



**Maryland's Association of Animal Care and Control
Agencies and Humane Societies**

**PO Box 1143
Easton, Maryland 21601**

**SB 877 Criminal Law - Animal Cruelty - Petition for Costs for Care of Seized Animal
Maryland Senate Judiciary Proceedings Committee
Favorable**

March 2, 2022

Dear Honorable Chairman Smith, Vice Chair Waldstriecker and members of the committee:

Professional Animal Workers of Maryland, the state organization comprised of animal control agencies and humane societies unanimously stands in support of **SB 877 Criminal Law – Animal Cruelty – Petition for Costs for Care of Seized Animal**.

Animals are property in the state of Maryland. Unlike a vehicle, money, weapons, or other items which may be seized during the investigation of a crime and can be stored in an impound lot or a locker, animals need daily and costly care. Large-scale cruelty cases, such as puppy mill, dogfighting or hoarding cases, can involve the seizure of dozens or even hundreds of animals. These cases often take months, or even years, to go to trial, often leaving animals in limbo and in the care of our agencies and organizations. *As of March 1, 2022 there are more than 245 animals sitting in Maryland shelters awaiting trial or appeal, and the cost of their care is on the taxpayer.*

The current process in Maryland does not account for this issue. Even when restitution is ordered at sentencing, all too often these fees are not paid, and the cost of care of these animals continues to land in the laps of the taxpayers, not the owner/custodian of the animal(s). Several agencies in our state have presented you with examples on specific cases where the absence of a clear law has failed the animals and taxpayers of Maryland. We believe this bill provides protections for both owners and agencies.

- This bill makes it clear the points at which an owner might forfeit ownership of an animal. It also creates a civil hearing procedure, separate from the criminal trial, in which a judge decides whether there is sufficient evidence of animal cruelty to require the owner to pay a bond for the reasonable costs of caring for his/her animal until the criminal case is heard. If the owner does not post the bond, the animal is relinquished to the seizing authority. The owner can voluntarily relinquish the animal at any time and be absolved of financial responsibility.
- Additionally, this bill includes protections for owners. It allows the owner to challenge the legality of the animals' seizure and the reasonableness of the bond requested. It also requires the seizing agency to show by a preponderance of the evidence that the animals were lawfully seized, so that no owner will unfairly have to pay costs of care. And it also ensures that an owner who is acquitted will be repaid for any costs of care that they expended.

We wish to make clear this bill refers to cases where violation(s) of the Maryland Annotated Code have been allegedly committed and which rise to the level requiring seizure of the animal(s). Violations of jurisdictional laws such as animals running at large which are impounded as stray or other infractions have administrative remedies at the local level which often include fines and fees.

Maryland is in the minority of states lacking a clear process to address the cost of caring for animals seized in cruelty cases. This clarification in the state law is needed to protect owners, agencies, and animals in Maryland. Professional Animal Workers of Maryland respectfully requests a favorable vote on **SB 877 Criminal Law – Animal Cruelty – Petition for Costs for Care of Seized Animal.**

Please feel free to contact me with any questions or concerns.

Sincerely,

Patty Crankshaw-Quimby

Executive Director/Chief Animal Control Officer: Talbot Humane/ Talbot County Animal Control
President: Professional Animal Workers of Maryland