

**Before The
U.S. Department of Transportation
Washington, DC**

In the matter of:

TRAVELING BY AIR WITH SERVICE ANIMALS
Docket No. DOT-OST-2018-0068

Comments of DogsBite.org, Incorporated

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Introduction

My name is Colleen Lynn and I am the founder of DogsBite.org, a 501(c)(3) nonprofit established in October 2007 and incorporated in December 2009, becoming the first national dog bite victims' organization in the United States dedicated to reducing serious dog attacks. We are the primary nonprofit organization dedicated to putting the safety of humans before dogs and the principal source of information on this topic that is not owned, controlled, or funded by dog breeders, dog advocacy, veterinarian or animal welfare groups.

My organization welcomes the opportunity to comment on the Department of Transportation's ("DOT") Notice of Proposed Rulemaking ("NPRM"), issued on January 22, 2020 seeking public input on proposed amendments to the regulation of service animals on flights. We will specifically address why airlines should be able to prohibit specific breeds—pit bulls and fighting breeds—from flying in the cabin.

Since 2017, my nonprofit has written extensively about public policy issues pertaining to service and support dogs in aircraft cabins, starting with a report about the attack onboard Delta Air Lines flight 1430, when a "support" dog "repeatedly attacked" a man in the face.¹ In 2018, we issued a special report about why breed matters in service dogs, which outlines what some service dog organizations accredited by Assistance Dogs International ("ADI") already state about fighting breeds: they are a poor choice for a service dog. Most of these groups only choose certain breeds: Labrador retrievers, golden retrievers, Labrador-golden mixes and standard poodles.² In 2019, we issued an in-depth report about the civil lawsuit filed against Delta after the attack onboard flight 1430. That lawsuit remains pending.³

We applaud DOT for proposing the elimination of emotional support animals ("ESAs") in the cabin and streamlining service animals and psychiatric service animals ("PSAs") under a single service animal designation that reflects the same definition of a service animal as the Americans with Disabilities Act ("ADA"). By definition, the "sole function" of an ESA is to provide comfort. ESAs are not trained to perform specific tasks for the benefit of an individual with disabilities.

We also applaud DOT for recognizing the critical differences between the ADA and the Air Carrier Access Act ("ACAA"). DOT stated that airline travel "which involves transporting a large number of people in a very confined space thousands of

¹ [The Friendly Skies Fade After a Delta Passenger is Severely Attacked by an Unrestrained 'Emotional Support Dog'](#), by DogsBite.org, July 14, 2017 (dogsbite.org).

² [Why Breed Matters in Service Dogs and Why Pit Bull Service Dogs are a Bad Idea](#), by DogsBite.org, July 5, 2018 (dogsbite.org).

³ [Delta Passenger Repeatedly Attacked in the Face by a Large "Support" Dog Sues Airline and the Owner of the Dog](#), by DogsBite.org, June 4, 2019 (dogsbite.org).

feet above the ground, is unique in comparison to airports, libraries” and other sites covered by the ADA. DOT also stated that “aircraft are highly confined spaces” and that passengers traveling with service animals must be balanced against the health, safety, and well-being of the other passengers and crew. DOT stated in the NPRM:

“The cabins of most aircraft are highly confined spaces, with many passengers seated in close quarters and very limited opportunities to separate passengers from nearby disturbances. Animals on aircraft may pose a risk to the safety, health, and well-being of passengers and crew and may disturb the safe and efficient operation of the aircraft. Any requirement for the accommodation of passengers traveling with service animals onboard aircraft necessarily must be balanced against the health, safety, and mental and physical well-being of the other passengers and crew and must not interfere with the safe and efficient operation of the aircraft.”⁴

“Unpredictable Aggression”

Leading up to the discussion of whether to allow airlines to ban specific dog breeds from the airline cabin in the NPRM, DOT discussed the “unpredictable aggression” of capuchin monkeys. “DOJ found specifically that with capuchin monkeys the risk of injury from their unpredictable and aggressive behavior, plus the potential for transmission of diseases to humans, outweighed the benefits of allowing them” as service animals.⁵ DOT rejected capuchin monkeys for the same reasons and stated: “We are not proposing to recognize capuchin monkeys as service animals because they may present a safety risk to other passengers as they have the potential to transmit diseases and may exhibit ‘unpredictable aggressive behavior.’”⁶

