

THE PUBLIC SAFETY AND HUMANE IMPLICATIONS OF PERSISTENTLY TETHERING DOMESTIC DOGS



NEW MEXICO DEPARTMENT OF PUBLIC SAFETY
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THE PUBLIC SAFETY AND HUMANE IMPLICATIONS OF PERSISTENTLY TETHERING DOMESTIC DOGS

Introduction

In recent years, the common practice by many dog owners throughout New Mexico of persistently tethering dogs has come increasingly under question. Controversies arise in communities with some consistency concerning public safety and cruelty to animals. The New Mexico Legislature responded to these concerns. During the 2007 regular session of the New Mexico Legislature, the Consumer and Public Affairs Committee endorsed House Memorial 19, introduced by Representative Miguel P. Garcia, which requested that the Department of Public Safety study the public safety and humane implications of persistently tethering dogs. It was approved by unanimous House consent on February 16, 2007.

This report, in response to House Memorial 19, provides a detailed review of the practice of tethering, based on research and statewide survey results regarding both the public safety and humane implications of persistently tethering dogs. In addition, it addresses the practice in terms of resulting human deaths and injuries, local animal control ordinances, positions of animal welfare organizations and governmental agencies, state and nationwide trends in tethering laws and their enforcement, alternative methods of restraint, education, and other substantive issues. Finally, it includes recommendations of solutions that without doubt will benefit both people and dogs in New Mexico.

Tethering Defined

Tethering is the practice of chaining, tying, fastening, or restraining a dog to a ground stake or a stationary object (such as a tree, fence, car, or dog house), usually in a pet owner's yard, as a means of keeping the dog under control. The term does not refer to a dog being walked on a leash.

Risks to public safety and the inhumane treatment of dogs are widely viewed as the two primary problems with the continuous tethering of dogs, according to many studies and surveys of federal, state, and local public health and safety agencies, animal control agencies, veterinarians, animal behaviorists, professional organizations, animal welfare agencies, non-profit organizations, law enforcement officials, and the public.

Public Safety Implications

The first question to consider in the realm of public safety is how persistently tethering dogs can pose a danger to humans. Attacks on people by tethered dogs in the United States and elsewhere in the world have been documented and studied through many different methods and in many disciplines. One conclusion is that dogs tethered for long periods of time can become highly aggressive. When confronted with a perceived threat, dogs respond according to their fight-or-flight instinct. A chained dog, unable to take flight, often feels forced to fight, and attacks any unfamiliar animal or person who wanders into his or her territory.¹

Experts tend to agree that chaining increases aggression in the vast majority of dogs. For example, the American Veterinary Medical Association (AVMA) and the American Society of Plastic Surgeons have teamed up to promote responsible dog ownership, pointing out that tethering dogs contributes to aggressive behavior: "Confine your dog in a fenced yard or dog run when it is not in the house. Never tether or chain your dog because this can contribute to aggressive behavior."²



Taos County, New Mexico

Photo Credit 2



Las Cruces, New Mexico

Photo Credit 3

The Humane Society of the United States concludes that an otherwise friendly dog, when persistently chained, becomes neurotic, anxious, and often aggressive. As opposed to protecting the owner or property, a tethered dog is often fearful due to poor socialization and previous negative encounters with people or other animals. The dog realizes one thing: he cannot get away. His only recourse may be to growl, bark, lunge, or bite in self-defense. Further, a tethered dog who finally does get loose from his chain may remain aggressive, and is likely to chase and attack unsuspecting passersby.³

Children are the most common victims of dog attacks. According to dog bite statistics, 70% of fatal dog attacks and more than half of bite wounds requiring medical attention involve children.⁴ Frequently, such attacks occur when a chained dog lashes out, either in aggression or aggressive play, and injures a child who has approached him. In the period from October 2003 through September 2007, at least 175 children across the country were either killed or seriously injured by chained dogs. Details of such attacks often describe a dog unsocialized with humans and very territorial of his limited space at the end of a chain.⁵

Many arguments, therefore, exist in favor of looking seriously at the issue of tethering dogs. It remains in the public interest for dogs not to be vicious. Tethered dogs are often frustrated, frightened, or easily agitated, therefore it is

not surprising when they attack and bite.⁶ The reason is logical: dogs are social animals with a biological need for companionship, usually supplied by a human family.⁷

On a tether constantly, social contact from dogs and humans is withheld, sensory deprivation becomes the norm, and boredom, frustration, anxiety, agitation, and aggression follow in rapid succession.⁸ Dogs who are adequately socialized with humans and other animals and who are properly restrained by the use of fences and runs when they are outdoors are less of a threat to family members, passersby, law enforcement officers, public utility inspectors, telephone/cable repair persons,

postal delivery persons, and other visitors. The result will be a safer neighborhood. Communities should welcome opportunities to reduce the chance of serious injury, death, and suffering of both people and animals. Educating adults and children about specific canine behaviors and their causes, particularly with regard to chaining or tethering, could certainly reduce dog bite injury and death.

Deaths and Injuries Related to Chained/Tethered Dogs

There is no doubt that dog bites (whether from chained or unchained dogs) result in a major and costly public health problem; statistics abound to prove the point. For example, the Centers for Disease Control estimates that 4.5 million people in the United States are bitten each year, and almost half are children under the age of 12. Of these, approximately 800,000 seek medical care for dog-bite related injuries. The insurance industry estimates it pays more than \$1 billion annually in homeowners' liability claims resulting from dog bites. Hospital expenses for dog bite-related emergency visits alone are estimated at \$102 million annually.⁹

One study published in the Journal of the American Veterinary Medical Association estimates that 17% of reported dog bite injuries and deaths nationwide between 1979 and 1998 were caused by dogs restrained

(including by chaining) on their owners' property at the time of the attack.¹⁰ Although chaining is one type of restraint cited in this and other studies, analysis is complicated because exact circumstances related to serious injuries and deaths caused by dog bites/attacks may not always be reported (e.g., whether the dog was chained, otherwise restrained, unchained, abused, stray, or injured).

Another study published in Public Health Reports, a journal of the United States Public Health Service, reveals further information about the risks of chaining dogs. Author John C. Wright, PhD, identified and studied sixteen incidents involving dog bites fitting the description "severe" among 5,711 dog bite incidents reported to health departments in five South Carolina counties in a three-year period. A "severe" attack was defined as one in which the dog repeatedly bit or vigorously shook his victim, and the victim or the person intervening had extreme difficulty terminating the attack. In 8 of the 16 cases, the dog involved either was chained or broke loose from his chain to attack his victim. Of those eight, one was a fatal attack.¹¹

Karen Delise, author of the book, Fatal Dog Attacks, provides extensive details of the circumstances surrounding every fatal dog attack reported since 1965 in the United States. "While many circumstances may contribute to a fatal dog attack," Delise writes, "the following three factors appear to play a critical role in the display of canine aggression toward humans:

1. Function of the dog - (Includes: dogs acquired for fighting, guarding/protection or image enhancement)
2. Owner responsibility - (Includes: dogs allowed to roam loose, chained dogs, dogs and/or children left unsupervised, dogs permitted or encouraged to behave aggressively, animal neglect and/or abuse)
3. Reproductive status of dog - (Includes: unaltered male dogs, bitches with puppies, children coming between male dog and female dog in estrus).¹²



Valencia County, New Mexico

Photo Credit 4

By Delise's estimation, chained dogs have killed at least 109 persons (25% of the US dog bite/attack fatalities since 1965); of those fatalities, 99 were children who wandered into the reach of a chained or similarly restrained dog and another 11 were instances in which chained dogs broke free before attacking.¹³ In a recent telephone interview with Delise conducted by Animal Protection of New Mexico (APNM), Delise commented that while chaining does not *always* make a dog aggressive, the animal is being given fewer options in fight-or-flight circumstances, thus inviting situations that increase the likelihood of aggressive responses. While the fatal attack numbers are well documented, she noted it is more difficult to find definitive figures of serious injuries, since only those attacks reported are published. Therefore, it is important to keep in mind that all the bite-injury statistics available are really only estimates.¹⁴ Indeed, according to the National Center for Injury Prevention and Control, there is no ongoing national surveillance system for non-fatal dog bites.¹⁵

Over the past 42 years there have been seven fatal dogs attacks in New Mexico, two of which involved children who attempted to interact with chained dogs, according to the website of the National Canine Research Council (NCRC),¹⁶ on which Delise provides updates on the information provided in her book, Fatal Dog Attacks. The NCRC believes the risk of fatalities linked to chained dogs is extremely low in New Mexico itself. But Delise says it is important to consider how many variables are at work in any attack situation. The severity and ultimate outcome of



Roswell, New Mexico

Photo Credit 5

any dog attack can be greatly influenced by the presence or lack of such things as intervention, responsible supervision of children, and responsible dog ownership.

Although there may have been other unreported incidents, a search of news reports in New Mexico over the past three years points to four cases of serious injuries caused by chained dogs:

Alejandro Cardoza, 21 months old, was seriously injured in April 2007 in Deming, New Mexico. The Deming Headlight reported, "The dog was chained to a spike in the ground...Alejandro was bitten on the head and back..."¹⁷

A 20-month-old toddler in Las Cruces, New Mexico suffered injuries in May 2007 including a torn ear and puncture wounds to the side of his face, right arm, and inner thigh. The El Paso Times reported, "The dog was chained to the bumper of a truck, only feet from the front door of the boy's home."¹⁸

In July 2005, Valencia County Deputy Shannon Brady of Los Lunas, New Mexico was "attacked by a chained pit bull," according to the Valencia County News-Bulletin. She had to be placed on medical leave for several weeks to recover from several bites to her right leg and two fractures to her left elbow.¹⁹

Emma-Leigh Chambers-Allen, 4, of Los Chavez, New Mexico was seriously injured in June 2004. The Albuquerque Journal reported that she "...wandered into the yard and walked toward the dog that was tied to a tree with a

poly-nylon rope. Earlier that day the dog was allegedly provoked by neighborhood children who threw rocks and water balloons at the animal...." A broken nose, broken jaw, and missing teeth were among her injuries that required reconstructive surgery.²⁰

Humane Implications

In looking at the humane implications of persistently tethering dogs, it is useful to study the mission statements and position statements of various animal welfare organizations. It is interesting to note that most animal welfare organizations, whether national or not, address the issue of tethering. The following represents only a small sampling:

The American Humane Association (AHA), a nationwide non-profit based in Denver, Colorado, is a network of individuals and organizations whose collective mission is to prevent cruelty, abuse, neglect, and exploitation of children and animals and to assure that their interest and well-being are fully, effectively, and humanely guaranteed by an aware and caring society. The American Humane Association specializes in professional education, training and advocacy, and research and evaluation. AHA believes that chaining or tethering makes dogs feel vulnerable and increases their aggression, in turn making the practice a major risk factor in dog bites. The organization also states that chaining dogs represents a serious, under-recognized form of animal cruelty. It has worked with local humane organizations to develop and support the passage of state and local laws that limit the outdoor chaining or tethering of dogs. It has also worked with allies in Tennessee,



Anthony, New Mexico

Photo Credit 6

California, and Pennsylvania to support bills limiting the length of time a dog may be chained outside and requiring basic standards of food and shelter be met.²¹

