



# SPOTLIGHT ON RESCUE

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## Rescue & Biting Dogs

*I am grateful to Shereen Farber for contributing this article on a subject that is of great concern to all Golden Retriever Rescue programs. Once again, her writing and the resources she guides us to in the footnotes are very valuable.*

Should Rescue Programs Accept Dogs with a History of Biting?  
 by Shereen D. Farber, PhD, OTR,  
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*Introduction:* Accepting a dog with a history of biting requires much consideration on the part of rescue organizations. It is a loaded and complex issue that can impact the very survival of the rescue organization should such a dog bite again. On the other hand, in some cases, it may save the life of a dog that has been unfairly labeled.

How should we, the rescue community deal with such a dilemma? This column will attempt to present a balanced review of the subject.

People in our society seem to be busier than ever with occupational and avocational endeavors. When families buy puppies, most have the intention of owning wonderful family companions. Yet many do not take time to adequately

socialize or train their pets. Dog bites have become a serious problem in our country with about five million bites per year and \$345 million paid by insurance companies per year.<sup>1</sup> There is no shortage of dogs being surrendered to rescue organizations, perhaps in part due to the paucity of socialization/training experiences provided to these dogs resulting in unmanageability. Poor breeding, especially in puppy mills; indiscriminate placement, especially through pet stores; and poor socialization enhance the probability of canine temperament issues.

*Legal Implications:* Most states have passed dog bite legislation. In order to review your state's laws, go to Google and search "Dog Bite Law, state's name." Also consult the Dog Bite Law website for general information.<sup>1</sup> This column will not attempt to review the specifics of dog bite laws since they vary on a state-by-state basis; however, we will highlight a few salient facts. Rescue organizations or individuals can be liable for dog-inflicted injuries under specific circumstances in various states' dog bite legislation.<sup>1</sup> A section of dog bite law often covers the liability of the seller, rescue organization or adoption agency for dog-inflicted injuries. Any

seller, rescue organization, dog owner, or foster home that harbors dogs have obligations when placing dogs in new homes. Rescue organizations may be subject to civil liabilities or criminal charges for adopting out dangerous dogs.<sup>1</sup> Each State has its own requirements and obligations and may have limitations of liability depending on the circumstances.

A rescue program must have firm policies in place for adoption especially if the dog in question has a bite history that was communicated to the program when the dog was surrendered. Unfortunately, owners that surrender dogs do not always provide truthful and complete histories of dogs' problems. It is then up to the rescue organization to have good intake examinations and evaluations in place to prevent them from placing dangerous dogs in foster or adoptive home settings. These intake assessments and examinations should be in writing, and they could be used in court, either on behalf of or against the rescue, should a subsequent dog-inflicted injury occur.

As a result of this potential liability and ethical concerns, many rescues have a policy of rejecting dogs that have confirmed bite histories, no matter what the circumstances. A thoughtful present-

tation of the reasons for such a policy are set out on the Yankee Golden Retriever Rescue website.<sup>2</sup>

Other rescue programs use a case-by-case assessment process. Peppertree Rescue in upstate New York has developed a specific protocol with the assistance of its behavioral consultant, Patti Conroy. This protocol consists of six questions that help differentiate between those isolated aggressive acts that arise from a specific situation and those that signal true aggression or chronic temperament problems. These questions are:

1. Has the dog ever bitten, or threatened to bite, a member of the family or a frequent visitor to the home?
2. Was it one bite or multiple bites?
3. Was it an "opposing" bite (i.e., contact by both upper and lower teeth)?
4. Did the bite occur when the dog was in genuine pain or when a human attempted to intervene in a dogfight?
5. Where was the dog when the bite occurred? (specific location, pattern of movement)
6. Could the dog have retreated rather than bitten, and did it growl or bare its teeth before biting?
7. How did the dog act immediately afterwards?

A more complete version of this protocol with discussion of typical responses is available to rescue programs on the National Rescue Committee's website.<sup>3</sup>

According to Betsy Sommers, Peppertree's president (and a member of GRCA's National Rescue Committee), most dogs with a previous bite incident "flunk" this protocol and are not admitted into the program. Their owners are given counseling both as to their potential legal liability and on the issue of whether all dogs, even all Golden Retrievers, can or should be saved. When, however, the protocol indicates that the dog was acting normally in an abnormal situation, the dog is accepted into the program, fostered for an additional period of time, and – assuming all goes well in the foster home – placed. Complete details of the prior incident are fully disclosed to the adoptive home, and the dogs are not placed in homes with children.

According to Sommers, all of these placements have been successful and none of these dogs have exhibited fur-

ther aggression. Of greater concern to Peppertree, she indicates, are the dogs that may or may not have a bite history but who exhibit other behavior and attitudes that, in the evaluator's opinion, makes it appear likely they could bite or inflict other harm in the future. That is where the risk of liability lies, in the animal's future behavior.

