BREED PROFILE: Cane Corso

The Cane Corso is a highly muscular, short-haired mastiff-type dog having its origins in Italy in the 14th century. The name is derived from the Latin "Cohors", meaning guardian or protector. The breed was developed for protection and hunting. Males weigh between 99-110 lbs. and females between 88-99 lbs. Height is between 23-26 in. at the shoulders. Colors are fawn or bluish-gray. The breed was officially recognized in the miscellaneous class by the American Kennel Club in 2010. Cane Corso's ranked 80th in popularity based on AKC registrations in 2012. The Neapolitan mastiff, another Italian breed, is closely related.

Descriptions of the breed include: "very loyal, willing to please, highly intelligent, very trainable, unequalled as a watch and protection dog, terribly brave protector of people, house and property, will not back down from other dogs who try to dominate them.

Experts stress that breed is not a fighting dog and will make a good family pet provided

assumptions of risk are clearly defined as they are for people in certain occupations (i.e. the "Fireman’s rule"). The assumption of risk is well-known by animal control agencies, and the danger has been documented by animal behavior professionals.

A case in point is the the May 8, 2013 fatal dog attack by a pack of dogs on 63 year old Pamela Devitt in Littlerock, California. Devitt received about 200 puncture wounds and was mauled to death by four pit bull terriers during a morning walk. A passing motorist witnessed the incident and called 911. Police arrived at the scene and found Devitt on the ground and saw at least one dog circling her.

Packs of Dogs pose extreme danger to people in California

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Richard H. Polsky, Ph.D. received his academic training at the The Ohio State University (B.Sc. 1970 and then at the Univ. of Leicester, England) where he earned the doctorate in animal behavior in 1976. After finishing his doctoral studies, he served for two years as a Research Associate in animal behavior at the University of Birmingham (England). From 1976-1981, Dr. Polsky was a post-doctoral fellow in animal behavior at UCLA. During his six years at UCLA, Dr. Polsky engaged in further studies and research in animal behavior. Dr. Polsky is a member of the Animal Behavior Society, the American Association for the Advancement of Science, and an associate member of the American Society of Veterinary Behavioralists. He is certified as an applied animal behaviorist by the Animal Behavior Society. Since 1981, Dr. Polsky's practice in Los Angeles has focused on the treatment of canine and feline behavior problems, particularly aggressive behavioral problems (www.LAdogtraining.com). He has published 50+papers, many peer-reviewed, in veterinary and animal behavior journals. Dr. Polsky has served as an expert on more than 250 occasions for both plaintiff and defense, and also in criminal cases concerning human fatalities caused by companion dogs and those dealing with police dog attacks. He served as the animal behavior expert for the defense in the well-known San Francisco dog mauling. Dr. Polsky resides in West Los Angeles with his family, and a standard schnauzer and border collie. Read more at www.dogexpert.com

Assumption of Risk in Dog Bite Lawsuits

Assumption of risk is a defense against liability that may be used in personal injury dog bite lawsuits. In essence, assumption of risk means that the victim had foreknowledge that dog bite injury could be inflicted if the choice were made to interact with a dog under certain circumstances.

Various scenarios arise in which logic dictates that a layperson may assume the risk of being bitten during interaction with the dog. For example, a man chooses to enter to the territory of a dog who was earlier barking and growling at the fence line. Another example would be the good Samaritan who comes to the aid of an injured dog that had just been struck by an automobile. The dog is in pain and the person attempts to move the dog to the side of the road, but is bitten in the process. Another example arises when an owner is walking a dog on leash in a residential area, and a dog in a nearby house escapes from the property and commences to attack the owner's dog. The owner tries to separate the dogs, but is bitten in the process. Generally, common sense dictates that in certain circumstances it would be risky for a layperson to interact with certain dogs, and generally these are dogs who are acting aggressively or who have the potential to respond with aggression. Note, however, the conditions under which a layperson assumes the risk of being bitten are not as clearly defined as they are for people in certain occupations (i.e. the "Fireman's rule"). The latter includes veterinarians, dog trainers, groomers, kennel operators, and other pet care professionals.

