



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

**PO Box 1143
Easton, Maryland 21601**

**SB 760 Criminal Law – Animal Cruelty – Petition for Costs for Care of Seized Animal
Maryland Senate Judiciary Proceedings Committee**

March 8, 2021

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 760 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 that can be put in an impound lot or a locker, animals require daily and costly care. It is often months, or at times over a year before these cases are heard. The current process in Maryland does not account for this issue. Even when restitution is required at sentencing, we all too often are not seeing these fees paid, and the cost of care of these animals lands in the laps of the taxpayers, not the owner/custodian of the animal(s). We believe this bill provides protections for both owners and agencies.

- By providing a clear process for determining ownership: owners/custodians of an animal(s) have 10 days to file a petition. Failing to do so will forfeit ownership at that time. Currently in some courts, agencies are seeing these animals sit in limbo even when the owner fails to file a civil replevin until a criminal court case is concluded. These animals then must remain in the care of the agency with a daily cost for months and sometimes years.
- A hearing will be set within 21 days of seizure if a petition is filed allowing the seizing agency to provide evidence of a reasonable cost of care, that the seizure was warranted and allow the petitioner to object to the evidence provided.
 - Again, this prevents ambiguity. Setting clear expectations of owners/custodians and the seizing agency.
 - Acknowledges a warranted or unwarranted seizure prior to the criminal proceedings.
 - Sets a reasonable cost of care for the animal(s) in question, and a limit on cost is set.
- Sets a clear process of ownership and costs if:
 - the cost of care is not paid,
 - if the owner/custodian chooses to surrender ownership,
 - If the owner is found guilty,
 - And if the owner is acquitted or charges are not filed.

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 picked up as stray or other infractions have administrative remedies at the local level which often include fines and fees.

The 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 the presented bill **SB 760 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