
THE COMPLETE GUIDE TO

DOG BITES

Everything you need to know about dog bites: prevention, attacks and litigation.



A Publication of:



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CHAPTER

1

DANGEROUS DOGS

and At Risk Neighborhoods

A dog has all the qualities you might hope to find in a best friend, and they're known and beloved for their sense of loyalty, as well as for providing both companionship and protection. For many people, their dog is more than just a pet; it's an extension of their family. While many breeds of dogs are known for having the kind of temperament that makes a good pet, there are some breeds that are considered more dangerous, to the point they actually threaten the peace and comfort of the neighborhoods they live in. Injuries from dog bites can happen anywhere, but some neighborhoods seem to have more than their share of dangerous breeds. Each year, more than 4.5 million people suffer some form of injury associated with dog bites, and these injuries can range from mild bites and scratches to severe puncture wounds, torn muscles, and ligament damage. In some cases, injuries due to dog bites and attacks can be life threatening, and even fatal. The following includes information about breeds that are considered the most dangerous in terms of biting and attacking.

Dangerous Dog Breeds

While even the most docile and gentle dog, given the right circumstances, has the potential to become aggressive and bite, certain breeds of dogs have been statistically shown to be more dangerous and aggressive than others. While many states, including New Jersey and Pennsylvania, don't allow breed-specific legislation to counter dog bites and attacks - otherwise known as dog profiling - that doesn't stop insurance companies from doing it. A recent article in Psychology Today outlines [14 dog breeds blacklisted by insurance companies](#) due to the high risk of attack they pose. The list includes the following dog breeds:



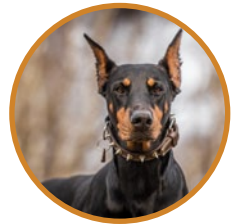
Great
Danes



Chow
Chows



German
Shepherds



Doberman
Pinschers



Rottweilers



Pit Bulls



Mastiffs



Malamutes



Huskies

When dogs do bite or attack, the claim for damages often goes through the owner's home insurance policy. For insurance companies, the above breeds pose too great a risk. Insurers may either deny coverage, or charge higher rates for people owning these breeds and it's no wonder why: injuries from dangerous dogs cost insurance companies millions of dollars each year.

Neighborhoods with Dangerous Dogs

According to insurance company [reports on dog bites](#), New Jersey ranks tenth in the nation for dog bite injuries, and ranks fourth in terms of the amounts paid to cover these claims. Pennsylvania ranks 3rd! The topic of dog breeds that are considered dangerous has been in the news with reports of a police officer who claims he was forced to shoot and kill an aggressive German shepherd in the Wyckoff area, a Purple Heart Veteran who was denied entry to a bus on the Newark/Transit 1 route on account of his pit bull guide dog, and recent [proposed legislation concerning tougher leash laws](#) spurred by incidents of dogs attacking and killing children in the Lyndhurst and Patterson communities.



Neighborhoods with high crime and drug use rates have long been thought of as hot beds for aggressive dog breeds. People in these neighborhoods often feel compelled to get potentially aggressive guard dogs, such as German shepherds, for protection, and criminals often use breeds such as rottweilers and pit bulls to intimidate others and alert them to law enforcement. At the same time, many people defend

breeds considered dangerous on the grounds that aggressive dogs are more a result of nurture than nature. As a result, potentially dangerous breeds can be found in any city or town.

Contact Our Dog Bite Attorneys

If you or a loved one has suffered injuries as the result of an aggressive dog, contact The Pearce Law Firm immediately. Our experienced dog bite attorneys have the knowledge and know how you need, and we'll provide aggressive legal representation to help you get compensation for the injuries you've suffered. Call our office today for a free consultation [215-515-6383](tel:215-515-6383).

CHAPTER

2

WHEN GOOD DOGS GO BAD

How to Prevent Dog Bites

Sometimes danger lurks in the most unlikely of places. This is all too often the case when it comes to dog bites. One day, that docile and devoted dog or playful puppy you're used to cuddling or rough housing with suddenly becomes angry and aggressive. Maybe it snarls, bares its teeth, or actually lunges at you, ready to do some damage. Dog bites often occur suddenly, coming as a complete shock to their owners. **Injuries caused by dog bites** can be serious, and the bigger the dog, the more severe - and even life threatening - the injury. The following includes vital information you need to know concerning why dogs bite, the warning signs of an attack, and how you can prevent yourself from being injured.

