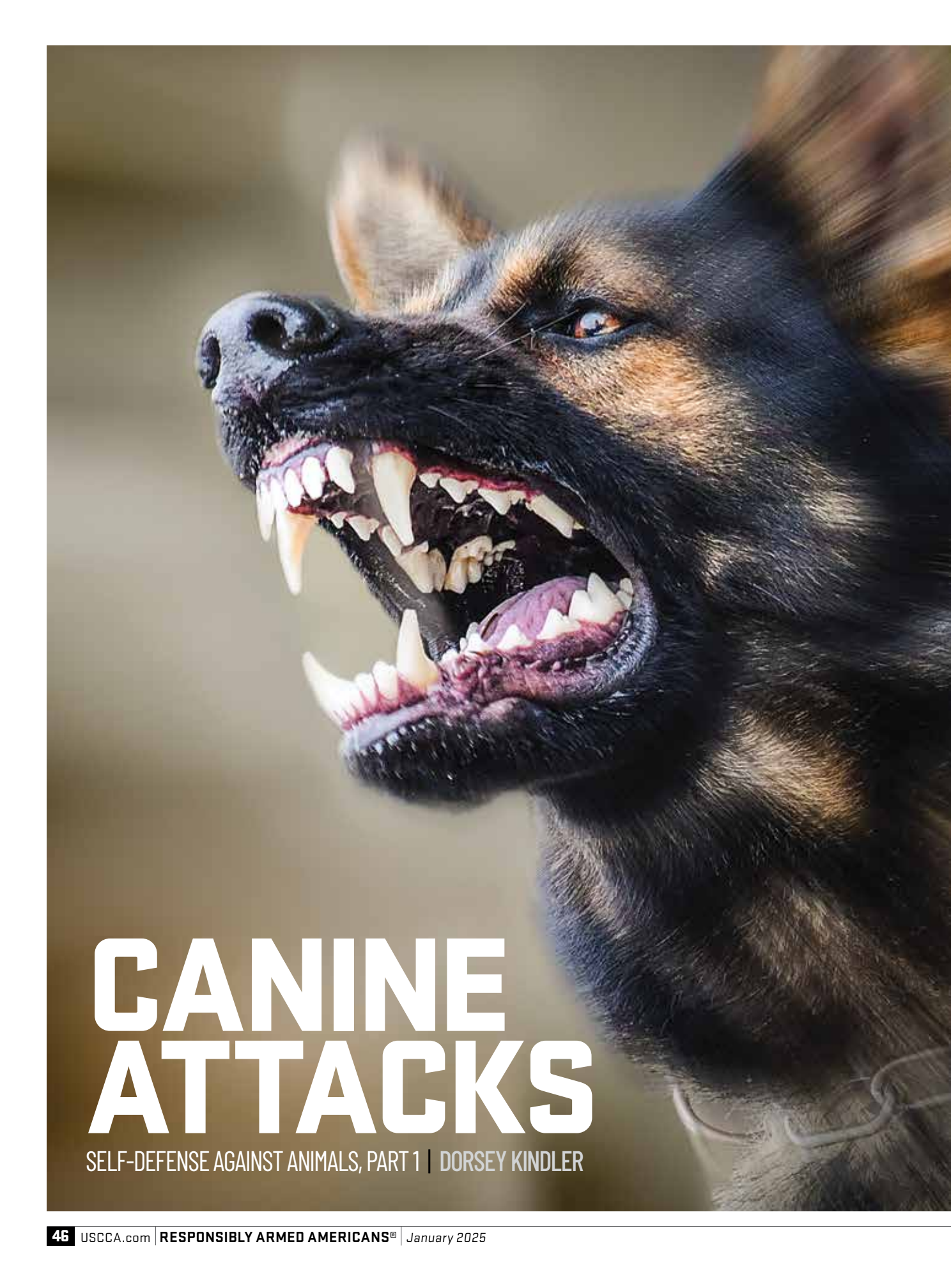




CANINE ATTACKS

SELF-DEFENSE AGAINST ANIMALS, PART 1 | DORSEY KINDLER



NOBODY WANTS TO HAVE TO DO IT
The idea of armed self-defense against a vicious dog is unsettling, but preparing for such a situation can be worthwhile.