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In dog bite lawsuits, whether the plaintiff assumed the risk of being bitten obviously has to be evaluated according to the fact pattern of the case. From an animal behavior perspective, certain facts are important to consider. For example, the dog’s motivational state, the medical condition of the dog, and the setting in which the interaction occurred, the type of dog, and the prior knowledge about the dog and the relationship the person had with the dog. Absent from this fact pattern, is the idea of morality. That is, did the dog bite victim exercise reasonable moral judgment in choosing to interact with the dog? For example, the good Samaritan who attempts to help an injured dog, or the owner who tries to stop an attack on their beloved dog by another dog who just escaped from a nearby property. The moral decision-making of the dog bite victim is rarely discussed in dog bite lawsuits. This is surprising given the strong attachment people have for their dogs. An owner’s dog may not be their biological kin, but surely frequently a dog is an owner’s psychological kin, and is known and loved by the owner as well as other people. Much of this has become increasingly recognized in family law. Recent research illustrates this point profoundly. Richard Topolski, a professor at George Regents University published a study in the June 2013 issue of Anthrozoos entitled “Choosing between the Emotional Dog and the Rational Pal: A Moral Dilemma with a Tail.” (Anthrozoos, 2013, volume 26, Issue 2, 253-263). In this study, 573 participants were put into a hypothetical situation where they were forced to choose between saving the life of a person versus saving the life of a dog. The people in the study varied in the degree of connection they had with the participant, and were several types: a foreign tourist, hometown stranger, distant cousin, best friend, grandparent, or a sibling. The dog was either his own pet or someone else’s pet. The results showed that up to 46% of the respondents elected to save the life of their own pet instead of someone less connected with them, such as a foreign tourist or hometown stranger. A secondary finding was that women more than men acted in this manner. The authors concluded that this finding suggests that males and females may differ in “the structure of their moral reasoning.” Thus, it understandable why the dog bite victim chose to intervene in a situation when they sensed their beloved dog, or maybe an unfamiliar dog, life was in peril. Science tells us that the victim acted in a morally reasonable manner. Thus, in dog bite lawsuits, it seems fair to consider the morality of the dog bite victim’s actions when issues of assumption of risk are raised.

Police chased the dog, firing shots at it, but the dog evaded capture. In the hours following the incident, the dog involved in the incident could not be found, and locals were advised to avoid the area. County Supervisor Mike Antonovich announced a $25,000 award for information leading to their capture. Later that day, eight pit bulls believed to be involved in the incident were found in the home of alleged owner, Alan Jackson. Four of the dogs had blood on them which matched the blood from Devitt, as confirmed by DNA testing. The Los Angeles Times reported that these same dogs have attacked humans and other animals, such as horses and flocks of emus, prior to the mauling of Devitt. Jackson now faces murder charges. In a previous dog bite fatality case in California, murder charges were filed against attorney Marytrie Knoller as a result of her massive Presa Canario dogs mauling to death Diane Whipple in an apartment hallway in San Francisco in 2001. Knoller was convicted of second-degree murder.

Little Rock is located about 15 miles from Palmdale in Southern California’s “high desert.” Housing communities, consisting of small, single-family track homes have been rapidly created in this part of Southern California known as the Antelope Valley. Excluding the cities of Palmdale and Lancaster, the population of Antelope Valley is about 300,000. Much of the area is rural. Until two lane roads, surrounded by vast sections of desert, connect the various communities. Temperatures in the summer rarely fall below 100°. Convenience stores are found sporadically through the area. The area is conducive to roaming packs of dogs, many of which are probably hungry. Roadside dumping of dogs frequently happens, and these dumped dogs are likely to form packs. It is uncertain if these packs are temporary associations or permanent groups, however.

Los Angeles County Animal Control is aware of the stray dog / dog pack problem in Antelope Valley. In recent years, several serious, well-publicized dog attacks have occurred, including dog bite fatalities. Parents are wary of children playing unsupervised outdoors. Residents carry weapons, such as golf clubs, pepper spray and occasionally with stray dogs. This long-standing problem in Antelope Valley is likely to continue as long as irresponsible people continue to abandon their dogs. When abandoned, in an environment like this, a dog’s best chance for survival is to group together with other dogs, and when these groups become hungry they are likely to attack other animal and humans.

In April, the 38-year-old lady in Stockton, California was found dead in a neighbor’s driveway after being attacked by pit bull owned by the neighbor. In May, a 63-year-old lady in Little Rock, California out for a morning walk was mauled to death by a pack of loose pit bulls. In June, a six-year-old boy was fatally attacked by the family’s two-year-old pit bull mix dog in Union City, California. The boy who might have been roughhousing with the dog, suffered a fatal dog bite to the top of his head. Approximately three dog bite fatalities happen in California on an annual basis; hence, the rate for 2013 has been extraordinary.

The United States has the highest death rate from dog bite fatalities at 0.007/100,000 and Australia the lowest at 0.004/100,000. The United States has the highest death rate from dog bite fatalities on an annual basis; hence, the rate for 2013 has been extraordinary.

Letter carriers that work on foot are a common victim of dog bite attack. The United States Postal Service released 2012 ranking data regarding the frequency of dog bite attacks on letter carriers respective to location in the United States. Los Angeles with 69 documented attacks led the nation followed by San Antonio (47 attacks) and Seattle (42 attacks), Chicago (41 attacks), and San Francisco (38 attacks). In almost all cases, postal workers are trained to attack dogs in self-defense. However, it is noteworthy that these kind of dog bite attack continue at relatively high rates despite the educational efforts for letter carriers made by the United States Postal Department over many years.