Animal Protection of New Mexico (APNM), a non-profit based in Albuquerque, New Mexico, has been working to promote the humane treatment of animals in New Mexico since 1979. APNM accomplishes its work through education and outreach, and campaigns for change. Its mission is to advocate the rights of animals by effecting systemic change, resulting in the humane treatment of all animals. APNM strives to educate people about the plight of chained dogs, as well as the dangers posed to the public by chained dogs. The organization promotes positive alternatives to chaining, and provides information and resources to help people get dogs off chains and into the lives of family members.²²

Dogs Deserve Better, a non-profit education/legislation/rescue organization based in Tipton, Pennsylvania, describes its goals in terms of the following six principles: advocate and become a voice for all dogs living chained outside; educate society to evolve a higher ethical and moral standard for the treatment of dogs living under these conditions; meet with owners of dogs chained outside to advocate on behalf of the dogs and discuss other options available to them; provide low-cost or no-cost house training for dogs whose owners wish to bring them into the home; temporarily foster and find new homes for dogs whose owners wish them to have a better life but are unwilling or unable to provide that for them. Dogs Deserve Better believes the time has come for Americans to “wake up to the dangers of chaining a dog.”²³ Founder Tammy Grimes states: “How many children have to die before people realize this is a serious and nationwide problem? The chaining of dogs has been ongoing for generations in America, and this outdated and irresponsible method of guardianship must stop...Not only is it dangerous and cruel for the dog, but it’s dangerous for any child unlucky enough to wander into the sphere created by an angry dog’s chain.”²⁴



Albuquerque, New Mexico

Photo Credit 7

The Humane Society of the United States (HSUS), a non-profit based in Washington, DC, is the nation’s largest animal protection organization and a voice against cruelty, exploitation, and neglect. Its mission statement: celebrating animals, confronting cruelty. The HSUS seeks a humane and sustainable world for all animals - a world that will also benefit people. The organization is committed to policies that set a standard and discourage or prohibit long-term tethering.²⁵

Through domestication, dogs have been bred to form strong attachments to their human family members. They thrive on interactions with their families. Without exception, people and organizations widely regarded as experts on the humane treatment of animals and animal behavior agree that a solitary life on the end of a chain is a cruel sentence for these social animals.²⁶ A dog’s desire to interact with people adds to his frustration on the end of a chain.



Bernalillo County, New Mexico

Photo Credit 8

Dogs persistently tethered are denied companionship and socialization. They soon become lonely, bored, anxious, and aggressive.²⁷

Persistently tethered dogs also lack proper exercise. They are frequently left exposed to the elements, because they are denied access to basic shelter and shade. Tethered dogs are left vulnerable to attacks by other animals, people, and vermin. They are often denied access to food and/or water. Finally, they are forced to eat, sleep, urinate, and defecate in the same limited space.²⁸

A dog's chain can easily become entangled on a post, tree, doghouse, or other stationary object, leading to injury or death. A tethered dog can easily hang himself by jumping over a fence, doghouse, car, or other nearby object.²⁹

Evidence of cruel treatment and neglect commonly seen in persistently tethered dogs by animal control officers and veterinarians includes embedded collars, chains, or cables in the neck, often to such an extent that the dog must be destroyed.³⁰ According to Dogs Deserve Better, it happens much more frequently than people think and additionally, it happens in all socio-economic levels.³¹ Dogs confined by tethering are also targets for thieves who sell stolen dogs to research facilities and organized dog-fighting operations.³²

Local Animal Control Ordinances and Tethering: Research and Informal Survey Results

Local animal control ordinances may or may not address tethering dogs. Even when not specifically using the term tethering or chaining, other state and local anti-cruelty statutes likely can be interpreted to prohibit tethering in cases where it is detrimental to the dog.³³ Thus, questions have arisen as to whether tether-specific laws are needed when such existing anti-cruelty laws can apply. For example, it is often clear to the investigating officer or other witness that a particular chained dog is being deprived of food, water, shade, or shelter.³⁴

The International City/County Management Association, a national organization for the chief appointed management executives in local government, publishes a comprehensive animal care and control guide for local governments. The publication includes the observation that local laws are very



TOP: Taos County, New Mexico, Photo Credit 9

LEFT: Photo Credit 10, RIGHT: Photo Credit 11

often passed to supplement state anti-cruelty laws, specify certain standards of animal care, and prescribe additional criminal and civil penalties. In fact, many jurisdictions across the country have found specific animal care and animal neglect problems—including perpetual tethering—worthy of special legislation.³⁵

From August through November 2007, APNM conducted an extensive review of New Mexico's municipal and county animal control ordinances to determine how many address the issue of chaining or tethering and to what extent. According to results, most municipalities and most counties in New Mexico currently do not address chaining at all. In follow up telephone interviews with New Mexico's animal control officers, however, APNM found that many of them see the need for revised laws to restrict or prohibit tethering. Whether officers witness abuse firsthand, or they are confronted with its aftermath, they are often powerless to help -- simply due to the absence of more specific laws. Officers can be further thwarted from protecting animals and the public because there are too many differing opinions among people as to what constitutes abuse, and anti-cruelty laws that do not address tethering often also do not address other types of related neglect such as companion deprivation, emotional abuse, lack of proper exercise, and

frustration that can lead to aggression. Therefore, without a law specific to chaining, an effective tool is missing that could be used when a situation arises that warrants intervention.

According to APNM's research, an animal control ordinance must encompass both public safety and humane considerations to be effective. Without both elements, public officials and administrators experience ongoing conflict with the public and potential liability. Residents are commonly concerned about public safety, property protection, and cruelty to animals. Local animal control ordinances often evolve based on efforts by law enforcement personnel and public officials to deal with such pressure.

This process has often taken a municipality or county from having an animal control ordinance absent any mention of chaining through progressively more detailed restrictions or prohibitions, with a variety of penalties imposed. Further, municipalities and counties often mimic the exact language of various sections of other municipalities' or counties' animal control ordinances -- including sections on chaining. This is an indication that, at the least, administrators are grappling with similar problems and networking among themselves to find the right solutions. They appear to be trying to find good models of comprehensive ordinances to adapt to their own needs.

APNM found that, in New Mexico, 11 out of 103 municipalities and 13 out of 33 counties address chaining or tethering in some way, from the most minimal to the most detailed restriction.

For example, the animal control ordinance in Tijeras states:

A chain must be at least 8 feet long.

By contrast, Albuquerque's animal control ordinance states:

When not accompanied by a person, chaining is prohibited as a means of outdoor confinement for more than one hour during any 24-hour period. A trolley system - consisting of a cable strung between two fixed points, with a dog on a short lead attached - can be used for up to nine hours in a 24-hour period if a city permit is obtained. When chaining is used, the chain shall weigh no more than an eighth of the animal's weight. The chain must be affixed to the animal by the use of a nonabrasive, well-fitted harness. The chain must be at least 12

feet long and fastened so the animal can sit, walk, and lie down using natural motions. It must be unobstructed by objects that may cause the chain or the animal to become entangled. It must have a swivel on both ends. The chained animal shall be surrounded by a barrier sufficient to protect the animal from at-large animals, and to prevent children from accidentally coming into contact with the chained animal.

APNM believes that a total of six municipalities and 10 counties in the state address the practice of chaining with enough detail to remediate the wide variety of situations that an animal control officer might encounter and thus are meaningful to both public safety and the humane treatment of dogs. APNM points to Albuquerque's ordinance as one example. Another good example exists in Doña Ana County, whose ordinance states:

A chain must be affixed to the animal by use of a nonabrasive, comfortably fitted collar or harness. The device must be at least 12 feet long, unless it would allow the animal to go beyond the property line, in which case it must be at least eight feet long. The device must be fastened so the animal can sit, walk and lie down comfortably, and it must be unobstructed by objects that could cause the device or animal to become entangled or strangled. Any chain or tether must have swivels at both ends. The animal must have easy access to shade, shelter, food and potable water. A dog may be restrained by a chain or tether for no more than eight hours in a 24-hour period. No chain or tether shall weigh more than an eighth of the dog's weight. The area where the animal is confined must be free of garbage and other debris that might endanger the animal's health or safety. It must be kept free of insect



Albuquerque, New Mexico

Photo Credit 12

infestation, such as anthills, wasp nests, flea, tick, or maggot infestations. It is unlawful to chain or stake out an animal on unenclosed premises in such a manner that the animal can go beyond the property line.

In talking with animal control officers, APNM focused primarily on those communities whose laws specifically make reference, either by restriction or prohibition, to the practice of chaining or tethering dogs. The officers answered questions about public awareness of such laws, compliance, and prosecution. They offered opinions about whether their local laws are effective, how they might be improved, and other insights concerning problems related to chaining.



Las Cruces, New Mexico

Photo Credit 13

While different, the opinions of animal control officers throughout New Mexico point to similar concerns. They recognize that to enforce and encourage responsible pet ownership and the humane treatment of animals, they must have sensible laws on the books that they can rely on as tools for effective animal control. At the same time, they understand that public education is equally important to compliance.

An animal control officer in Valencia County said, “Dogs running loose are a big problem, so officers carry chains to give to owners, even though the officers aren’t in favor of chaining.” He added, “Dogs are not lawn ornaments. People need to start thinking in terms of their animals being part of their family. A big part of the solution is education to change the way people interact with their dogs.”

A lieutenant with animal control in Albuquerque commented, “The city’s new chaining law is a very good one. People are aware of it due to lots of education. I like the fact that it is very detailed and specific, because if I have to issue citations, the violators can be prosecuted more easily.”

A five-year veteran of animal control in Cibola County commented, “Dog chaining is bad and it’s a sign of an irresponsible owner.”

An animal control officer in Chaves County said, “Chaining is not great, but it at least prevents dogs from leaving properties and getting shot in rural areas. We try to let people know where they can easily buy a swivel set with up to 10 feet of chain length, so at least residents can comply with what’s in our ordinance.”

A long time animal control supervisor in Doña Ana County said, “Not only is chaining torture for the dog, but the lack of socialization that results from chaining leads to increased aggression and children being attacked.”

An animal control supervisor in Carlsbad, on the job for 19 years, said, “Chaining ought to be outlawed except in extreme situations, because it promotes aggression. The dogs become frustrated and turn aggressive and it can lead to dog bites of children.”

Unfortunately, many public bodies are reluctant to make revisions to their animal control ordinances due to time-consuming legal requirements for notice, public hearings, lengthy comment periods, and additional public meetings for passage. Public administrators must communicate their intentions well in advance to allow for full participation of both the public and law enforcement officers. Once new laws *are* enacted, communities are well served by resulting public awareness and cooperation. Tethering guidelines, restrictions, and prohibitions can and should serve as proactive, preventative measures to protect both people and animals.

Legislation

Under the Animal Welfare Act, the United States Secretary of Agriculture is authorized to promulgate standards and other requirements governing the humane handling, housing, care, treatment, and transportation of certain animals by dealers, research facilities, exhibitors, carriers and intermediate handlers. The Animal and Plant Health Inspection Service (APHIS), United States Department of Agriculture (USDA), published the following final rule in the Federal Register on August 13, 1997: (Volume 62, Number 156) Rules and Regulations: “Our experience in enforcing the Animal Welfare Act has led us to conclude that permanently tethering a dog as a means of primary enclosure is not a humane practice that is in the animal’s best interest. Temporarily tethering a dog due to health or other reasons would be permitted if the licensee obtains the approval of the Animal and Plant Health Inspection Service. This action will help ensure that dogs in facilities regulated under the Animal Welfare Act will be treated in a manner that is consistent with the animals’ best interests.”³⁶

In the same publication, APHIS’s supplementary information goes on to report: “A dog attached to a tether is significantly restricted in his movement. A tether can also become tangled around or hooked on the dog’s shelter structure or other objects, further restricting the dog’s movement and potentially causing injury. We do not believe that a flexible tether, a tether with a swivel on the end, or other such devices would significantly improve the safety of a tether. Such devices may improve the mobility of the dog, but the possibility would still remain over time for the tether to become tangled around objects within the dog’s range.”³⁷

One obligation of state and local government is protecting its citizens, which includes addressing aspects of public health, environmental health/hygiene, and inspection/compliance activities. Since every state in the U.S. has laws prohibiting cruelty to animals, it can logically be concluded that protecting animals from cruel treatment also is recognized as another obligation of state and local government. Laws, education, and enforcement are key components both to public safety and the humane treatment of animals. Laws can be excellent tools to improve the lives of both humans and animals and to protect them from neglect and other forms of cruelty.

Many animal welfare organizations, residents, law enforcement officers, and administrators of local governments are asking for both state and local laws to restrict how long, if at all, and by what methods dogs may be tethered. Laws can discourage, restrict, or prohibit the use of chaining.

A September 2007 State Legislative Resources report of the AVMA says that several existing state statutes address the issue of tethering domestic dogs.³⁸ In terms of issues of interest to the AVMA State Legislative and Regulatory Affairs Department, animal welfare is consistently the most active area in state legislatures across the country. The organization tracked over 225 animal welfare bills in 2006. Many such bills expanded the acts covered under animal cruelty laws and increased the penalties for animal cruelty.³⁹ A follow-up report in mid-2007 noted that the trend toward enhanced penalties for animal cruelty continues, with 43 states now providing felony penalties for the offense.⁴⁰ Tethering may be an under-recognized form of animal cruelty, but that is changing.



Taos County, New Mexico

Photo Credit 14



Anthony, New Mexico

Photo Credit 15



Taos County, New Mexico

Photo Credit 16



Anthony, New Mexico

Photo Credit 17



Radium Springs, New Mexico

Photo Credit 18



Las Cruces, New Mexico

Photo Credit 19



Taos County, New Mexico

Photo Credit 20



Taos County, New Mexico

Photo Credit 21



Albuquerque, New Mexico

Photo Credit 22



Bernalillo County, New Mexico

Photo Credit 23



Bernalillo County, New Mexico

Photo Credit 24



Radium Springs, New Mexico

Photo Credit 25



Roswell, New Mexico

Photo Credit 26



Bernalillo County, New Mexico

Photo Credit 27

According to the Humane Society of the United States, legislation to ban or restrict the practice of chaining is gaining momentum, at both the state and local levels, all across the country.⁴¹ Several states, outlined below, have already passed laws outlawing chaining dogs as a primary means of confinement, or limiting the amount of hours per day that they may be chained, and hundreds of communities in at least 30 states have chaining ordinances.

California now prohibits a person from tethering, fastening, chaining, tying, or restraining a dog to a doghouse, tree, fence, or other stationary object, unless such restraint is for a reasonable period not to exceed three hours in a 24-hour period. Alternative methods of restraint such as a running line, pulley, or trolley system are permitted under the same law.⁴² Connecticut prohibits tethering for an unreasonable period of time. Vermont and Maine prohibit tethering when it is determined to be inhumane or detrimental to the animal's welfare and specify appropriate conditions for tethering. State statutes in Virginia, Michigan, Delaware, and the District of Columbia contain specifications regarding how to appropriately tether an animal.⁴³

Texas, Maryland, and Tennessee have also passed new tethering laws.⁴⁴ The Texas law prohibits an owner from tying up a dog outside between the hours of 10:00 p.m. and 6:00 a.m. and during extreme weather conditions. The bill also prohibits the use of a pinch-type, prong-type, or choke-type collar and stipulates a minimum length for a tether.⁴⁵ Maryland's law is much like that in Texas, but it addition-

ally includes specifications as to the circumference and fit of the dog's collar. Tennessee's law specifies that residents cannot knowingly tie, tether, or restrain a dog in a manner that results in the dog suffering bodily injury. Similar bills are being considered in Michigan, New Jersey, and Pennsylvania.⁴⁶

The website helpinganimals.com, which includes comprehensive information about tethering laws nationwide, additionally references another state statute in

West Virginia that specifically addresses tethering. Its list includes at least a dozen communities that prohibit tethering, including Austin, Texas; Little Rock, Arkansas; Carthage, Missouri; and Fairhope, Alabama. Reference is also made to at least 50 more cities that limit how long dogs can be tethered, including Los Angeles, California; New Orleans, Louisiana; Racine, Wisconsin; Topeka, Kansas; Bloomington, Indiana; and Oakland Park, Florida.⁴⁷

A relatively new initiative of Dogs Deserve Better, called Mothers Against Dog Chaining, seeks to protect children by promoting legislation to limit or prohibit tethering and by encouraging dog owners to socialize their dogs. It is led by Dogs Deserve Better founder Tammy Grimes and Crystal Sinclair, mother of Makayla Sinclair, killed at the age of two by chained dogs in Spartanburg County, South Carolina. Dogs Deserve Better continually updates statistics based primarily on news reports of children killed and/or seriously injured by chained dogs in the United States – at least 175 children since October 2003, according to its website. It goes on to comment that “(t)o take a pack animal, in need of love and socialization, and subject it to a life of neglect and isolation leaves us with a live grenade just waiting for a small child to step into its path. If this grenade – fueled by restless energy, anger, and frustration – explodes, our children pay the price, and often with their life.”⁴⁸

Outdoor Alternatives to Chaining

Humane alternatives to tethering include traditional fenced yards (with either a doghouse or pet door leading to other sheltered areas such as home or garage), large pens or kennels, cable/trolley runs, swivels, and invisible/electric fences, all with appropriate access to food, water, shade, and weatherproof shelter. Persons should consult local ordinances to determine if any particular permit, restriction, or prohibition exists for an alternative method.

