

SB0044_Ayla_Hurley_FAV.pdf

Uploaded by: Ayla Hurley

Position: FAV

Ayla Hurley
7001 Cradlerock Farm Court
Columbia, Maryland 21045
District 13

TESTIMONY IN SUPPORT OF BILL SB0044: Crimes - Unattended Dogs - Extreme Weather
Conditions and Heat

1/13/2022

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee
FROM: Ayla Hurley

Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee, my name is Ayla Hurley, and I live in Columbia, District 13. This testimony is in support of Bill SB0044.

Every place I have lived since childhood, be it a single-family home neighborhood, apartment, or townhome, from Annapolis to Rockville to Columbia, has had some instance of a dog left outside in the cold winter months. Typically I am forcefully made aware of these poor creatures because they will bark incessantly.

In at least two locations I've lived, calling Animal Control only got me so far to help the animal - they told me they could only do something if the dog was still outside by the time they arrived. It didn't matter if this was a regularly documented occurrence at the same location. Not only is this outright cruel to the animals suffering this treatment, but the other humans living in those spaces are having their quality of life disrupted. A mother who desperately needs her newborn to nap, a night-shift worker who hasn't slept well in days, or any one of us stuck home during a COVID quarantine - listening to a dog stuck outside in the cold or heat that we have no recourse to help borders on inhumane living conditions.

But the genuinely inhumane treatment of animals left to suffer, frequently requiring medical treatment, should be held as a criminal offense and treated as what it is - animal abuse.

I urge the committee to support SB0044 to protect these animals, and the people living near but unable to help them

SB0044_Chris_Apple_FAV.pdf

Uploaded by: Christopher Apple

Position: FAV

TESTIMONY IN SUPPORT OF BILL SB0044 - FAVORABLE
Crimes - Unattended Dogs - Extreme Weather Conditions and Heat

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

FROM: Chris Apple
7001 Cradlerock Farm Court
Columbia, MD 21045
District 13

Jan 19, 2022

I am Chris Apple, I live in Columbia in District 13. This testimony is in support of Bill SB0044.

For most of my adult life in Maryland, I have had neighbors who have left their dogs outside for hours on end - in oppressive heat, in the cold and snow, and even long into the night when temperatures are at their lowest. These dogs had no access to shelter, and when I called animal control for assistance they tried to help, but told me their ability was limited.

Those dogs I saw are especially vulnerable, because they are routinely neglected. They cannot advocate for themselves. This bill will clearly identify a baseline level of humane treatment for these animals, and ensure that no one in Maryland can mistreat a dog due to vague statutes. It establishes clear guidelines that are easy for laypeople to understand, and easy to enforce.

This law will prevent injury to the animals, because animal control will be able to step in *before* the dog suffers heat exhaustion or hypothermia. Exposure is a common cause of death for dogs, especially in summer. Similar laws have already enjoyed results. Last year, Talbot County's Chief Animal Control Officer testified that injuries from exposure were reduced when Talbot County adopted a similar ordinance.

Animals left in extreme conditions are often in more distress than their owners realize. While providing shelter may be a minor inconvenience to pet owners, that inconvenience might actually save the animal's life. Other Maryland statutes provide similar baselines for humane treatment of animals. These laws exist with the understanding that animal owners must adhere to a universal standard of care, even if that standard differs from the owners' personal definition of "humane treatment."

I respectfully urge the committee to issue a favorable report for SB0044, to protect routinely neglected dogs, and ensure all dogs in Maryland are treated humanely.

2022_SB44_fav_DebStone.pdf

Uploaded by: Deb Stone Hess

Position: FAV

January 19, 2022
Judicial Proceedings

SB44

Crimes – Unattended Dogs – Extreme Weather Conditions and Heat

FAVORABLE

My name is Deborah Stone Hess. I chair the Baltimore County Animal Services Advisory Commission. Our Commission was created by the Baltimore County Council to advise on matters concerning Baltimore County Animal Services. That's our county-run shelter and Animal Control Division. About 5 thousand animals come through our shelter every year. On behalf of the Baltimore County Animal Services Advisory Commission, I request a favorable report on SB44.