What Makes A Good Dog Bite?

The American Veterinary Medical Association (AVMA) estimates that approximately 4.5 million dog bites occur in the United States each year. While some of these bites are minor, it's estimated that 1 in 5 people who are bitten will have injuries serious enough as to require medical treatment. Children are among the most frequent victims of dog bites, and it is usually from an animal they are familiar with, such as a family pet, or one belonging to a neighbor. **What causes otherwise good dogs to bite?** According to the AVMA, it could be one of the following factors:

Stressful or unfamiliar situations

Dogs may react badly if there are a lot of loud noises or other activity that the dog isn't used to. They can also react badly to overly friendly strangers or even neighbors they don't know well.

Injuries and illness

An otherwise docile dog may snarl or bite if they are injured or sick, or when recovering from an injury.

Scary or threatening situations

Arguing, fighting or other disruptions can often cause a dog to bite, particularly if they interpret a threat to themselves or their owners.

Roughhousing

Dogs can nip when wrestling or playing tug-of-war. Be careful of overly aggressive play with your dog, and if you have a puppy, train him not to nip during play.



Preventing Dog Bites

While a dog's bark might be worse than his bite, it's better to play it safe. According to the National Humane Society, there are a number of **indicators that a dog may be about to bite**. These include:

- The dog's body is tense and its tail is stiff;
- The dog's head and ears are pulled back;
- The brow is furrowed, and the dog's eyes are rolled back so that the whites are visible;
- The dog flicks its tongue or yawns; and/or
- The dog stares intensely, or begins backing away as it looks at you.

If you think a dog is about to bite or attack, it's important to resist the impulse to scream or run. Remain motionless, with your hands at your sides, and avoid eye contact with the dog. Once the dog loses interest, slowly back away. If the dog does attack, try to feed it the arm of your jacket or your purse to bite, and if you get knocked down, roll into a ball with your hands over your eyes. Again, resist the urge to scream; this will only further antagonize the dog and extend the attack.

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CHAPTER

3

FIGHT OR FLIGHT

Defending Yourself Against Dog Bites & Attacks

Millions of people are bitten by dogs each year in the United States. It might be a neighbor dog that was previously friendly, or a strange dog that you encounter while out walking. Either way, **dog bites and attacks** can cause serious injuries, and national headlines reflect horror stories of fatal attacks and dog maulings. What do you do in the event that you are threatened by a dog? Should you stand your ground and fight? To prevent yourself from being a victim in a serious or potentially fatal dog attack, it's important to know both how to defend yourself, as well as what protections the law allows you in terms of self-defense.

Dog Attacks: Fight or Flight?

There are certain characteristics dogs will exhibit to warn of an attack. Their bodies may be stiff, their tail raised, they may growl, or show their teeth, or lock you in a steely gaze. At this point, your best bet is to try to remain calm, keep still, and not do anything to threaten or antagonize the dog. By remaining calm and still, you show the dog you're not a threat. Hopefully the dog will see this, and lose interest in attacking.

In the event a dog actually does attack, you'll be forced to protect yourself. Some martial arts and self-defense gurus recommend taking the following actions to [defend yourself against a dog bite or attack](#):

- If possible, give the dog something else to bite on, such as a jacket sleeve or handbag. When out walking, it's good to wear a sweater or sweatshirt tied around your waist, for just this purpose.
- If you have nothing else for the dog to bite, extend your arm. Presenting your arm will prevent the dog from biting onto your thighs and hitting a major artery. In addition, a dog is more likely to be able to knock you down if it bites you on the thigh or leg.
- If you are bitten, do not try to struggle or pull free. Animals have extremely strong resistance. Trying to pull away will only increase the severity of your injury.
- If the dog has hold of you with his mouth, its other body parts are vulnerable. You may have to use excessive force: punch the dog in the throat, make a jab to its eyes with your thumbs, or deliver a hard kick to its legs, ribs, or backside.