Local animal welfare organizations frequently offer assistance or resources to residents who want help building doghouses, fences, or assembling trolley systems. In January 2007, for example, Placitas Animal Rescue hosted an event to build and distribute fifty doghouses throughout Sandoval County and elsewhere.⁴⁹ People for the Ethical Treatment of Animals publishes an educational fact sheet called Legal Shelter for Your Dog, which gives specific recommendations for the health and well being of dogs who are outside some or most of the time and whose housing is substandard, as well as detailed instructions for constructing a dog house.⁵⁰

Education about alternatives to tethering is vital in New Mexico, because virtually all its municipalities and counties have ordinances prohibiting dogs running at large. In the minds of some residents, this means they have no option

other than chaining their dogs if they don't have a fenced yard, kennel, or pen and if they refuse to allow their dogs inside their own homes. Although it is clear some people who own dogs can't and won't properly provide for them, it is equally clear that many people simply need to learn what it means to be a responsible pet owner. Regardless of whether other alternatives are used, it seems experts agree that dogs should be allowed to socialize with their human family.

The Nature of Dogs and Their Relationship with Humans

Animal scientist Temple Grandin, PhD, talks about the nature of the human relationship with domestic animals in her latest book, Animals in Translation. Recent research indicates that humans and dogs have probably been companions for over 100,000 years. She points out that over this period of evolution, dogs have developed a lot of ability to inhibit aggression against humans, while humans have similarly developed a lot of ability to manage dog aggression.⁵¹ Yet, she also notes that it is essential to make sure domestic animals are properly socialized both to other animals and to people in order to manage aggressive tendencies. One of the worst mistakes is to rear a domestic animal in isolation.⁵²



Albuquerque, New Mexico

Photo Credit 28



Radium Springs, New Mexico

Photo Credit 29



Doña Ana County, New Mexico

Photo Credit 30

It is widely recognized that domestic dogs often fill important roles in addition to companionship and positive family experiences. In the areas of law enforcement and public safety, dogs may be trained to detect drugs, bombs, and arson, in addition to performing search and rescue missions. In the medical field, they may detect certain types of cancer and warn epileptic owners of imminent seizures. They may also serve as seeing-eye dogs, hearing dogs, and therapy dogs. Recent research examined in the British Journal of Health Psychology shows that the benefits of dog ownership include lower blood pressure, lower cholesterol, and fewer minor physical ailments. Dogs even facilitate their owners' recovery from illness.⁵³

Dogs can be relied on for protection, too, but not on the end of a chain. Rather than protecting owner or property, a chained dog will often become fearful when exposed to a potentially threatening stimulus, precisely because he cannot escape. Alternatively, he may become aggressive, a result of frustration because he cannot freely explore any perceived threat to determine whether or not it poses a danger.⁵⁴

Conclusions and Recommendations

In conclusion, several points should be emphasized:

- Chaining or tethering domestic dogs is a practice which affects public safety and health care costs, making it

worthy of attention and preventative measures in New Mexico.

- Neglect and cruelty to animals occur across all socio-economic levels in both urban and rural communities in New Mexico. The persistent chaining or tethering of dogs is increasingly being recognized as a form of animal cruelty.
- The welfare and health of domestic dogs in New Mexico can be improved by promoting responsible ownership and stewardship, meaning, among other things, educating the public about the implications of chaining or tethering and actively promoting alternatives to the practice.
- Humane remedies for New Mexico's persistently chained or tethered dogs will have a direct bearing on public safety.

Even people who love animals sometimes do not know what proper care means. People often need to be taught what is required of them in owning a dog. They often don't think about the cost of owning a dog, from food to veterinary care, nor do they consider the demands required of their time to take proper care of a dog. Helping people evaluate these realities before adding a dog to their household would likely decrease the numbers of chained, neglected, and abandoned dogs.

Education – combined with appropriate legislation – is an important key to changing how people interact with and care for dogs. Bilingual humane education programs should be developed to include instruction on the humane implications of, public safety implications of, and alternatives to persistently chaining dogs. These programs should be implemented in schools and elsewhere to encourage and promote more positive interaction between pet and family. Initiatives to promote taking dogs off chains and into the family will benefit all concerned.

Following a humane education presentation given in 2005 to an 8th grade class at Albuquerque's Washington Middle School, the students were asked to illustrate what they had learned. As evidenced by their artwork included in this report, children in New Mexico do demonstrate an understanding of and interest in the humane treatment of dogs and other animals.⁵⁵

Children and adults alike should be encouraged to think of dogs as part of the family and shown positive ways to interact with them, for example walking, running, hiking, or participating in obedience classes, agility trials, therapy programs, or search and rescue organizations. In addition, instruction and assistance in constructing or locating effective, low-cost alternatives to tethering should be considered a critical element of public awareness, whether or not mandatory regulations are imposed. Happier dogs will mean safer communities.

Partnerships among private sector veterinarians, non-profit organizations, educators, students, and public health professionals are important in gaining public awareness and helping people obtain resources. Such partnerships can contribute to the design and successful implementation of educational programs that address public safety as well as the humane treatment of animals. Such collaboration is effective, but it is also essential to have the cooperation of governmental authorities.

Education alone is not enough to solve certain problems. On the local level, cities and counties know that animal control is a statutory obligation of government. Sensible animal control laws combined with diligent enforcement result in communities with more responsible pet owners – communities that can enjoy enhanced reputations and the resulting improvements in regional economic development.