In 2018, the Baltimore County Council passed a bill that is the inspiration behind SB44. It's called Oscar's Law. It was created after a dog named Oscar died of hypothermia while lying in subfreezing temperatures in the snow in his Baltimore County yard.

Just think about it. Lying in the snow and freezing to death.

Baltimore County decided its citizens must be responsible for preventing such a tragedy by ensuring their animals have appropriate shelter from intense heat and cold.

Animals throughout our state deserve these protections and will receive them if SB44 and its commonsense requirements are approved.

I imagine many of you may have pets and care for them deeply. Imagine if your pet was left to suffer and possibly even die in the freezing cold or terrible heat without any protection.

Pet owners have a responsibility to care for their animals and not place them in harm's way. Unfortunately some pet owners don't take these responsibilities seriously. With the passage of SB44, they will be required to provide basic protections from extreme heat and cold so other animals don't die like Oscar did.

Please vote favorably for Senate Bill 44. By doing so, you will become a protector of helpless animals in the state of Maryland.

SB 44 Written Testimony.pdf

Uploaded by: Fernando Guerra

Position: FAV

MARYLAND STATE BAR ASSOCIATION

ANIMAL LAW SECTION

January 17, 2022

Senator William C. Smith, Jr., *Chair*
Senator Chris West
Senate Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, Maryland 21401

RE: Written Testimony of the Animal Law Section of the Maryland State Bar Association in support of SB 44

Dear Senator Smith, Senator West, and Committee Members:

The Animal Law Section of the Maryland State Bar Association supports the passing of SB 44 which prohibits a person from leaving a dog outside and unattended for longer than a certain period without access to certain suitable shelter or shade during certain weather conditions or temperatures.

Dogs provide a myriad of services to their human owners ranging from companionship to assistance with medical conditions. Dogs also provide many services to society at large such as assistance to law enforcement and search and rescue operations. While our companion and service animals are often happy to provide these services, we must always remember that unlike most other property, dogs are sentient beings that experience many of the same joys and suffering as people. Indeed, it is this sentience and sensitivity that make dogs such unmatched companions and intuitive service animals.

Due to this unique sentience, we have a responsibility to exercise compassion in the manner in which we treat and keep dogs. This legislation provides for essential protections against extreme temperatures that can cause severe suffering, injury, and even death to dogs. The responsibility of owning a dog should, at minimum, require the owner to protect the animal from the most universal dangers and the most unnecessary suffering.

Thank you for the time and consideration that you have dedicated to this written testimony, and the Animal Law Section of The Maryland State Bar Association is hopeful that you will vote in favor of SB 44.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'F. Guerra', with a stylized flourish extending from the end.

Fernando Guerra, *Chair*

Animal Law Section of the Maryland State Bar Association

SB44_fav_HSUS.pdf

Uploaded by: Jennifer Bevan-Dangel

Position: FAV



**THE HUMANE SOCIETY
OF THE UNITED STATES**

January 19, 2022

Judicial Proceedings Committee

SB44

Crimes - Unattended Dogs – Extreme Weather Conditions and Heat

FAVORABLE

The Humane Society of the United States, on behalf of our members and supporters in Maryland, urge a favorable report on SB44, “Crimes – Unattended Dogs – Extreme Weather Conditions and Heat.” Cases of dogs left outside in dangerous weather are one of the most reported types of animal cruelty, but the vagueness of Maryland’s current law makes it difficult for enforcement officers to act before a dog has suffered injury or death due to exposure. SB44 is very commonsense legislation, simply requiring that dogs are provided proper shelter when temperatures are below 32 or during a heat advisory, or if there is a severe weather warning issued by the National Weather Service.

January’s brutally cold nights have highlighted the need for SB44, as the new year has already brought snow, ice, and record cold. Maryland’s law offers no protections for dogs left outdoors in these cases of severe weather. Extended exposure to brutally cold temperatures can result in frostbite and potentially deadly hypothermia. In summer months, heat stroke is a common cause of death for dogs. It is a common misconception that dogs’ fur enables them to withstand extreme cold better than humans. In fact, dogs of any breed who are exposed to extreme cold for long periods of time can and do suffer from hypothermia or death. Exposed skin like the nose, ears, and paw pads are highly susceptible to frost bite and can be permanently damaged. The American Veterinary Medical Association (AVMA) recommends that dogs, even thick-coated arctic breeds, should not be left outside during below freezing weather – and especially not without shelter that allows the dog to maintain normal body temperature.

