

File No. 160226

Committee Item No. \_\_\_\_\_

Board Item No. 20

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_  
Board of Supervisors Meeting

Date: \_\_\_\_\_  
Date: March 15, 2016

### Cmte Board

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

### OTHER

- |                          |                                     |   |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>California State Assembly Bill 1825 - February 8, 2016</u> |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____   |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____   |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____   |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____   |

Prepared by: Brent Jalipa  
Prepared by: \_\_\_\_\_

Date: March 10, 2016  
Date: \_\_\_\_\_

1 [Supporting California Assembly Bill 1825 (Gordon and Maienschein) - Removing the  
2 "Vicious" Label from Dogs Seized from Convicted Dog Fighters]

3 **Resolution supporting Assembly Bill 1825, introduced by Assembly Members Gordon**  
4 **and Maienschein, removing the outdated provision in California law that unfairly**  
5 **condemns puppies and dogs seized in connection with convicted animal fighting cases**  
6 **as "vicious."**

7  
8 WHEREAS, San Francisco is a leader in promoting and supporting the humane  
9 treatment of dogs, and dogs are very important to the residents of the City and are an integral  
10 part of their community; and

11 WHEREAS, California law currently requires that all puppies and dogs seized from  
12 convicted dog fighters, including dogs who may be seized in the City and County of San  
13 Francisco, be arbitrarily and unfairly deemed "vicious;" and

14 WHEREAS, Under this requirement, local animal shelters are given no latitude to  
15 evaluate whether or not the dogs may actually pose any risk to public safety; and

16 WHEREAS, The "vicious" label condemns dogs to a life of strict confinement, which  
17 sadly almost always results in these canine victims being euthanized; and

18 WHEREAS, Many dogs seized in connection with animal fighting – who can be  
19 puppies, bait dogs, stolen pets, breeding mothers, or other dogs who would thrive in a loving,  
20 supportive environment – do not pose any risk to other dogs or humans; and

21 WHEREAS, When an animal officer rescues a dog from a life of fear and fighting, it is  
22 his or her hope that a new beginning awaits the canine survivor; and

23 WHEREAS, Animal shelters often want to give a dog or puppy seized as a victim of  
24 animal fighting cruelty an opportunity to live cruelty-free life; and  
25

1           WHEREAS, The vast majority of states give canine victims of cruelty a chance for  
2 adoption or rehabilitation by subjecting them to the same individual health and behavioral  
3 assessments as any other dog brought into an animal shelter; and

4           WHEREAS, Trained shelter personnel routinely evaluate all incoming dogs individually  
5 for their suitability for adoption, placement with a rescue organization, or another humane  
6 disposition, using techniques developed over years by animal sheltering professionals; and

7           WHEREAS, Many of the dogs seized in connection with animal fighting in other states  
8 have gone on to live healthy, happy lives, and some have even become therapy or service  
9 dogs; and

10           WHEREAS, Assembly Bill 1825 (AB 1825), jointly authored by State Assembly  
11 Members Rich Gordon and Brian Maienschein, and coauthored by nearly two dozen other  
12 state legislators, permits California animal shelters to preserve public safety and to protect  
13 seized canine victims of animal fighting by allowing these dogs to receive the same individual  
14 health and behavioral assessments as other dogs who are taken in by such shelters; and

15           WHEREAS, AB 1825 removes an outdated provision of California law that arbitrarily  
16 and unfairly condemns dogs and puppies seized in connection with convicted animal fighting  
17 cases as "vicious," giving these canine victims a chance to live happy lives, with humane  
18 euthanasia being the last resort instead of a forgone conclusion; and

19           WHEREAS, The San Francisco Society for the Prevention of Cruelty to Animals, The  
20 American Society for the Prevention of Cruelty to Animals, The Humane Society of the United  
21 States, Best Friends Animal Society, and The California Animal Control Directors Association  
22 are among the initial supporters of AB 1825; and

23           WHEREAS, California's animal shelters, including those located in the City and County  
24 of San Francisco, should be supported by their communities and their government, and

1 afforded the ability to follow best practices to assess the behavior and health of all dogs  
2 entering the shelters, including seized canine victims of animal fighting; and

3 WHEREAS, San Francisco condemns illegal dog fighting and is unwavering in its  
4 support for laws and policies that ensure the humane treatment of dogs; now, therefore, be it

5 RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
6 strongly supports Assembly Bill 1825 and urges the California State Legislature and Governor  
7 to pass it; and, be it

8 FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs  
9 the Clerk of the Board to send a copy of this Resolution to the Governor of California, the  
10 California State Assembly, and the California State Senate.

**ASSEMBLY BILL**

**No. 1825**

---

**Introduced by Assembly Members Gordon and Maienschein  
(Coauthors: Assembly Members Atkins, Baker, Bloom, Chang,  
Chiu, Hadley, Kim, Lackey, Linder, Mullin, Quirk, Steinorth,  
Mark Stone, and Williams)**

(Coauthors: Senators Allen, Block, Hill, Jackson, and Pan)

February 8, 2016

---

An act to amend Section 31603 of the Food and Agricultural Code, relating to dogs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1825, as introduced, Gordon. Vicious dogs: definition.

Existing law provides for the designation and disposition of certain categories of dogs as potentially dangerous or vicious dogs pursuant to a specified judicial process, and requires that designation to be included in the registration records of the dog. Existing law defines the term "vicious dog" to include, among others, dogs seized pursuant to specified animal cruelty laws.

This bill would delete this category of dog from the above-specified definition of "vicious dog."

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 31603 of the Food and Agricultural Code
- 2 is amended to read:
- 3 31603. "Vicious dog" means any of the following:

1     ~~(a) Any dog seized under Section 599aa of the Penal Code and~~  
2     ~~upon the sustaining of a conviction of the owner or keeper under~~  
3     ~~subdivision (a) of Section 597.5 of the Penal Code.~~

4     ~~(b)~~

5     ~~(a) Any dog~~ *which, that*, when unprovoked, in an aggressive  
6     manner, inflicts severe injury on or kills a human being.

7     ~~(c)~~

8     ~~(b) Any dog previously determined to be and currently listed~~  
9     ~~as a potentially dangerous dog~~ *which, that*, after its owner or keeper  
10    has been notified of this determination, continues the behavior  
11    described in Section 31602 or is maintained in violation of Section  
12    31641, 31642, or 31643.

O

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 2016 MAR -7 PM 4:24  
 Time stamp  
 or meeting date AK

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission     Youth Commission     Ethics Commission
- Planning Commission     Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

Breed

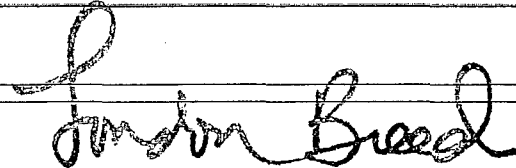
**Subject:**

Supporting California Assembly Bill 1825--Removing The "Vicious" Label From Dogs Seized From Convicted Dog Fighters

**The text is listed below or attached:**

Resolution supporting Assembly Bill 1825 removing the outdated provision in California law that unfairly condemns puppies and dogs seized in connection with convicted animal fighting cases as "vicious".

Signature of Sponsoring Supervisor:



For Clerk's Use Only:

