

MML_FAV_SB925

Uploaded by: Donoho, Candace

Position: FAV



Maryland Municipal League

The Association of Maryland's Cities and Towns

TESTIMONY

March 3, 2020

Committee: Senate Judicial Proceedings

Bill: SB 925 – Criminal Law – Dangerous and Potentially Dangerous Dogs – Classification and Requirements

Position: Support

Reason for Position:

The Maryland Municipal League supports SB 925. This bill repeals a provision of law that authorizes an appropriate unit of a county or municipal corporation to determine whether a dog is potentially dangerous under certain circumstances and instead requires an appropriate unit of a county or municipal corporation to classify a certain dog by level of potential danger as determined by certain factors.

Municipalities often classify dangerous dogs in some fashion, but there is no consistency in the definitions. In addition, when a situation arises where a dog is determined to be dangerous, under current law, municipal officials are limited in the actions they can take to ensure the safety of their residents. This legislation would clarify the four levels of what determines a “dangerous dog” and sets out the various actions available in dealing with the behaviors exhibited by the dog.

The League has received information from one member cities citing potential liability when a dog is declassified and another incident occurs after the dog has been reclassified. Also, “Responsible Pet Ownership Program” is not defined and “reasonable likelihood of repeat dangerous behavior” is not an existing standard, which could expose a local government to potential liability based on this undefined determination.

The League therefore respectfully requests that this committee provide SB 925 with a favorable report taking into consideration the concerns listed above.

FOR MORE INFORMATION CONTACT:

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Executive Director
Government Relations Specialist
Manager, Government Relations & Research
Manager, Government Relations

Ready_FAV_SB925

Uploaded by: Senator Ready, Senator Ready

Position: FAV

JUSTIN READY
Legislative District 5
Carroll County

Judicial Proceedings Committee



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11 Bladen Street, Room 414
Annapolis, Maryland 21401
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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 3, 2020

SB 925 Criminal Law - Dangerous and Potentially Dangerous Dogs - Classification and Requirements

Chairman Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

SB 925 as amended, would have counties that use a “potentially dangerous” dog designation to add an appeals process for the dog once labeled. Owners would have to wait 2 years after the designation to appeal.

A dog can easily be labeled a “potentially dangerous” dog from a misunderstanding or if another individual that wants to cause them harm. Another misunderstanding could lead to a dog being labeled “Dangerous” and put the dog at risk to be destroyed. Senate Bill 925 will simply allow an appeals process for dogs that were incorrectly labeled, immature, or required training.

I respectfully request a favorable on Senate Bill 925.

MoCo_Morningstar_UNF_SB 925

Uploaded by: Morningstar, Sara

Position: UNF



Montgomery County

Office of Intergovernmental Relations

ROCKVILLE: 240-777-6550

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SB 925

DATE: March 3, 2020

SPONSOR: Senators Ready and Hough

ASSIGNED TO: Judicial Proceedings

CONTACT PERSON: Sara Morningstar (sara.morningstar@montgomerycountymd.gov)

POSITION: OPPOSE (Montgomery County Department of Police)

Criminal Law – Dangerous and Potentially Dangerous Dogs – Classification and Requirements

Senate Bill 925 rewrites sections of the Criminal Law Article pertaining to the classification of “dangerous dogs” and the actions that may or must be taken under specific circumstances. For a number of reasons, the Montgomery County Department of Police opposes this bill.

To begin, language in SB 925 provides for the removal of a dangerous dog classification if there are no incidences for one year. This arbitrary passage of time may not be a reliable indicator that there will not be reoccurrences. Several cases in Montgomery County have proven this point. In addition, language in the bill implies that the purpose of confinement and restraint methods proposed are punitive measures rather than measures to protect others from the potentially dangerous dog. The Department is also concerned that an animal control unit would be liable should the removal of the classification be found to be arbitrary or not based on substantial fact.

The bill also requires that a dog’s upbringing be factored in during the classification process. This seems subjective and arbitrary and therefore may not be good predictor of a dog’s future behavior. Finally, SB 925 references “a responsible pet ownership program.” No guidelines for such a program are described in the bill.

In summary, for the aforementioned reasons and others not described above, the Montgomery County Department of Police opposes SB 925 and would urge the Committee to adopt an unfavorable report on the bill.

