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## Unleashed

A brutal dog attack in Nob Hill has revived the city's battle over canine control. Here's why it's going to get worse.

By Peter Jamison

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Nob Hill resident Marion Cope says she was attacked by off-leash dogs in November.

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The gash in Cope's leg became infected and required surgery.

Frank Gaglione



Leash-law advocate Andrea O'Leary often cleans up after dogs at Sunnyside Park.

Frank Gaglione



Martha Walters, pictured with companions Grace and Space at

On the evening of Nov. 11, 2009, two San Francisco police officers found 74-year-old Marion Cope sitting on the ground in Huntington Park, clutching her bleeding right leg. The officers had responded to a call about a dog attack at the small patch of public land, which sits in the shadows of three historic luxury hotels atop exclusive Nob Hill. They discovered that Cope had suffered a 10-inch gash to her calf, leaving an unsightly flap of skin and subcutaneous fat hanging from her leg.

She explained to police that she had been walking her Irish terrier, Clancy, a former champion showdog, on a leash past the park's north side. After stopping to deposit a bag of the animal's feces in a trash can at the corner of Sacramento and Taylor streets, Cope and Clancy found themselves set upon by four off-leash dogs. Interceding to protect her dog, she was knocked off her feet. Sometime during this encounter, according to police investigators, her leg was torn open by one of the canine aggressors.

"I saved my dog's life, and I got ripped up in the process," Cope recalled. "Mauled. A huge, huge mauling."

Cope is no ordinary woman, and Huntington Park is no ordinary square of grass. The widow of Newton Cope, the proprietor of the swanky Huntington Hotel — both park and building take their name from 19th-century railroad baron Collis Potter Huntington — she is a member of the wealthy and influential Nob Hill Association, which has been battling with dog owners who run their pets off-leash in the park. Free-roaming mutts are technically banned there, and the Cope incident provided the anti-off-leash-dog faction with a bloody shirt to wave.

Crissy Field, fears a curtailing of dog access to the Golden Gate National Recreation Area.

Frank Gaglione



"It's like having a big group of children," says one dog owner who frequently visits Huntington Park (below), where Cope was attacked.

Frank Gaglione



Dog owner David Troup, left, and leash-law advocate Peter Cohen worked together to craft a compromise for canine rules at Duboce Park. Chino, center, has no complaints.

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That cause was buttressed by a similar incident in the park, less than a year earlier, in which a 66-year-old woman told police that she was knocked to the ground by a group of eight to 10 dogs. Further aggravating tensions was the fact that dog advocates had lobbied for — and apparently achieved — a reduced level of leash enforcement by Rec and Park rangers in the months prior to the attack on Cope.

"I grew up in the country, where we had a lot of trains, and with trains you have a lot of railroad crossings," Stephen Patton, a real-estate agent who chairs the Nob Hill Association's Huntington Park Committee, told the San Francisco Recreation and Park Commission at a public meeting on Dec. 3, shortly after *SF Weekly* first reported the Cope incident on its news blog. "A lot of those crossings were often known to be extremely dangerous, but nothing was done about that danger until a train struck somebody and killed them, and then the county would address it. I'm here because we've had two train wrecks, unfortunately, in Huntington Park. Thank goodness both victims survived."

Off-leash dog advocates, a perennially battle-ready special interest in San Francisco, also seized on the incident, hoping to forestall a sudden crackdown by park rangers throughout the city. "We've been very quiet recently, and I think this may be one of the things that makes it louder," Sally Stephens, chairwoman of the San Francisco Dog Owners Group (SFD OG), told *SF Weekly*. "This whole call for enforcement is like a kick

to the sleeping dog."

To anyone familiar with the outsize role domestic animals have played in San Francisco's modern civic life, the Cope affair may seem like old hat, the latest in a series of inconclusive leash-law tempests — often referred to as the San Francisco "dog wars" — that stretches back at least a decade. In fact, while the incident was a particularly dramatic headline-grabber, it was also a prelude to imminent shifts in leash policy of more lasting significance.

This summer, the Golden Gate National Recreation Area (GGNRA), a federal park that oversees much of S.F.'s pet-friendly public land, plans to release a series of proposed revisions to its canine rules. Off-leash advocates say they expect a drastic curtailing of access, a move that would fit with the National Park Service's increased focus on conservation and wilderness restoration in its Bay Area holdings in recent years. Stephens estimates that tens of thousands of dogs are walked in the GGNRA on a given day, and that these animals could create an unmanageable strain on San Francisco's roughly 200 parks and 22 legal off-leash dog areas. "Suddenly, in parks that have had a very low level of conflict, it's going to be hitting the fan everywhere," she predicted.

The new dog-management plan could prove a spark to the powder-keg of San Francisco pooch politics, ending an uneasy *détente* that has held among partisans for the past several years. If so, get ready: The next dog war is on its way.

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At 5 on an already dark December evening, Board of Supervisors president David Chiu exited a four-hour session of the board's Land Use and Economic Development Committee and retreated across the second floor of City Hall to his office. The Harvard-educated Internet entrepreneur and former criminal prosecutor was personable and polished as he settled into the chair behind his

desk for an interview with a reporter. He showed no sign of fatigue from the year-end legislative rush and ongoing city budget crisis. But when the subject of dogs in Huntington Park was broached, he allowed himself a pained smile. "It's not that different from any other issue in San Francisco," Chiu said.

He paused. "Well, I shouldn't say that. It is different. It's the incredible intensity of each perspective, and I'm just trying to find the common ground in between. So far, no luck."

Last year, in response to concerns from a constituent about inadequate enforcement of leash laws at Huntington Park, which is within his district, Chiu asked newly appointed Recreation and Park Department general manager Phil Ginsburg — a former chief of staff to Mayor Gavin Newsom — to consider stepping up park rangers' presence in the area. Then, after a flood of complaints from the off-leash dog crowd about overzealous patrols, Chiu again got in touch with Ginsburg, suggesting he scale back enforcement.

Dog owners at Huntington Park were cheered to see regular ranger patrols disappear almost overnight in the wake of a July meeting with Chiu and the supervisor's subsequent contact with Ginsburg. Several months later, in this dog-friendly atmosphere, Cope was attacked.

In the first year of his first term, Chiu had made what more experienced pols might consider a rookie mistake. He had tried to use the power of his office to make some sense of the Dog Issue.

Conflicts among dog owners inclined to run their pets off-leash in public areas and those averse to such activity — environmental activists, native-plant buffs, older people, families with young children — erupted in the late 1990s, and have flared up periodically since then. Early in the last decade, when municipal and federal park officials revisited their policies with an eye to making leash laws stricter, the seemingly pedestrian question of pet control led to reams of hotly contested legislation and rancorous public meetings that were literally attended by thousands.

Several characteristics of the city make it rife for scorched-earth warfare over such a seemingly minor issue. Start with the unusually large number of household pets. Dog advocates estimate the canine population at close to 150,000; by contrast, the most recent Census figures indicate that there are only 102,000 children in San Francisco under the age of 15. Add to that a progressive political mentality that takes a generous view of animal rights, as well as a history of do-as-you-please scofflawism that traces its lineage back through the days of the Summer of Love and the Barbary Coast.

"Because San Francisco is generally a wealthier city, with fewer crushing social problems, people have more time to agitate around issues that are not life-or-death," said Michael Schaffer, a former *Philadelphia Enquirer* reporter whose 2009 book, *One Nation Under Dog*, includes an entire chapter on San Francisco's dog-park debates.

In his book, Schaffer observes the many ways in which the local argument over leash laws has been inflamed by rhetoric normally reserved for heftier political causes. Bumper stickers reading, "I HAVE A DOG ... AND I VOTE" abound in the city, he notes, and one pro-dog group, on its Web site, displays a firebrand quotation from Thomas Jefferson next to an image of poodles at play — "When the people fear the government there is tyranny. When the government fears the people there is liberty."

Yet he cautioned against viewing the Dog Issue as an only-in-San-Francisco excess of left-wing

politics. "I actually thought it was a case of California trend-setting for the rest of the country," Schaffer said. "There was a big to-do about leash laws in a park right here in dowdy old Philadelphia, which is never made fun of as a liberal paradise."

While the city's dog lovers are often cast by opponents as hysterical and uncompromising, advocates of strictly enforced leash laws can be just as passionate. One such partisan, Miraloma Park resident Andrea O'Leary, recently met with a reporter at Sunnyside Park, a terraced recreational area on the slopes of Mount Davidson where most off-leash dogs were expelled after a renovation that was completed in 2007. "I can't tell you how many dog feces I've had thrown in my yard, and nails in my tires, and threats on my life," said O'Leary, who believes off-leash dogs use her beloved park as a latrine and scare off small children. "I come down here every day to pick up dog shit and trash and everything else," she said, adding that many dog owners in her neighborhood are "relentless, intimidating bullies."

The park is no longer the site of frequent dog-war skirmishes, but O'Leary continues to follow debates over leash law across the city. One seemingly moderate idea floated by the pro-dog lobby is the notion of "timed use" — allowing pets to run off-leash in parks for a certain part of each day, just as seniors enjoy a few hours when they alone can swim at municipal pools. When O'Leary was asked about this proposal, some of the old fighting spirit showed, opening a window on the all-or-nothing, sometimes-irrational approach to dog politics that to date has made the question of leash laws insoluble.

"Now they want to force down our throats this mixed-use thing, which is probably going to happen over our dead bodies," she said. "I call it our children being the cheap weenie in the hot dog, where the dogs get the bread. They get the two ends, and the meaty part, and our kids are in the middle with the cheap meat. It's disgusting."

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At 10 on a sunny winter morning at Crissy Field, a stretch of beachside property below the Presidio, the lapping blue waters of San Francisco Bay suffused the air with a lingering hiss. In the background, the rust-colored far arch of the Golden Gate Bridge cast a neatly etched shadow over the Marin Headlands. Dogs of all shapes and sizes charged gleefully through the surf, trailed by owners bearing club-shaped tennis ball launchers. Martha Walters, who trudged through the sand accompanied by her pets Grace and Space, clearly felt at home, speaking of dog access to this federally controlled property as though it were a patrimonial right. "Dogs have been coming here for 100 years or more," she said.

In a tightly packed city with a patchwork of small neighborhood parks, Crissy Field, like other parts of the GGNRA within San Francisco city limits — including Ocean Beach and Fort Funston — offers long, seemingly limitless tracts of seaside open space fit for four-legged roaming. "People want to go out and do stuff in life," said Walters, head of Crissy Field Dog, a group that lobbies for expanded dog access to the federal park. "They don't want to stay cloistered up." It didn't need mentioning that dogs would be by their side.

The appeal of these areas to dog owners isn't hard to see. What's less apparent is how unusual a dispensation they enjoy. Off-leash dogs are banned from all national parkland in accordance with federal regulations, and dog activists here have been vigilant for any sign that they could likewise be brought to heel. In 2008, for instance, House Speaker Nancy Pelosi's proposal to change the park's name to Golden Gate National Parks — dropping the reference to recreation — stirred an outcry among pro-dog groups, who feared it could be a harbinger of future restrictions on canine

play.

Now it looks as though such restrictions could be inevitable, and that's got Walters worried. "I can't speculate," she said grimly as she marched through the sand. But her best guess is that federal administrators are on the verge of closing down large, as-yet-undetermined sections of the park to off-leash dogs. "If you close down more areas here in the GGNRA, there will be a lot more pressure on city parks," Walters said.

It wouldn't be the first time federal dog-control efforts on the San Francisco peninsula had set the political cauldron to boil. Dogs' access to the GGNRA has persisted through a series of historical quirks. For decades, Park Service officials didn't properly enforce the federal rules, taking their cue instead from a 1979 policy produced by a Citizens Advisory Committee that permitted off-leash dogs.

In the 1990s, National Park Service officials first proposed banning off-leash dogs in some parts of the federal recreation area, a move that would have brought it in line with counterparts across the country. The resulting outcry surprised and puzzled those who didn't have a metaphorical dog in the fight. At a January 2001 meeting of a GGNRA advisory panel, thousands turned out — some stood outside in the rain — joining in a civil-rights-era-style chant of "No leashes!" Gavin Newsom, then a supervisor, played demagogue to this unruly crowd, threatening the federal government with expulsion from the peninsula if it did not relent on leash laws. Federal officials' efforts to ban off-leash dogs from some areas were eventually torpedoed in 2005 by a federal circuit court judge, who ruled that the Park Service had sought to change the law without following an appropriate process for collecting public input.

Now the agency's duly followed public process is at last coming to a close. GGNRA spokeswoman Chris Powell said that park officials hope to introduce a draft version of a new dog policy this summer. While declining to discuss details of the plan — which will be subject to public comment for 90 days once released — Powell hinted in an interview that the new regulations will likely take the park in a direction more nearly aligned with its national counterparts. That means less space for off-leash dogs. Maybe a lot less.

"There is a federal regulation in the National Park Service requiring dogs to be on leash," she said, with a note of weariness. "Many, many years ago Golden Gate erred by allowing dogs off-leash in the park, which caused quite a bit of confusion in the minds of dog walkers. It also caused, increasingly, complaints from other visitors in the parks. ... We did and do continue to still have bites in the park. We have reports of people being knocked down, dogs going down the cliffs at Fort Funston. Our staff put themselves in danger rescuing them." She added, "Those are all things we're going to address in the plan."

Many activists, particularly in the environmental community, have been pushing for such restrictions for years, arguing that uncontrolled dogs have harmed the park's remaining sectors of wild habitat. While no Yosemite, the GGNRA is more pristine than, say, Huntington Park, and portions of Crissy Field and Ocean Beach are already off-limits to leashless dogs out of respect for the snowy plover, a federally threatened species. Brent Plater, executive director of the Wild Equity Institute and owner of a Chihuahua-terrier mix, asserts that his fellow dog lovers have wrongly resisted the level of sensible regulation that applies to most other aspects of urban life.

The argument that leashing a dog limits the animal's freedom, Plater said, is "true, in the same way seatbelts are inhibitions on our freedom to drive, or wearing bicycle helmets is an inhibition

on our freedom to ride bicycles." He continued, "This is always the case when we manage risks like this. The number of people who die in car accidents compared to the number of people who drive in cars every day is tiny. But we still think it's a risk that's important to manage. I think a similar kind of approach should be used in our regulation of dogs, if only for our dogs to remain safe."

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From the perspective of city park users, the effects of a canine exodus from federal lands could be dramatic. The Recreation and Park Department has proved no more adept at crafting a coherent leash policy than the federal government.

The Dog Advisory Committee created by the Recreation and Park Commission managed to suggest new leash rules at only a small handful of city parks — not all the suggestions were actually implemented — before disbanding in 2007. Split among vociferous pro- and anti-dog factions, the committee, by most accounts, compiled a five-year record of dysfunction to rival that of the Iraqi Parliament. Sgt. Bill Herndon, head of the SFPD's Vicious and Dangerous Animals Unit, was a member; asked about the experience, he sighed and held an outstretched finger to his head. "Just shoot me."

Since then, things have not improved. The Cope incident was just one in a series of dog-related skirmishes indicating the tense state of San Francisco's municipal parks. In August 2008, Cynthia Smith, a Sunset District resident and podiatrist whose answering machine showcases a verbal exchange between herself and a canine interlocutor — "Park? You want to go to the park?" — had an acrimonious run-in with a ranger who wrote her a ticket for illegally walking two German shepherds off-leash in Golden Gate Park.

Smith filed a police report, asserting that the ranger had shoved her after she refused to sign the ticket, and a claim with the city attorney's office, which was denied. "They let the Gestapo investigate themselves, and of course found absolutely nothing," she told *SF Weekly*.

At Huntington Park, complaints about overzealous enforcement are also common. One neighborhood resident, Liz Mandel, claims that she and her curly-haired golden mutt, Kukur, have been subject to harassment over their reluctance to obey leash laws, including an incident in which they had to leap out of the way of a ranger's moving vehicle while crossing the street. "If you set up a volatile situation instead of a workable situation, you can't be surprised when it explodes," Mandel said.

She spoke while visiting Huntington Park with Kukur on a cold weeknight. It was the unofficial after-work play hour, and off-leash dogs teemed illegally across the center of the tiny park, causing a human visitor toting a video camera to carefully navigate toward its picturesque central fountain. "It's like having a big group of children, in a lot of ways," Mandel said. "Children need space to play."

As she talked, a placid golden pug in a black sweater padded up to her feet and stared upward, as though suddenly interested in the policy questions related to the surrounding playspace. A dachshund meandered by. Mandel hoisted him to shoulder level, displaying him to a reporter. "This is Dashi," she said. "He's a good boy." She addressed herself to the dog: "You're a good boy." Dashi stared back with dark, emotionless eyes.

Wendy Crittenden, another dog owner, engaged Kukur in conversation.

"What's happening, Kuk?"

The dog stared at her.

"Kukur, sit," Crittenden said.

Kukur stood.

"Kukur," Mandel chimed in. "Sit." When she pushed Kukur's rear end to the ground, he sat. Sort of.

Another visitor that evening was one of the four pooches implicated by police in the attack on Cope, a black-and-white terrier mix who goes by the name of Frank. His owner, a neighborhood resident named Lana Beckett, calmly offered a defense of her animal. Beckett was wrapped in a pink scarf to protect against the chill. Behind her rose the luminous façade of Grace Cathedral. Other sides of the park are bordered by the Pacific Union Club and the Mark Hopkins and Huntington hotels. A more lavish public setting for an animal attack is hard to imagine.

"I was there," Beckett said. "It was not a maiming. We were not pulling our dogs off of her. No dogs were showing teeth. ... I even stuck my nose in [Frank's] mouth to see if I could smell blood or something." (It is unclear which of the dogs that swarmed Cope actually bit her.) Beckett suggested that a reporter speak with Alex Julian, a doctor and dog owner who she said had administered first aid to Cope at the scene and "probably saved her life."

Julian eventually showed up, a former anesthesiologist smoking a Dunhill through a gold-tipped cigarette holder. With him was his fluffy white American Eskimo dog, Zoe, with whom he has been visiting the park for five and a half years.

Julian confirmed that he had wrapped Cope's wound, which he did not think was caused by a dog. "I have to say — and this is very important — as bad as the wound was, I didn't think it was a dog bite. There were no puncture marks. There were no teeth marks. It was a flap of skin," he recalled. "Whether I saved her life ..." He shrugged. "Anyone else would have done the same thing."

On the whole, the park's patrons gave off a faint but undeniable air of enigma and obfuscation. "People know more than they're saying," said SFPD Officer John Denny, who is investigating the attack. Herndon, his boss, said several suspect dogs, including Frank, would be summoned to a Vicious and Dangerous Dog hearing — commonly known as "dog court" — on Feb. 4. "Bottom line: If those dogs had been on a leash, this wouldn't have happened," Denny said.

The scene at Huntington Park offered a revealing portrait of San Francisco dog factionalism. After meeting the likes of Mandel and Julian, it's no surprise that politicians have trouble dealing with a special interest as eccentric and emotionally complex as the dog lobby. "We're not crazy," Stephens of SFDOG insisted during an interview with *SF Weekly*. It was clearly a point she had felt compelled to make before.

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Despite public officials' generally poor track record managing the anxieties of dog partisans, Chiu, having enmeshed himself in the concerns of Huntington Park, is seeking to broker a compromise. On Jan. 28, he plans to convene a meeting of neighborhood residents. "I have called for a community forum," he said. "What I'm looking for are peaceful solutions." Such as? "I've had

dozens of conversations trying to solicit a creative idea that will allow for peaceful coexistence," Chiu said. "And I'm still looking for it."

Cope, who underwent surgery several weeks after the attack, said she has begun to recover, albeit slowly. "I have a huge cavern in my leg, but I have my leg," she said. "I won't be able to play golf for some time. I can walk." On top of her medical travails — her surgery was briefly postponed because of infection to the wound — Cope said her unwanted central role in the city's venomous dog politics has not been pleasant. "This is just too awful, and I've just had too much," she said.

What of the bigger picture? Is there any hope of imposing a lasting peace among San Francisco's dog warriors, and preempting the battles that will accompany the potential squeezing of thousands of animals from federal to city land?

As public officials seek a model for a workable dog policy, they could do worse than to take a look at Duboce Park. Until a few years ago, this slim strip of lawn that slopes downhill from West Portal was a nightmare of off-leash dogs, frightened children, and enraged parents, all battling for unconditional conquest of their neighborhood park.

Then something changed. In one of those rare political alignments that heralds progress on any divisive social issue, the moderates on both sides hashed out a deal to make Duboce Park welcoming to everyone. Together, they drafted a park-renovation proposal that established a large off-leash dog area, demarcated by bollards and chains; a hillside where only on-leash pooches would be permitted; and a dog-free lawn and playground accessible only to children and parents. An appeal to Supervisor Bevan Dufty secured political support and funding for the project.

Completed in 2008, the renovation has not been an unalloyed success. David Troup, a dog owner who partnered with those seeking stricter leash laws to plan Duboce Park's partition, said that when the park opened, enterprising vandals — who he suspects were from the off-leash dog camp — managed to break some of the iron bollards (no easy feat) that limited the formerly unfettered pets. There are still tensions between park users who follow the rules and those who don't.

"A successful compromise is one in which everyone is equally unhappy," said Troup, owner of Chino, an easygoing shar-pei mix, during a recent stroll through the renovated park. "A couple years down the line, I think the unhappiness has faded and everyone has realized this is something we can live with."

Not all live with it happily. As Troup walked across a grassy hillside, a pair of small, off-leash dogs rushed up to the leashed Chino, causing him to startle and yank his owner off-balance. The dogs' master, a tall man in plaid shorts, glared at Troup through a pair of shades, a cigarette dangling from his lips.

"This is actually an on-leash area up here," Troup said.

"I'm aware of that," the man replied. "Fuck you."

Troup shook his head as he walked away — reminded, once again, that some old dog warriors never lay down their arms. "Most people, if they know the rules, they try to follow them," he said. "There's going to be assholes."