

M E M O R A N D U M

March 5, 2025

TO: Public Safety (PS) Committee
FROM: Livhu Ndou, Senior Legislative Attorney
SUBJECT: Bill 27-24, Animal Control – Impoundment and Disposition
PURPOSE: Worksession

EXPECTED ATTENDEES

- Caroline Hairfield, Executive Director, Office of Animal Services (OAS)

INTRODUCTION

Bill 27-24, Animal Control – Impoundment and Disposition, lead sponsors Councilmembers Katz, Luedtke, and Mink, and co-sponsors Councilmembers Balcombe, Glass, Council Vice President Jawando, Councilmember Albornoz, Council President Stewart, and Councilmembers Sayles and Friedson, was introduced on December 3, 2024. The intent of Bill 27-24 is to reduce overcrowding at the animal shelter and accelerate the timeline for the adoption process. Under current County law, an impounded animal is considered abandoned and becomes County property if the animal is not redeemed by its owner within 5 days after the Executive Director notifies the owner about the impoundment. Bill 27-24 will reduce this hold time to 3 days. This change is consistent with State law. Bill 27-24 will also update the notice requirements to include posting on the animal owner’s door and on the Montgomery County Animal Services & Adoption Center website, consistent with current practices.

PUBLIC HEARING

A public hearing was held on January 21, 2025. No one testified and the Council did not receive any written testimony regarding Bill 27-24.

SUMMARY OF IMPACT STATEMENTS

Fiscal Impact Statement

According to the Office of Management and Budget (OMB), Bill 27-24 is not expected to substantially impact County revenues or expenditures. According to OMB, the County currently

charges between \$5 and \$25 per day in boarding fees for lost and abandoned animals. Based on the number of animals returned in the past, OMB predicts an estimated revenue loss of \$750 per year should the legal hold be reduced to 3 days. However, the cost to care for an animal in the shelter is approximately \$10 per day. Therefore, if animals are released from the shelter two days earlier, the cost savings would balance out the lost revenue.

Economic Impact Statement

The Office of Legislative Oversight (OLO) anticipates that Bill 27-24 would have an insignificant impact on economic conditions in the County in terms of the Council's priority indicators. OLO found that decreasing the time an owner has to reclaim their animal from 5 days to 3 days would have no direct impact on the Council's priority economic indicators.

Climate Assessment

OLO anticipates that Bill 27-24 will have no impact on the County's contribution to addressing climate change as the bill proposes changes to an existing law's timeline regarding animal impoundment.

RESJ Impact Statement

OLO anticipates Bill 27-24 could have a negative impact on racial equity and social justice (RESJ) in the County as reducing the timeframe for owners to reclaim pets from the Montgomery County Animal Services and Adoption Center will particularly disadvantage Black, Indigenous, and other people of color (BIPOC) community members who disproportionately have limited disposable time. OLO also noted that BIPOC pet owners are less aware of local legal requirements associated with pet ownership. OLO recommends requiring OAS to develop regulations for conducting outreach and education in collaboration with BIPOC community stakeholders.

BACKGROUND

The PS Committee received a briefing on July 15, 2024, on the Maddie's Million Pet Challenge (MMPC) Report.¹ Among its recommendations, MMPC recommended reducing the length of stay for stray animals. Under Md. Criminal Law Code Ann. § 10-617(c),

(c) A domestic animal that is impounded by an animal control unit may not be sold, placed, or destroyed until the animal has been carefully inspected for a tag, tattoo, microchip or other identification to ascertain the owner and:

- (1) 72 hours have elapsed after notice has been given to the owner;
- (2) if the owner cannot be notified, 72 hours have elapsed after the animal is impounded;
- (3) the animal is seriously diseased or severely injured; or
- (4) the animal is under 3 months of age.

¹ The staff report for that worksession can be found here: https://montgomerycountymd.granicus.com/Viewer.php?view_id=169&event_id=16216&meta_id=182063.

