

## **Animal Control officer sweeps worry pet owners**

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LAS CRUCES - Officers last week carried out a blitz to enforce animal control ordinances in a Las Cruces mobile home park, prompting concerns by some of the park's residents.

The city's animal control department went door-to-door in the Las Brisas Mobile Home Park, off Union Avenue near New Mexico State University, issuing warning notices to residents, including some who contend they had no violations.

One resident, who was issued a warning notice and who requested anonymity because of concerns about possible retaliation, raised questions about how officials carried out the blitz.

The resident, a university student, said he was in his home Nov. 1, when he heard his two dogs barking from within the fenced area of his front yard. He said he walked outside to find a city animal control officer, who told him to produce his city pet license and proof of rabies vaccination.

"I said, 'What did the dogs do? Did we break any laws or go against any of your city ordinances?' They just said: 'Nope, we're just out doing a door-to-door check,'" he said.

The resident said his animals are registered and have vaccinations, but he didn't know where his documentation was at the moment, so the officer issued him a warning notice. The notice of violation had two checked categories - rabies vaccination and pet license proof - indicated he was to call the city animal control department within 24 hours. In addition, he said the officer, James Chavez, told him he'd return in a week to check for the necessary documents - and issue a citation if the resident couldn't provide them.

After the officer left, the resident said he began questioning whether the officer had authority to require that he produce the documents, considering there was no claim that he or his dogs violated any ordinance.

"To me, just going door-to-door like that, without reasonable suspicion or reasonable cause or even articulable facts is unconstitutional," he said.

### **City's view**

Rudy Adame, who heads the Las Cruces Animal Control, said not knowing the student's circumstances, he couldn't comment about that specifically.

But Adame said there's not a problem with the officers' actions - part of an "awareness project" the department was carrying out. Concerns about loose animals have been reported to animal control, he said.

"Because of the numerous complaints we've had in that area - almost every residence in that park has a dog or dogs - we did stop at as many residences as we could to make sure everybody is in compliance," he said.

Adame said an officer doesn't necessarily have to see an ordinance violation to issue a notice, but can do so if he or she sees a dog on a person's property. He said there's no written policy guiding the practice.

Another Las Brisas resident, who also asked not to be named also because of concerns about possible retaliation, showed a copy of the warning notice she found on her gate Tuesday. Checked categories included proof of rabies vaccination and pet licensing, as well as unrestrained animals. Also handwritten on the notice was the word "cats," as well as the officer's identification number.

But the 35-year-old resident said she doesn't own cats, though admitted strays do go onto her lot. She said she doesn't appreciate being hassled by animal control, when the cats aren't hers.

"I have four children, and I don't have time to take care of animals," she said.

## **Blitzes**

Adame said the animal control department periodically conducts blitzes to target areas where a lot of animal-related complaints originate. He said he wasn't able to provide statistics immediately about the number of violation notices issued at Las Brisas last week, because those records are maintained by the individual officers.

Adame pointed out that a notice of violation isn't a citation.

"It's basically just a notice, saying, 'We were here. We were in the area. What we need from you is your proof of vaccination and your proof of pet license, and that's it.'"

Usually the notices are left on doors and are aimed at making sure residents are in compliance, Adame said.

Continued Adame: "If he has it, we go on our way. If he doesn't have it, we could give him time to come into compliance, and at that point, we make arrangements with him to do a follow up."

Lt. Joe Jacquez, supervisor of Do a Ana County Animal Control, said his department, too, conducts similar sweeps in the unincorporated areas, and he doesn't see a problem with the approach. One goal, he said, is getting information out about the ordinances because people often don't know.

"A lot of problems result from misinformation," he said.

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## **Get help**

- Las Cruces Animal Control: (575) 528-4100
- Animal Services Center of the Mesilla Valley: Animal Shelter. (575) 382-0018
- On the Web: [www.las-cruces.org/resources/pets/](http://www.las-cruces.org/resources/pets/)