Chiefs and Sheriffs_ UNF_ SB925

Uploaded by: Passman, Major Ross

Position: UNF



Anne Arundel County Police Department
8495 Veterans Highway Millersville, Maryland 21108
(410) 222-8050
www.aacounty.org/police



Timothy J. Altomare
Chief of Police

February 24th, 2020

The Honorable William C. Smith, Jr.
Chairman, Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

Re: Opposition Senate Bill 925 – Criminal Law – Dangerous and Potentially Dangerous Dogs – Classification and Requirements

Dear Chairman Smith and Members of the Committee,

The Anne Arundel County Police Department opposes SB 925 as written, as it does not put the safety of the public first, has proclivity toward unstandardized enforcement/interpretation and has unfunded mandates.

Anne Arundel County takes the safety of our public, both human and animal, seriously. We have made several changes to the Public Safety Laws in recent years to put together a standard that complements existing state law and gives our Animal Care & Control Section appropriate discretion.

When our section deems an animal Potentially Dangerous, Dangerous or Vicious it does so in response to a public safety violation. Owners have appeal rights if they believe our designation, or the restrictions put in place, in accordance with State and County laws is unjust. The stipulations put in place are meant to prevent animals from putting the public in danger again. Removal of these designations (and therefore the restrictions in place), due to lack of additional incidents, puts the public in jeopardy because it is the restrictions, not changes in the nature of the animal, that prevent reoccurrence. No animal with an Administrative designation should have the ability to be involved in another public safety incident as long as the owner remains compliant. This legislation requires declassification. Who would be liable when someone is hurt by an animal that was “declassified”?

Our Animal Care & Control Section handles approximately 2,000 public safety investigations each year and based on all of those incidents less than 60 administrative orders are issued as a result. Our County currently has approximately 300 animals deemed potentially dangerous or dangerous. The addition of more levels of Administrative Orders, responsible ownership classes and declassification of animals would result in even greater workload for an already overburdened staff. These items are the definition of unfunded mandates, because for

our County to handle the additional workload created by the aforementioned items, we would need additional staff positions and additional funding.

Our County has concerns about the subjective nature of many of the items in this bill. We believe in fact based and consistent enforcement. This bill, though well intended, is not in the best interest of public safety and therefore we respectfully oppose the legislation as written and request your unfavorable vote on the bill.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'RSCA', written in a cursive style.

Robin Catlett
Administrator
Animal Care & Control Section

PAWS_UNF_SB925

Uploaded by: Swanson, Jen

Position: UNF



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

**P.O. Box 1143
Easton, Maryland 21601**

**SB 925 Criminal Law- Dangerous and Potentially Dangerous Dogs
Maryland Senate Judicial Proceedings Committee
Tuesday March 3, 2020**

Dear Honorable Chairman Smith and members of the committee:

Professional Animal Workers of Maryland, the state organization comprised of animal control agencies and humane societies unanimously stands in opposition to SB 925. We believe the proposed changes to the current MD Dangerous Dog Law are failing to place public safety as a priority.

The purpose of Animal Control in the State of Maryland is public and animal safety. The Dangerous Dog Statute is an integral component of our tools to keep people and pets safe in Maryland. The changes to the current law being proposed by SB 925 weaken the current law. The concerns of our membership are as follows:

- The opportunity for removal of a designation after a period of time without an incident for those dogs deemed Potentially Dangerous does not mean there is not the propensity for another incident in the future.
 - The reason for the determination is for public safety.
 - The owner following the restrictions is why there have not been any further incidents, not necessarily a change in animal behavior. If the owners follow the restrictions as set, there should never again be an incident as the law currently stands.
 - Serious concerns regarding liability issues involving the court, agency, and/or organization which reverses a determination if there is an incident after the reversal.
- The addition of declassification hearings in the MD District Court would result in even greater workloads for already overburdened staff at almost every animal control agency in Maryland.

Professional Animal Workers of Maryland has grave concerns regarding any changes to the Maryland State Dangerous Dog Statute. **We believe any changes to the current law would not be in the best interest of public safety, which is the purpose of such a law.** This bill, though well intended, is not in the best interest of public safety and therefore we respectfully oppose the legislation as written and request your unfavorable vote on the bill.

Thank you for your time, I welcome you to contact me at any time regarding our concerns.

Sincerely,

Patty Crankshaw-Quimby

Executive Director/Chief Animal Control Officer: Talbot Humane/ Talbot County Animal Control

President: Professional Animal Workers of Maryland