From: Nicholas Birdsong
To: dencc - City Council
Subject: [EXTERNAL] Public comment, CB 20-0071
Date: Monday, February 24, 2020 11:53:26 AM

Denver City Council members,

I am a resident and registered Denver voter (Winsor neighborhood) who will be unable to attend tonight's hearing on the proposed override of Mayor Hancock's veto for Council Bill 20-0071. I strongly support the veto override and hope that all of you do as well.

Public safety is a vital issue. Preventing animal attacks serves a legitimate interest that this council should pursue. I applaud the genuine effort and concern that has come from both sides of this debate. However, as someone who has worked in legal and public policy analysis for my entire career, I can confidently say that the data does not support the claim that the breed-specific restriction makes Denver residents safer. The only reliable predictive factors of if a dog will behave aggressively is a) has the animal been mistreated and b) does the animal display an aggressive temperament. A licensing requirement would provide the check necessary to protect public safety while permitting residents the freedom to house these animals, dearly beloved by many.

Fear that a law will not be followed is not a reason to say that a law should not exist. "Laws not being followed" is why we have a police force and a judicial system. The current ban is equally capable of being disregarded and presents identical enforcement issues as with a licensing requirement. The effect on resident safety would likely be indistinguishable under either the ban or licensing requirement. The primary distinguishing factor between the two approaches is whether or not innocent, well-behaved dogs who happen to display certain breed characteristics are able to have loving homes with responsible owners.

Additionally, use of the veto power is fundamentally undemocratic and was inappropriate in this circumstance. A majority of Council members voted to implement this change based on the demands of their constituents. CB 20-0071 was not a bill motivated by simple demagoguery that needed to reigned in by a responsible executive; this bill was carefully considered and approved by a majority of the Council's members. I would hope that if any Councilperson voted against the bill to preserve the status quo out of an indifference or uncertainty about the resulting policy, those members should be concerned about the Mayor's use of the veto to stymie this body's authority.

Thank you for your time and consideration on this important issue.

Sincerely,

Nicholas Birdsong, J.D.
(Sent on my own behalf as a resident; I do not represent or speak for any organization.)