

Knocked Down and Injured by a Dog – Now What?

Article By:

Carin A. O'Donnell

Most people are aware that a dog owner can be sued if his dog bites you. But what if a dog runs up to you, jumps on you, and knocks you down, causing injury? That scenario highlights the difference between injuries from dog bites and injuries that occur from a dog attack or confrontation.

Pennsylvania law treats dog attacks differently depending on whether the dog is a “dangerous dog” and whether the bite caused severe injury or death. A “dangerous dog” is defined as one that has:

1. Inflicted severe injury on a human being without provocation on public or private property.
2. Killed or inflicted severe injury on a domestic animal, dog, or cat without provocation while off the owner’s property.
3. Attacked a human being without provocation.
4. Been used in the commission of a crime.

And the dog has either or both of the following:

1. A history of attacking human beings and/or domestic animals, dogs, or cats without provocation.
2. A propensity to attack human beings and/or domestic animals, dogs, or cats without provocation.

It is important to note that a propensity to attack may be proven by a single incident. Also, the act does not apply where a person attacked, provoked the animal, or was committing willful trespass or another unlawful act.

In Pennsylvania, if the victim sustains a severe injury, he or she may potentially recover damages including medical expenses, lost wages, and pain and suffering. This applies whether the injury suffered was a dog bite or other type of injury caused by the dog, such as a broken arm caused by being knocked down. If the injury was not severe as defined under the statute, the victim may recover

only medical expenses.

Dog bite laws can be confusing and it is important to document what occurred and the aftermath. Following a dog bite or attack, once medical attention has been sought, it may be helpful to document certain information. Photos of the injuries should be taken. Witness names and contact phone numbers should be written down. A chronological journal can be helpful to remember details of the attack and aftermath, emotions, pain from injuries, effects on other family members, impact on work and other responsibilities, Medical records and insurance documents should be preserved.

It is also important to determine not only who the owner of the dog is, but also who owns the property where the attack occurred if the owner of the dog is a renter, commercial tenant, or guest of the property owner. This information is key to determine who may be liable as well as the existence of any insurance policies that may cover the incident.

Jordan Friter contributed to this post.

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