EDITOR'S NOTE: This is Part 1 of a four-part series that will delve into aggressive animal encounters. Preparing for such occurrences — relatively uncommon though they are — should be a crucial aspect of your self-defense and family defense mindset as a prepared defender, especially if you live in an area with populations of potentially dangerous animals or venture into remote wilderness areas for recreation. This article covers canines, specifically dogs, wolves and coyotes.

It was a day like any other when Baltimore City resident Email Wells, 45, took his Lhasa Apso for a walk down the street from his townhouse. He lived in a nice, middle-class neighborhood, but a half-mile up or down the road would land you squarely in a bad neighborhood.

"A lot of people have aggressive dogs around here," Wells said. "I had another dog, and it was killed, basically, by a pit bull around here."

He saw a 15-year-old boy walking a large cane corso toward him and pulled his dog, Chaz, into the grass along the sidewalk to let them pass.

That's when, in the blink of an eye, the 120-pound dog jumped on Chaz and latched on. The cane corso was growling, and Wells looked up at its owner to gauge his reaction.

"When I saw he was scared, I knew there wasn't no other options," he said.

Wells drew the .40-caliber Glock 27 that he was lawfully licensed to carry and fired down into the attacking dog's back, careful to avoid hitting his own dog.

"One shot," he said. "His dog basically went up into the air, jumped up into the air and came down."

Once Wells saw that he'd stopped the threat, he holstered his pistol and called the police.

LOOKING AT THE NUMBERS

According to statistics provided by the American Veterinary Medical Association (AVMA), more than 4.5 million people are bitten by dogs every year in the United States. Of

those, roughly 800,000 bites are severe enough to require medical attention, with children being the most common victims.¹

The National Center for Health Statistics reported 468 deaths in the United States from dog attacks between 2011 and 2021, an average of 43 deaths annually and ranging from a low of 31 deaths in 2016 to a high of 81 deaths in 2021.²

While all dogs can bite, the AVMA determined that pit-bull-type dogs were most likely to be involved in fatal attacks, accounting for 28 percent of fatalities from 1979 to 1998. The next most common dog breeds involved in a fatal attack, in descending order, were rottweilers, German shepherds, husky-type dogs, malamutes, Doberman pinschers, chow chows, Great Danes and Saint Bernards.³

Where does this leave the responsible firearms owner? There is no definitive playbook on how to defend against an aggressive canine attack. Most victims are forced to use their best judgment when dealing with such a threat. We'll look at a few examples.

A HUNTER, GOOD SAMARITAN AND COP

Of course, not all dog attacks occur in urban areas. Wisconsin-based firearms instructor Jerry Drolshagen was a young, active-duty Marine in the early 1980s when he was hunting for deer in Croatan National Forest, northeast of Camp Lejeune, North Carolina.

He was on a mission to help feed a fellow Marine's family as he stalked through the longleaf pines with his 12-gauge Remington 870. While Drolshagen was gutting a deer he had shot, somebody else's hunting dog snuck up and bit him on the back of his leg.

"The son of a b**** was snarling, and growling, and popping his jaws and everything," Drolshagen said.

Because the dog had already bitten him and wasn't backing off, he dispatched it with a load of 000 buckshot. The owner arrived as Drolshagen bled into his boot, but,

fortunately, the owner was understanding. Drolshagen then drove himself to the base emergency room, where he received six stitches.

USCCA Member Rick Stockton discovered that you don't necessarily need to hit your target in order to stop a dog attack. The 65-year-old San Antonio resident was forced to come to the aid of an elderly neighbor several years ago when another neighbor's aggressive and poorly trained bullmastiff got loose and began terrorizing his cul-de-sac.

Another neighbor spotted the dog two houses away, where it had latched onto the leg of a woman trying to get into her car parked in her driveway. Stockton saw that it was chewing near her femoral artery, so he grabbed his Ruger LC9s — loaded with six shots of 9mm — and ran in her direction.

"I got within about 15 feet," Stockton said, "still had my gun down on my side, yelled at the dog to stop and then the dog turned on me. Charged me from about 15 feet away. So I raised my gun and started firing. Missed the dog six times but did manage to scare him away."

After securing the scene, Stockton provided first aid to his neighbor and waited with her until paramedics arrived. She required stitches but no rabies shots and moved to another part of the neighborhood after being released from the hospital.

As for the dog? City officials merely ordered its owner to confine it in a more secure enclosure. Stockton believes it got off easy.

"My aim would have been to hit him," he said. "But I missed."

In the course of their duties, law enforcement officers frequently come into contact with aggressive dogs. Former Boone County, Indiana, Sheriff Ken Campbell recalled a high-risk, no-knock SWAT raid many years ago when his team had to put a dog down.

"We had been to this drug house multiple times and recovered guns and ammo," Campbell stated. "We did a 'break and rake' on the front window with limited penetration and distraction devices. And the entry team came in through the punched patio door."

Campbell's team knew there was a large, aggressive dog on the premises.

WHAT TO KNOW ABOUT RABIES

■ "Rabies is one of the most deadly viruses known to humankind," said Rodney Rohde, Ph.D., a professor at Texas State University.

He should know. With degrees in virology and microbiology, Rohde is considered one of the foremost rabies experts in the United States. He was even involved in a joint effort with the Centers for Disease Control and Prevention and aircraft from Canada to eradicate canine rabies in Texas.

"We dropped these little dog food baits that had vaccine inside of them," he said. "And when a coyote or fox or something like that ate them, it would spray on their tonsils and actually made them immune to rabies."

Thanks to modern medicine, rabies is highly treatable, and the number of potential exposures is relatively low. As a result, the U.S. typically sees only one to three human rabies deaths per year.

Many of these deaths occur because people are exposed without realizing it, Rohde said. For example, a rabid bat could fly into a child's bedroom at night, bite the child and fly out before being discovered. Or someone might reach into a woodpile and mistake a relatively painless bat bite for a scratch or nick.

An untreated case of rabies begins with general flu-like symptoms that become increasingly bizarre as the disease progresses.

"Some people are very sensitive to any kind of wind," Rohde indicated. "A fan will make them mad. They can be totally mentally checked out and seemingly almost delirious. They might start rambling about something you would never expect them to."

Once rabies enters the brain and nervous system, it begins to shut down organs, leading to a coma and ultimately death. Fortunately, the effectiveness of the rabies vaccine in humans is close to 100 percent.

"Let's say something crazy happened like a coyote chewed on your leg and there's an open wound," Rohde said. "You'd get the vaccine, and they would also give you human rabies immune globulin [HRIG], where they do these little baby inoculations all around your wound."

This two-pronged approach works by having HRIG bind up any virus in the bite area, neutralizing it, while the vaccine stimulates the immune system to produce antibodies.

Rohde explained that the window for treatment varies, depending on the bite location and how much of the virus enters the body. Typically, the treatment window is 10 to 14 days.

"The typical public health message is if you even have a suspicion of being bitten by a rabid animal, you need to let someone know," he said. "Typically, your physician or other experts. And if you can't find the animal to test it, then you may very well need the vaccine."

Because most domestic animals in the U.S. are vaccinated, Rohde said wildlife poses the biggest threat of rabies transmission to humans. Bites from rabid mammals are the most common way the disease spreads, with bats being the most dangerous.

"If you ever see a downed bat or a sick-acting bat, you absolutely want to avoid it," he stressed. "You should call your animal-control center in your county or city, or even the police or sheriff, to get you the help you need to get that bat captured and sent in for testing."

For terrestrial animals, high-risk species include skunks, raccoons, coyotes, foxes and bobcats.

"You really want to watch for aggressive behavior," Rohde stated. "Or maybe they're out in the daytime and they're nocturnal and should only be out at night. If that's happening, you absolutely want to take that as a precaution that something's wrong with them."

