

# 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.

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### 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.<sup>1</sup> 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.<sup>2</sup>

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### PURPOSE OF BILL 27-24

The Montgomery County Animal Services and Adoption Center (MCASAC) is the County's only open-admissions municipal shelter.<sup>3</sup> Like most government animal shelters,<sup>4</sup> 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.<sup>5</sup> This includes anti-cruelty and public nuisance laws related to animals and pet ownership laws.<sup>6</sup> 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."<sup>7</sup>
- **Shelter and adoption services:** The MCASAC provides "sheltering and care to the homeless, abused, and neglected animals" in the County.<sup>8</sup> 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.<sup>9</sup> They also operate a program for community members to adopt eligible animals who are in shelter.<sup>10</sup>

According to County law, an animal may be impounded<sup>11</sup> to "protect the health or safety of a person, an animal, or the public."<sup>12</sup> 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.<sup>13</sup> If the owner does not pay, the impounded animal is considered abandoned and becomes County property.<sup>14</sup> Abandoned animals may be placed for adoption.<sup>15</sup> While County law also allows impounded animals to be euthanized, the MCASAC is a "no-kill" shelter<sup>16</sup> that does not euthanize healthy animals for space.<sup>17</sup>

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.<sup>18</sup> 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.<sup>19</sup>

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

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### 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.”<sup>20,21</sup> This perpetuates policies and practices in animal shelters that often reflect “white, middle-class ideas about how companion animals should be treated.”<sup>22</sup>

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.<sup>23</sup> 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;<sup>24</sup>
- On average, dogs were brought into shelters from areas with lower White populations and adopted into areas with higher White populations;<sup>25</sup> 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.<sup>26</sup>

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.<sup>27</sup>

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### 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.<sup>28</sup> Local data suggests that Black and Latinx community members are more likely to experience various circumstances that contribute to time poverty; for instance:<sup>29</sup>

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- Single-parent households in the County are more likely to be Black or Latinx;<sup>30</sup>
- 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;<sup>31</sup> and
- Black and Latinx community members are more likely to not have a vehicle available in the household<sup>32</sup> and to use public transportation to commute to work.<sup>33</sup>

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.

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### 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.<sup>34</sup> 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.”<sup>35</sup> 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.

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### 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.

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<sup>1</sup> 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>

<sup>2</sup> Ibid.

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

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

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<sup>5</sup> [Montgomery County Code § 5-102](#)

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

<sup>7</sup> “About Us”

<sup>8</sup> Ibid.

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

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

<sup>11</sup> Defined as seizing and holding in legal custody.

<sup>12</sup> [Montgomery County Code § 5-303](#)

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> [Montgomery County Code § 5-304](#)

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

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

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

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

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

<sup>21</sup> 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.

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

<sup>23</sup> Blackwell, et. al., pgs. 58-61

<sup>24</sup> Ibid, pg. 44

<sup>25</sup> Ibid, pg. 49

<sup>26</sup> Ibid, pg. 45

<sup>27</sup> Ibid, pg. 66-67

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

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

<sup>30</sup> Ibid, “HOUSEHOLDS BY TYPE,” “Female householder, no spouse present, family”

<sup>31</sup> Ibid, “OCCUPATION,” “Civilian employed population 16 years and over”

<sup>32</sup> Ibid, “VEHICLES AVAILABLE,” “Occupied housing units,” “None”

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

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

<sup>35</sup> Blackwell, et. al., pg. 61.