In other words, the State requires a hold of 3 days for impounded animals. During the July worksession, OAS supported County legislation to reduce the stray hold from 5 days to 3 days, consistent with State law. The intent of this change is to reduce shelter stays for unclaimed animals. According to data from MMPC, the chances of being reclaimed after 3 days are dramatically reduced, as evidenced by the table below:

Table 1: Stray Animals Days Until Reclaimed, FY24

| | Birds | Cats | Dogs | Livestock | Other |
|------------------------|-------|------|------|-----------|-------|
| Unclaimed | 55 | 703 | 275 | 0 | 93 |
| Reclaimed in 3 days | 8 | 73 | 566 | 2 | 2 |
| Reclaimed 3-5 days | 0 | 9 | 20 | 0 | 0 |
| Reclaimed after 5 days | 0 | 20 | 28 | 0 | 1 |
| Total | 63 | 805 | 889 | 2 | 96 |

This bill would require the following:

- 1) OAS must notify the owner by first class mail to the owner’s last known address. The bill would add that notification may be done by posting a notice on the door of the residence of the owner, which is consistent with OAS’ current practices.
- 2) If OAS cannot locate a pet owner, notice must be given by publishing in a newspaper of general circulation in the County. The bill would add an option to post on the County Animal Services & Adoption Center website, which is also consistent with OAS’ current practices.
- 3) If an animal is not redeemed by its owner within 5 days of notice, the animal becomes County property. The bill would reduce this time to 3 days.
- 4) The bill would state that the failure to redeem an animal is not subject to appeal, since abandonment is not a decision of the Executive Director.

RECOMMENDED AMENDMENTS

1. Clarify appeal rights

As introduced, Bill 27-24 clarified that abandonment of an animal is not a decision of the Executive Director or an animal control officer, and therefore not an appealable decision. The reasoning for this change was that choosing not to redeem an animal is a decision of the animal owner, not OAS. However, the Office of the County Attorney (OCA) expressed concerns that there may be due process challenges with appearing to change an appeal right. For example, there may be instances where OAS rejects the redemption because the animal owner fails to submit sufficient proof of legal title. This rejection of an attempt to redeem an animal could be seen as a decision of OAS. Therefore, Council Staff recommends an amendment to remove any changes regarding appeals. These proposed amendments are shown below:

5-304. Disposition.

* * *

- (f) *Failure to redeem.* Unless otherwise ordered by the Board, an impounded animal is considered abandoned and becomes County property if the animal is not redeemed by its owner within [5] 3 days after the Executive Director notifies the owner about the impoundment under Section 5-303(b). ~~[[The abandonment of an animal is not a decision of the Executive Director or animal control officer, and therefore not appealable under Section 5-306.]]~~

* * *

5-306. Appeal to the Board.

- (a) *Time for noting appeal.* Except as provided in Section 5-104(a) ~~[[or Section 5-304(f),]]~~ a person aggrieved by a decision of the Executive Director or an animal control officer may appeal the decision to the Board within 5 days after the Executive Director or the animal control officer notifies the owner about the decision. The Executive Director or animal control officer must not dispose of the animal during the 5-day period for filing an appeal, or while an appeal is pending, unless authorized to do so under this Chapter.

2. Define “stray animal” and apply bill only to stray animals

Council Staff notes that there will be situations where a pet owner has failed to redeem their pet within 3 days, and therefore the animal becomes County property, but they still have 2 more days to appeal. The intent of the bill was to reduce the stray hold time. The word “stray” is not defined in this chapter of the Code. Rather, animals are referred to as “impounded.” Council Staff recommends adding a definition for “stray animal” and explaining the difference between a stray animal and other animals at the end of the “Disposition” section, rather than in the “Failure to redeem” section. This amendment will make the reduction in hold time apply only to animals that are considered strays. While the bill as introduced specifically said “abandonment”, this will clarify that the change does not include animals that are seized from the owner, such as for issues of cruelty or danger to other persons. OAS has indicated its support for these amendments. Proposed language is shown below:

5-101. Definitions.

* * *

In this Chapter, the following words and phrases have the following meanings:

* * *

Stray: An animal whose owner cannot be identified.

* * *

5-304. Disposition.

* * *

- (f) *Failure to redeem.* Unless otherwise ordered by the Board, an impounded animal is considered abandoned and becomes County property if the animal is not redeemed by its owner within ~~[[5-3]]~~ 5 days after the Executive Director notifies the owner about the impoundment under Section 5-303(b). ~~[[The abandonment of an animal is not a decision of the Executive Director or animal control officer, and therefore not appealable under Section 5-306.]]~~

* * *

- (j) Stray animals. Animals found at large without a license, tag, or other indication of ownership will be impounded under Section 5-303. Stray animals must be confined for a period of not less than 3 days.

