

Linda Foley
Legislative District 15
Montgomery County

Environment and Transportation
Committee

The Maryland House of
Delegates
6 Bladen Street, Room 220
Annapolis, Maryland 21401
410-841-3052 • 301-858-3052
800-492-7122 *Ext.* 3052
Linda.Foley@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401

I am Delegate Linda Foley and I am presenting HB 405 Criminal Law – Animal Abuse or Neglect – Penalties. I want to thank the Judiciary Committee for giving me the opportunity to present this bill, as it would significantly strengthen protections under §10-604 for animals that are severely neglected and willfully abused.

HB 405 would strengthen current penalties if the conditions and treatment of an animal is so detrimental to its well-being that the abuse or neglect directly causes the animal's death or veterinarian-directed euthanasia. This bill would increase penalties for convictions under the statute to imprisonment up to 3 years and a fine not to exceed \$5,000, or both. Currently, the maximum penalties are up to 90 days in prison or \$1,000 fine, the same penalty for more minor animal abuse infractions.

The bill would also prohibit convicted abusers from owning, possessing, or residing with an animal for a court-ordered period.

Situations of extreme neglect in the care of animals, such as those found in deplorable, unhealthy and unsafe living conditions, have been well documented by various state's attorney's offices in Maryland. However, the current animal abuse statute has rendered it difficult to adequately prosecute these cases. This legislation would be an important tool for state's attorneys to address severe animal abuse. Severe animal neglect or abuse doesn't happen frequently, but when it does, our justice system needs to be able to address it appropriately.

In Montgomery County, for example, there have been enough severe animal abuse cases recently reported, where the "intent" of the abuse or neglect is clearly present, that I have been asked by the Montgomery County's Office of Animal Services to sponsor this legislation to increase penalties. At least six (6) other states, including Virginia and Washington, D.C. provide enhanced penalties for severe neglect or abuse of animals.

Because the penalties for conviction under this bill are greatly increased from what's contained in current law, I am also offering a sponsor amendment that would require a second veterinarian's opinion concerning the required euthanasia of the animal due to severe abuse or neglect. The opinion can be rendered either before or after the animal has been euthanized.

Del. Linda Foley Testimony on HB 405

As we all know, animals have no voice. Domesticated animals, in particular, are entirely dependent on human beings for their care, feeding and medical treatment. When that dependency turns into abuse, it must be appropriately addressed. These animals contribute to our society in myriad ways, from assisting us as support animals to just being a comfort to us as pets. In Maryland, we should respect the value and quality that animals bring to our lives. And we should penalize those who take advantage of their trust and helplessness by abusing or neglecting them. I hope that this legislation will not only appropriately hold severe animal abusers accountable, but also will serve as a deterrent, fostering more responsible ownership and care.

I respectfully urge that the Committee adopt a favorable report of HB 405.