A comprehensive ordinance contributes immeasurably to the quality of life for community residents. However, local ordinances, by themselves, often produce unsatisfactory results.

City and county ordinances may lack language specific to tethering. Existing ordinances that *do* address chaining may contain ambiguous, even contradictory, language and local officials may be reluctant or slow to revise them. The result is compromised enforcement and prosecution.

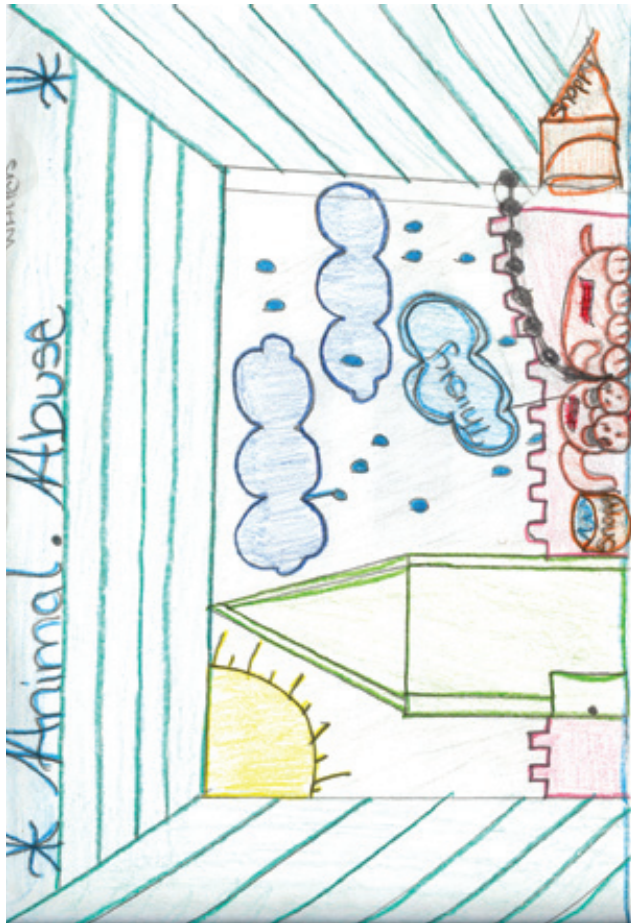
So, although networking agencies and public awareness campaigns may help people recognize the public safety and humane implications of chaining or tethering dogs, it is incumbent on government to ensure the best methods are employed consistently across the state to protect both humans and animals. Toward that end, the current trend toward state legislation to restrict or prohibit persistent chaining or tethering of domestic dogs appears to be a positive one.



Bernalillo County, New Mexico

Photo Credit 31

STUDENT ARTWORK



The thing that is going on in the picture

above is there are mixed moods with the weather first

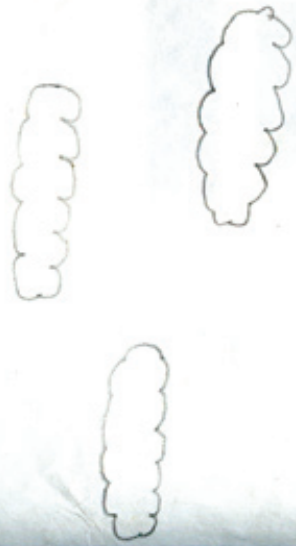
it was hot so the dog was thirsty but he couldn't get to his water so then it started to rain and he couldn't get to the doghouse because his chain was too short and also you could tell he was getting abused because he had all kinds of bruises all over his body



Paran de Maltreatos a los

Animales.

Stop Animal Abuse!!!