Using Force to Fend Off A Dog Bite

Under the New Jersey State Statutes, you are entitled to defend yourself, as well as others, against injuries caused by dog bites and attacks. Under NJSA Section 2C 3:4, the **use of force is justified as self-defense** in circumstances where a person is protecting themselves against the threat of bodily harm and death, and this includes using deadly force. You will not be held liable by a dog owner for any damage you cause to the animal - including death - as long as the following conditions apply:

- You did nothing to provoke the attack, such as trespassing or taunting the animal;
- You tried to avoid or prevent the attack;
- You tried other methods of defending yourself before using deadly force; and
- You believed that using deadly force was the only way to protect yourself or others from serious or life threatening injuries.

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If you or a loved one has been injured or hurt as the result of a dog bite or attack, contact the Pearce Law Firm today. Our experience dog bite attorneys can provide you with the kind of aggressive legal representation you need to protect your interests and get the compensation you deserve for the injuries you suffered. Call our office today for a free consultation [215-515-6383](tel:215-515-6383).

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CHAPTER

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DOG BITES

What To Do If You Are Attacked

Dogs and puppies provide endless hours of companionship and entertainment for many people. Even if we don't own a dog, many of us encounter them daily, through our friends and family, in our neighborhoods, or as we walk or jog along city streets and at local parks in our communities. We tend to assume that most of the dogs we encounter are friendly, but the statistics would seem to prove otherwise. Over 4 million people a year are bitten by dogs, a staggering amount, and many of these bites are from dogs we encounter regularly and are familiar with. Injuries due to dog bites and attacks can cause serious, even life threatening injuries. If you've been bitten or attacked by a dog, it's important to seek medical care for your injury, as well as to take the necessary steps to protect yourself and others from being the victim of an aggressive, biting dog.

Medical Care For Dog Bites

While many of us have heard - and believed - the common folklore that a dog's mouth is actually cleaner than ours, this is often misunderstood. All dog bites carry serious risks for infection, due to the amount of bacteria typically found in a dog's mouth. The Centers for Disease Control and Prevention (CDC) recommends the following [steps to treat a dog bite injury](#):



For minor wounds

Use soap and water to clean the wound. Apply an antibiotic cream or lotion, and cover the wound with a sterile bandage or cloth. If the wound becomes painful, red, or inflamed, or if you suspect the dog that bit you may have been at risk for rabies, contact a physician immediately.

For deep wounds

Stop the bleeding by applying pressure with a clean, dry cloth, and seek medical treatment by your family physician. If the wound continues to bleed, call 911 or go to your nearest hospital emergency room.

Either you or your doctor should be sure to take photographs of your wounds in order to document the nature and severity of your injuries.



After An Attack

In the aftermath of a dog bite or attack, it's important to take the appropriate action in order to protect both yourself, as well as others. [Steps to take after a dog bite](#) include the following:

Step 1: Locate

Located the dog. You'll want to be certain there is no risk of the dog biting someone else, and you'll also want to make sure the dog doesn't have rabies.

Step 2: Notify

Notify your local sheriff's department or animal control office. File a report with information regarding the attack, and make sure you get a copy of the report.

Step 3: Gather

Get the dog owner's information, such as their name and address. Gather whatever information you can about the dog and how it is cared for. Ask the owners, neighbors, or any witnesses to the attack if the dog has ever

bit anyone else and if the dog is usually kept on a leash, or if it is allowed to roam freely.

Step 4: Document

If you haven't already, take photographs of your injuries, as well as the physical location of where the attack happened. Keep a journal regarding any medical care you received, any contact you had with the dog's owners, and what ongoing care your physician recommends.



Contact Our Dog Bite Attorneys

If you or a loved one has suffered an injury as the result of a dog bite or attack, contact the Pearce Law Firm today. Our [experienced dog bite attorneys](#) can help you to hold owners of aggressive dogs accountable, and collect damages for the injuries you've suffered. Call our office today for a free consultation

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CHAPTER

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DEALING WITH THE AFTERMATH

of Dog Bites and Attacks

In the aftermath of a dog bite and attack, you're likely facing lingering pain and discomfort as the result of your injuries, and wondering what lies ahead. You may be suffering psychological trauma - a dog attack is a traumatic event, and one that isn't soon forgotten. As you begin the process of healing, moving forward with your attorney in seeking compensation for your injuries can go a long way towards easing your mind and providing you with a sense that justice has been served. At the same time, litigation can be a lengthy process. Here's what to expect moving forward, and the steps you can take to facilitate healing.

