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ResearchReport

Dog Bite and Quarantine Law

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Issue

Provide a brief overview of Connecticut law on liability for dog bites, including what happens after a dog bites someone. This report updates OLR reports 2012-R-0459 and 2004-R-0308. This report has been updated by OLR Report 2026-R-0022.

Please note that the Office of Legislative Research is not authorized to provide legal opinions and this report should not be construed as such.

Summary

Subject to certain exceptions, Connecticut's dog bite statute (CGS § 22-357) makes a dog's owner or keeper liable for injuries caused by the dog to someone else's person or property. This is a strict liability statute – in other words, it does not require the victim to prove that the dog's owner or keeper (1) knew that the dog was vicious or (2) was otherwise negligent.

A person injured by a dog bite could also proceed under a common law negligence theory. To succeed in such a case, the injured person must prove that the defendant knew or should have known that the dog was vicious. Under the common law, unlike cases brought under the statute, someone other than a dog's owner or keeper could be liable for a dog bite in certain circumstances. For example, the Connecticut Supreme Court recently held that a landlord could be liable for a bite by a tenant's dog if the landlord was aware of the dog's vicious tendencies and did not adequately act to alleviate the known danger.

After a dog bites a person, a 14-day quarantine of the dog is required. An animal control officer (ACO) or the Department of Agriculture (DoAg) commissioner may also order the dog restrained or killed. Dog bite victims are immune from civil and criminal liability for killing the dog during the attack if the attack happens off the owner's or keeper's premises.

Dog Bite Statute

By law, a dog's owner or keeper is liable for any damage caused by his or her dog to a person's body or property, unless the damage was sustained while the person was committing a trespass or other tort or was teasing, abusing, or tormenting the dog. The law presumes that (1) anyone under the age of seven was not committing a trespass or teasing the dog unless the defendant can prove otherwise and (2) a member of a law enforcement officer's household where the officer keeps a dog assigned to him or her by the town, state, or federal government is not the dog's keeper (CGS § 22-357).

If damage has been caused by two or more dogs at the same time and the dogs are kept by more than one person, the dogs' owners or keepers are jointly and severally liable for the damage (CGS § 22-356). In other words, each owner is responsible for the entire amount of the damages, although he or she may be able to sue the other owner to recover a portion of the damages he or she had to pay.

Several court cases have construed various elements of the statute. For example, courts have interpreted the "trespass" exception as requiring something more than uninvited entry onto the land. Discussing earlier cases, the Connecticut Supreme Court noted in 1953 that:

> the word 'trespass' as employed in the exception refers to something more serious than the mere technical trespass of entering upon the land of another where neither intent to damage nor damage in fact is involved, and where no acts are committed which would naturally arouse an ordinary dog to action to protect its owner's property or family (*Verrilli v. Damilowski*, 140 Conn. 358, 363 (1953) (citations and internal quotations omitted)).

More recent cases cite back to this language in *Verrilli* to require more than mere technical trespass for this exception.

Courts have also interpreted what it means to tease, abuse, or torment a dog for purposes of the statute. For example, the Connecticut Supreme Court has held that a two-and-a-half year-old girl who threw a rubber bone for a dog to retrieve was not teasing the dog within the meaning of the statute, and thus the dog's owner was liable when the dog injured the girl (*Weingartner v. Bielak*, 142 Conn. 516 (1955)).

Common Law

To succeed in a common law negligence action for injuries related to a dog bite, the injured person must prove that the defendant knew or should have known that the dog was vicious. This requirement does not apply to cases brought under the statute.

In certain circumstances, someone other than a dog's owner or keeper could be liable under the common law for injuries resulting from a dog bite. The state Supreme Court recently addressed the issue of a landlord's liability, under a theory of common law premises liability, when one tenant's dog bites and injures another tenant and the landlord knew of the dog's dangerous tendencies (*Giacalone v. Housing Authority of Town of Wallingford*, 306 Conn. 399 (2012)).

In *Giacalone*, the plaintiff alleged that the landlord negligently failed to take various actions in response to the dangers posed by the dog, such as warning the plaintiff that a dangerous animal was present and ensuring that the dog was removed after the landlord, two years prior, had ordered it removed. The court agreed that a landlord can be held liable for failing to take reasonable steps to alleviate a known danger caused by a vicious dog on the common part of the property over which the landlord retains control.

Biting Dogs

Quarantine

By law, an ACO (1) must quarantine a dog that has bitten or attacked someone off its owner's property or (2) may quarantine a dog that has bitten someone on its owner's property. The dog must be quarantined for 14 days in a public pound, veterinary hospital, kennel, or other place approved by the DoAg commissioner. The purpose of the quarantine is to ensure that the dog does not have rabies and to examine its demeanor. The ACO must give the dog bite victim and the commissioner notice of the quarantine within 24 hours. The commissioner or his designee must examine the dog on the 14th day of the quarantine to determine whether it should continue. The owner must pay all fees associated with quarantining the dog (CGS § 22-358(c) & (f)).

Disposition

An ACO or the commissioner may make any order concerning the restraint or disposal of the biting animal as he or she deems necessary. Notice of the order must be given to the person bitten by the dog within 24 hours. Anyone aggrieved by an order made by an ACO may request a hearing before the commissioner within 14 days of its issuance. The commissioner after the hearing may affirm, modify, or revoke the order.

ACOs can seize dogs to ensure compliance with the quarantine or restraining order and the owner or keeper is responsible for any expenses from the seizure. Owners who fail to comply with an order may also be guilty of a class D misdemeanor, which is punishable by up to 30 days imprisonment, up to a $250 fine, or both (CGS § 22-358(c)).

Reporting and Killing

The victim of a dog bite, or those who show visible evidence of an attack by a dog, must make a complaint to a state, town, or regional ACO where the dog is owned or kept. The ACO must immediately investigate the attack. Anyone bitten by a dog or who shows visible evidence of having been attacked may kill the dog during the attack if the attack happens off the owner's or keeper's premises (CGS § 22-358(b)). The law exempts anyone killing a biting dog in accordance with this law from criminal or civil liability (CGS § 22-358(e)).

Public health regulations require health care providers to report to the local health director or authority anyone they treat or examine who has or is suspected of having a "reportable disease," which includes rabies (Conn. Agencies Regs., § 19a-36-A3).

Another law prohibits anyone from owning or harboring a dog that is a nuisance because of a vicious disposition, excessive barking, or other disturbance. The courts may make any order necessary to restrain or dispose of the dog (CGS § 22-363). A first-time violation is an infraction. Each subsequent offense is a class D misdemeanor. The law also makes it a crime to own or keep a dog that habitually goes out on a highway and growls, bites, snaps at, or otherwise annoys people or domestic animals using the highway or chases or interferes with any motor vehicles on the highway. Violators are guilty of a class D misdemeanor.

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