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Ms. Marylou Sudders
Secretary
One Ashburton Place, 11th Floor
Boston, MA 02108

Dear Secretary Sudders,

We are submitting these comments as part of the review process required under Executive Order 562. Our comments are about the Department of Children and Families' regulation 110 CMR 7.105 (18) *Services, Substitute Care, Standards for Licensure of Foster/Pre-Adoptive Homes*.

This regulation states that "no foster child under the age of 12 will be placed in a home where a Rottweiler, Pit Bull or German Shepard dog, or a mixture of these three breeds, is maintained on the premises of a foster/pre-adoptive home, unless the Department after review determines that such a placement is in the best interest of the child(ren), except for a dog which is being used as a service animal for a household member whose disability has been verified."

We believe this regulation should change. We have been contacted by many potential foster care /pre-adoptive families who live with behaviorally sound dogs who have been denied an opportunity to foster or adopt a child with DCF due to this regulation. Breed-discriminatory laws, policies, or regulations, such as the one in question, do absolutely nothing to enhance public safety. In fact, some research suggests that these types of regulations may actually increase the risk of dangerous behavior.

Further, in 2012, the state legislature passed, and the Governor signed, a bill that prohibits municipalities in Massachusetts from passing ordinances that are based on breed. This should be persuasive to DCF as it revisits this archaic policy.

Breed neutrality is also supported by professional organizations around the country with expertise in dog behavior and related policies. The American Veterinary Medical Association, the Centers for Disease Control and Prevention (CDC), the National Animal Care and Control Association, and recently the American Bar Association (ABA), have all concluded that breed-discriminatory laws and regulations are ineffective and can create a myriad of legal issues because of misidentification. The American Veterinary Medical Association, in cooperation with leading experts representing human medicine, public health, pediatrics, and the insurance industry, has published a document outlining a breed-neutral approach to community dog bite prevention.

CONCLUSION

We all want safe homes for children and families. DCF should do everything within its power to ensure that children are being placed in homes that are appropriate and safe; however, the current regulation is not having that effect.

Good families are being rejected by the Department based on outdated stereotypes and myths. We urge the Department to follow the recommendations of the researchers and scientists who all agree that breed discrimination is the wrong policy solution to keeping communities safe.

ABOUT OUR ORGANIZATIONS

The MSPCA is a national and international leader in animal protection and veterinary medicine and provide direct hands-on care for thousands of animals each year. Founded in 1868, we are the second-oldest humane society in the United States. The full name of our organization is the Massachusetts Society for the Prevention of Cruelty to Animals – Angell Animal Medical Center, or MSPCA–Angell. The MSPCA comprises our Animal Care and Adoption Centers, our Advocacy Department, and our Law Enforcement Department. Angell Animal Medical Center is our nonprofit veterinary hospital. We shelter and re-home all breeds of dogs, offer a large number of training classes for dogs and offer dog behavior consultation and services.

Best Friends Animal Society is the only national animal welfare organization dedicated exclusively to ending the killing of dogs and cats in America's shelters. A leader in the no-kill movement, Best Friends runs the nation's largest no-kill sanctuary for companion animals, adoption centers and spay and neuter facilities in Los Angeles and Salt Lake City as well as lifesaving programs in partnership with more than 1,300 rescue groups and shelters across the country. Since its founding in 1984, Best Friends has helped reduce the number of animals killed in American shelters from 17 million per year to an estimated 4 million. By continuing to build effective initiatives that reduce the number of animals entering shelters and increase the number who find homes, Best Friends and its nationwide network of members and partners are working to Save Them All®.

Lee Greenwood, Esq.
Legislative Attorney
Best Friends Animal Society
40 River St. #6
Boston, MA 02126
Cell: (617) 595-7042
Leeg@bestfriends.org

Kara Holmquist
Director of Advocacy
MSPCA-Angell
350 S. Huntington Avenue
Boston, MA 02130
617-541-5008
KHolmquist@mspca.org