This discussion of “unpredictable aggression” pertaining to an animal is relevant given that one of the chief reasons pit bulls are regulated under breed-specific laws in over 1,000 jurisdictions in the U.S. and jurisdictions within 53 countries worldwide is specifically due to the breed’s “unpredictable aggression.”⁷ Fighting breeds were selected for impulsive aggression, unbridled aggression, and

⁴ [U.S. Department of Transportation, January 22, 2020 \(DOT-OST-2018-0068\)](#), February 5, 2020 (transportation.gov)

⁵ 75 Fed. Reg. at 56163, 56193 (Sept. 15, 2010)

⁶ Nondiscrimination on the Basis of Disability in State and Local Government Services, 75 FR 56164, 56194 (Sept. 5, 2010)

⁷ [Estimated U.S. Cities, Counties, States and Military Facilities with Breed-Specific Laws](#), DogsBite.org, December 20, 2019 (scribd.com)

the willingness to attack in the absence of species-specific signs.⁸ Multiple appellate court decisions have also remarked on this characteristic of the pit bull.

“The extreme dangerousness of this breed, as it has evolved today, is well recognized. Pit bulls as a breed are known to be extremely aggressive and have been bred as attack animals ... coupled with an **unpredictable** nature” (*Matthews v. Amberwood*, 1998)⁹ “The trial court also found that pit bulls tend to be stronger than other dogs, often **give no warning signals** before attacking, and are less willing than other dogs to retreat from an attack, even when they are in considerable pain,” (*Colorado Dog Fanciers v. Denver*, 1991)¹⁰ “The trial court was presented with evidence which established that the specific breeds targeted by the ordinance possess inherent characteristics of aggression, strength, viciousness and **unpredictability** not found in other dog breeds.” (*Singer v. Cincinnati*, 1990)¹¹ “Pit bull dogs possess a strongly developed ‘kill instinct’ not shared by other breeds of dogs. This testimony indicated that pit bull dogs are unique in their ‘savageness and **unpredictability**.” (*Hearn v. City of Overland*, 1989)¹² “Pit Bulls also possess the quality of gameness ... which can be described as the propensity to catch and maul an attacked victim unrelentingly until death occurs, or as the continuing tenacity and tendency to attack repeatedly for the purpose of killing. It is clear that the unquantifiable, **unpredictable** aggressiveness and gameness of Pit Bulls make them uniquely dangerous. (*Vanater v. Village of South Point*, 1989)¹³ “The Village also presented evidence establishing that the American Pit Bull Terrier breed possesses inherent characteristics of aggression, strength, viciousness and **unpredictability** not found in any other breeds of dog.” (*Garcia v. Village of Tijeras*, 1988).¹⁴

⁸ [Aggressive dog breeds: Document nr. 1: Heritability of behavior in the abnormally aggressive dog](#), by Alexandra Semyonova, The Carriage House Foundation, November 2006 (nonlineardogs.com)

⁹ [Matthews v. Amberwood Associates Limited Partnership](#), 719 A. 2d 119 - Md: Court of Appeals 1998 (scholar.google.com)

¹⁰ [Colorado Dog Fanciers v. Denver](#), 820 P. 2d 644 - Colo: Supreme Court 1991 (scholar.google.com)

¹¹ [Singer v. City of Cincinnati](#), 57 Ohio App. 3d 1 - Ohio: Court of Appeals, 1st Appellate Dist. 1990 (scholar.google.com)

¹² [Hearn v. City of Overland Park](#), 772 P. 2d 758 - Kan: Supreme Court 1989 (scholar.google.com)

¹³ [Vanater v. Village of South Point](#), 717 F. Supp. 1236 - Dist. Court, SD Ohio 1989 (scholar.google.com)

¹⁴ [Garcia v. Village of Tijeras](#), 767 P. 2d 355 - NM: Court of Appeals 1988 (scholar.google.com)

Unpredictable aggression is a distinct hallmark of the pit bull breed. Part of the evidence used to uphold the City and County of Denver’s pit bull ban in 2004¹⁵ is research by Randall Lockwood, PhD, (The ethology and epidemiology of canine aggression), that was published in *The Domestic Dog: Its Evolution, Behaviour, and Interactions with People*, edited by James Serpell, PhD, and published in 1995.

“In addition to a lowered threshold for attack and higher pain tolerance in many fighting animals, selection for fighting has apparently resulted in the disruption of normal communications in individuals from recent fighting lineages. Under natural conditions, the aggression of wild canids is held in check by a detailed set of postural and facial signals that clearly indicate mood and intent (Fox, 1971a; Schenkel, 1967) In addition, aggressive encounters are normally ended rapidly, when one individual emits the appropriate ‘cut-off’ behavior, such as infantile vocalizations (whining, yelping) and submissive displays (Fox, 1971b). Dogs from fighting lineages have been under selective pressures that **suppress or eliminate accurate communication of aggressive motivation or intent**. It is to a fighting dog’s advantage for its attack to be unexpected.”¹⁶

Multiple modern medical studies also call to attention the alarming number of unprovoked attacks by pit bulls compared with other dog breeds. DOT stated in the NPRM, “there may be concerns that certain dogs may be dangerous because of their muscular bodies, large and powerful jaws and neck muscles, and ferocity when **provoked to attack**.” This indicates that DOT has little to no knowledge about why so many U.S. jurisdictions regulate pit bulls, along with jurisdictions in 53 countries worldwide. Fighting breeds do not need provocation to attack. Fighting breeds were selected for the willingness to attack in the absence of species-specific signs.

Below are summaries from two recent medical studies.

“The data showed that compared with other dog breeds, pit bull terriers inflicted more complex wounds, **were often unprovoked**, and went off property to attack ... The probability of a bite resulting in a complex wound was 4.4 times higher for pit bulls compared with the other top-biting breeds ... and the odds of

¹⁵ [One City’s Experience](#), by Kory A. Nelson, Senior Assistant City Attorney for the City of Denver, *Municipal Lawyer*, July/August 2005.

¹⁶ [The Ethology and Epidemiology of Canine Aggression](#), by Randall Lockwood, [The Domestic Dog: Its Evolution, Behaviour, and Interactions with People](#), edited by James Serpell, *Cambridge University Press*, 1995.; republished in *Animal Law and Dog Behavior*, *Lawyers & Judges Publishing Company*, by David Favre and Peter L. Borchelt, PhD, 1999.

an off-property attack by a pit bull was 2.7 times greater than that for all other breeds.” (Regional Level 1 trauma center - Charleston, West Virginia, 2019)¹⁷

“334 unique dog bites were identified, of which 101 involved the head and neck. The mean patient age was 15.1 ± 18.1 years. Of the more than 8 different breeds identified, one-third were caused by pit bull terriers and resulted in the highest rate of consultation (94%) and had 5 times the relative rate of surgical intervention. Unlike all other breeds, pit bull terriers were relatively more likely to attack an **unknown individual (+31%), and without provocation (+48%).**” (Level 1 trauma center - Sacramento, California, 2014)¹⁸

Several recent medical studies, such as the above, also call to attention the alarming number of attacks perpetrated by pit bulls on unknown individuals. Whereas, the majority of all dog bite injuries, nonfatal¹⁹ and fatal,²⁰ are inflicted by family dogs upon household members on the owner’s property. A study from a regional Level 1 trauma center in Seattle, which examined all dog bite injuries and all ocular injuries inflicted by dogs, found that when attacks were inflicted by unfamiliar dogs, pit bulls were responsible for at least 60% of these injuries.

“Importantly, this study is the first to accurately establish that pit bulls are the breed most commonly associated with ocular injuries (25%). Most alarming is the observation that when attacks come from **unfamiliar dogs, the pit bull** was responsible for 60% and 63% of all injuries and ocular injuries, respectively.” (Regional Level 1 trauma center - Seattle, Washington)²¹

¹⁷ [Dog-Bite Injuries to the Craniofacial Region: An Epidemiologic and Pattern-of-Injury Review at a Level 1 Trauma Center](#), by Khan K, Horswell B and Samanta D, MS J Oral Maxillofac Surg, [2019 Nov 14, Epub].

¹⁸ [Dog Bites of the Head and Neck: An Evaluation of a Common Pediatric Trauma and Associated Treatment](#), by O’Brien DC, Andre TB, Robinson AD, Squires LD and Tollefson TT, Am J Otolaryngol, 2015 Jan-Feb; 36(1): 32–38. [2014 Sep 28, Epub].

¹⁹ The majority (80.2% [77.7, 82.4]) of the bites occurred at home, 7.1% [5.9, 9.2] on the street, 2.5% [2.0, 3.2] at schools or sporting places, and the remaining 10% [7.7, 12.1] at other locations. | [The demographics of dog bites in the United States](#), by Randall T. Loder, *Helixyon*, March 2019.

²⁰ From 2005 to 2017, family dogs inflicted 54% (232) of all fatal attacks. In the 13-year data set, 25% (107) of fatal attacks occurred off the dog owner’s property, close to the CDC study period of 24%. | [U.S. Dog Bite Fatalities: Breeds of Dogs Involved, Age Groups and Other Factors Over a 13-Year Period \(2005 to 2017\)](#), by DogsBite.org, May 2018.

²¹ [Ocular Trauma From Dog Bites: Characterization, Associations, and Treatment Patterns at a Regional Level I Trauma Center Over 11 Years](#), by Prendes MA, Jian-Amadi A, Chang SH and Shaftel SS, Ophthalmic Plast Reconstr Surg, 2016 Jul-Aug;32(4):279-83 [June 2015, Epub].

Pit Bulls Attack Adults More Frequently than Children

In the month of May 2019, over 77 million passengers flew on U.S. scheduled airlines (domestic and abroad), according to the Bureau of Transportation Statistics.²² The overwhelming majority of these passengers were adults. Both nonfatal and fatal dog bite injuries studies show that unlike other dog breeds, pit bulls attack adults more frequently than children. Being an adult—male or female—does not dissuade pit bulls from attacking, like it appears to in other dog breeds. This information has been known since the 1980s. With that in mind, I will cite several older studies first, leading up to more recent research developments.

In a 1987 commentary published in *Anthrozoos*, Are “Pit Bulls” Different? An Analysis of the Pit Bull Terrier Controversy, authors Randall Lockwood and Kate Rindy examined nonfatal dog attack injuries by reviewing press clippings of 278 dog attacks compiled from January 1, 1986 to October 1, 1986. They found that pit bulls, attacked adults (≥15 years old) more often than children, 54% to 46% respectively. Whereas, all other dog breeds combined attacked children (≤14 years old) more frequently, 62% to 38% respectively. The two also found that pit bulls are more likely to inflict multiple injuries on older victims. “35% of older pit bull victims received multiple injuries, compared with 18.5% of older victims of other breeds.”²³

In a 10-year review of U.S. fatal dog attacks from 1979 to 1988, researchers at CDC also found that pit bull attacks more often involved victims ≥10 years old. “31% of pit bull-related deaths were among persons older than 9 years compared with 19% for other dog breeds.”²⁴ Modern fatal dog attack research shows this distinction as well. Between 2005 and 2019, canines killed 521 individuals in the United States. Pit bulls were involved in 346 of these deaths, 66%, despite only comprising about 7% of the total U.S. dog population. Of this subset of 346 pit bull victims, 60% were ≥10 years old and 58% were ≥19 years old. When combining all other dog breeds, a total of 43 other dog breeds, only 44% of victims were ≥10 years old and 43% were ≥19 years old. Of the total number of persons ≥10 years old killed by dogs during this 15-year period (285), **pit bulls were responsible for 73% (208)**.²⁵

By contrast, it is important to review the ages of victims killed by rottweilers, the second most top killing dog breed in the U.S. During this recent 15-year period, rottweilers killed 51 people. To broaden this victim data set, one can review fatalities inflicted by rottweilers from 1978 to 2019 by reviewing our Fatal Rottweiler Attack

²² [Estimated May 2019 U.S. Airline Traffic Data](#), Bureau of Transportation Statistics (bts.gov)

²³ [Are “Pit Bulls” Different? An Analysis of the Pit Bull Terrier Controversy](#), by Randall Lockwood and Kate Rindy, *Anthrozoos*, Vol. 1 Number 1, 2-8, 1987.

