companies?

Many groups have spoken out against breed discrimination, including the American Veterinary Medical Association, the American Dog Owners Association, the Westminster Kennel Club, The Humane Society of the United States, American Society for the Prevention of Cruelty to Animals, and the American Humane Association. These groups are joined by the American Kennel Club, which has put out the following position statement:

"The American Kennel Club believes that insurance companies should determine coverage of a dog-owning household based on the dog's deeds, not the dog's breeds. If a dog is a well-behaved member of the household and the community, there is no reason to deny or cancel coverage. In fact, insurance companies should consider a dog an asset, a natural alarm system whose bark may deter intruders and prevent potential theft."³

Additionally, the Center for Disease Control (CDC) made the following statement:

"There is currently no accurate way to identify the number of dogs of a particular breed, and consequently no measure to determine which breeds are more likely to bite or kill."⁴

Legislative progress

Pennsylvania and Michigan have enacted statutes prohibiting breed discrimination by insurance companies when issuing policies. Maine, Maryland, New York, Rhode Island, and West Virginia are all considering legislation to prohibit insurance companies from denying or cancelling policies based on the applicant's ownership of a particular breed of dog. In total, 17 states have outlawed general breed discrimination (CT, MA, RI, NY, ME, CO, FL, IL, MN, NJ, OK, PA, TX, VA, NV, SD, UT).

Considerations for insurance companies

Approximately 46% of U.S. households own at least one dog. This represents a significant potential customer pool for insurance companies. Rather than arbitrarily defining breeds of dogs to target for insurance policy refusal or cancellation, insurance companies should identify individual dogs that have a history that may predict their likelihood of being dangerous in the future. Connecticut state law already contains breed-neutral provisions to regulate dogs who exhibit dangerous behavior, which is essential in responding to reported incidents and preventing future ones from occurring (e.g., CGS 22-364, CGS 22-357).

Thank you for your time and consideration.

Yours truly,



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3 American Kennel Club, Canine Legislation Position Statements, cited in Cunningham (2004-2005), pp. 37-38.

4 Sacks, Jeffrey. "Breeds of dogs involved in fatal human attacks in the United States between 1979 and 1998." JAVMA, Vol. 217, No. 6, Sept. 2000.