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Owners of vicious dogs put on short leash

By [Kate Clements](#)

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SPRINGFIELD – Owners of dangerous or vicious dogs now face tougher penalties if their pets attack, under a bill Gov. Rod Blagojevich signed into law on Wednesday.

"Dogs can make great companions, but if they're not trained well or restrained, some dogs can also pose serious threats – especially to children," Blagojevich stated in a written release. "We've seen too many people seriously injured by dogs whose owners allow them to act more like wild predators than pets."

The Illinois Department of Agriculture or local animal control officials may declare a dog to be "dangerous" if it poses a serious threat or bites a person without justification but does not cause serious injury. Courts may declare a dog "vicious" if it is found to be a dangerous dog on three separate occasions or if it causes serious injury or death during an unprovoked attack.

Under HB 4238, which is effective immediately, the owner of a vicious dog faces up to five years in prison if he fails to sterilize the dog or fails to keep it in an enclosure and it seriously injures or kills someone. If the owner in question knowingly allows the dog to run loose, he faces up to seven years in prison.

The new law also provides stiff penalties if an owner fails to comply with an order regarding a dangerous dog, directs a dog to attack a police officer or uses a dog in furtherance of gang activity. The legislation also states that pet owners may be liable for civil damages for unprovoked attacks by their dog, and allows counties to charge more than the current maximum fine of \$50 for owners of dogs caught running loose in unincorporated areas. The bill was approved unanimously in the House and Senate.

Piatt County Animal Control Officer F.C. Dodd said it has been several years since there have been any serious dog-related incidents in his area, but he believed the new legislation was a good idea.

"Locally, here we have more dogs every day," Dodd said. "Hopefully this will encourage them to get their dogs spayed or neutered."

Colleen O'Keefe, division manager of food safety and animal protection for the Illinois Department of Agriculture, said she had similar hopes, adding that sterilized dogs are more docile and less likely to attack.

Also on Wednesday, Blagojevich signed two other dog-related bills, both of which are set to take effect on Jan. 1, 2007.

HB 4711 boosts the penalties for dog fighting, and HB 2946 will make Illinois the first state in the nation to bar convicted felons from owning unsterilized dogs or dogs that have been declared dangerous or vicious.

The new law applies to anyone convicted of a forcible felony, a felony weapons violation, a Class 3 drug felony or any felony that falls under the Humane Care for Animals Act. The prohibition lasts for the first 10 years after the felon's release from prison. It is designed to address reports of felons who may be using vicious dogs as weapons because they cannot legally possess firearms.

"This legislation makes sure that felons will no longer be able to turn man's best friend into a nightmare for law-abiding citizens," said state Rep. Jerry Mitchell, R-Sterling.

State Rep. Bill Black, R-Danville, said he appreciated individual lawmakers' desires to address dog attacks, dog fights and other situations that may have recently occurred in their districts, but said the state would be better served by a comprehensive approach.

"I think the thing that we need to do, more than just pass new laws and react to things, is to completely revise the Illinois Animal Control Act," Black said. "We have a pretty good act on the books, but it desperately needs to be revised and updated. It's kind of a potpourri and a hodgepodge of laws and regulations and conflicting views."

In April, Black won passage of House Resolution 866, which created a task force to hold public hearings, examine the Animal Control Act and recommend ways to update and improve it.

The task force, which includes various state officials and members appointed by the Illinois Farm Bureau, the Illinois Veterinary Medical Association, the Illinois State's Attorneys Association and the County Animal Controls of Illinois, is supposed to report back to the General Assembly in January 2007.

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