²⁴ [Dog Bite-Related Fatalities from 1979 through 1988](#), by Sacks JJ, Sattin RW and Bonzo SE, *JAMA* 1989 Sep 15;262(11):1489-92.

²⁵ A 2-year extension of our [13-year review of U.S. fatal dog attacks](#), set to be released in May 2020. Also, revised from 512 total deaths to 521 on April 8, 2020. There was a typo in our DOT submission.

Archival Record. During this 42-year period, rottweilers killed 121 individuals. Only 28% (34) of their victims were ≥ 10 years old.²⁶ Rottweilers are also the subject of breed-specific laws, but only make up about 7% of these ordinances in the U.S.²⁷

Pit bulls pose the most threat to the most frequent airline passengers, adults, due to their failure to communicate intention before an attack—pit bulls will attack without warning and will attack in the absence of species-specific signs. Pit bulls are also more likely to attack “unfamiliar” persons compared with other breeds and are more likely to attack adults than children. As stated earlier, dogs selected for fighting also lack an appropriate “cut off” behavior once an attack begins. Other dog breeds “bite and release.” Pit bulls will repeatedly attack in an escalating manner, inflicting multiple bites in multiple anatomical regions, which is why this dog breed shows up so disproportionately in studies and reports about fatal and severe nonfatal attacks.²⁸

Disproportionate Response

In late March, we addressed “unprovoked, disinhibited aggression” exhibited by pit bulls after a fundraiser was launched for an American Airlines flight attendant who was attacked in the face by a pit bull. This adult female suffered a broken leg in December “due to air turbulence mid flight,” according to the GoFundMe page.²⁹ While she was recovering from her broken leg injury, she was attacked in the face by a pit bull while on her way to rehabilitation. The attack was unrelated to any service she performed for the airline, but the attack is relevant because she is an adult victim who suffered catastrophic facial injuries in an unprovoked, disinhibited aggression attack by a pit bull. The difference with pit bulls compared with other dog breeds is that they often exhibit **sudden disinhibited aggression**, which is always a disproportionate response to the stimuli.³⁰

This type of unprovoked and disinhibited aggression is also called “impulsive aggression.” As animal behaviorist Alexandra Semyonova states in her 2006 analytical paper about the heritability of abnormal aggressive behavior in aggressive dog breeds, “It’s also not realistic to pretend that impulsive aggression is not pathological. The environments (the fighting pit, the baited bull, the escaping

²⁶ [Fatal Rottweiler Attacks - The Archival Record](#), by DogsBite.org (dogsbite.org)

²⁷ [Q: What kinds of dogs are included in breed-specific laws?](#), Breed-Specific Legislation FAQ, by DogsBite.org (dogsbite.org)

²⁸ [Level 1 Trauma Center Studies Characterizing Dog Bite Injuries Across Major U.S. Geographical Regions \(2011-2019\)](#), by DogsBite.org (dogsbite.org)

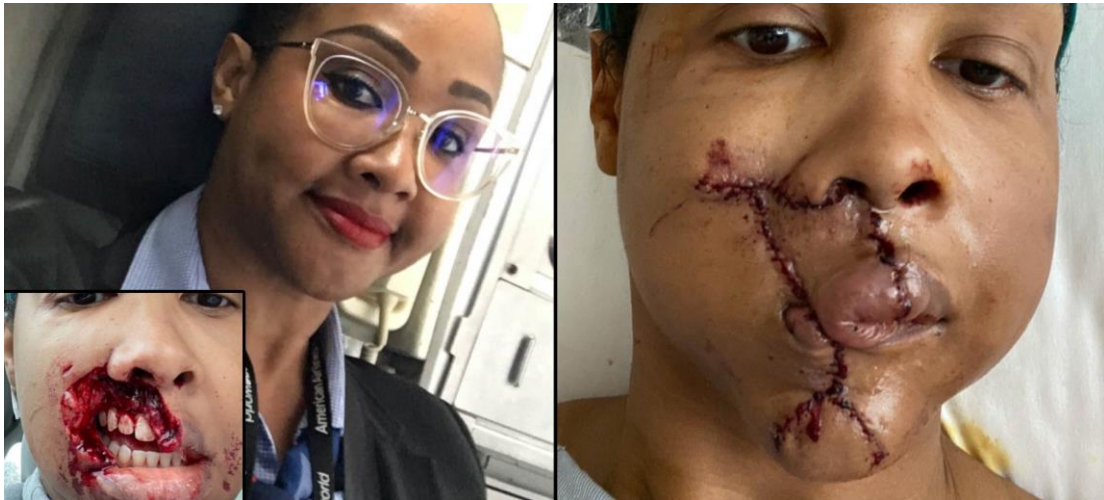
²⁹ [Reconstructive Surgery from Pit Bull Mauling](#), GoFundMe, March 20, 2020 (gofundme.com)

