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Serious monkey business for Maryland woman.

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Rexano Editorial by Ms. Jade, legislative columnist at www.TheDogPress.com

Las Vegas, NV, August 17, 2007—Imagine calling someone you believed was an “expert” to ask for guidance on the changing dietary needs of your one year old son, only to have the “expert” (who has never even met you or your child) immediately phone in a neglect complaint against you with the local authorities. Then imagine that the authorities pry your child from your arms and hold him for ransom, refusing to let you even see him.

Would it matter if your child was a *non-human primate*?

“This is gut-wrenching! Heart-wrenching! How can this happen in the United States of America? How can Big Government take away a pet monkey like this?” said conservative radio talk show host Rush Limbaugh.

Elyse Gazewitz of Rockville, MD bottle fed and diapered Armani like any other baby. His life with her was a far cry from the zoo in Thurmont, where he was subsequently imprisoned. He had a stroller, a wardrobe of name brand infant clothing and his own room, custom outfitted with tire swings, toys and a hammock. He had even mastered the television remote control.

Life was good for the four pound Capuchin monkey. But the 42 year old pet groomer’s world was shattered shortly after she phoned a Cecil County animal “sanctuary” to chat about Armani’s food preferences. Although Elyse has never met or even spoken to the woman on the phone before, police officers informed her that the woman had called in a complaint alleging that Armani was “frail and in need of a vet”.

At the direction of the Montgomery County Attorney’s office, animal control officers seized Armani. Elyse was handcuffed and arrested, cited with civil violations that dealt with Armani’s “status” and her “interference” occurring when animal control came in to her home to seize her monkey. She was also cited with four other counts for failing to supply proof that she had licensed and properly vaccinated her two dogs but she was not charged with animal cruelty or neglect. Total fines, \$1,800.

County animal control officials claimed that Armani was an illegal resident under Maryland state law. Except that Elyse was not charged with violating Maryland state law...she was actually charged with “possession of a monkey” under the Montgomery County Code, which

has a ten day period under which the county has the burden of proof that Armani is "wild" or "inherently untamable"... So then, was it "illegal monkey immigration" or maybe government sanctioned kidnapping?

Associate County Attorney, William A. Snoddy, contended that "By law Armani is contraband. As such, Ms. Gazewitz does not have any ownership rights in him. Nor is she entitled to tell the government how to dispose of seized contraband." So why then was Elyse forced to pay \$1,344 in advance for a month's storage of "contraband"? Did not the simple fact that the Animal Matters board presented Elyse with a bill for his care acknowledge her as Armani's owner? And what about Mr. Snoddy's comment; "*dispose of the contraband*"?

Fed up with the treatment given her by Montgomery County officials, and desperate to see Armani, Elyse and her attorney called an emergency hearing at the Rockville Circuit Court on August 8th. When the summons was served on the Montgomery County Attorneys Office, County Attorney Savage was on vacation, forcing Assistant Attorney Snoddy to appear in court.

When the judge asked Snoddy for an explanation, he quipped "It's not her monkey". To which the judge replied firmly "It is too her monkey"! Mr. Snoddy countered with "that is yet to be determined", which seemed to anger the judge even more and he stated "I have seen it in the paper and it is like her child! How can you be so heartless?" Snoddy stated "I am not being heartless. It is not her monkey". Again the judge told him "Yes, it is!", explaining that if Armani had been a dog impounded for biting someone, the owners would still be allowed to visit the animal shelter during the quarantine period. Judge McGann said he would call County Attorney Savage to follow up on the matter.

Because the prosecutor failed to withdraw the county charge and amend the complaint to a violation of state law prior to calling their first witness, there is a very good chance that Elyse will win her case and get Armani back. The criminal charges have been dropped. Her court date is on August 21st. Let's encourage Montgomery County to reunite Elyse and Armani. You can help, contact:

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