As you would with a bat, you should avoid the animal and contact animal control as soon as possible.

— Dorsey Kindler



DOGS AS PROPERTY

Understanding your state's laws is essential when it comes to protecting your dog during an attack by another dog.

Initially, the dog was distracted by the devices but then sprinted past the entry team and out the back door. After being outside for a few minutes, it shook its head and made straight for the officer assigned to rear guard.

"As the dog attacked, the SWAT officer had to fire a round from his 1911, putting him down," Campbell recalled. "All things considered, the dog was probably the nice one in the house but had to pay the penalty for poor ownership."

PAINTING HIM AS IN THE WRONG

When it comes to an individual defending against a dog attack, the story doesn't always end when the threat is stopped. Wells discovered this unfortunate fact several weeks after his incident when he was charged with animal cruelty, aggravated animal cruelty, reckless endangerment and firing a gun in Baltimore City.

Wells was surprised, as his dealings

with the Baltimore City Police Department after the incident had been cordial, and the officers seemed to be on his side when he explained what had happened. However, the dog's owner and the dog owner's father told the police a different story.

The day after the attack, an animal-control officer showed up at Wells' front door and tried to get him to go along with the owner's statement. She told him he wouldn't get in trouble if he admitted that the cane corso hadn't attacked Chaz and that he had just pulled out his gun and shot it.

"I was like, 'No, I'm not changing my story,'" Wells said. "I said, 'I don't have anything else to say.' And that's when I contacted an attorney."

Brandon Taylor, of the Taylor Law Firm, took up Wells' case. He was confident from the beginning because his client was licensed to carry a firearm and was concerned he'd be attacked himself

if he tried to fend off the cane corso.

"I thought it was a simple, straightforward case," Taylor said of his thoughts going into the trial. "Pretty much self-defense of him and his dog."

While the prosecutor argued that Wells was not in danger and could have simply walked away, Taylor was able to expose inconsistencies in the dog owner's version of events. A Baltimore City jury acquitted Wells of all charges.⁴

THE DOG-BITE LAWYER

Kenneth M. Phillips is one of the pioneers of what he calls "dog-bite law." The attorney is based in Beverly Hills, California, and has handled dog-attack cases exclusively since the 1990s. Over the intervening 35 years, he has won 880 dog-attack cases and has collected just under \$90 million for his clients.

He has been featured on *The Today Show*, profiled in *People* and written about as the "Dog Bite King" in the *Los Angeles Times*. He also served as a

consultant to the prosecution on the famous case of Diane Whipple and is the author of DogBiteLaw.com.⁵

"One of the most troubling questions that I'm asked is whether or not you can kill a dog," Phillips said. "There is one answer I can give that probably works everywhere, throughout the United States. And that is that if the dog is trying to kill you or kill a person and you have no other alternative, yes, you can kill the dog. That probably works in every state."

The laws on self-defense differ from state to state, he indicated. Generally, eastern states require that you take evasive measures when you're confronted with a deadly attack, whereas western states permit you to respond with deadly force quicker than the laws in the eastern states.

"But here's what the problem is," he said. "The first one is the 'problem of proof.' How can you prove that the dog was engaging in a deadly attack? How are we going to prove that? If there are witnesses, you can. But suppose it's only you and the dog?"

Another problem, Phillips said, is how you're going to kill the dog. If you kill the dog with your bare hands, or pick up a stick or another object to defend yourself, there likely won't be a problem.

"But suppose you're in a city that has a law against carrying a concealed weapon," he stated. "And you don't have a license to do that. If you're carrying a weapon, they can accuse you — the prosecutor can accuse you — of violating the law against carrying a weapon. Or possessing a weapon."

In some cities, there are laws against owning a semi-automatic pistol with a magazine holding more than 10 rounds, Phillips indicated. So suppose you have a 17-round magazine. You could be prosecuted for that.

"You can be prosecuted for discharging a weapon in a public place," he said. "You can also be prosecuted if that bullet, or one of the bullets, ricochets and hits somebody else. Because they will say that you negligently killed somebody."

Phillips suggests talking to a lawyer in your own jurisdiction who can explain the legal nuances specific to your city, county or state.

And, of course, there's always the issue of angry dog owners. Phillips recalled a man who sought legal redress after his son was bitten. One day, while the man was checking his mailbox, the furious dog owner aimed a pellet gun out of his second-story window and shot him in the ear.

"People do get crazy," Phillips said.

NECESSITY AND GOOD DEFENSE

While shooting a dog in self-defense is not a common occurrence, an expert Florida attorney estimates that his legal practice has represented between five and 10 people who were forced to do so.

"Here in Florida, there is actually no self-defense against a dog attack," said the attorney, who asked to remain anonymous. "We have to rely on the 'necessity of defense.'"

It should be noted that this is not unique to Florida; most U.S. states don't have self-defense laws that apply specifically to dog attacks.

In a necessity defense, several elements must be proven to justify committing the "crime" of shooting a dog. First, you must have reasonably believed that a danger or emergency existed and you must not have intentionally caused the situation.

"In other words," the attorney explained, "I can't walk inside someone's gate where they have a sign that says, 'Beware of Dog,' and I know the dog is vicious."

Next, the threat must have been "real, imminent and impending," meaning it had to have been happening in the present moment. In addition, if you're the person who used defensive force, you must have had no reasonable means to avoid the danger or emergency except by committing the crime.

Unlike in a self-defense case in Florida, where there is no duty to retreat, in a necessity defense case, you must show that you exhausted every possible option, such as jumping a fence or climbing a tree.

"The crime, which in shooting a dog would be animal cruelty, which is a felony, must have been committed out of

LEGAL NUANCES

According to attorney Kenneth M. Phillips of DogBiteLaw.com, you are legally allowed to defend yourself against a dog threatening your life in most jurisdictions. However, the legal challenges that can follow are often complex.



necessity to avoid the danger or emergency," the attorney stated. "So, in other words, you had no choice."

