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## Is Breed to Blame in Fatal Dog Attack?

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Hoping to End Maulings, Some Cities Ban Pit Bulls and Other Dogs

## Hoping to End Maulings, Some Cities Ban Pit Bulls and Other Dogs



Rex, one of two dogs in San Francisco blamed for the fatal attack on a 12-year-old boy. (ABCNEWS.com)

By **DEAN SCHABNER**



**June 7, 2005** -- After a sixth-grader was fatally mauled by at least one of his family's pit bulls, San Francisco Mayor Gavin Newsom said it is time for the city to re-evaluate its laws concerning dog ownership, but animal protection groups say any legislation should be focused on correcting owners' behavior, not trying to prevent future attacks by banning specific types of dogs.

Nicholas Faibish, 12, was killed in the attack Friday in his San Francisco home, and investigators have been working to determine whether just one or both of the family's dogs were responsible.

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After the attack, Newsom said the city has to do something.

"We have to be realistic," Newsom said. "You've got dogs that literally can kill. We've seen it demonstrated. If we can't change people's behavior and make them think what's in their best interest, then that's when government comes along and becomes a bit paternalistic."

Newsom said he did not have any specific legislative proposals in mind, and a spokesman for the mayor said he



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was not talking about a ban on pit bull-type dogs, such as has been enacted in other places across the country, but the dogs were clearly on his mind.

"Having a pit bull ... and three kids is not acceptable because we're not going to deal with the consequences of losing a life," Newsom said.

He appointed a task force led by Carl Friedman, the city's director of Animal Care and Control, and members of the mayor's office, the police department, fire department, health department and city attorney's office, and gave the group 10 days to produce a report.

Friedman said the task force will likely consider breed-specific permits and mandatory spaying and neutering of aggressive dogs.

Denver banned pit bulls in 1989, after a minister was bitten 70 times and had both his legs broken in a pit bull attack. Earlier this spring a state court upheld the law even though a state law — passed after the ban was imposed — prohibits breed-specific legislation.

The city sued the state in May 2004 after Gov. Bill Owens signed a state law making owners liable for injuries the first time a dog bites. The bill, which also prohibited cities and counties from outlawing specific breeds, followed the fatal mauling of an Elbert County woman by three pit bulls last year.

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