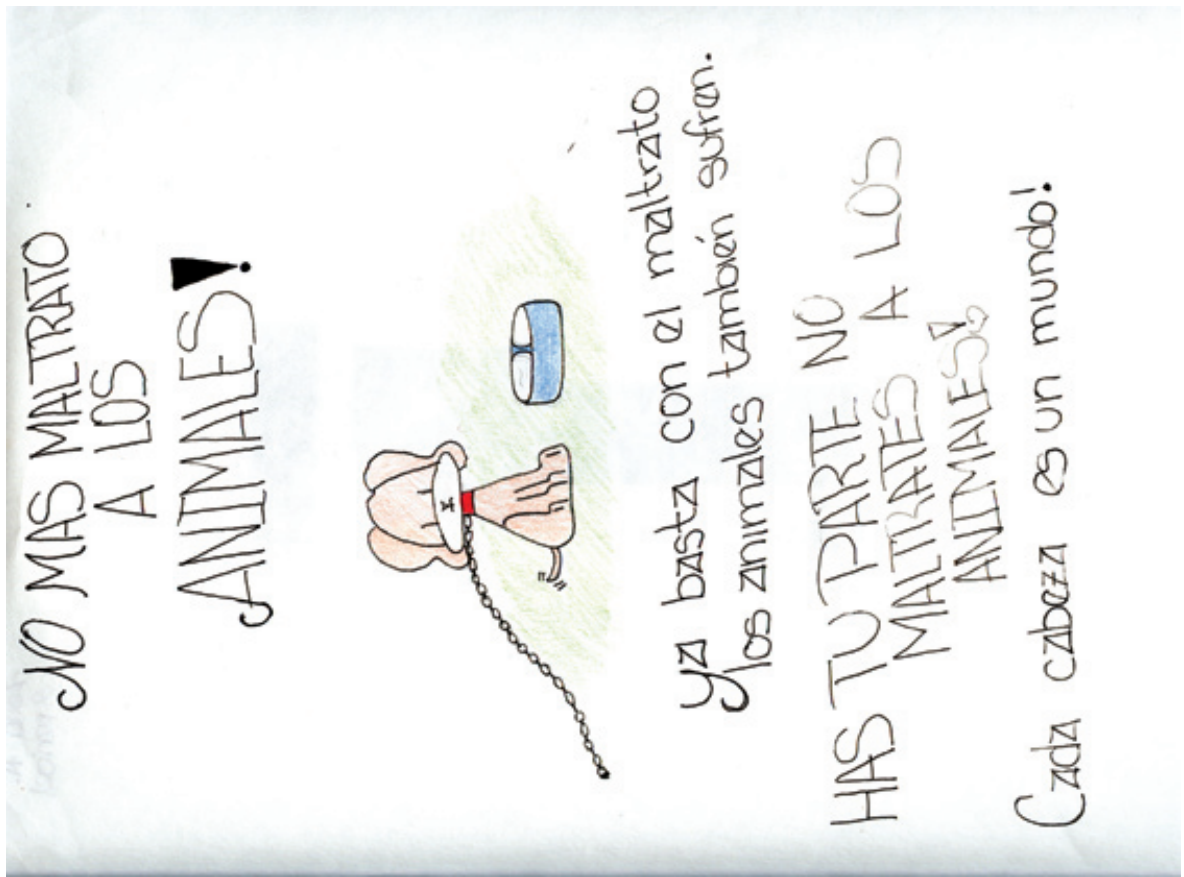
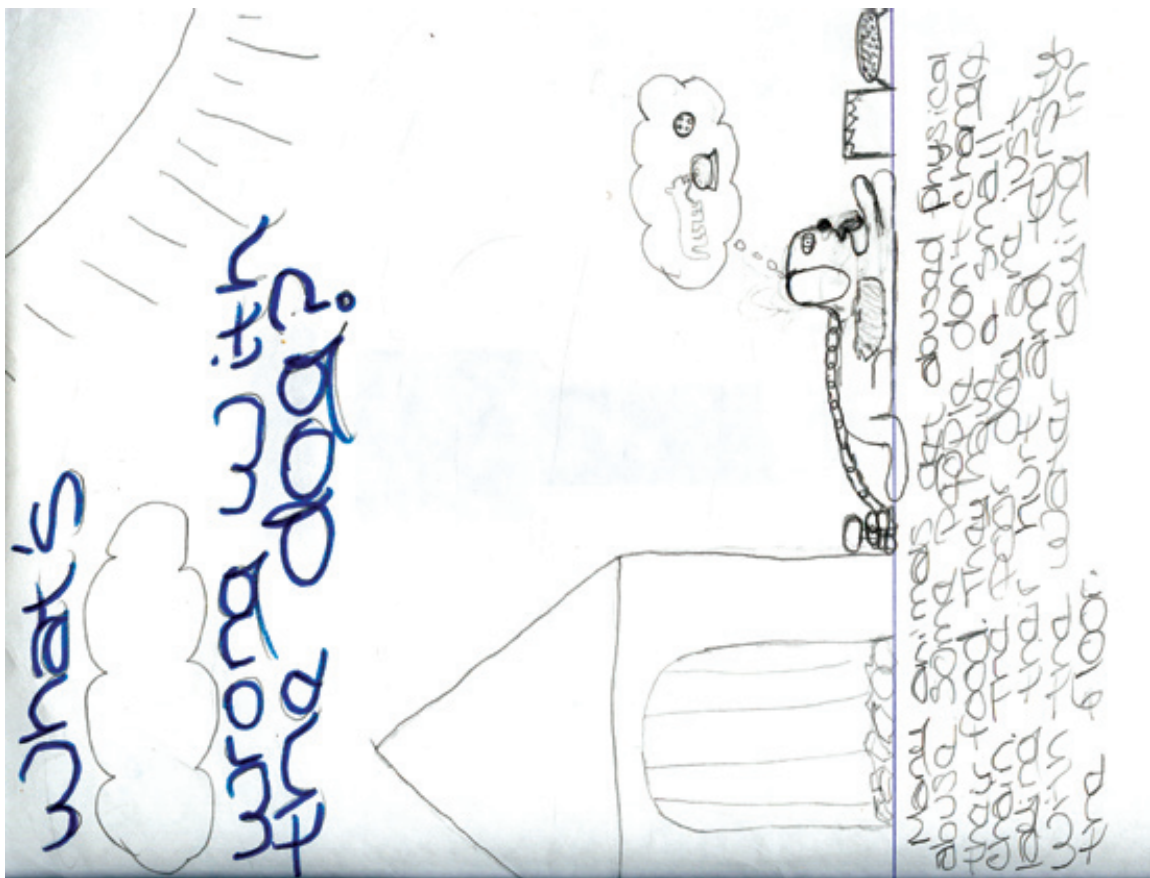


I think people should stop abusing dogs and if you have a dog and you don't feed it why do you have a dog? Just give it away to someone responsible that would feed it and play with it.

Muertes en Vida



No peges a los animales si le pegas a un animal y lo maltratas estas mal de la cabeza o si te gusta maltratarlos tienes que ir con un cirujano. No seas una de las personas que maltratan animales. Si vas a tener animales caseros son para que los cuides no para que los maltrates.



MALTRATO NO SÓLO ES USADO CONTRA HUMANOS

Maltratando animales es un crimen.
Los animales tienen sentimientos
no solo son mascotas son como
parte de la familia.



Desiree jayal
6th p

ABUSED



ABUSED



This dog abuse needs to stop. Because
all of the animal's have feelings & Co.
Not just because they're dogs, doesn't mean
they don't feel! It's not only dog abuse, it
also ALL animal abuse. So if really
needs to stop! Think about it. What if
you were an animal and people abused you? I
fair?

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3. Doña Ana County Sheriff's Department, Las Cruces, New Mexico
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Brazito, New Mexico

Photo Credit 32



Chaparral, New Mexico

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