The Litigation Process

Dog owners are liable for the vicious actions of their animals under the [New Jersey Statutes, section 4:19-16](#), provided the person did nothing to provoke the attack. In seeking payment for damages from the dog owner, your attorney will first begin by thoroughly investigating your case. We'll look at any evidence, such as pictures of your wounds and medical bills and physician reports for treatment. We'll talk to any witnesses of the attack, and get statements. Often times, a dog owner will be covered in the event their dog attacks someone through their homeowners insurance company. Unfortunately, it is often the case that, while the insurance company may be willing to settle your claim for a certain amount of money, the amount they are offering will fall far short of the actual amount of damages you may have suffered. It is at this point that a [civil lawsuit](#) may be initiated.

Filing a Complaint: In order to receive compensation for damages as a result of the attack, you would be required to initiate a personal injury case with the filing of a complaint. The person filing a complaint is the plaintiff, and the person against whom the complaint is filed is the defendant. Your attorney will file the complaint on your behalf, and the complaint will include the following information:

- The cause of the action, which would be the attack and the injuries suffered as a result;
- A statement establishing jurisdiction in order for the court to hear the case;
- A statement regarding the relief that is being sought, such as payment for medical expenses, lost wages, and pain and suffering; and
- A request for the judge to grant the relief.

Once filed, the complaint is then served upon the defendant, often by a sheriff, along with a summons, which informs the person being served that a civil case has been filed against them. The defendant then has 30 days in which to provide an answer to the complaint through their own attorney - or the attorney for the insurance company - in which they admit or deny the charges filed against them.

Discovery: The period known as discovery in civil cases is when each side submits to questioning and discloses any evidence they have pertaining to the case. The discovery period can be particularly lengthy, lasting as long as 300 days. During this time you may be required to give sworn statements attesting to the circumstances surrounding your injury, as well as provide medical documentation in support of your claims.

Arbitration: The court will assign an arbitrator and schedule a date for an arbitration hearing. The arbitrator is an attorney appointed by the court who will impartially meet with the attorneys and case parties. He or she will hear the issues surrounding the case, and make recommendations on how the case should be settled. Arbitration is not binding, so if you or your attorney don't agree with the opinion of the arbitrator, a jury trial can be requested.

Jury Trial: Prior to a trial, you will be scheduled to meet with the judge for a settlement conference, a final effort to settle the case before the jury trial is scheduled. Oftentimes, case can be settled at this time. If not, the jury selection process will begin, and a trial will be scheduled.

Determining the Amount of Compensation You're Entitled To

There are two types of damages you may be entitled to receive for your injuries: economic and non-economic damages. Economic damages involve direct financial losses, such as medical bills and expenses, lost wages, and any form of temporary or permanent disability. Non-economic damages are those things you can't put an exact price on: loss of enjoyment of life or hobbies as the result of your injuries, as well as pain and suffering, both physical and mental.

In calculating both types of damages, it's important to be thorough. Physical damages as a result of your injuries may require ongoing physical therapy, pain medicine, and even surgeries such as skin and bone grafts. **Emotional damages as the result of dog bites and attacks** may be severe enough to warrant visits to therapists, counselors, and the need for anti-depressant and antianxiety medications.

Steps Towards Healing After A Dog Bite or Attack

The physical wounds resulting from a dog attack can take a long time to heal. Often times, victims are left with scars and disabilities that they never recover from. Dealing with the long term ramifications of your injuries is hard enough, but there is also the emotional trauma of having been through a dog attack, and victims often report symptoms of [post-traumatic stress disorder](#). In dealing with the after effects of your attack, follow these steps to help you heal both physically and emotionally:

- Be patient with yourself and give yourself time.
- Realize that recovery might be slow, but you will get back to feeling 'normal' again.
- Don't berate yourself for how you feel. Accept any feelings of anger or fear as being natural after what you've suffered.
- See your doctor regularly, follow their suggestions, and take medicines exactly as prescribed.
- Realize you are not the only person who has been through something like this. Look for [bite victim support groups](#), and don't be afraid to talk about what happened to you with others.

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