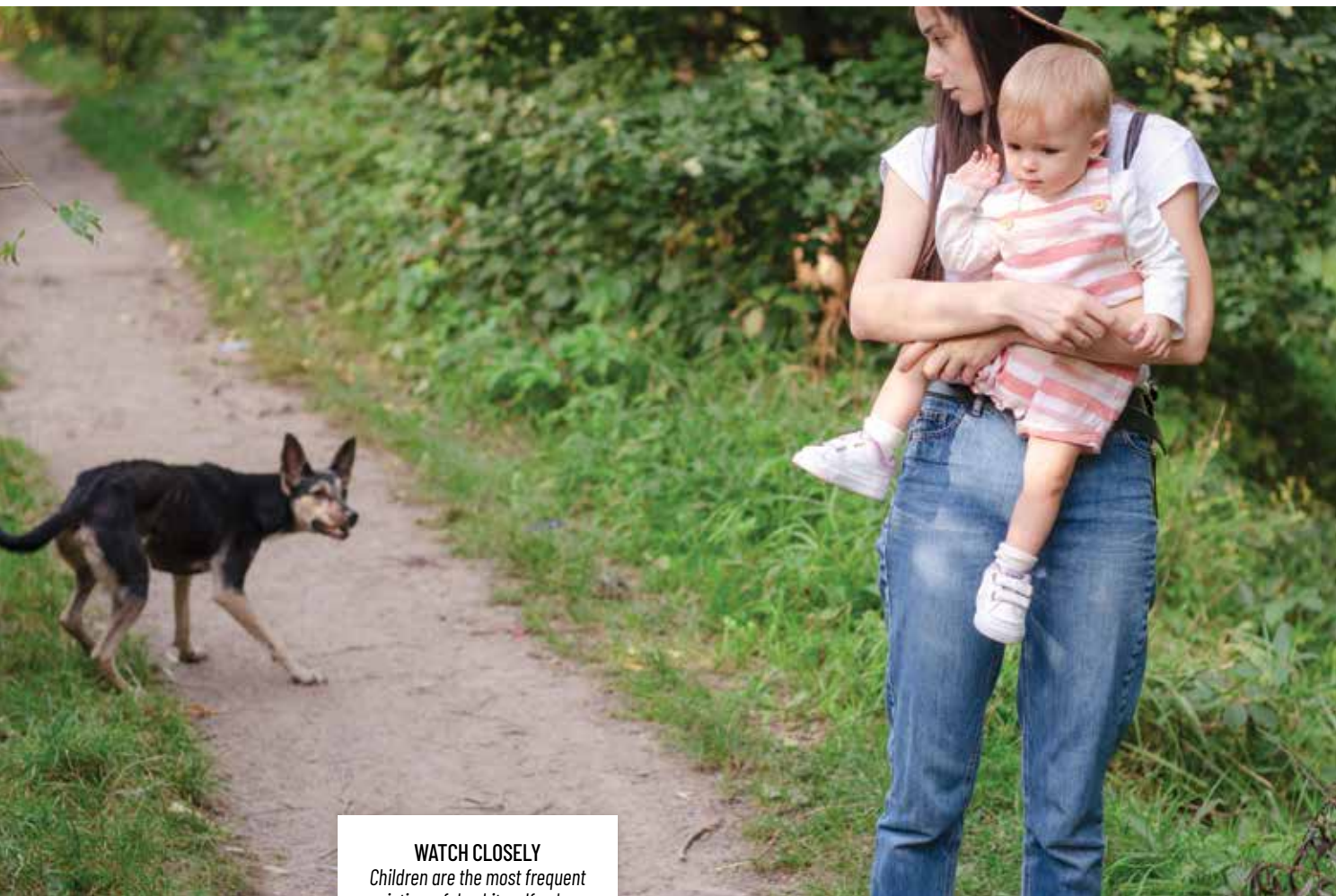
It gets trickier when you're forced to shoot a dog that's attacking your own dog or another type of pet, he said. While there is no general statute allowing the use of deadly force against an animal attacking another animal in Florida, Florida Statute 767.03 — referred to as the "good defense for killing a dog" — does exist:

In any action for damages or of a criminal prosecution against any person for killing or injuring a dog, satisfactory proof that said dog had been or was killing any animal included in the definitions of "domestic animal" and "livestock" as provided by s. 585.01 shall constitute a good defense to either of such actions.

"So, it's not really an affirmative defense," the attorney said. "It's a good defense. And the biggest issue with this is you're going to have to show that the attacking dog was actually going to kill your dog. Most people aren't going to wait for that to happen, so they shoot ahead of time."

Another challenging aspect of such a case, he said, is the negative image many people have of anyone who harms a dog, regardless of the circumstances.

"People have a hard time when it comes



WATCH CLOSELY

Children are the most frequent victims of dog bites. If a dog shows signs of aggression or unusual behavior, be sure to keep children at a safe distance.

to killing animals,” he stated. “Especially a pet dog. People are very sensitive about that. It’s kind of like sex crimes. People don’t like people who molest children. People also don’t like people who shoot dogs.”

ADVICE FROM AN EXPERT

When it comes to experts on canine aggression, few people have the experience and credentials of Jim Crosby, Ph.D. A retired police lieutenant in Jacksonville, Florida, Crosby conducted both his master’s and doctoral research on fatal dog attacks on humans.

He has been on the scene of more than 40 such cases and has evaluated more than 70 dogs post-attack that have killed human beings. His research is affiliated with Harvard University, and he consults on canine aggression worldwide.

“The fatalities are a very small percentage,” Crosby indicated. “If you’ve

the U.S., the worst of the worst are a tiny percentage. But dog bites are a problem, and they continue to be.”

He believes that the bully breeds, including pit bulls, get a bad rap. For one thing, it’s hard for even professionals to determine exactly what kind of dog was involved in an attack because many are mixed breeds, and visual identification is notoriously inaccurate.

“Just because an animal is shaped like a German shepherd, for instance, doesn’t mean it’s all German shepherd,” Crosby explained. “And it doesn’t mean we can predict the dog’s behavior based on what it seems to look like.”

