

# OHIO DOG BITE PREVENTION & ACTION KIT



Free dog bite tips courtesy of



The American Veterinary Medical Association (AVMA) reports that more than 4.5 million people in the United States are bitten by dogs each year. Nearly 1 out of every 5 people who are bitten requires medical care. That's over 800,000 people! More than half of these dog bite victims are children.

We've put together this **Ohio Dog Bite Prevention & Action Kit** to help you and your family avoid being involved in a dog attack and if you do happen to fall victim to an attack, information about what to do after a dog bite and why. In this **Dog Bite Prevention & Action Kit**, you will find the following:

- 1. DOG BITE PREVENTION TIPS**
- 2. WHAT TO DO AFTER A DOG BITE**
- 3. FREQUENTLY ASKED QUESTIONS**
- 4. TOP 10 MISTAKES TO AVOID**
- 5. GET A FREE DOG BITE BOOK**

Here are useful tips to prevent a dog bite or dog attack:

## **ALWAYS ASK TO PET A DOG**

Ask the dog's owner if it's OK to pet his or her dog before touching the dog.

## **ALLOW A DOG TO SEE AND SNIFF YOU**

You never want to surprise a dog. Let the dog see and sniff you before trying to approach or pet a dog.

## **DON'T TEASE A DOG**

Don't tease a dog, take away its toy or pull on its ears or tail.

## **DON'T RUN TOWARD OR AWAY FROM A DOG**

Seeing someone run may instinctively cause the dog to chase you.

## **DON'T DISTURB A DOG**

If a dog is sleeping, eating or caring for puppies and you could startle or threaten the dog which could provoke it to attack or bite.

# **DON'T REACH THROUGH OR OVER A FENCE TO PET A DOG**

Dogs are usually very protective of their territory. If you attempt to invade that territory in any way, it may cause the dog to bite.

# **STAY STILL IF A DOG APPROACHES YOU**

If a dog approaches you and sniffs, the dog is most likely just investigating and will usually go away once it has determined you are not a threat.

# **DON'T SCREAM, YELL OR STARE DOWN A DOG**

If a dog appears to be agitated and is threatening you, try to avoid direct eye contact and do not scream, yell or make sudden movements. Be calm and stay still. If the dog determines you are not a threat, it will usually back down.

# **CURL UP INTO A BALL**

If a dog jumps on you and knocks you down, curl up into a ball with your hands and arms over your face and neck to protect these areas of your body. Stay as still as possible until the dog goes away or help arrives.

If a dog does bit or attack you, here's a checklist for you to follow:

## **CHECKLIST OF WHAT TO DO AFTER A DOG BITE**

- ✓ **DO NOT WAIT. TAKE ACTION.**
- ✓ **IMMEDIATELY SEEK MEDICAL TREATMENT.**
- ✓ **WRITE DOWN EVERYTHING THAT HAPPENED AND BE AS DETAILED AS POSSIBLE.**
- ✓ **GET THE DOG OWNER'S NAME AND ADDRESS.**
- ✓ **CONTACT LOCAL HEALTH DEPARTMENT AND ASK FOR DOG'S RABIES VACCINATIONS.**
- ✓ **TAKE CLEAR PHOTOGRAPHS OF THE INJURIES.**
- ✓ **CONTACT AN OHIO DOG BITE ATTORNEY. SLATER & ZURZ LLP OFFERS OVER 40 YEARS OF EXPERIENCES. CALL 1-800-297-9191.**

# **FREQUENTLY ASKED DOG BITE QUESTIONS AND ANSWERS**

## **WHO IS RESPONSIBLE FOR THE COSTS AND EXPENSES ASSOCIATED WITH A DOG ATTACK?**

The owner of a dog is responsible for the dog attack victim's costs and expenses. Ohio's dog bite laws say that if a dog attacks and bites someone, the dog's owner is responsible in most cases. A victim does not have to prove the dog's owner was negligent. The dog owner is responsible unless you were trespassing, teasing or tormenting the dog.

## **COULD ANYONE ELSE BE HELD RESPONSIBLE FOR A DOG BITE OTHER THAN THE DOG'S OWNER?**

Yes. A keeper of a dog may be liable. For example, the dog's owner leaves a dog with a parent while he or she goes out of town. That parent is the keeper of the dog and has liability if the dog attacks someone.

A harbinger of a dog may also be liable. A harbinger is a person who controls the place where a dog lives. For example, a son or daughter who lives with their parents owns a dog. These parents are harborers.

## **WHAT TYPES OF COMPENSATION CAN A DOG BITE VICTIM RECEIVE FOR THEIR INJURIES?**

Dog bite victims are entitled to compensation for all medical bills, lost wages, damaged clothing, damaged eyeglasses and other personal items linked to the dog attack.

A dog bite victim may also receive compensation for the pain and suffering associated with the dog attack. In most dog bite cases, this is often the largest part of the claim.

## **HOW LONG DOES A DOG BITE VICTIM HAVE TO FILE A CLAIM FOR THEIR INJURIES AND DAMAGES?**

If a dog bite victim files a claim under Ohio's strict liability statute, it is six (6) years. If the victim files under a negligent claim, it is two (2) years. Every case is different and there are exceptions. It's important to contact us as soon as possible for a free consultation. We will provide you with the specific information you need.

## **HOW LONG DOES A DOG BITE CLAIM TAKE FROM BEGINNING TO END?**

There is no one answer to this question. Every case is different. Many dog bite cases can be completed in as little as 90 days after a victim finishes his or her medical treatment. However, if there is scarring involved, it is important to wait

to determine how the wounds heal and if further treatments are necessary such as cosmetic surgery.

## **WHAT IF THE DOG'S OWNER IS A FRIEND OR A RELATIVE?**

A dog bite claim is handled by an insurance company, not a friend or relative. In Ohio, dog bite victims are entitled to be compensated for their injuries even if the dog is owned by a friend or relative.

## **WHAT CAN BE DONE TO PREVENT THE DOG FROM ATTACKING AGAIN?**

An attack should be reported to local police, local health department and local dog warden. A dog may need to be quarantined for rabies. The dog may also need to be labeled as a vicious dog, as defined by Ohio law. If so, the dog owner may be required to take actions to prevent attacks.

## **WHAT DOGS ARE DEFINED AS VICIOUS DOGS UNDER OHIO LAW?**

In Ohio, a dog is not classified as vicious just by its type of breed. Under Ohio law, a vicious dog is any dog that, without being provoked, has killed or caused serious injury to any person.

## **IS THE OWNER OF AN APARTMENT COMPLEX LIABLE IF A DOG BITES SOMEONE ON APARTMENT PROPERTY?**

Generally, landlords are not liable for a dog attack caused by a renter. However, there are exceptions.

# **TOP 10 MISTAKES IN AN OHIO DOG BITE CASE**

The following are 10 common mistakes made in an Ohio dog bite case. Unless the situation is very minor, you should be thinking about how to protect yourself from the minute you become a dog bite victim.

**1. NEGLECTING TO GET MEDICAL TREATMENT IMMEDIATELY EITHER BY GOING TO THE EMERGENCY ROOM, URGENT CARE CENTER OR BY SEEING A DOCTOR.** The sooner the information becomes part of a permanent record, the sooner your documentation of the injury can begin and the insurance company can begin to realize this may be a serious matter. It is also very important to seek treatment readily for your own health concerns. You may need tetanus or rabies shot(s) and these must be given within a short time period after a bite.

**2. FORGETTING TO DOCUMENT EVERYTHING THAT IS GOING ON.** Write your own statement about what happened as soon as you can after the occurrence. Create a file and store such things as photographs of your injuries, medical records, receipts, reports from authorities, letters from the insurance company, information about the type of dog who injured you, names and telephone numbers of witnesses, and the name of the dog owner and their

telephone number if you can get it. If you hire an attorney, this file will be especially useful.

**3. NEGLECTING TO TAKE PHOTOGRAPHS OF YOUR INJURIES.** This is an easy one to overlook, but pictures should be taken along the way as the wound heals so that any disfigurement and scarring is accurately recorded. It is harder for the insurance company to deny such evidence especially if medical records back it up. It also indicates your injury is a serious one and you can prove it.

**4. FAILURE TO NOTIFY THE PROPER AUTHORITIES.** This could be the animal warden or a local animal control officer. If you do not know who to call, contact the local police or your county government office. The authorities can help in getting witness statements and in investigating the circumstances of the bite or injury. They may have to take further action if the animal has been designated a “vicious” or “dangerous” dog. If you don’t know who owns the dog responsible, they can find out and you can find out if the dog is up to date on its rabies vaccinations.

**5. TELLING A LIE.** Honesty is the best policy. Although it seems like common sense, do not exaggerate what happened or say something about your injury that isn’t true. If you give statements to authorities or medical personnel that can later be contradicted by the insurance company, your claim will likely be seriously damaged or even destroyed. When you talk about your injury—

even to co-workers and family—be extremely careful. You have a right to be upset, but not to make unfounded accusations.

**6. GIVING A RECORDED STATEMENT TO ANY INSURANCE COMPANY.** In the excitement of the moment, you may recall something incorrectly. The insurance company will use your recorded statement to find inconsistencies with later facts that arise in the case. Never agree to give a recorded or written statement without checking with an attorney first.

**7. SIGNING ANY INSURANCE COMPANY FORMS OR MEDICAL AUTHORIZATIONS.** This can give the insurance company the right to look at your medical history. They would not be doing this for your benefit, so steer clear of signing anything that gives a party that does not represent you the right to do something which could have devastating consequences for you.

**8. OFFERING TO THE INSURANCE COMPANY AN AMOUNT FOR WHICH YOU WOULD BE WILLING TO SETTLE.** Armed with this information, the insurance company is in a better position to negotiate and you will be the loser. Some people like to get things over with and have a “take the money and run” attitude. This is not a good time to exhibit that attitude. You need to allow your lawyer time to gather facts to proceed with your case. You may also need to wait and see if your injury is totally healed or if you will have future medical expenses.

