

SENATOR CHAMBERS: Yeah, let's say I'm making an explicit right, and that would avoid the situation where the officer and the dog may be holding the person at bay.

SENATOR PIRSCH: Right.

SENATOR CHAMBERS: The dog is not doing this terrible thing to the person or threatening it. If the officer sets the dog on me and the dog is lunging for me and going for one of my vital areas, then I would be justified in using force to repel that dog and hold that dog and prevent him from doing that, which is what I'd do anyway.

SENATOR PIRSCH: Would reasonable force be defined as killing?

SENATOR CHAMBERS: Reasonable force would be that which.... Now I'm giving you my understanding of it.

SENATOR PIRSCH: All right.

SENATOR CHAMBERS: It would be that force necessary to prevent the harm being threatened from being carried out.

SENATOR PIRSCH: Reasonable force in Section 8 does talk about killing, capture or restrain. But of course we're talking about a dog that is under...that is a working dog under someone else's control, is not running loose as the other.

SENATOR CHAMBERS: Right, so you wouldn't capture it and your aim wouldn't be to restrain it in the sense that these terms are used, nor would it be on the rented property. There are so many things in that part that wouldn't even apply to a police animal...

SENATOR PIRSCH: Okay.

SENATOR CHAMBERS: ...that I didn't want to try to...

SENATOR PIRSCH: Good.

SENATOR CHAMBERS: ...work it into that.

SENATOR PIRSCH: Yeah, okay. Yeah, I think it is tougher than Section 8 and probably would be held to a higher standard than that reasonable force, I believe. So thank you.