



## COUNTY OF SISKIYOU

### Board of Supervisors

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June 6, 2025

The Honorable Nick Schultz  
California State Assembly  
State Capitol, Room 5150  
Sacramento, CA 95814

**Re: Assembly Bill 793 (Schultz) Potentially dangerous and vicious dogs: designation and disposition: burden of proof. (As Amended 4/9/25)**  
**OPPOSE UNLESS AMENDED**

Dear Assemblymember Schultz,

On behalf of the undersigned organizations, we write to respectfully express our **Oppose Unless Amended** position on your legislation, Assembly Bill (AB) 793.

Declaring a dog vicious and recommending euthanasia for that animal is a very serious matter, and an action that is taken in only the most egregious cases. We can support the author's intent of this bill by accepting an elevation of the burden of proof for those determinations to "clear and convincing evidence." As such, the following language is acceptable:

*The court or hearing entity may find, upon a preponderance of the evidence, that the dog is potentially dangerous, or may find, upon clear and convincing evidence, that the dog is vicious.*

We respectfully request that the author remove all other elements of this bill.

While we understand the intent of this bill may be to increase protections for dogs facing euthanasia after a biting incident, AB 793 introduces unnecessary confusion, lacks clarity of purpose, and could put community members at risk.

City and county animal shelter and animal control partners must balance public safety with animal advocacy. Shelter staff and animal control officers work every day to protect the community while also supporting and advocating for animals. This delicate balance relies on clear, effective, and locally adaptable legal standards. AB 793 as written presents several challenging provisions:

#### **Problematic Definitions**

The definitions offered in this bill are both problematic and dangerous, shifting the focus entirely away from public safety. From a dog's perspective, a bite is always provoked, and existing law factors in provocation in determining to what degree a dog's response to the incident is justified. This current system is both fair and reasonable to the dogs and their owners. What AB 793 attempts to do is

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define provocation and then use that to preclude a vicious dog designation, regardless of the damage caused by that animal. For example: if a child is poking a dog and the dog growls, but the child doesn't recognize the warning signs and continues—resulting in a fatal attack—the dog could not be deemed vicious under AB 793 because the attack could be considered provoked. This kind of rigidity removes the ability of local agencies to evaluate context and make case-specific decisions that prioritize community safety.

“Irremediable” is another deeply concerning term in this bill as there is no such thing as an “irremediable threat” to public safety with a dog as long as the possibility exists to keep a dog permanently caged or muzzled. What *is* a significant threat to public safety are pet owners that are unable to effectively manage their aggressive dogs. AB 793 is inherently problematic shifting the focus to the behavior of the dog and whether or not it is manageable, rather than addressing the biggest factor which is the human responsible for managing that dog. The existing hearing processes in place for these matters, take all of these elements into consideration to yield the best outcomes for the dogs and their people.

### **Potential Inconsistencies in Application of the Law**

The majority of dog bite cases in California are handled through administrative hearings, where hearing officers—not judges and in most cases not even attorneys—preside, and most dog owners are told they do not need an attorney. The legal complexity introduced by AB 793, especially the simultaneous application of state and local codes only in euthanasia cases, will create confusion for dog owners and hearing officers alike. With no state-mandated training for hearing officers, there will certainly be inconsistency in implementation.

### **Equity Concerns**

A 2005–2019 study by the California Department of Public Health, published in the *AVMA Journal*, found that most dog bite-related emergency room visits occur in rural communities—areas that often lack access to legal representation and resources. By increasing legal complexity without providing adequate support, AB 793 disproportionately affects underserved Californians, creating a system that favors those with financial means and legal knowledge.

### **Additional Problematic Provisions**

- **Over definition of “provocation”:** The narrow definition limits a dog owner’s ability to fully explain context and defend their animal’s actions. This definition should be removed.
- **Expert testimony:** AB 793 allows behaviorists and veterinarians to testify—something already permitted under current law. This addition is redundant and risks creating the false impression that expert testimony is required in all cases, potentially burdening families with unnecessary costs.
- **Definition of “irremediable” behavior:** Most aggressive behaviors can be mitigated through tools like muzzling, confinement, or activity limitations, but are they humane? Irremediable

offers a never-ending option with little wiggle room to determine if options are humane or when these options are no longer reasonable.

### **The Real Issue: Ownership**

In the vast majority of dog bite cases, the root issue is not the dog—it's the owner's behavior.

In Southern California, a woman repeatedly brought her fearful dog to crowded car shows despite prior bite incidents and hearing-imposed restrictions. A young girl was eventually bitten and permanently scarred.

In the Bay Area, a family failed to follow court orders requiring their dog be kenneled when visitors were present. The dog escaped and mauled a child, resulting in lifelong facial injuries.

These cases illustrate that effective outcomes depend on evaluating both the dog and the owner's ability and willingness to follow safety measures. AB 793 shifts focus away from responsible ownership, putting communities at greater risk and potentially leading to more tragic outcomes.

### **In Conclusion**

AB 793 fundamentally changes laws designed to protect communities, under the banner of protecting dogs—but the result may be the opposite. The current system already allows for thoughtful, case-by-case evaluations by local professionals who understand both the dogs and the communities they serve.

For these reasons, the Siskiyou County Board of Supervisors urges you to **oppose** AB 793 **unless it is amended** to solely raise the evidentiary standard to "clear and convincing" in euthanasia cases and removing the remainder of the measure's provisions.

We welcome the opportunity to work with you toward thoughtful, fair, and effective legislation that supports both animal welfare and public safety.

Sincerely,

Signed by:

  
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Nancy Ogren  
Chair, Board of Supervisors

CC:           Siskiyou County Board of Supervisors  
                Honorable Chairs and Members, Senate Judiciary and Appropriations Committees  
                Shaw Yoder Antwih Schmelzer & Lange  
                Assemblywoman Heather Hadwick  
                Senator Megan Dahle  
                Rural County Representatives of California  
                California State Association of Counties