The tendency to blame pit bulls for everything is not based on scientific fact, he added. **(EDITOR’S NOTE: The topic of pit bulls is an impossibly convoluted issue, often inflamed by misplaced**

got 45 people last year who were killed out of a population of almost 350 million people in

emotion and flat-out lying. It will not be discussed further here, as a lifetime could be wasted arguing about it. Please save any angry emails and invest your energy in dry-fire draws or some other form of firearms training instead.)

Crosby also stressed that canine aggression is not a single behavior but rather a cluster of behaviors, and aggression occurs for a reason. Dogs use aggressive displays to affect their environments, to influence others and to protect themselves from perceived threats.

“If a dog is acting aggressively,” he said, “at least in the dog’s mind, there is a reason that behavior makes sense. If the dog does bite, again, that bite makes sense to the dog.”

If worse comes to worst and you are attacked, Crosby advises trying to stay on your feet. Make like a tree: Put your hands up under your armpits, keep your chin down on your chest and give as little response as possible.

“

OF COURSE, DOGS AREN'T THE ONLY CANINES THAT ATTACK PEOPLE, PETS AND LIVESTOCK. THOUGH PEOPLE ARE FAR LESS LIKELY TO HAVE A NEGATIVE ENCOUNTER WITH A COYOTE THAN WITH A DOG, COYOTES SOMETIMES POSE A THREAT.”



NEW NEIGHBOR

Coyotes are skilled at blending into the edges of urban life, often living near towns where they quietly adapt to human surroundings while maintaining their wild instincts.

"Don't run," he said. "Don't flop your arms around trying to shoo the dog away. It's just going to make it worse."

If you fall to the ground, Crosby suggests curling up into a fetal position, keeping your chin down, closing your hands into fists and putting your arms over the sides of your face and neck. Then, wait it out.

"It'll bite a couple of times," he stated, "and then back off to see if it still perceives you as a threat. And if you're not responding to the dog, and if you're not doing anything to make it think that you're engaging with it, then the dog will very often back off."

Crosby is a strong advocate of less-than-lethal deterrents, particularly pepper spray. He explained that it's easy to control, doesn't cause long-term damage to humans or animals, and can often stop a dog attack cold as the animal tries to rub the irritant off its face.

"They tend to snuffle their noses back," he said. "And with the sensitive sensory tissue in their noses, those mucous membranes in there, that's got to hurt. But in about 45 minutes, they're going to be fine."

Other effective less-than-lethal deterrents include tasers (for those legally allowed to carry them) and batons. Crosby pointed out that a baton is not for beating on a dog but rather for putting in front of its face so it bites the stick instead of one of your appendages. (Dogs usually bite whatever part of you is closest to them.)

If you're forced to shoot a dog? Good luck.

As a former police officer, Crosby said that the "use of [a] firearm against a dog needs to be your last choice because a dog can be a real difficult target to hit. Especially if you're aiming at the head. Imagine shooting at a grapefruit dangling from a bungee cord."

He also noted that dogs have extremely thick skulls, so a headshot doesn't always bring them down. The bullet could hit the bone and ricochet off. If you're forced to shoot, it's best to aim for center mass.

Crosby makes these recommendations and others in the curriculum he wrote for the Department of Justice called *Law Enforcement Dog Encounters*

Training (LEDET): A Toolkit for Law Enforcement (2019). The material is viewable for free on the National Sheriffs' Association website.⁶

COYOTE ATTACKS

Of course, dogs aren't the only canines that attack people, pets and livestock. Though people are far less likely to have a negative encounter with a coyote than with a dog, coyotes sometimes pose a threat. Their numbers have increased in suburban and even urban areas for several reasons, including the crash of the fur trade in the 1980s.