Other rescue programs may have less formalized policies, but each must deal with the issue of aggressive Golden Retrievers, and each strives to do so in a consistent, realistic and safe manner. Every policy adopted by a rescue program has good reason and often sad experience behind it. Most rescue programs understand fully that some dogs cannot be safely placed and that one judgmental error may cause the end of the rescue organization. In addition, from a practical standpoint, a rescue organization often cannot dedicate extra time and specialized resources to just one dog, when it means taking those resources away from many who have a higher probability of safe placements.

From the dog's point of view: When one views life from a dog's point of view, the issue of bite provocation may appear very different than it does to the humans observing it. Temple Grandin tells us in her book *Animals in Translation* (4) that dogs see all the details in a situation instead of the big picture. If a dog is poorly socialized, for example, and then suddenly exposed to the sudden movements and high-pitched voices of children, it is understandable that the dog will feel threatened.

The dog will be more aware of the threat in front of him than the safety provided by an adult in the next room or by his own size and strength. When children under age five are allowed to play with a dog without adult supervision, the children can often back dogs into corners, push toys in the dogs' faces, pull on their tails, and other such behaviors. Unfortunately, even if some dogs try to warn children to stay away, the children have not been taught to read "animal behavior." Untrained dogs may even jump on children in an entirely nonaggressive manner, snagging skin on canine teeth or nails without actually biting, but if no one is present to observe the act itself, the dog is often labeled a "biter."

These are examples of dogs that might fall into the category of those that

respond normally to abnormal situations. These dogs can often be placed in the homes of adults willing to take the time to make them feel secure and train them to handle frightening situations differently. Sommers says that most of the "excusable" bite situations Peppertree has encountered have involved children being left alone with and/or allowed to act inappropriately toward dogs.

*Case Histories:* Two case histories are included here to illustrate dogs that were surrendered to rescue personnel or organizations, one with a positive outcome and one with a safe outcome for the rescue organization but a sad result for the dog.

*Case 1:* Madison, a three-year-old Golden, lived with a family that tied her to a doghouse behind the family home. She received minimal attention and no training. When she was nine weeks old, the children in her "family" shot off firecrackers in the backyard, right behind her doghouse. Madison reportedly bit one of the boys in the family when he went after his baseball that Madison had taken into her doghouse. After the bite, the family requested that a Golden Retriever rescue come and get the dog. They admitted that they had little time for the dog and that she was fearful of the children. They also reported that while the bite was just a nip, they did not want her any more.

The evaluation team decided that this was a dog that had responded in a normal manner to a situation that was highly abnormal for a Golden Retriever. She was placed in the foster home of a highly skilled dog trainer, who had complete information regarding the dog's history and was rehabilitated and successfully adopted by a childless older couple. The couple was also informed that Madison had a reported dog-bite history including the specific circumstances.

*Case 2:* Ben was a large intact 11-month-old male Golden Retriever with bilateral hip dysplasia and temperament problems. When the family learned that the dog needed both hips replaced, they turned him in to a rescue organization. They told the rescue personnel that he was a wonderful dog but they could not afford the hip surgery. Shortly after the rescue organization started their evaluation, Ben attempted to bite one of the

## *Spotlight On Rescue, continued*

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volunteers. It was not clear if he was in pain or being aggressive. Their protocol required further evaluation by an experienced canine behaviorist and by a veterinarian if there was doubt as to the nature of the dog's aggressive behavior. After a thorough medical assessment and behavioral consultation, it was determined that Ben would be an example of a dog with untrustworthy behavior. He was food, crate and dog aggressive. The rescue organization also learned from consultation with the family's vet, that they were actually afraid of their dog. It was decided that Ben could not be safely rehabilitated and would take a huge amount of rescue resources. He was put down six months after being surrendered.

*Summary:* While each homeless Golden deserves a chance to be evaluated for its potential to be placed into a new home, rescue organizations must have well-defined policies in place when dogs have histories of aggression, including biting, or when they show signs of aggression once they are in the rescue program. Such policies provide necessary protection to both the rescue organization and the public. While some groups eliminate from consideration any dog that has a bite incident in its past and other groups will evaluate such dogs on a case by case basis, the consistent goal of rescue organizations is to be as accurate as possible in assessing the dog's likely behavior in the future.

### References:

- (1) <http://www.dogbitelaw.com/>
  - (2) <http://www.ygrr.org/surrender/surrender-aggressive.html>
  - (3) <http://www.grca-nrc.org/> (The information about the bite protocol and a great deal of other information is available to local rescue programs through the "Local Rescues Only" portion of this website. While much of this website is available to the public, the "Local Rescues Only" portion is accessible only to rescue volunteers or others on a need to know basis. Contact either your local rescue program or the National Rescue Committee for password information)
  - (4) Grandin T., Johnson C.; *Animals in Translation*. (New York: Scribner, 2005)
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