SB44 does contain several amendments added to address concerns raised by this committee during the 2021 legislative session, including:

- The types of weather advisories where the bill would take effect have been amended to clearly exclude marine advisories, such as fog, which do not impact dogs;
- The requirement for shelter in hot weather has been modified to permit shade during temperatures that are above 90 degrees but not yet a heat advisory;
- The exemption for working dogs has been clarified to include livestock herding and guarding;
- The requirement for an elevated floor has been modified to allow for elevated or insulated, ensuring that farm related structures (such as a barn) would qualify.

Dogs across Maryland are suffering and, in some cases, dying from exposure to extreme cold and heat. A definition of shelter that establishes minimum standards is essential. SB44 will serve as an educational tool to inform pet owners of the level of care they must provide and will make law enforcement less burdensome by providing criteria for determining when the law has been violated. Like any good law, SB44 is clear and enforceable, designed to solve a problem at hand, and reasonable for citizens to comply. The amendments added this summer reflect concerns raised by members of the Senate Judicial Proceedings Committee and ensure that the law can be implemented fairly by all residents across the state. SB44 will protect dogs who live outdoors without creating an undue hardship for owners, and we urge a favorable report.

*For more information contact Jennifer Bevan-Dangel, Maryland State Director
jbevandangel@humanesociety.org | C 410-303-7954*

Crimes- Unattended Dogs - Extreme Weather Conditio

Uploaded by: Lisa Radov

Position: FAV



MARYLAND VOTES FOR ANIMALS

PO Box 10411
BALTIMORE, MD 21209

January 19, 2022

To: Senate Judicial Proceedings Committee
From: Lisa Radov, President and Chairman, Maryland Votes for Animals, Inc.
Re: Crimes – Unattended Dogs - Extreme Weather Conditions and Heat- SB 44 - SUPPORT

Chairman Smith, Vice Chairman Waldstreicher, members of the Judicial Proceedings Committee, thank you for the opportunity to testify before to you today. My name is Lisa Radov. I am the President and Chairman of Maryland Votes for Animals. We champion humane legislation to improve the lives of animals in Maryland. Speaking for Maryland Votes for Animals, our Board of Directors, and our members across Maryland, I respectfully request that the Judicial Proceedings Committee vote favorably for Crimes – Unattended Dogs - Extreme Weather Conditions and Heat – SB 44.

This bill will give law enforcement and the public clear and consistent standards with respect to leaving dogs outside and unattended in extreme weather conditions and heat. Many Maryland counties have passed laws to protect dogs in extreme weather. While there are fundamental similarities, there are some differences in each of those laws that are specific to the needs of that county.

The standards put forth in this bill are the result of feedback from animal control agencies across Maryland, including those with and without extreme weather laws. The bill works for the varied conditions in Maryland counties as it not only enumerates basic, commonsense standards to protect unattended dogs from suffering in extreme weather conditions and heat, but also it allows for dogs to remain outdoors provided that they have continuous access to suitable shelter or shade, which is defined in the bill.

Animal control officers are usually called when the situation is dire and dogs are suffering seizures, heatstroke, hypothermia, and death after being outdoors for long periods of time in extreme weather conditions. This bill will reduce the suffering these animals endure, and the serious consequences, including death, caused by these conditions. It will provide a consistent standard across Maryland that does not change as a dog is moved between jurisdictions. Establishing guidelines about dogs left outdoors enables animal control officers to intervene before a dog shows symptoms of acute distress. Moreover, adding clarity to the law can foster both public awareness and compliance, which could potentially avert some of these life-threatening situations before they occur.

Let's make 2022 the year that we get protection for these dogs suffering outside in extreme weather conditions and heat. In closing, I would like to thank Senator West for his sponsorship of SB 44 and ask this committee for a favorable report.