The only confirmed fatal attack by coyotes in the United States occurred in the summer of 1981 when 3-year-old Kelly Keen was grabbed in the driveway of her father's home in Glendale, California, and dragged across the road. She died after being taken to the hospital.⁷

More recently, a 2009 study published in *Human Dimensions of Wildlife* identified 142 reported incidents of coyote attacks that resulted in 159 victims bitten in the United States and Canada between 1960 and 2006. Attacks were reported across a wide geographic area, including four provinces and 14 states. However, most attacks occurred in the western portion of the United States, with 49 percent of attacks happening in California and 13 percent in Arizona.⁸

An attack on 2-year-old Landon Thomas in the White Rock area of Dallas in 2022 prompted the creation of an official coyote-management plan.⁹ Dallas Animal Services Officer Jacqueline Sutherland was appointed to serve as the city's first "coyote czar," heading up the program.

"Ninety percent of the time it's food-related," Sutherland said of negative human interactions with coyotes. "Because they've grown accustomed to finding a resource and getting a reward."

Sutherland explained that you can find hundreds of videos on TikTok and YouTube of people purposefully feeding wild coyotes because they think it's cute.

"And the people who feed are never the ones who get bit," she said.

Not all feeding is intentional though. People might leave food out after a backyard cookout or create conditions on their property that attract rodents and

other small prey on which coyotes feed.

Apart from keeping food away from coyotes, hazing is another effective tool for coexisting peacefully with *Canis latrans*.

"Hazing is how we communicate to an animal that something they're doing is making us uncomfortable and it's potentially dangerous," Sutherland explained. "Ninety-nine percent of the time we have no idea that they're there. So, when we do see them, it's important that we communicate with them."

Sutherland said a good way to haze a coyote is to make eye contact and speak to it firmly in a loud, confident voice. This tells the animal that it has made a bad choice and needs to avoid that area in the future.

So how do you keep your pets safe? Sutherland recommends keeping all dogs on a leash, especially in parks that border natural areas. Backyard animals — dogs, cats or otherwise and especially anything under 12 pounds — should not be left unattended in areas where coyotes roam.

WOLF ATTACKS

While the odds of having a negative interaction with a coyote are slim, you're probably more likely to be struck by lightning or win the Powerball than to be attacked by a wolf in North America.

"Based on our preliminary data investigating boldness in captive wolves," said University of California, Davis Associate Professor Kristina Horback, "I would agree that an attack of a wild wolf on a human is incredibly rare. They are cautious creatures."

A 2021 report published by the Norwegian Institute for Nature Research examined wolf attacks on people worldwide from 2002 to 2020 and stated the following: "In Europe and North America we only found evidence for 12 attacks (with 14 victims), of which two (both in North America) were fatal, across a period of 18 years. Considering that there are close to 60,000 wolves in North America and 15,000 in Europe — all sharing space with hundreds of millions of people — it is apparent that the risks associated with a wolf attack are above zero, but far too low to calculate."¹⁰

That said, incidents do occur. Consider



THE COMEBACK KID

Wolves were once hunted so extensively that they vanished from much of their native ranges. Now, as they reclaim those areas, encounters with humans are likely to rise.

the case of Matthew Nellesen in Wisconsin. The deer hunter was scouting for a spot in Coburn Wildlife Area in the fall of 2015 when he was attacked by three wolves. He kicked one away and shot another with a pistol. At the sound of the shot, the wolves retreated.

The incident was investigated by the Wisconsin Department of Natural Resources and the U.S. Fish and Wildlife Service.

"The thing is, I love wolves," Nellesen told the *Milwaukee Journal Sentinel* in an article published in 2015. "I wouldn't ever shoot one if I didn't feel like I was in danger."¹¹

THE SAME PRINCIPLES APPLY

As with most self-defense-related issues, it never hurts to pay attention to your surroundings. This holds true for avoiding canine attacks just as much as it does for keeping two-legged predators at bay. Know the laws in your jurisdiction. Be sure to consider a less-than-lethal option, such as pepper spray or a baton. And if you're forced to shoot? Make sure you know where that bullet is going, and aim for center mass.

Part 2 of the "Self-Defense Against Animals" series – covering bears, including

brown, grizzly, black and polar bears – will appear in the February/March

2025 issue of CCM.

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