

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

May 9, 2022

Hon. Seth Damon
Office of the Speaker
Post Office Box 3390
Window Rock, AZ 86515

RE: CAP-16-22, *An Action Relating to Resources and Development, the Health, Education, and Human Services, the Law and Order, and the Naabik'iyáti' Committees and to the Navajo Nation Council; Amending Title 17 of the Navajo Nation Code to Establish Criminal Penalties for Vicious Dog and Other Animal Attacks*

Dear Speaker Damon,

Again, we express our heartfelt condolences to the families who have lost loved ones to vicious dog attacks and pray that they are continuing to heal from their tragic loss.

We appreciate the efforts of the Committees, the Navajo Nation Council, the Animal Control Program, the Department of Fish and Wildlife, Veterinary Services, Resource Enforcement Services, Office of the Prosecutor and others who came together to revise this section of the criminal code to strengthen the Criminal Nuisance statute to include mandatory minimum penalties for those found guilty of allowing dogs at large and attack others.

There are many factors that contribute to this issue, not all of them will be solved in this amendment to the criminal code. Additional amendments to consider include criminal offenses for animal cruelty and abandonment. The Animal Control program, in coordination with the Division of Public Safety, still needs to authorize the Animal Control Officers (ACO) to enforce Title 17 as Navajo Peace Officers; this requires training and certification under Navajo Peace Officer Standards and Training. Right now, only Police Officers can enforce Title 17. In addition, the Program needs more Animal Control Officers to serve our vast Nation and more funding to sustain the program beyond this fiscal year. We strongly recommend the Council consider these issues during the FY23 budget deliberations.

Beyond the Animal Control Program is the broader subject of public education and prevention. Responsible pet stewardship through spaying, neutering, and vaccination can reduce the population of strays that wander and become aggressive due to starvation and disease. Our Navajo Fundamental Law, Diné Natural Law, states that as humans, through our sacred gifts of language and thinking, have a duty to respect, preserve, and protect all forms of life, including animals, for future generations.

THE NAVAJO NATION



JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

We hope that the discussions on this subject will continue and lead to improvement of services provided by our Animal Control Program, Veterinary Services, Division of Public Safety, and partners such as the Navajo Housing Authority to provide a safe and healthy environment for our Navajo citizens and visitors.

Pursuant to the authority vested in the Navajo Nation President, I am signing CAP-16-22 into law.

Sincerely,


Jonathan Nez, *President*
THE NAVAJO NATION


Myron Lizer, *Vice President*
THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
24th NAVAJO NATION COUNCIL - FOURTH YEAR, 2022

AN ACT

RELATING TO THE RESOURCES AND DEVELOPMENT, THE HEALTH, EDUCATION, AND HUMAN SERVICES, THE LAW AND ORDER, AND THE NAABIK'ÍYÁTI' COMMITTEES, AND TO THE NAVAJO NATION COUNCIL; AMENDING TITLE 17 OF THE NAVAJO NATION CODE TO ESTABLISH CRIMINAL PENALTIES FOR VICIOUS DOG AND OTHER ANIMAL ATTACKS

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Resources and Development Committee is a Standing Committee of the Navajo Nation Council with statutory authority over the Division of Natural Resources ("DNR"). 2 N.N.C. § 501(C). The Department of Fish and Wildlife is within the DNR and the Navajo Nation's Animal Control Program is under the Department of Fish and Wildlife. 13 N.N.C. § 1700(B)(1), Resolution No. CJY-64-18. The Resources and Development Committee recommends to the Navajo Nation Council the approval of resolutions that will accomplish the Committee's purposes. 2 N.N.C. § 501(B)(4)(f).
- B. The Health, Education, and Human Services Committee is a Standing Committee of the Navajo Nation Council authorized to provide oversight of, and to review and recommend resolutions relating to, general governmental services and public health matters. 2 N.N.C. § 400(C)(1), § 401(B)(6)(a).
- C. The Law and Order Committee is a Standing Committee of the Navajo Nation Council with statutory oversight of law enforcement and public safety services on the Navajo Nation. 2 N.N.C. § 600(C)(6). The Law and Order Committee is authorized to make recommendations to the Navajo Nation Council concerning amendments to the Navajo Nation Code. 2 N.N.C. § 601(B)(14).
- D. The Naabik'íyáti' Committee is a Standing Committee of the Navajo Nation Council that reviews legislations requiring final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9), 2 N.N.C. § 701(A)(3).
- E. The Navajo Nation Council is the governing body of the Navajo Nation with the authority to review and approve amendments to Navajo Nation laws. 2 N.N.C. § 102(A), 2 N.N.C. § 164(A).

