



THE HUMANE SOCIETY
OF THE UNITED STATES

March 3, 2016

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

Re: Please **SUPPORT** H.B. No. 5443, 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-based supporters of The Humane Society of the United States, the largest animal protection organization in the country, please accept this public hearing testimony in support of HB 5443, 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 or type 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, "pit bull" is a collective classification of breeds and mixes.² Breed is increasingly irrelevant as 53% of dogs in U.S. households are mixes.

Further, information about dog bites is inconsistent, unreliable, subjective and not widely available. There is no state or national reporting system for dog bites and context surrounding incidents is rarely included. Moreover, attempts to identify breed type using visual identification methods while investigating dog bites are subjective; and such visual methods have repeatedly been proven unreliable.

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)

Who disagrees with breed discrimination by insurance companies?

Many groups have spoken out against breed discrimination, including The Obama administration, American Bar Association, 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, the American Humane Association and National Animal Control Association.

Additionally, the U.S. Centers for Disease Control and Prevention (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."³

Notably, State Farm insurance does not collect breed information in any of their underwriting processes, and does not consider breed a relevant factor in risk management.⁴ After Ohio repealed its statewide breed-based law in 2012, State Farm Insurance reported a decrease in the number of dog-bite-related claims in the state.⁵

Legislative progress

Maryland, Michigan, Pennsylvania, and Virginia have enacted statutes prohibiting breed discrimination by insurance companies when issuing policies. Maine, 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, 19 states have outlawed general breed discrimination (CT, MA, RI, NY, ME, CA, CO, FL, IL, MN, NJ, OK, PA, TX, VA, NV, SC, SD, UT).

Considerations for insurance companies

Approximately 44% (or 54.4 million) U.S. households own at least one dog.⁶ 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 instead 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).

Passing HB 5443 and prohibiting insurance companies from excluding dogs based solely on breed is prudent economic and social policy.

Thank you for your time and consideration.

Yours truly,



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3 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.

4 <https://www.statefarm.com/about-us/newsroom/2014/05/14/dog-bite-prevention>

5 <http://www.animalsheltering.org/magazine/articles/all-dogs-are-equal>

6 American Pet Products Manufacturers Association 2015-2016 National Pet Owners Survey