SB0044 Unattended Dogs in Extreme Weather Conditio

Uploaded by: Patty Crankshaw-Quimby

Position: FAV



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

**PO Box 1143
Easton, Maryland 21601**

SB 0044 Unattended Dogs in Extreme Weather Conditions and Heat

Maryland Senate Judiciary Proceedings Committee

January 10, 2022

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

Professional Animal Workers of Maryland, the state organization comprised of animal control agencies and humane societies stands in unanimous support of SB 0044. This bill is placing safety as a priority by requiring dog owners within Maryland to fulfill minimum standards of care at all times; including during extreme weather- when temperatures fall below 32 degrees Fahrenheit or over 90 degrees Fahrenheit or during a verified weather emergency.

The bill as written is not requiring more than what is expected as minimum care standards for dogs during extreme weather by national organizations such as American Veterinary Medical Association (AVMA) and The Humane Society of the United States (HSUS). Per the AVMA: "Generally, for dogs and cats, the ambient temperature should be kept above 50 degrees Fahrenheit (10 degrees Celsius), and below 80 degrees Fahrenheit (26.6 degrees Celsius), and the relative humidity should range from 30 to 70%. Animals should be protected from extreme temperatures so as to maintain their health and render their environment comfortable. When climatic conditions pose a threat to the animal's health or well-being, taking into consideration its age, breed, overall health status, and acclimation, then appropriate measures must be taken to alleviate the impact of those conditions."

Requiring dog owners, regardless of the breed, age, size, of their dog to ensure their animals have safe and appropriate shelter and/or protection in all weather conditions in MD state law is creating a more humane environment across the state. While it is true several counties and jurisdictions have created their own extreme weather ordinances in response to the absence of such regulations at the state level, there are still many areas across Maryland lacking any ordinances or laws. To add, the addition of this law at the state level will give all agencies the teeth to protect the most vulnerable animals in our communities.

Our organization which is comprised of 85% of the animal control agencies and animal shelters within Maryland asks for a favorable vote on SB 0044 in order that we may provide a safe environment for the animals served by our agencies and organizations across Maryland. This addition to the law is long overdue and necessary.

Thank you for your time. Please feel free to contact me at any time.

Sincerely,

Patty Crankshaw-Quimby

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

President: Professional Animal Workers of Maryland

SB 44 Unattended Dogs Extreme Weather Conditions

Uploaded by: Charles Hall

Position: FWA



AMERICAN
KENNEL CLUB®

January 17, 2022

American Kennel Club Testimony on SB 44 – Unattended Dogs – Extreme Weather Conditions and Heat

The American Kennel Club (AKC) provides this written testimony on behalf of our Maryland dog clubs and thousands of constituent dog owners in Maryland. By way of introduction, the AKC is the world's largest purebred dog registry. We are a club of more than 5,000 local and breed dog clubs around the country, including 78 clubs in Maryland. Our affiliated clubs maintain America's largest purebred rescue network, and for over 135 years AKC has been proud to be the only non-profit purebred registry devoted to the health and well-being of all dogs.

It is this expertise – and the decades of experience represented by our local kennel clubs and constituent dog owners – that leads us to note some concerns with the current proposal in hopes of having it amended slightly.

We greatly appreciate the inclusion of the exemptions for dogs lawfully and actively engaged in hunting; livestock herding or guarding; sledding; sporting; or training, which oftentimes occur in temperatures outside those established by the bill. The AKC shares Senator West's concern about the well-being of all dogs. It is for this reason we are asking for amendments to ensure that all Maryland dogs are truly protected.

Typically, AKC is not supportive of legislation that uses absolute temperature standards to protect dogs from inclement weather, as it does not take into consideration other factors such as the age, breed, general health and condition of the dog or its ability to withstand the environment. AKC remains concerned that this bill fails to consider that some breeds thrive in temperatures below 32 degrees or closer to 90 degrees while other dogs require a more moderate climate, and even 30 minutes in temperatures permitted under this proposal could jeopardize their health. In addition, even responsible owners would be given the false sense that they are safe because forecasted weather is not predicated to reach or be near the established absolute temperature.