* * *

3. Require OAS to conduct outreach

As noted in the RESJ statement, BIPOC pet owners are less aware of local legal requirements associated with pet ownership. OLO recommended requiring OAS to develop regulations for conducting outreach and education in collaboration with BIPOC community stakeholders. For purposes of this bill, Council Staff recommends the PS Committee discuss with OAS during the worksession options for publicizing the changes made by this bill. This could include flyers, press releases, mailing notices, and notice on the website.

This packet contains:

| | |
|--|------|
| Bill 27-24, as introduced | © 1 |
| Fiscal Impact Statement | © 5 |
| Economic Impact Statement | © 6 |
| Climate Assessment | © 8 |
| Racial Equity and Social Justice (RESJ) Impact Statement | © 10 |

Bill No. 27-24
Concerning: Animal Control –
Impoundment and Disposition
Revised: 12/4/2024 Draft No. 2
Introduced: December 3, 2024
Expires: _____
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmembers Katz, Luedtke, and Mink
Co-Sponsor: Councilmembers Balcombe, Glass, Jawando, Albornoz, Council President Stewart,
and Councilmembers Sayles and Friedson

AN ACT to:

- (1) reduce the number of days an animal may be impounded before becoming County property;
- (2) update the notice requirements for impounded animals;
- (3) clarify the appeal process; and
- (4) generally amend the law regarding the impoundment of animals.

By amending

Montgomery County Code
Chapter 5, Animal Control
Sections 5-303, 5-304, and 5-306

| | |
|-------------------------------------|--|
| Boldface | <i>Heading or defined term.</i> |
| <u>Underlining</u> | <i>Added to existing law by original bill.</i> |
| [Single boldface brackets] | <i>Deleted from existing law by original bill.</i> |
| <u>Double underlining</u> | <i>Added by amendment.</i> |
| [[Double boldface brackets]] | <i>Deleted from existing law or the bill by amendment.</i> |
| * * * | <i>Existing law unaffected by bill.</i> |

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Sections 5-303, 5-304, and 5-306 are amended as follows:

5-303. Impoundment.

* * *

(b) *Notice of impoundment.* The Executive Director promptly must make a reasonable effort to locate and notify the owner of an impounded animal. The notice must inform the owner of applicable requirements of this Chapter, including the requirement in subsection (c) to pay in advance for the animal’s care and the opportunity to request a waiver of the prepayment requirement under subsection (c)(7). The Executive Director may notify the owner by first class mail to the owner’s last known address or by posting on the door of the residence of the owner.[, or, if] If the Executive Director cannot locate the owner, notice may include [by] publishing a notice in a newspaper of general circulation in the County or on the County Animal Services & Adoption Center website.

* * *

5-304. Disposition.

* * *

(f) *Failure to redeem.* Unless otherwise ordered by the Board, an impounded animal is considered abandoned and becomes County property if the animal is not redeemed by its owner within [5] 3 days after the Executive Director notifies the owner about the impoundment under Section 5-303(b). The abandonment of an animal is not a decision of the Executive Director or animal control officer, and therefore not appealable under Section 5-306.

* * *

5-306. Appeal to the Board.

27 (a) *Time for noting appeal.* Except as provided in Section 5-104(a) or Section
28 5-304(f), a person aggrieved by a decision of the Executive Director or
29 an animal control officer may appeal the decision to the Board within 5
30 days after the Executive Director or the animal control officer notifies the
31 owner about the decision. The Executive Director or animal control
32 officer must not dispose of the animal during the 5-day period for filing
33 an appeal, or while an appeal is pending, unless authorized to do so under
34 this Chapter.

Approved:

Kate Stewart, President, County Council

Date

Approved:

Marc Elrich, County Executive

Date

This is a correct copy of Council action.

Sara R. Tenenbaum, Clerk of the Council

Date

Fiscal Impact Statement

Office of Management and Budget

Bill 27-24

Animal Control - Impoundment and Disposition

Bill Summary

Bill 27-24 reduces the impounded animal hold time from 5 days to 3 days; clarifies that the abandonment of an animal is not a decision by the Director and is therefore not subject to appeal; and amends the notice requirement options to include posting a notice on an animal owner's door, as well as on the Montgomery County Animal Services & Adoption Center website.

