



Montgomery County

Office of Intergovernmental Relations

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SB 877

DATE: March 8, 2022

SPONSOR: Senator Waldstreicher

ASSIGNED TO: Judicial Proceedings Committee

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

POSITION: SUPPORT (Montgomery County Office of Animal Services)

Criminal Law – Animal Cruelty – Petition for Costs for Care of Seized Animal

Senate Bill 877 would amend the Criminal Law Article to establish procedures to allow an authorized animal services official or agent of a humane society to petition the District Court to order the owner or custodian of an animal that has been seized to protect it from cruelty to pay for the reasonable costs of the animal's care. Montgomery County Office of Animal Services supports this legislation.

Animal seizure cases can involve large numbers of animals making the costs of care extremely burdensome for animal shelters (both municipal and non-profit) that are required to absorb these costs of care, including veterinary costs, while awaiting court hearings. This legislation is necessary to help shelters meet the care needs of animals subjected to cruelty and abuse including costs of veterinary care that can become increasingly more expensive over an extended period. Additionally, because an animal services official or humane society agent is required to meet the burden of proof for seizing the animal in the first place, it is reasonable to assume that the evidence would be strong enough against the animal's owner to allow the Court to impose costs of care on the defendant while they await judgment on criminal charges.

Cases in Montgomery County where the seizure of large numbers of animals were held for extended periods of time until the Court rendered a decision include:

1. Rescue Agency, 66 dogs. Seized 1/1/16, charged 1/21/16, convicted 5/24/16. 144 days of care;
2. Cockfighting Operation, 100 roosters. Seized 11/21/19, charged 11/26/19, convicted 10/26/20. 340 days of care;
3. Cat hoarder, 125 cats (at two locations). Seized 7/15/18, charged 8/1/18, convicted 11/19/18. 127 days of care; and
4. Cockfighting/Dogfighting operation, 8 dogs, 61 roosters (at two locations). Seized 3/18/16, charged 7/19/16, convicted 6/2/17. 441 days of care.

The Montgomery County Office of Animal Services supports SB 877 and would urge the Committee to adopt a favorable report.