SECTION TWO. FINDINGS

- A. The purpose of the Navajo Nation's Animal Control Program ("NNACP"), among others, is to enforce the Navajo Nation's animal control laws by: (1) responding to complaints regarding dog bites and animal attacks; (2) investigating such incidents; (3) patrolling Navajo Nation communities; and (4) issuing citations for violations; all to protect the health, safety, and property of the Navajo People and their animals. **Exhibit A and Exhibit B.**
- B. Unfortunately, injuries to persons from dog bites and incidents of livestock injury from attacks by dogs and other animals consumes up to 85% of NNACP field officers' time; and the number of dogs running at large is alarming within all Navajo Nation communities. **Exhibit B.**
- C. Because of the COVID-19 pandemic, enforcement of the Navajo Nation's animal control laws has been severely impeded since the Spring of 2020, with several NNACP facilities closing. As well, the pandemic has reduced NNACP's efforts at spaying and neutering the dog population. Both circumstances have resulted in an unprecedented number of dogs running at large on the Navajo Nation.
- D. According to NNACP's website: "[t]he Navajo Nation currently lacks an effective Animal Control Program and adequate Animal Shelters. Because of this, we are unable to provide services in a variety of areas such as: aggressive enforcement of laws, vaccinations, livestock damage investigations, animal-bite investigations, quarantines, adoptions, pick-up of stray/unwanted animals, dead animal disposal, and assisting with spay/neuter clinics. As a result, over 3,000 individuals are treated each year at hospitals and clinics for animal attacks and bites. The majority of victims are children and elderly. Some of these victims are transported to other hospitals for special treatment." **Exhibit C.**
- E. The NNACP website continues: "[c]urrently there are only five Animal Control Officers employed to address animal control issues for the entire Navajo Nation. These Officers can only provide services that have been determined as priority, such as bite cases and livestock damage. Officers are stationed in each of the five agencies (Ft. Defiance, Chinle, Shiprock, Tuba City and Crownpoint). Without an adequate Animal Control Program, we place the public's health and safety at risk." **Exhibit C.**

- F. According to the Navajo Times, the death of a teenage girl in Fort Defiance in May of 2021 was the fifth person killed by vicious dogs running at large on the Navajo Nation since 2010. The victims include a 56-year-old man near Gallup, New Mexico in 2010, an 8-year-old boy in Pine Hill, New Mexico in 2012, a 3-year-old boy in Seba Dalkai, Arizona in 2016, and a Kayenta woman in the fall of 2020.
- G. The most recent comprehensive study on this problem was addressed in a White Paper Analysis issued in January 2017 by NNACP. In this paper, NNACP reported: "[o]ver the last five years there has been increase in the severity of dog bite cases. The Animal Control Officers agree that the dogs are becoming more vicious and aggressive." Exhibit B. This White Paper was attached as an Exhibit to Resolution No. CJY-64-18, adopted in the Summer of 2018, that amended Title 3 and Title 13 of the Navajo Nation Code to address the roaming dog problem on the Navajo Nation. However, CJY-64-18 did not amend the Navajo Nation's criminal code to address the problem.
- H. In February of 2021, Navajo Nation President Jonathan Nez recognized that roaming dog attacks on the Navajo Nation have resulted in injuries and death to Navajo elderly folks and children, and present a serious danger to the general public. Exhibit D.
- I. Tragic deaths and injuries from dog attacks are avoidable, if the Navajo Nation implements severe penalties that would discourage the keeping and breeding of vicious dogs. Severe penalties would also deter persons from allowing their ferocious dogs and other dangerous animals to run at large. Animal Control Officers should be given the authority to shoot on site those vicious dogs running at large, and other dangerous animals, that they determine to be a risk to the public's health, safety, or welfare.
- J. At this time, Navajo Nation law does not provide any criminal penalties that would deter persons from keeping vicious dogs or other dangerous animals that may attack. Neither does the Navajo Nation make it a crime for a person to allow their vicious dog or other dangerous animal to run at large, posing the danger of injuries or death to innocent persons. Therefore, an amendment to the Navajo Nation Criminal Code is needed to protect the public and to ensure that no one is ever again mauled to death or severely injured by a vicious dog, or other dangerous animal, that is running at large on the Navajo Nation.

- K. The purpose of the amendments to Title 17 approved herein is to better protect the public's health, safety, and welfare by defining a specific criminal offense and establishing certain criminal penalties for incidents involving injury or death as a result of an attack by a dog or other animal running at large.
- L. The Navajo Nation finds it in the best interest of the Navajo Nation and the Diné People to amend Title 17 of the Navajo Nation Code, as set forth herein.

SECTION THREE. AMENDING TITLE 17 OF THE NAVAJO NATION CODE.