Fiscal Impact Summary

Bill 27-24 is not expected to substantially impact County revenues or expenditures.

Fiscal Impact Analysis

Chapter 5 of the Montgomery County Code requires that an animal be considered abandoned if it is not redeemed by its owner within 5 days after the Executive Director notifies the owner about the impoundment. The County currently charges between \$5 and \$25 per day in boarding fees for lost and abandoned animals (County Code section 05.304.02). Of the 729 animals that were returned to their owner in FY24, 651 animals were returned within the first 3 days. 29 animals were returned on days 4 or 5, and 49 animals were returned after the legal stray hold ended. The 78 animals that were returned after day 3 represents \$780 in boarding revenue. The boarding revenue in FY23 totaled \$720. This would indicate an estimated revenue loss of \$750 per year should the legal hold be reduced to 3 days.

It is assumed that if animals become the property of Animal Services in 3 days rather than 5 days, the animals could be released to foster homes, rescue partners, or adopted families two days sooner. The cost to care for an animal in the shelter is approximately \$10 per day, therefore if animals are released from the shelter two days earlier, the cost savings would balance out the lost revenue describe above.

Staff Impact

This bill is not expected to impact staff time or duties.

Actuarial Analysis

This bill is not expected to impact retiree pension or group insurance costs.

Information Technology Impact

This bill is not expected to impact the County Information Technology or Enterprise Resource Planning systems.

Other Information

Later actions that may impact revenue or expenditures if future spending is projected

The bill does not authorize future spending.

Sources of information

Montgomery County Animal Services & Adoption Center Fee Schedule

Contributors

Caroline Hairfield, Director, Office of Animal Services
Bonnie White, Business Operations Manager, Office of Animal Services
Spencer Kelly, Shelter Operations Manager, Office of Animal Services
Maria Anselmo, Community Relations Manager, Office of Animal Services
Adrienne Craver, Fiscal and Policy Analyst, Office of Management and Budget



Economic Impact Statement

Montgomery County, Maryland

Bill 27-24 Animal Control – Impoundment and Disposition

SUMMARY

The Office of Legislative Oversight (OLO) anticipates that Bill 27-24 would have an insignificant impact on economic conditions in the County in terms of the Council’s priority indicators.

BACKGROUND AND PURPOSE OF BILL 27-24

According to Montgomery County Code, an animal may be impounded¹ by an animal control officer, the Executive Director of Animal Services, or the Animal Matters Hearing Board, in order to protect the health or safety of a person, an animal, or the public.²

Once an animal is impounded, the director must promptly make a “reasonable effort” to find and notify the owner of the impounded animal. Currently an owner has five days to reclaim their animal and pay the estimated cost of caring for the animal after receiving the notice of impoundment.³ If the owner does not pay, the impounded animal is considered abandoned and becomes County property.⁴

Bill 27-24 seeks to reduce the time an owner has to reclaim their animal from five days to three days, which is consistent with Maryland State law.⁵ The bill would further require the notice of impoundment to be posted on the animal owner’s door and on the Montgomery County Animal Services and Adoption Center website. The intention of the bill is to reduce overcrowding at the animal shelter and allow for abandoned animals to be adopted more quickly.⁶

Bill 27-24, Animal Control – Impoundment and Disposition, was introduced by the County Council on December 3, 2024.

¹ Defined as seizing and holding in legal custody

² [Montgomery County Code, § 5-303.](#)

³ Ibid.

⁴ Ibid.

⁵ [Maryland Code, Crim. Law § 10-617 - Disposal of domestic animal.](#)

⁶ [Montgomery County Council, Staff Introduction Report for Bill 27-24, Introduced December 3, 2024.](#)

INFORMATION SOURCES, METHODOLOGIES, AND ASSUMPTIONS

As required by 2-81B of the Montgomery County Code, this Economic Impact Statement evaluates the impacts of Bill 27-24 on residents and private organizations in relation to Council’s priority economic indicators. In doing so, it examines whether the Bill would have a net positive or negative impact on overall economic conditions in the County.⁷ Decreasing the time an owner has to reclaim their animal from five days to three days would have no direct impact on the Council’s priority economic indicators. For this reason, OLO anticipates that the Bill would have insignificant economic impacts on private organizations, residents, and overall economic conditions in the County.

