

SB 672 Criminal Law Animal Abuse or Neglect Penalt

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 672 Criminal Law- Abuse or Neglect- Penalties
Maryland Senate Judiciary Proceedings Committee
Favorable**

March 2, 2022

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 supports **SB 672 Criminal Law- Abuse or Neglect- Penalties.**

With many crimes there are levels of seriousness. When we look at animal cruelty or neglect this too is the case. There are levels of cruelty and neglect that do not rise to that of aggravated cruelty, which carries a more significant penalty, yet the animal may die or require euthanasia as determined by a licensed veterinarian. We believe there is a loophole in the law when it comes to penalties under Section 10-604 for such cases. In the current law the maximum penalty for the death of an animal is the same as that for an animal did not die or require euthanasia. This bill would simply allow a judge to sentence a more significant penalty if an animal died due to the acts of the defendant and combine that with a ban on ownership as part of sentencing and not just during the probation period.

We know the link between animal cruelty and human violence is direct and proven. This update will allow Maryland judges to consider tougher penalties and fines and a longer ban on ownership for the most egregious offenders of Annotated Code of Maryland Section 10-604.

Professional Animal Workers of Maryland respectfully requests a favorable vote on **SB 672 Criminal Law- Abuse or Neglect- Penalties.**

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

SB 672 - MoCo_Morningstar_FAV (GA 22).pdf

Uploaded by: Sara Morningstar

Position: FAV



Montgomery County

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SB 672

DATE: March 8, 2022

SPONSOR: Senator Kramer

ASSIGNED TO: Judicial Proceedings Committee

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

POSITION: SUPPORT (Montgomery County Office of Animal Services)

Criminal Law – Animal Abuse or Neglect – Penalties

Senate Bill 672 increases the penalties for abusing or neglecting an animal under § 10-604 of the Criminal Law Article if the violation results in the death of an animal or the need to euthanize the animal based on the recommendation of a licensed veterinarian. The bill also allows a court to prohibit a defendant from owning, possessing, or residing with an animal as a condition of sentencing. Currently, § 10-604 violations are misdemeanor offenses and sentencing is limited to imprisonment up to 90 days and a fine of \$1,000.

This is important legislation. It strengthens animal control and a state's attorney's position when charging crimes under § 10-604, where the conditions and treatment of the animals are so detrimental to an animal's well-being that it directly causes the death or euthanasia of one or more of the animals. There are many cases around the State where this has occurred either because the animals are found to lack nutritious food, proper drink, proper air, proper space, proper protection from the weather, or where there is an unnecessary failure to prevent suffering or pain to the extent that the animal dies or must be euthanized.

Currently, because the threshold for proving "intent" under the aggravated cruelty section of the Criminal Law Article is so high, the only practical legal option available when charging individuals with severe animal neglect is under § 10-604, where the penalties for conviction are very weak. The Montgomery County State's Attorney's Office has expressed frustration with this, given the severity of some of the animal neglect cases that state's attorney's office around the State are seeing. Senate Bill 672 increases the penalties for convictions to three years in prison and a fine of \$5,000. Combined with the bill's more flexible ban on ownership for conviction of severe animal neglect, Senate Bill 672 establishes a more meaningful punishment that better aligns the crime and the punishment.

The Montgomery County Office of Animal Services supports Senate Bill 672 and would urge the Committee to adopt a favorable report.

SB 672 - MoCo_Lawrence_FAV (GA 22).pdf

Uploaded by: Thomas Koenig

Position: FAV



OFFICE OF ANIMAL SERVICES

Marc Elrich

County Executive

Thomas J. Koenig

Executive Director

**Testimony of Dr. Gregory Lawrence
Chief Veterinarian for Montgomery County's Office of Animal Services**

**In Support of Senate Bill 672
*Criminal Law – Animal Abuse or Neglect – Penalties***

**Judicial Proceedings Committees
March 8, 2022**

Good afternoon Chairman Smith, Vice Chair Waldstreicher, and members of the Committee. My name is Dr. Gregory Lawrence, and I have served as the Chief Veterinarian for Montgomery County's Office of Animal Services since 2014.

Senate Bill 672 would amend Maryland's Criminal Law Article §10-604 when a violation of the section leads to the death or euthanasia of animals subjected to the criminal violations. In my 18 years of experience as a veterinarian, I have seen all degrees of animal cruelty. From this perspective, I appreciate the opportunity to testify in support of SB 672 and hope it will compel you to advance this important legislation.

While many of these animal cruelty cases do not reach the legal requirements of aggravated cruelty, the pain and suffering inflicted on animals can be just as severe. Starvation cases are a perfect example of this. These animals experience extreme suffering over an extended period and face a slow, painful death without intervention. Because there is no definitive test for starvation, I must first rule out any medical cause for the animal's emaciation. Once it is determined that there is no identifiable medical cause, I can then provide proper nutrition and document that the animal not only willingly eats when food is offered but gains weight, as well. These animals must be nourished in a very structured manner to avoid life-threatening cardiac failure complications that can occur in the most extreme cases.

Another common violation of Maryland Criminal Law Article §10-604 involves the lack of necessary veterinary care for various medical conditions that, if left untreated, can lead to the unnecessary death of an animal. The lack of even the most basic veterinary care for flea infestation or common bacterial infection, for example, can result in life-threatening medical complications that could have been avoided if properly treated. We also see this in cases involving unsanitary conditions and failure to provide proper space and/or ventilation for animals. In those types of environments, animals are subjected to pain and suffering resulting in serious medical conditions that might have otherwise been minor (and treatable) had the animal been living in a healthy setting.

I support SB 672 and would urge the Committee to adopt a favorable report.

Montgomery County Animal Services and Adoption Center

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