

that person will not be allowed to enter Ontario with their dog. They will not be allowed to pass through Ontario with their dog on their way from one province to another.

Section 7: Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

Prosecution under this law cannot abide by the principles of fundamental justice when it cannot be obeyed, enforced, prosecuted, or defended because of its vagueness and its overbreadth. Residents of Ontario cannot know if they are required to obey this law, authorities must depend on subjectivity and bias to determine if the law is being broken, prosecutors don't have to prove guilt, and the defense is shouldered with the burden of proving the improvable.

Section 8: Everyone has the right to be secure against unreasonable search or seizure.

With no proof of wrongdoing, no proof of danger to society, and no proof of the breed of their dog, an owner of any breed or mix may be subject to public seizure or warrantless entry into their private home for seizure of their personal property. ***This is regardless of the dog's breed.***

Section 9: Everyone has the right not to be arbitrarily detained or imprisoned.

With no proof of wrongdoing, no proof of danger to society, and no proof of the breed of their dog, an owner of any breed or mix may be detained or jailed arbitrarily. ***This is regardless of the dog's breed.***

Section 11: Any person charged with an

offence has the right to be presumed innocent until proven guilty.

Owners of any breed of dog are required to prove their innocence. In many cases, where the breed of dog is not legally provable, the owner becomes guilty at the moment of being charged, without any possibility of proving their innocence. *Failure to prove innocence could result in fines, jail time, and mandatory destruction of the dog.*

Section 15(1): Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination.

Dog owners of all breeds no longer have equal protection under the law. The law must, by its very nature, be applied arbitrarily and unfairly. Owners who, by their actions and history, have proven themselves to be responsible, law-abiding members of society, are targeted, restricted, and placed in the same class as those who are truly a danger to society. *Dog owners of all breeds* now have less rights than gang members and drug dealers.

The Ontario Dog Owners' Liability Act Exposed

Most dog owners are aware that, in August 2005, with much fanfare, a "pit bull" ban was enacted by the government of Ontario, Canada. Dog owners whose dogs may fall under the vague definition of "pit bull" now face the spectre of mandatory destruction of their dogs, as well as jail time for the owners, for infractions such as not having their dog on a leash, not spaying or neutering, bringing a dog into Ontario, or allowing puppies to be born in the province.

The government (the Liberal Party of Ontario) was, however, much quieter about other parts of this legislation that are not breed-specific. Thus, many owners of non-targeted dogs appeared quite comfortable allowing this law to pass

unchallenged, unaware of its far-reaching implications and its effect on the rights and freedoms of all dog owners.

In the portions of the legislation that apply to ALL dogs, there is no differentiation between a severe attack, a puppy nip, and the new offence of "being a menace to the safety of persons or domestic animals". Offences against domestic animals are now included on the same level as offences against humans. **Every offence carries the same possible penalties, including fines of up to \$10,000 and jail time of up to six months. These penalties apply to owners of ALL dogs and to VISITORS as well as residents.**

Regardless of the breed or mix of your dog, you are subject to the possibility of public search and seizure, as well as entry into a private residence to seize your dog. Any accusation made against you, by any person, does not have to be true or proven in order for your dog to be confiscated and for you to be charged. This applies to owners of ALL dogs and to VISITORS as well as residents.

Dog owners, citizens of this country, may no longer move freely in and out of Canada nor from province to province. Citizens, regardless of the breed or mix of dog that they own, may now be subject to public search and seizure, warrantless entry into private homes, and arbitrary detention and imprisonment. Citizens now find themselves in a situation where they are required to prove their innocence, rather than the prosecution being required to prove their guilt. Dog owners of all breeds no longer have equal protection under the law.

A person accused of owning a "pit bull" must prove that their dog is not one. A mixed breed dog, or even a purebred dog of another breed, may fit the definition of being "substantially similar" to the listed breeds. Thus, in many cases, because of an inability to prove the breed of their dog, an accused person is automatically guilty, simply by virtue of being charged. If a dog

is identified as a "pit bull" and the owner is convicted, the law requires the destruction of the dog, including dogs that have never bitten or threatened anyone and including newborn puppies.

Penalties for owning an illegal dog, or for failing to muzzle, leash, and sterilize a legal dog, include fines of up to \$10,000 and jail time of up to six months, as well as the mandatory destruction of the dog. Bringing a prohibited dog into Ontario for any reason other than to attend an authorized dog show carries the same penalties. These penalties apply to VISITORS as well as residents.

There are at least 24 unique purebred dog breeds that could fall under this legislation's definition of "pit bull", as well as countless mixed breed dogs of many shapes and sizes.

Some breeds that have already been identified BY AUTHORITIES in Ontario as "pit bulls" include: Boston Terrier, Bull Terrier, Chesapeake Bay Retriever, Dogo Argentino / Mastiff mix, Great Dane / Dalmatian mix, Great Dane / Whippet mix, Hungarian Vizsla, Husky or Border Collie mixed with Lab, Labrador Retriever, Labrador Retriever / Boxer mix, Neapolitan Mastiff, Various mixes of Boxer or Lab with something else.

Dog owners should not only be concerned but should be petrified about this type of far-reaching and all-encompassing legislation. It is obvious that this type of legislation is NOT about one or two breeds of dogs.

If Hershey's Bill is successful, governments across Canada will be discouraged from creating arbitrary, discriminatory, and unfair laws against dog owners. Communities will be forced to consider dog owners as a large block of voters who will NOT sit back and watch their freedoms and their right to enjoy their pets be stripped away.

Success means that you won't be the next person to face imprisonment simply because of the physical appearance of your dog. You won't be forced to muzzle or sterilize your dog because of the way it looks. The authorities won't be able to enter your home and seize your dog simply because your neighbour doesn't like you. You won't be forced to prove the breed of your dog in order to keep it alive. You will continue to have the choice to buy, adopt, or rescue any breed you wish, instead of having the government decide which breed is right for you!

Every dog owner in this country needs to stand up and be counted, BEFORE they come for YOUR dog!

How can you help?



Tell your family and friends about what you've learned and encourage them to act as well.

Learn about the **Calgary Model Alternative** at:

<http://stopk9profiling.com/calgary.php>

In North America we do not have a problem with pet overpopulation, stray animals, nuisance or vicious animals – we have a problem with responsible pet ownership. Virtually every animal that ends up in a shelter or on the street is there because a human relationship failed them...It's always the animal that pays in the end. --- Bill Bruce, Director of Calgary Animal and Bylaw Services

The Dog Owners' Liability Act of Ontario
<http://www.dogownersrights.com/articles/dolacharter.htm>

The Supreme Court of Canada ruled, without allowing a court case, that the Ontario government has not created and passed a piece of legislation that violates at least seven sections of the [Canadian Charter of Rights and Freedoms](#). Judge for yourself:

Section 1: The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

The government did not, and cannot, demonstrably justify the targeting of a breed of dog to enhance public safety. The limits cannot be considered as reasonable when less restrictive and discriminatory alternatives are available, particularly when those alternatives have already been shown to be more effective in reducing dog bites.

Section 6: (1) Every citizen of Canada has the right to enter, remain in and leave Canada.

If a citizen, living or staying outside Canada, owns a targeted breed or if there is even a remote possibility that their dog's breed could be misidentified, that citizen will not be allowed to enter Ontario with their dog.

(2) Every citizen of Canada and every person who has the status of a permanent resident of Canada has the right to move to and take up residence in any province; and to pursue the gaining of a livelihood in any province.

If a citizen or resident, living or staying outside Ontario, but still in Canada, owns a targeted breed or if there is even a remote possibility that their dog's breed could be misidentified,