

TX-RPOA E-News

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San Antonio is the most anti-pet city in Texas and has one of the most restrictive anti-pet ordinances in the US. Costly annual permits are required for owning all species of pets and livestock in the city, even owning more than 3 feathered "friends." San Antonio has been trying to extend their ordinance to cover all of Bexar County for years.

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Wall Street Journal
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Special Court Puts Pet Owners on a Leash
San Antonio Seeks to Crack Down on Bites, Strays; City Official Says Too Many Believe 'a Dog Deserves to Run Free'

Every Friday morning, a small courtroom in San Antonio, Texas becomes a kennel of jurisprudence, dealing with dog bites, strays, and mistreatment of animals.

Municipal Court Judge Daniel Guerrero carefully considers alleged crimes involving canines of all sort-Labradors, Chihuahuas, Shih Tzus-and even the occasional cat, whose owners must appear in court to defend charges that carry fines ranging from hundreds to thousands of dollars.

San Antonio's animal court may be unique in the U.S., legal experts say. City officials decided it was needed to crack down on recurring civic problems that weren't getting requisite attention on regular courts' dockets, such as dog bites, stray pets and residents who fail to register and vaccinate their animals.

But the 10-month-old court is part of a larger trend in which cities are forming specialized tribunals to deal with distinct populations, such as

drug addicts or the mentally ill. The goal is to allow judges to develop a deeper understanding of certain kinds of offenses, and better fashion appropriate punishments for those who commit them.

Joe Angelo, the interim director of San Antonio's Animal Care Services department, said the court is part of a larger effort to change the climate in the city of 1.3 million, where more than 3,000 residents annually are bitten by dogs and more than 150,000 stray dogs roam city streets on any given day.

It sends a clear message, he said: "Irresponsible pet ownership will not be tolerated."

But critics, including many San Antonio pet owners, say the city is often prosecuting picayune offenses. The city has collected more than \$250,000 in fines against pet owners since the court was formed. Officials said they didn't have comparable data from previous years readily available.

"Why are they wasting taxpayer money on this nonsense?" said Ramal Shaw, 32 years old, who faces charges that his Chihuahua, Phillie, bit his 6-year-old son, who had complained to his school nurse. It was only a scratch, said Mr. Shaw, adding that his son was just trying to "play hooky" from class.

Mr. Shaw and his fiancée were able to persuade the prosecutor to knock \$50 off the \$269 fine, but planned to keep pushing to have the rest forgiven. "That's still too much," said Mr. Shaw, noting that he has been out of work for more than a year. Although his fiancée is employed, "we're living paycheck to paycheck," he says.

Karla Posada was recently in court representing her sister, who faced about \$4,000 in fines for allegedly failing to contain, license and vaccinate her four Shih Tzus, after two of the dogs escaped from a garage and were reported by a neighbor.

Ms. Posada was able to delay her sister's case so that they could line up a lawyer. "It's not fair," she said. "These dogs have shelter and are loved."

Animal cases in San Antonio used to be farmed out at random to the city's municipal court judges, who often didn't give the cases enough attention or hand down sufficiently stiff punishments, according to city officials.

Some defense lawyers say the animal court is a symptom of a larger problem.

"We have moved towards an over-criminalization model, where everything is

punishable by jails or fines," said Lisa Wayne, the president of the National Association of Criminal Defense Lawyers. San Antonio, she said, would be better off "educating people about their animals rather than punishing them."

But David LaBahn, the president of the Washington, D.C.-based Association of Prosecuting Attorneys, said San Antonio should be commended. "To get courts to take these cases seriously can be a real challenge," said Mr. LaBahn, who previously prosecuted animal-cruelty cases in California.

Vincent Medley, the assistant director of San Antonio's animal-services department, says residents' attitudes need to change. Too many pet owners in the city, he said, believe "a dog deserves to run free; he should be able to go out and see his girlfriend-and his other girlfriend."