VARIABLES

Not applicable

IMPACTS

WORKFORCE ▪ TAXATION POLICY ▪ PROPERTY VALUES ▪ INCOMES ▪ OPERATING COSTS ▪ PRIVATE SECTOR CAPITAL INVESTMENT ▪ ECONOMIC DEVELOPMENT ▪ COMPETITIVENESS

Not applicable

DISCUSSION ITEMS

Not applicable

CAVEATS

Two caveats to the economic analysis performed here should be noted. First, predicting the economic impacts of legislation is a challenging analytical endeavor due to data limitations, the multitude of causes of economic outcomes, economic shocks, uncertainty, and other factors. Second, the analysis performed here is intended to *inform* the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO’s endorsement of, or objection to, the Bill under consideration.

CONTRIBUTIONS

Stephen Roblin (OLO) prepared this report.

⁷ [“Sec. 2-81B, Economic Impact Statements,”](#) Montgomery County Code.

Climate Assessment

Office of Legislative Oversight

Bill 27-24: Animal Control – Impoundment and Disposition

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 27-24 will have no impact on the County’s contribution to addressing climate change as the bill proposes changes to an existing law’s timeline regarding animal impoundment.

BACKGROUND AND PURPOSE OF BILL 27-24

According to Montgomery County Code, an animal may be impounded¹ by an animal control officer, the Executive Director of Animal Services, or the Animal Matters Hearing Board, to protect the health or safety of a person, animal, or the public.¹

Once an animal is impounded, the director must promptly make a “reasonable effort” to find and notify the owner of the impounded animal. Currently an owner has five days to reclaim their animal and pay the estimated cost of caring for the animal after receiving the notice of impoundment.² If the owner does not pay, the impounded animal is considered abandoned and becomes County property.³

Bill 27-24 seeks to reduce the time an owner has to reclaim their animal from five days to three days, which is consistent with Maryland State law.⁴ The bill would further require the notice of impoundment to be posted on the animal owner’s door and on the Montgomery County Animal Services and Adoption Center website. The intention of the bill is to reduce overcrowding at the animal shelter and allow for abandoned animals to be adopted more quickly.⁵

Bill 27-24, Animal Control – Impoundment and Disposition, was introduced by the County Council on December 3, 2024.

ANTICIPATED IMPACTS

As the bill proposes changes to an existing law’s timeline regarding animal impoundment, OLO anticipates Bill 27-24 will have no impact on the County’s contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

¹ Defined as seizing and holding in legal custody

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.⁶ OLO does not offer recommendations or amendments as Bill 27-24 is likely to have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptive capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptive capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ [Montgomery County Code, § 5-303, Accessed 12/9/2024.](#)

² Ibid.

³ Ibid.

⁴ [Maryland Code, Crim. Law § 10-617 - Disposal of domestic animal, Accessed 12/9/2024.](#)

⁵ [Montgomery County Council, Staff Introduction Report for Bill 27-24, Introduced December 3, 2024.](#)

⁶ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

BILL 27-24: ANIMAL CONTROL - IMPOUNDMENT AND DISPOSITION

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 27-24 could have a negative impact on racial equity and social justice (RESJ) in the County as reducing the timeframe for owners to reclaim pets from the Montgomery County Animal Services and Adoption Center will particularly disadvantage Black, Indigenous, and other people of color (BIPOC) community members who disproportionately have limited disposable time. OLO offers one policy option for Council consideration.

PURPOSE OF RESJ IMPACT STATEMENTS

The purpose of RESJ impact statements (RESJIS) is to evaluate the anticipated impact of legislation on racial equity and social justice in the County. Racial equity and social justice refer to a **process** that focuses on centering the needs, leadership, and power of communities of color and low-income communities with a **goal** of eliminating racial and social inequities.¹ Achieving racial equity and social justice usually requires seeing, thinking, and working differently to address the racial and social inequities that have caused racial and social disparities.²

PURPOSE OF BILL 27-24

The Montgomery County Animal Services and Adoption Center (MCASAC) is the County's only open-admissions municipal shelter.³ Like most government animal shelters,⁴ the MCASAC's work can be broadly grouped into two categories:

- **Animal control:** Under the mandate of the County's Office of Animal Services, the MCASAC enforces state and local animal control laws.⁵ This includes anti-cruelty and public nuisance laws related to animals and pet ownership laws.⁶ As described by MCASAC, "Animal Services Officers are on-call seven days a week to investigate citizen complaints and respond to animal emergencies 24 hours a day."⁷
- **Shelter and adoption services:** The MCASAC provides "sheltering and care to the homeless, abused, and neglected animals" in the County.⁸ The MCASAC shelters animals who have been surrendered by their owners or who have been impounded because of animal control enforcement. The MCASAC operates a lost and found program for owners to reclaim pets who have been impounded by MCASAC.⁹ They also operate a program for community members to adopt eligible animals who are in shelter.¹⁰

According to County law, an animal may be impounded¹¹ to "protect the health or safety of a person, an animal, or the public."¹² When an animal is impounded, the Director of Animal Services must promptly make a "reasonable effort" to find and notify the owner of the impounded animal. Currently, an owner has five days to reclaim their animal and pay the estimated cost of caring for the animal after receiving the notice of impoundment.¹³ If the owner does not pay, the impounded animal is considered abandoned and becomes County property.¹⁴ Abandoned animals may be placed for adoption.¹⁵ While County law also allows impounded animals to be euthanized, the MCASAC is a "no-kill" shelter¹⁶ that does not euthanize healthy animals for space.¹⁷

Bill 27-24 seeks to reduce the time an owner has to reclaim an impounded animal from five days to three days, which is consistent with Maryland State law.¹⁸ The Bill would further require the notice of impoundment to be posted on the

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animal owner's door and on the MCASAC's website. The intent of the Bill is to reduce overcrowding at the animal shelter and allow for abandoned animals to be adopted more quickly.¹⁹

The Council introduced Bill 27-24 on December 3, 2024.

ANIMAL WELFARE AND RACIAL EQUITY

The structural racism that is characteristic of American institutions is also characteristic of animal welfare. As a field, animal welfare is largely comprised of volunteers, staff, and leaders that are “overwhelmingly white, female, and prosperous.”^{20,21} This perpetuates policies and practices in animal shelters that often reflect “white, middle-class ideas about how companion animals should be treated.”²²

Available research suggests that BIPOC pet owners are less aware of local legal requirements associated with pet ownership. For instance, researchers studying racial and ethnic disparities in four government animal shelters across the U.S. found that BIPOC pet owners were more likely to be unaware of legal requirements related to their pets and were therefore at a higher risk of receiving citations.²³ This same study, entitled *Racial Disparities in Animal Welfare*, also found that:

- BIPOC pet owners were significantly less likely than White pet owners to report they adopted their pet from an animal shelter or rescue group;²⁴
- On average, dogs were brought into shelters from areas with lower White populations and adopted into areas with higher White populations;²⁵ and
- BIPOC community members who tried to adopt a pet were more likely to report they were denied because they did not own their home, their yard did not have a fence, or their landlord would not sign off on the application.²⁶

In the report, the researchers argue that improving outcomes among BIPOC community members will require animal shelters to focus on engaging BIPOC community members to build trusting and positive relationships and to disentangle perceptions of law enforcement and animal welfare.²⁷

ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 27-24 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

For the first question, OLO would have considered data on the demographics of community members whose animals have been impounded by MCASAC. However, OLO could not find this data.

For the second question, OLO considered how Bill 27-24 could impact racial inequities and disparities in animal welfare. Bill 27-24 would shorten the timeframe for owners to reclaim pets that have been impounded by MCASAC. This would disadvantage community members who experience time poverty – or who have limited disposable time for activities outside of obligations such as work and childcare.²⁸ Local data suggests that Black and Latinx community members are more likely to experience various circumstances that contribute to time poverty; for instance:²⁹

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- Single-parent households in the County are more likely to be Black or Latinx;³⁰
- While White and Asian community members are more likely to be employed in management, business, science and arts occupations, Black and Latinx community members are more likely to be employed in service and other occupations that often have less stable work schedules;³¹ and
- Black and Latinx community members are more likely to not have a vehicle available in the household³² and to use public transportation to commute to work.³³

OLO anticipates Bill 27-24 could have a negative impact on RESJ in the County as reducing the timeframe for owners to reclaim pets from MCASAC will particularly disadvantage Black and Latinx community members who on average have limited disposable time than their White and Asian peers.

