

Owner of dog gunned down by APD officer asking for relief, change of policies

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An Austin law firm is asking the Austin Police Department for relief for the owner of a dog shot and killed by one of their officers. Daphne Silverman says they've sent a tort claim letter to the city that says the shooting violated Julian Reyes constitutional rights by murdering his dog. She says an expert told them the incident is a wrongful act by law enforcement and that the basis of the wrong comes from a lack of policy and training. Silverman says they've reached out to the city to encourage them to incorporate training that will prevent pet killings in the future. She maintains the training should include how to deal with an animal, provide backup in emergencies.

Silverman says as well as financial relief, they also want the APD to incorporate training that will prevent pet killings in the future. She is working on legislation that will require police departments statewide to adopt policies and procedures on they deal with pets based on legislation out of Colorado. The new law would create a panel that would come up with training for law enforcement by animal experts rather than other law enforcement officers.

From [Silverman Law Group](#):

The Dog Protection Act- in honor of Shiner Bock, Cisco, Lily and all dogs killed by law enforcement

There will be no justice as long as man will stand with a knife or with a gun and destroy those who are weaker than he is.~Isaac Bashevis Singer

Why do we need a law to protect dogs? According to the Puppycide documentary, a dog is shot in the U.S. every 98 minutes. Many of these dogs are a beloved pet, service and companion dogs, sporting dogs, and working dogs, most of which are docile and well trained, without a history of threatening behavior and in many cases, the dogs were shot despite not exhibiting any signs of aggression.

How can we best protect Texas dogs? Support the Dog Protection Act. A similar law was signed in Colorado on 5/13/2013. The present draft is posted on our Facebook page. The salient provisions of the Act include:

- Establish that it is a policy of this state to prevent, whenever possible, the shooting of dogs by local law enforcement officers in the course of performing their official duties.
- Requires training for officers of local law enforcement agencies on differentiating between canine behaviors that indicate imminent danger of attack to persons and benign behaviors commonly exhibited by dogs, such as: barking, that do not suggest or pose imminent danger of attack.
- Requires local law enforcement agencies in the state to adopt policies and procedures for use of lethal and non-lethal force against dogs, which policies and procedures must:
- Emphasize alternative methods that may be employed when dogs are encountered; and
- Allow a dog owner or animal control officer whenever the owner or animal control officer is present and it is feasible the opportunity to control or remove a dog from the immediate area in order to permit a law enforcement official to discharge his or her duties.
- The training program required by law must be overseen by either a qualified animal behavior expert or licensed veterinarian. It specifically:
- Creates a Dog Protection Task Force to develop minimum training curricula, specify minimum qualifications for the animal behavior expert or veterinarian providing training, develop web or video based training.
- The Dog Protection Task Force includes: 3 vets, 2 representatives of the Texas federation of Animal Care Societies, 1 animal behaviorist or animal behavior experts appointed by Responsible Pet Owners Alliance, 2 representatives of the Texas Animal Control Association, 3 sheriffs or deputy sheriffs (1 must have at least 2 years of canine experience), 3 representatives of Texas Association of Chief of Police (one with K-9 experience), 3 persons appointed by the Texas Bar (2 with dog shooting cases), 1 person who need not be an attorney but who owned a dog shot by law enforcement officers, and 1 member appointed by the Texas Vet Association (not a vet) with canine behavior experience.

What can you do? Help secure sponsors for the legislation. Sign up to receive information and updates about puppycide protection in Texas. We will let you know when the bill has sponsors and a bill number so that you can write your legislators and ask them to vote in favor of the law.

What is Lily's Law? We urge you not to support Lily's Law. Lily's Law, or S.B. 1358, is a bill proposing animal behavior training as protection against the shooting of dogs. The bill would require the following:

- Officers must complete an animal encounter-training program established by the Texas Commission on Law Enforcement.
- 9 commissioners appointed by the Governor govern the Texas Commission on Law Enforcement. Three must be chief administrators of law enforcement agencies, three must

be police officers in non-supervisory positions and only 3 are non-law enforcement persons. The body is focused fully on law enforcement objectives, not on humanitarian objectives.

- The Commission does not have: veterinarians, representatives of animal welfare agencies, animal behavior experts, animal control officers, officers with k-9 experience, attorneys with animal law expertise.
- The Commission is chaired by and run by police.
- Lily's Law does not require policies in place to protect dogs
- Lily's law gives officers 2 years to complete training.
- The proposed training is run by cops.

Where does Lily's Law fall short of protecting Texas dogs? Lily's law calls for officer training created by officers. If officers alone determine how to protect dogs from law enforcement shootings, protections for keeping dogs safe run the risk of being ineffective. We need other voices who have animal experience to ensure that dogs are kept safe from bullets.

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You can hear more of the interview here: