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HB 1147 & SB 554 (Possession of alleged dog fighting equipment criminalized)

Frost (Criminal Jurisprudence); Whitmire (Criminal Justice)

1. Under this bill it would become a crime to possess dog fighting equipment with the intent that the equipment be used to train a dog for fighting or is used in the furtherance of dog fighting. This would become a Class A misdemeanor punishable by up to one year in jail and up to a \$4000 fine.
2. Dog fighting equipment is defined to include a harness, treadmill, cage, decoy, pen, house for keeping a fighting dog, feeding apparatus, or training pen.

Why We Oppose this Bill:

1. All dog owners possess at least some of the equipment in this bill, and many dog owners possess most of the equipment such as a harness, treadmill, cage for a dog, a pen for a dog, feeding apparatus (a dog bowl) and training pens.
2. While possession of these items to be a crime is linked to intent to train dogs to fight or in the furtherance of dog fighting, that is very vague. There is no definition of what constitutes intent. How do you prove intent?
3. Merely possessing this equipment does not mean that someone has the intent to train a dog to fight or that the equipment is used in the furtherance of dog fighting. Because someone has a dog bowl, does this mean they have the intent to fight a dog?
4. This bill would open the door for unfairly prosecuting a person who legitimately owns American Pit Bull Terriers or other similar dogs.
5. Legitimate dog trainers of all breeds use tread mills to exercise their dogs particularly when the weather is bad, and in no way indicates training of fighting dogs.
6. If a dog fighter is convicted, then the equipment described above can already be seized and forfeited.