RECOMMENDED AMENDMENTS

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.³⁴ OLO anticipates Bill 27-24 will have a negative impact on RESJ in the County. Should the Council seek to improve the RESJ impact of this Bill, OLO offers one policy option for Council consideration:

- **Require the Office of Animal Services to develop regulations for conducting outreach and education in collaboration with BIPOC community stakeholders.** As noted in *Racial Disparities in Animal Welfare*, “[e]ffective messaging about services and resources offered by animal welfare organizations has not been designed to reach or resonate with communities that have historically been economically and socially marginalized.”³⁵ This contributes to lower levels of awareness of animal welfare requirements among BIPOC community members. The Council could amend Bill 27-24 to require the Office of Animal Services to develop regulations for conducting outreach and education in collaboration with BIPOC community stakeholders. This could help the MCASAC to better inform BIPOC community members about their services and legal requirements for pets.

CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

CONTRIBUTIONS

OLO staffer Janmarie Peña, Performance Management and Data Analyst, drafted this RESJ impact statement.

¹ Definition of racial equity and social justice adopted from “Applying a Racial Equity Lens into Federal Nutrition Programs” by Marlysa Gamblin, et.al. Bread for the World, and from Racial Equity Tools. <https://www.racialequitytools.org/glossary>

² Ibid.

³ “[About Us](#),” Montgomery County Animal Services & Adoption Center.

⁴ [Understanding Animal Welfare Organizations: Types of Shelters, Rescues, and Services](#),” Shelter Animals Count.

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⁵ [Montgomery County Code § 5-102](#)

⁶ [“Animal Control and Anti-Cruelty Laws,”](#) Montgomery County Animal Services & Adoption Center.

⁷ “About Us”

⁸ Ibid.

⁹ [“Lost or Found a Pet?”](#) Montgomery County Animal Services & Adoption Center.

¹⁰ [“How to Adopt”](#) Montgomery County Animal Services & Adoption Center.

¹¹ Defined as seizing and holding in legal custody.

¹² [Montgomery County Code § 5-303](#)

¹³ Ibid.

¹⁴ Ibid.

¹⁵ [Montgomery County Code § 5-304](#)

¹⁶ [Montgomery County Animal Services and Adoption Center](#), No Kill Network.

¹⁷ “VIII. Humane Euthanasia,” [Standards of Care](#), Montgomery County Animal Services & Adoption Center, January 2019, pg. 16.

¹⁸ [Maryland Code, Crim. Law § 10-617 - Disposal of domestic animal.](#)

¹⁹ [Introduction Staff Report for Bill 27-24](#), Montgomery County Council, introduced December 3, 2024, PDF pg. 2.

²⁰ [“What we’re reading about diversity and equity in animal welfare,”](#) Shelter Medicine Program, College of Veterinary Medicine, University of Florida, July 1, 2020.

²¹ In *Racial Disparities in Animal Welfare*, animal welfare professionals in four government animal shelters across the U.S. generally noted that while front-line staff and kennel workers were more diverse, management was predominantly White. Refer to Michael J. Blackwell, et. al., [“Racial Disparities in Animal Welfare,”](#) Social Work Publications and Other Works, 2024, pg. 62.

²² Holly Ober, [“Want to save shelter animals? Fight for social justice,”](#) University of California Riverside News, August 26, 2020.

²³ Blackwell, et. al., pgs. 58-61

²⁴ Ibid, pg. 44

²⁵ Ibid, pg. 49

²⁶ Ibid, pg. 45

²⁷ Ibid, pg. 66-67

²⁸ Celestine Rosales, [“Can We Afford to be Time Poor? The Hidden Tax of Time Poverty,”](#) The Decision Lab, June 18, 2024.

²⁹ [Table S0201](#), 2023 American Community Survey 1-Year Estimates, Census Bureau.

³⁰ Ibid, “HOUSEHOLDS BY TYPE,” “Female householder, no spouse present, family”

³¹ Ibid, “OCCUPATION,” “Civilian employed population 16 years and over”

³² Ibid, “VEHICLES AVAILABLE,” “Occupied housing units,” “None”

³³ Ibid, “COMMUTING TO WORK,” “Workers 16 years and over,” “Public transportation (excluding taxicab)”

³⁴ Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council

³⁵ Blackwell, et. al., pg. 61.