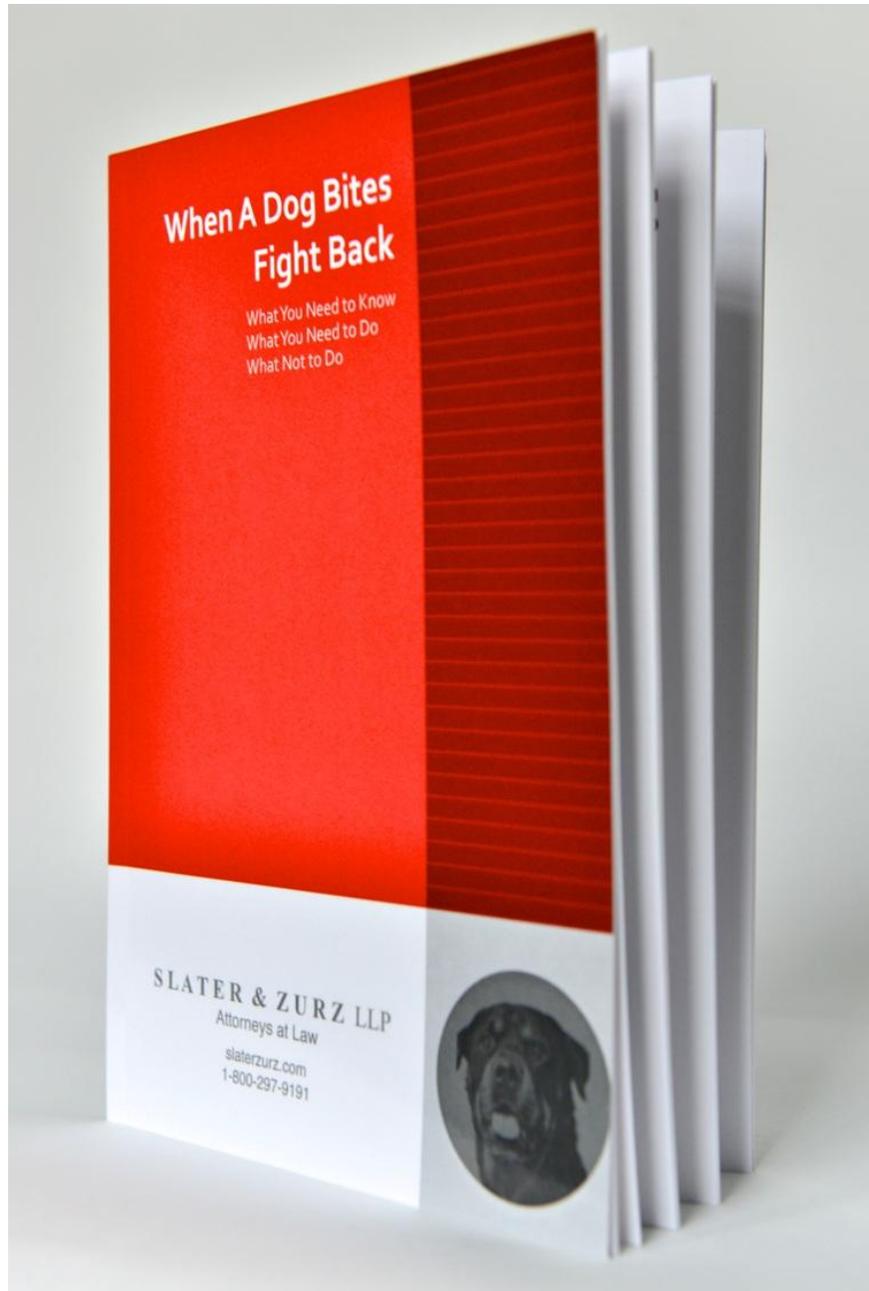
**9. TELLING THE INSURANCE COMPANY YOU ARE EAGER TO**

**SETTLE.** If you need money, it is hard to wait even a few months. But remember that quick settlements usually mean lower payouts. If you let it be known that you are in debt and cannot wait to settle the case, you are telling the opposing side that you are in a weaker position, that you would not consider taking this matter to trial. This is especially critical if you have permanent injuries, disfigurement or scarring. You stand to gain by not being over-eager.

**10. FAILING TO HIRE AN OHIO ATTORNEY, ESPECIALLY IF YOUR DOG BITE INJURIES APPEAR TO BE SERIOUS.**

If you get a serious dog bite or injury from a dog that can lead to permanent harm or disfigurement, a lot will be going on. You will have to get medical help and may even wind up in the hospital. Insurance companies may be calling you to try to get information about what happened and to offer you a settlement. You may feel very confused about what to do and believe that you cannot afford a lawyer.

# FREE OHIO DOG BITE BOOK



Learn more about dog bites in Ohio by requesting a copy of our free book. Just call us at 1-800-297-9191, email [slaterzurz@slaterzurz.com](mailto:slaterzurz@slaterzurz.com) or visit [dogbitesohio.com](http://dogbitesohio.com).

**WE HOPE THIS KIT IS HELPFUL.  
PLEASE STAY SAFE!**

For more information about Ohio dog bite laws and what you should do if bitten, please contact us for a free, no obligation consultation with one of our experienced attorneys. We are always available including nights and weekends.

**1-800-297-9191**

**DOGBITESOHIO.COM**



**SLATER & ZURZ** LLP  

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*Attorneys and Counselors at Law*