Based on a recent conversation with the Senate sponsor, Senator Chris West, we respect the desire to keep the lower temperature in the bill. To that end, AKC requests the following clarifications that will ensure all dogs in all circumstances are protected:

1. AKC would recommend amending the definition of Extreme Weather Conditions. By adding language like that found in the Code of Baltimore County Ordinance Title 4, Section 12-1-01 definition of "*Adverse Environmental Conditions*" which allows for other cold weather or precipitation-related events to be considered, protection would be afforded to those dogs that truly cannot handle weather approaching 32 degrees Fahrenheit. As such, AKC would recommend adding the following after the word SERVICE on page 1, line 22: **or other cold weather or precipitation-related environmental conditions, including, but not limited to, wind, rain, snow, ice, sleet, or hail, that a person should reasonably conclude would pose an adverse risk to the health or safety of a dog based on the age, breed, general health and condition of the dog and its ability to withstand the environment.** This would keep the absolute temperature language but would also allow for the needs of various breeds, ages, and the general health of individual dogs to be considered and protected.
2. In agreement with guidelines provided by the American Veterinary Medical Association for the protection of dogs in summer months that include making sure dogs have access to shade when outside, AKC would recommend page 3, line 15 be amended to add language that requires that **shade and other protection should be provided when the temperatures are such that could result in serious injury, hyperthermia,**

or death of the animal. Or, simply removing the existing language on page 3, line 15 and requiring “suitable shade” during a specific warmer weather period of the year, e.g., May 1 to October 1, as several Maryland counties currently do. During a conversation with Senator West, he was agreeable to addressing this matter.

3. Given the diversity of dog breeds and AKC’s belief that the age, breed, general health and condition of the dog and its ability to withstand the environment should be the determining factor that no dog be left in conditions where the health and safety of the dog is at risk, AKC would recommend that the following language be added on page 4, line 19 after the word IF: **an animal control officer, having inspected a dog’s individual circumstances has determined the animal to be safe and well suited and well equipped to tolerate its environment, or** Such a provision will allow a professionally trained animal control officer to make the determination instead of an arbitrary number on a thermometer.
4. AKC recommends that “**acclimation**” be added to the list of exemptions. While we are pleased that the existing exemptions are included, many sportsmen and other trainers have noted that any time that a trained dog may be called upon to perform a specific task in potential adverse conditions (for example search and rescue), the dog must first be acclimated to those conditions. This avoids any potential harm that might result from performing the task without proper preparation.

AKC agrees with the goals of SB 44 and are grateful and appreciative that it will protect some dogs in the state of Maryland. We believe the addition of language that considers the age, breed, general health and condition of the dog and its ability to withstand the environment will ensure there are no loopholes and that all dogs are protected. Additionally, by adding acclimation to the list of exemptions any unintended consequence associated with preparing a dog for task, like search and rescue, will be eliminated.

Thank you for reviewing and considering my testimony.



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SB 44 - MDVMA 2022 - FWA - UnattendedExtremeCondi

Uploaded by: Josh Howe

Position: FWA



Maryland Veterinary Medical Association

Wednesday January 19, 2022

SB 44 / HB 16- Crimes - Unattended Dogs - Extreme Weather Conditions and Heat-FAVORABLE W/ AMENDMENT

Chairman Smith and Members of the Senate Judicial Proceedings Committee,

The Maryland Veterinary Medical Association (MDVMA) was established in 1886 and is the largest professional and advocacy organization for veterinarians and technicians in Maryland. MDVMA's mission is to serve as a leading resource for the veterinary community through communication, education, representation and support for the advancement of animal and public health in Maryland.

HB 16 clarifies and offers definitions to expand on existing law that prohibits mistreatment of certain animals by prohibiting a person from leaving a dog outside and unattended for longer than 30 minutes without access to specified shelter/shade during certain weather conditions.

Generally, MDVMA supports this policy that promotes safe and healthy boarding of animals; however, MDVMA would offer the following perspective. Some animal breeds prefer and thrive in conditions outlined under the definition of "extreme conditions" in the bill such as Huskies, Malamutes, etc.

MDVMA requests that the committee consider another exception in **Part D on Page 3** of the bill that would allow exceptions for acceptable dog breeds and sizes that are known to operate well and prefer more extreme temperatures.

The Maryland Veterinary Medical Association Respectfully Urges a Favorable with Amendments Report

Contacts:

Marisa Francis, MDVMA Executive Director – (717) – 480 – 8376

Moir Cyphers & Josh Howe, Compass Government Relations – (443)-343-7143