³⁰ [Victim Shares Video After Violent Facial Pit Bull Mauling](#), by DogsBite.org, March 25, 2020 (dogsbite.org)

slave) for which these behaviors were selected as an adaptive response are so extreme that in fact there is no appropriate context for these behaviors in normal life.”³¹

“There is such a thing as normal aggression in animals (and dogs). Maternal aggression, territorial aggression, predatory behavior, for example, all depend on different neuronal and hormonal mechanisms, and they are all normal coping responses in a particular environment. These behaviors in the dog have been accepted by humans in the process of domestication, as long as the behaviors can be foreseen. **Abnormal disinhibited behavior is not functional, and it is unpredictable.** Although high arousal and sudden attack can be functional in certain environments, this behavior is pathological in a safer environment, where a high level of arousal and aggressivity aren’t necessary and only lead to unnecessary attacks and injuries.”³²

This is a “classic” facial pit bull mauling. A disproportionate response to what we assume was minor stimuli. The victim’s name is known only as Latoya. No airline can take the risk of this type of attack while passengers are onboard a flight.



³¹ Semyonova, 2006. Pg 4.

³² Semyonova, 2006. Pg 4.

Airplane Cabins Are Isolated from Help

Airline travel has a number of unpredictable elements, from sudden turbulence to abrupt loud noises to long delays. This unpredictability combined with the extremely confined space inside an aircraft cabin could exacerbate the well-identified dangerous characteristics in pit bulls, a breed that consistently displays these traits—failure to communicate intention before an attack, disinhibited aggression and a disproportionate response to stimuli—when in a safe, predictable environment.

If a mauling does occur while in the air in a crowded aircraft cabin, the victim, passengers and crew are far removed from help. The airline cabin is essentially isolated from help. Every measure should be taken to minimize well-identified risks.

From 2011 to 2019, 14 peer-reviewed medical studies from Level 1 trauma centers spanning all major geographical regions in the United States -- Northeast, Southeast, South, Southwest, Midwest, West Coast and Northwest -- all report similar findings. Pit bulls are inflicting a higher prevalence of injuries than all other breeds of dogs. The majority of these studies also report that pit bulls are inflicting the most severe injuries, requiring a higher number of operative interventions than other dog breeds.³³ The below study also shows that pit bulls are more than 2.5 times likely to bite in multiple anatomical locations compared to other dog breeds.

“Our data were consistent with others, in that an operative intervention was more than 3 times as likely to be associated with a pit bull injury than with any other breed. Half of the operations performed on children in this study as well as the only mortality resulted from a pit bull injury. Our data revealed that pit bull breeds were **more than 2.5 times as likely as other breeds to bite in multiple anatomical locations.**” (Pediatric Level 1 trauma center - Atlanta, Georgia, 2017)³⁴

There is No Assessment Test

Lastly, I will address Delta’s comment regarding breed restrictions, “Absent an approach that clearly demonstrates an animal can behave properly, airlines should be able to impose breed restrictions to ensure passenger safety,”³⁵ and DOT’s mistaken proposal that airlines have the ability to “conduct an individualized

³³ Level 1 Trauma Center Studies, by DogsBite.org Pg. 8.

³⁴ [Characteristics of 1616 Consecutive Dog Bite Injuries at a Single Institution](#), by Golinko MS, Arslanian B, Williams JK, Clinical Pediatrics (Phila), April 2017 [July 2016, Epub].

