



Dog bites are an extremely common occurrence in everyday life in the United States. Most of the time, bites do not cause serious or lasting injury. However, there are many bites that cause loss of wages, medical bills, and pain and suffering. Male children are the most common victims of dog bites, receiving a disproportionately higher number of bites each year compared to other demographics.

From a legal standpoint, there are responsibilities for both the dog's owner and the victim of the attack. All 50 states have laws on the book that make owners liable under certain circumstances for both injuries and damages that their animal causes when it attacks someone. Alarmingly, many states still follow an older legal principle commonly referred to as the "one free bite" rule. The overall thrust of this type of law is this: owners are not held legally responsible for their dog's behavior until they have had reason to know that their dog is a biter and likely to attack. In other words, until the dog is confirmed as a biter by animal control authorities following an attack or biting incident, the owner has no legal liability.

Other states, however, have statutes on record that hold owners liable regardless of their awareness regarding their dog's temperament. In Washington, dog owners (and anyone handling the dog) are strictly liable for their dog's actions in both personal residences and in public places. It is not a suitable defense if this is the dog's first bite; if you are taking care of someone else's dog you should be aware of how well they interact with other dogs and people. About the only defense to a dog attack is if the dog was provoked, such as someone hitting or harassing the dog, or if someone was illegally trespassing on private property.

Knowing what to do in the event of a dog bite is of paramount importance for both dog owners and victims of dog bite attacks. This comprehensive guide outlines the responsibilities of all involved parties should a dog bite occur.

Owner Prevention and What to Do if You Are Injured

Dog Owners: What to Do to Help Prevent Injuries



It doesn't matter if a dog is seven pounds or 70; any dog can cause injury if their bite is severe enough. The vast majority of dog bite cases are inflicted by dogs belonging to the bite victims circle of friends or family. It is important to recognize that no matter how gentle, old, or small you believe your dog to be, it can still inflict serious injury. Even the gentlest of dogs will bite when frightened, protecting their young, defending owners or family, or when eating (often called "food aggression"). Dogs also cause accidents and injuries when they frighten or trip someone. Pedestrians walking by your yard who are frightened by your dog may trip or fall during their attempt to get away even if there is no actual threat. If they are injured, many state laws would still hold you liable. Read over the following list to ensure that you are doing everything you can

to mitigate the chances that your dog would attack or injure someone whether by biting or other behavior.

Dog Bite Prevention Checklist

- **Socialize and Properly Train Your Dog**

Exposure to groups of people and interacting with children and adults from a young age is crucial for acclimating dogs to being around people regularly. Advice for good socializing techniques is available for free from the [Humane Society of The United States](#).

- **Do Not Allow Your Dog to Run Off Leash in Public**

Certain states will hold owners liable automatically for any injury their dog causes while off leash or running unleashed in an unfenced yard.

- **Monitor Your Dog Closely Around Children**

50% of all reported dog bites are to children under the age of 12. Young children can provoke a dog attack unknowingly, making them especially likely to be bitten even by dogs who are in their immediate family or who are familiar to them. Never leave a dog alone with an infant or toddler and ensure that any gates that allow access to your yard are child proof.

- **Maintain Up-to-Date Vaccinations**

Dog bite attacks are viewed much more seriously and receive additional special treatment if your dog is not up to date on their rabies vaccine. Police, animal control authorities, and health care professionals are also far more likely to hold the owners with unvaccinated pets liable for attacks.

- **Minimize Your Dog's Contact With Strangers**

Throughout the course of a year numerous people will approach your front door in order to solicit information or sales, check meters, or deliver packages. It is best for everyone to keep your dog away from your front door as much as possible. Fencing in the front yard does no good since many professionals who check the meter or make deliveries will need to open the front gate in order to access the front door or your utility meters.

- **Post Signs Announcing Your Dog's Presence**

If you have any reason to believe that your dog may attack or injure someone who is on your property, you must clearly post "Beware of Dog" or "Dog in Yard" signs where they can be seen from the road or street. It is not advisable to use creative variations of these signs as humorous signage such as "Beware of 4-Legged Chainsaw." These are not considered serious posted warnings from a legal standpoint.

What to Do if You Are Inured By a Dog



You have a legal right to defend yourself from a dog attack in all 50 states. The law is very clear that you can take whatever action you deem necessary, up to and including lethal force, in order to stop a dog caught in the act of attacking a human being. Sustained dog attacks on a person are exceptionally rare — most dog bite attacks happen quickly as reaction born from fright, nervousness, or protectiveness. The dog's owner is most likely to be liable for any injuries sustained by the victim of a dog bite. Should you be attacked, check local animal control records to see if the dog has a history of aggressiveness. This is essential to negotiating a settlement or winning a suit for damages sustained by the attack. Owners of dogs with a history of aggression may be ordered by the court to pay a fine, or the judge may decide to order the dog's destruction if they are a repeat offender. Below you'll find a checklist of what you should do immediately following a dog bite attack.

Dog Bite Attack Checklist



- **Collect the Contact Information of the Dog's Owner and Any Witnesses**

Regardless of whether or not you intend to pursue litigation as a result of the attack, make certain you get the owner's name and address at the very least. You may find the following day that you have sustained an injury you were not aware of at the time that requires medical attention. It is also much easier to verify a dog's history of behavior with animal control if you know who its owner is and where they live.
- **Witness Names and Contact Information is Extremely important**

If any witnesses were present when you were attacked, you need to be able to get in touch with them again in the future. In many dog bite cases, there is often a dispute between the owner and victim regarding the events that occurred during the attack. Having witnesses to back up your side of the story or provide a more objective point of view in court. Witness descriptions of the dog involved in the attack may also be beneficial to authorities if they are unable to locate an animal after the attack and need to find both the dog find its owner.
- **Seek Medical Attention Right Away if Needed**

Should your injuries sustained during a dog attack require medical attention, do not wait — see a medical professional immediately. Be sure to collect and keep any and all medical records, bills, and receipts from treatment at a doctor's office, urgent care clinic,

or hospital. Getting reimbursement is far easier when you have documented medical expenses to present to the court or insurance companies.

- **Always Report the Incident to Animal Control**

Reporting the attack to animal control is crucial, especially if the dog in question wasn't wearing tags and you don't know who owns it. Local authorities will do their best to pick it up for quarantine purposes and a rabies check. Numerous counties, cities, and states require that a dog be put in quarantine for up to 20 days after an attack to verify whether or not it is rabid. Confinement may not be required if the animal has an up to date rabies vaccine.

Know Your Rights and Responsibilities

Both owners and victims have certain rights and responsibilities in the event of a dog attack. Owners need to train their pets and keep them contained or restrained appropriately at all times to mitigate the chances of a bite attack. Victims need to make certain that they get as much information about the dog and its owner after an attack, and keep detailed records of any expenses for treatment they incur. When everyone knows and follows the law and best practices, everyone is protected.

If the need for litigation to recoup losses or collect damages becomes necessary, both parties need to make sure they know the law and follow the instructions set down in this guide in order to ensure that all matters can be resolved amicably. If you're located in King or Snohomish County, feel free to [contact Elsner Law Firm](#) with any questions or concerns. We're standing by and happy to help.