



## **THE HUMANE SOCIETY OF THE UNITED STATES**

**March 8, 2023**

**Judiciary Committee**

**HB1192**

***Criminal Law - Animal Cruelty - Suspected Commission by a Minor***

**FAVORABLE**

The Humane Society of the United States, on behalf of our members and supporters in Maryland, urges a favorable report on HB1192. This bill would ensure that Animal Control can respond to animal abuse by a minor by both deploying the appropriate mental health and other social service entities needed and by removing animals from the situation to keep them safe.

Last year this committee passed landmark Juvenile Justice Reform legislation, which ensured that our youngest children are not incarcerated except for the most serious crimes. That legislation was critically important, but it had the unintended consequence of leaving cases of animal abuse by a minor in a legal grey area. This bill is intended to help address that grey area without undermining the important goals of the juvenile justice reform work. Sadly, young children do engage in horrific acts of animal abuse. These acts not only put animals in danger but are a cry for help by the youth.

The bill was introduced at the request of our shelter and rescue partners, who continue to see serious and disturbing cases of animal abuse perpetrated by minors. No one wants to see these children placed in jail. These incidents are a cry for help and a clear indication of the need to intervene with mental health and other supports. But without this bill, Animal Control Officers have little to no recourse available except notifying our already overburdened Child Protective Services division and hoping for the best.

Without this law, there is also no guarantee that our ACOs have the ability to remove an animal from a home without pressing criminal charges. While some jurisdictions have a civil removal process, it is not universally available and as a result, there is no clear process for getting an animal out of harm's way.

We understand that, as drafted, section (C) needs significant revision to create a clear process for the seizure to occur. Several jurisdictions, such as Baltimore City, have a civil seizure process that ensures due process considerations are met while enabling animal control officers to take action. A civil process for seizure would mean that no criminal charges are brought against these families while ensuring that, when an animal is in danger, ACOs can take action to remove it from the situation.

We are happy to continue working with the committee to refine the legislation and ensure that the seizure provisions meet all due process requirements. We urge a favorable report on HB1192 with those changes.

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