³⁵ [Comments of Delta Air Lines](#), Submitted July 10, 2018 (DOT-OST-2018-0068-4141), Dated May 23, 2018 | Docket No. DOT-OST-2018-0068.

assessment of a service animal’s behavior to determine whether the service animal poses a direct threat to the health or safety of others.”

Delta stated that it wants DOT to “develop clear and consistent standards” for determining that a service or support animal is trained.³⁶ DOT’s response to this request has been to ignore it. DOT has left it up to airlines—who are not animal behaviorists or animal experts—to conduct an “individualized assessment” of each service animal to determine whether the animal poses a danger to others. This “individualized assessment” approach being a substitute for a breed ban.

Currently, there is no behavior test (in relationship to shelter dogs being rehomed) that measures unpredictable aggression. Among animal welfare groups and animal behaviorists, there is no disagreement about this. According to animal behaviorist Alexandra Semyonova, who wrote a review of shelter behavior tests in 2016, “existing tests do not detect territorial aggression, predatory aggression, owner-directed aggression, dog-aggression, nuisance barking, escape behavior, or how a dog will react to direct physical contact or restraint once it’s rehomed” either. Generally, the predictive value of existing behavioral tests is low.³⁷ Due to this, many shelters no longer perform these tests, but merely list “observations” of the dogs’ behavior while in the kennel to avoid liability.

Since 2014, at least 28 adopted or rescued dogs have carried out fatal attacks on individuals after being adopted. Of these 28 dogs, at least 19, 68%, were vetted by an animal agency prior to adoption, either through a “self-invented test,”³⁸ an industry test, such as SAFER,³⁹ or other means of evaluation. Of this subset of 19 dogs, 68% were pit bulls. Among the vetted dogs, the majority of fatal attacks were carried out within several weeks of adoption and in 4 cases, within 24 hours of being adopted.

DOT mistakenly believes that airlines have the capability to conduct an “individualized assessment” of each service animal to determine whether the animal will pose a danger to others in a crowded aircraft cabin. **Airlines do not have this capability. Shelters do not have this capability, despite having dog trainers or behavioral testers on staff, because the predictive value of these tests is low.**

Lacking an effective assessment test, dog breeds are a “baseline” assessment tool. Dogs of specific breeds exhibit different behaviors. Herding dogs herd. Retrieving dogs retrieve. Guarding dogs guard. These behaviors occur very early in life and do not require specific training. **Form follows function.** There is a reason

³⁶ Comments of Delta Air Lines, 2018 Pg. 10.

³⁷ [Behavior Testing Shelter Dogs – Document 1, The reality of where we are now](#), by Alexandra Semyonova, September 2016 (nonlineardogs.com).

³⁸ Many shelters design their own test.

³⁹ [SAFER® & Other Behavioral Assessment Tools](#), ASPCApro, American Society for the Prevention of Cruelty to Animals (aspcapro.com)

why border collies have a differently shaped body than a racing greyhound. There is a reason why pit bulls are characterized by exaggerated jaws and neck muscles. Border collies, greyhounds and numerous other dog breeds do not have the physical conformation to execute an efficient “killing” bite. Pit bulls and dogs bred for fighting and baiting (“killing”) do have this physical conformation due to being shaped by hundreds of years of selective breeding to best perform the task of killing.

“Physical and behavioral conformation mean that you cannot breed out behavior and keep the dog the same shape. In fact, as Belyaev bred his foxes into the pettable creatures he wanted, they began to have an increasingly floppy-eared mutt exterior. Form follows function – you can’t have a dog whose entire body and brain are adapted to executing the killing bite without having, in fact, a dog who will execute the killing bite.”⁴⁰

The question is not whether one pit bull is a “safe” service animal and another pit bull is a dangerous service animal. The question is, how can an airline conduct an “individualized assessment” when no assessment test exists for unpredictable aggression? Erring on the side of safety, when traveling by air, is always the best choice. Delta Air Lines made the choice to ban service pit bulls and baiting breeds (bull breeds) in the confined space of an aircraft cabin. Absent an effective assessment tool, airlines should be able to ban pit bulls and fighting breeds.

Some of the dog breeds most often categorized as pit bulls and pit bull-type dogs affected by Delta’s ban on service and support dogs in the airline cabin.



⁴⁰ Semyonova, 2006. Pg 4.