

MARYLAND STATE BAR ASSOCIATION ANIMAL LAW SECTION

February 15, 2021

Senator William C. Smith, Jr., *Chair*
Senator Michael A. Jackson
Senate Judicial Proceedings Committee
Miller Senate Office Building, 2 East Wing
11 Bladen St., Annapolis, MD 21401 – 1991

RE: Maryland State Bar Association Animal Law Section
Written Testimony in Support of SB 607

Dear Senator Smith, Senator Jackson, and Committee Members:

The Maryland State Bar Association Animal Law Section (the “Section”) supports SB 607, which prohibits a person from intentionally or recklessly killing, injuring, or interfering with a service animal directly, or through an animal, and establishes penalties for the violation of the Act.

I. MARYLAND FALLS BEHIND 44 STATES BY FAILING TO PROTECT SERVICE ANIMALS FROM INTERFERENCE

It is a grim reality that most service dogs and their users will experience interference of some kind from another dog, and that many interferences will further escalate into an attack. According to a study cited by the Connecticut Law Review, 89% of respondents reported that they had experienced interference from another dog, 42% had experienced an attack, and 6% of the guide dogs were forced to retire as a result of the attack.¹

Forty-four states have realized the importance and vulnerability of service animals and have passed laws protecting them from criminal interference, theft, and assault.² Only Maryland, Alabama, Alaska, Iowa, Montana and West Virginia have not passed such laws.³ The Section is hopeful that Maryland will join the forty-four other states that have already addressed this need, beginning with a favorable report from this Committee.

II. INTERFERENCE WITH SERVICE ANIMALS ENDANGERS THE LIVES OF HUMANS

Interfering or harming service animals while they are working can endanger the life of their human user. Service animals perform a myriad of duties which are essential to the safety of their users. For example, guide dogs help blind and visually impaired individuals navigate, hearing

¹ Sandra D. Dawson, *Protecting a Special Class of Animals: An Examination of and Recommendation for Enacting Dog Guide Protection Statutes*, 37 Conn. L. Rev. 569, 574 (Winter, 2004).

² Rebecca F. Wisch, *Table of Service Animal Laws*, Michigan State University College of Law Animal Legal & Historical Center, 2019. <https://www.animallaw.info/article/detailed-discussion-assistance-animal-laws#id-13>

³ *Id.*

dogs help alert deaf and hard-of-hearing individuals, and medical alert dogs alert users to changes in their physiology related to conditions such as diabetes and seizures. Given the magnitude of the responsibility carried by service animals, it is not hard to imagine that even a momentary interference could spell disaster for their users.

The Section thanks the Committee members for their attention to this issue and urges a favorable report of SB 607.

Respectfully Submitted,

/s/

Kimberly Fullerton

Immediate Past Chair

Maryland State Bar Association Animal Law Section

CC: Richard A. Montgomery, III
Director of Legislative and Government Relations
Maryland State Bar Association