

Requesting the Establishment of Legislation for Penalties and Restitution for Harming a Guide, Signal, or Service Dog

Guide, signal, or service dogs are used by many people in Montana. These highly-trained animals can help a blind person safely and independently navigate their community. They can alert their handler or family members if a seizure is imminent. Hearing-assist dogs signal the presence of important sounds in the environment. Dogs trained to help with physical disabilities can pick up objects, open and close cupboards or drawers and turn lights on or off. Veterans with combat injuries use dogs to regain their independence. If they suffer from PTSD, specially trained dogs can aid their recovery by disrupting nightmares or other anxiety attacks.

It takes time, patience, and money to breed and train a guide or service dog. And once they are matched with a handler, it takes still more time for their special partnership to mature into an experienced working team. Handlers come to rely on their dogs to help them live independently and stay safe.

Unfortunately, data from guide dog schools has shown that 44% of guide dogs experience at least one dog attack. Indeed, almost 90% of guide dog users report interference with or injury to their guide dog from an unleashed, loose, or aggressive dog while guiding in public. Statistics from guide dog schools also show an escalation in the severity of dog attacks that require emergency veterinary care. Such attacks can cause permanent injury or even death.

Even if the dog survives, the experience can have a lifelong impact on both dog and handler. The dog may be unable to work, either temporarily or permanently. There may be ongoing costs for rehabilitation, further surgeries, or expensive medications. A long recovery period may cause the dog to lose some of its skills and necessitate retraining. If the dog cannot be rehabilitated, it may need to be replaced. This will likely be traumatic for the handler and hard on the dog. Such an outcome also has the potential to limit the handler's independence and mobility and reduce employment opportunities.

While Montana law affirms the right of a person with a disability to use a guide, signal, or service dog, it does not create legal penalties or require restitution for the tragic and costly consequences of intentional or unintentional harm done to these dogs by others. Forty-five states have adopted laws which provide for civil and criminal penalties in these instances. We call for the adoption of a law in Montana which holds a person responsible for the injury or death of a service dog and provides restitution to the owner consequences