



THE HUMANE SOCIETY OF THE UNITED STATES

February 9, 2024

Judicial Proceedings Committee

SB 744

Juvenile Law - Reform

FAVORABLE WITH AMENDMENTS

The Humane Society of the United States, on behalf of our members and supporters in Maryland, urges a favorable report on SB 744. Specifically, we support the inclusion of crimes against animals in the list of charges that can be brought against a minor between the ages of 10 and 12 years old. However, we respectfully recommend that the committee amend that language to only, and narrowly, apply to the most violent crimes.

The youth justice reforms passed by this committee are commendable, but when the law decriminalized crimes by minors it had the unintended consequence of leaving cases of animal abuse by a minor in a legal grey area. 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.

Without the ability to bring criminal charges, Animal Control Officers have little to no recourse available when they suspect animal abuse by a minor. This means that they cannot remove the animal from the home, leaving the animals potentially subject to continued abuse. It also means that they cannot access the support systems that are in place within the juvenile justice system. We know that too often, children who abuse animals are themselves abused. Minors suspected of animal abuse need and deserve social services and supports, and unfortunately those services are at times most efficiently deployed through the justice system.

Maryland is making a concerted effort to move away from felony convictions and to decrease incarceration. But animals, while legally property, are also living creatures; this puts them in a grey area where crimes against them do necessitate a more meaningful response. The HSUS understands the progress made by this committee and does not support efforts to increase penalties for misdemeanor animal crimes. But we do feel strongly that in the most horrific cases – cases of violence against living creatures – crimes against animals should allow for criminal charges and the supports that can be provided to juveniles with those charges.

We respectfully request that the committee amend page 3, line 7-8 to strike “Title 10, Subtitle 6” and instead insert “§10-606”. This would limit the language to only violent crimes that have an element of intent.

We thank the committee for its work on this important and difficult issue and urge a favorable report on SB744 with that amendment.

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