The Navajo Nation hereby amends Title 17 of the Navajo Nation Code, as follows:

TITLE 17. LAW AND ORDER

* * * *

§ 486. Criminal nuisance; Vicious dogs and other dangerous animals

A. Offense. A person commits criminal nuisance if:

1. By his or her conduct, activity, or behavior, whether by act or omission, which is either inherently unlawful in itself or unreasonable under all the circumstances, he or she knowingly, negligently, or recklessly creates, allows, facilitates, encourages, or maintains any condition, situation, incident, or occurrence that poses a risk to which endangers the safety, or health, or well-being of others any person(s) or the general public; or
2. He or she knowingly, conducts or maintains any premises, place or resort where persons negligently, or recklessly engages in, facilitates, or encourages in any manner, any gather for purposes of engaging in unlawful conduct, activity, or behavior, whether by act or omission, that poses a risk to the safety, health, or well-being of any person(s) or the general public; or
3. He or she knowingly, negligently, or recklessly allows a dog or other animal to run at large, and while running at large such dog or other animal lunges at, chases, or attacks in any manner, any other person and such person suffers any physical or mental injury and/or death.
 - a. At the discretion of the Navajo Nation Prosecutor, a criminal nuisance violation under this § 486(A)(3) may

be charged against each and every person who allowed the dog or animal to run at large, or charged against each and every owner of the dog or animal, or charges may be brought against both.

- b. At the discretion of the Navajo Nation Prosecutor, a separate violation under this § 486(A)(3) may be charged for each separate incident or occurrence resulting in any injury and/or death suffered by any person other than the alleged offender, and a separate violation may be charged for each person, other than the alleged offender, who suffers any injury and/or death as a result of such incident or occurrence.
- c. Teasing or provocation of the dog or animal in any manner by any person(s) shall not be a defense under this § 486(A)(3), and shall not mitigate any penalty imposed for a conviction under this § 486(A)(3).
- d. At the discretion of the Navajo Nation Prosecutor, a criminal nuisance violation under this § 486(A)(3) may be charged in lieu of, or in addition to, the civil offenses established in 13 N.N.C. §§ 1702-1715, and the imposition of both civil and criminal penalties may be requested.
- e. Any dog or other animal running at large that any Navajo Nation Peace Officer determines has physically inflicted any physical or mental injury or death upon any person(s), or that the Officer in his/her discretion considers to be a risk to the health, safety, or welfare of any person(s) or the general public, may be immediately captured, contained, restrained, muzzled, and/or destroyed by the Officer. The cost for impoundment and care, and/or the destruction and disposal, of such dog or animal shall be charged to the person(s) convicted under this § 486(A)(3).
- f. For purposes of this § 486(A)(3), "running at large" means that the dog or other animal is found or observed off the property of its owner and is not under the immediate and secure control of its owner or other designated person age 12 years or older, by chain or other tether, leash, fence, kennel, crate, or other adequate method. A dog or animal within any automobile or other vehicle of its owner or designee age 12 or

older, shall be deemed upon/within the owner's or designee's property.

B. Sentence.

1. Any person found guilty of criminal nuisance may be sentenced to a term of imprisonment not to exceed 30 days, or be ordered to pay a fine not to exceed \$1,000, or both.
2. The trial court shall review all charges to ascertain whether there is a personal victim of the offense(s) and may order that restitution or nályééh shall be paid to the victim(s).
3. The trial court may utilize the services of the Navajo Peacemaking Program to determine nályééh and make a sentencing recommendation regarding that sentence, and the trial court may require the defendant to pay the fee of the peacemaker.
4. The trial court may impose a peace or security bond upon the defendant, including the pledges of family or clan sureties.
5. Upon the imposition of a bond or security pledges, the district Office of Probation and Parole shall counsel the sureties of the consequences of breach of the bond or pledge.
6. The trial court may impose community service sentences, to be served under the supervision of an organization or an individual designated by the court.
7. The punishment for each separate violation resulting in a conviction under § 486(A)(3) shall be: (1) a term of imprisonment not less than 30 days and not more than 365 days; or (2) a fine not less than one-thousand-dollars (\$1,000) and not more than five-thousand-dollars (\$5,000); or (3) the trial court may impose both punishments concurrently. The minimum sentencing provisions in § 486(B)(7), (8), and (9) herein shall be imposed by the trial court notwithstanding §§ 486(B)(1-6), and notwithstanding any civil fines provided for in 13 N.N.C. §§ 1702-1715. For two or more violations resulting in convictions, the terms of imprisonment shall be imposed consecutively and fines shall be imposed cumulatively.

8. Those convicted under § 486(A)(3) shall pay restitution for any costs incurred by the victim(s) as a result of any physical or mental injury and/or death suffered. This restitution payment shall not shield the person convicted from liability for civil fines under 13 N.N.C. §§ 1702-1715 or civil damages in any statutory or common-law civil action.
9. Those convicted under § 486(A)(3) shall pay, in the event of death of the victim, restitution for any and all costs incurred on behalf of the deceased, including but not limited to, funeral and burial expenses. This restitution payment shall not shield the person convicted from liability for civil fines under 13 N.N.C. §§ 1702-1715 or civil damages in any statutory or common-law civil action.

* * * *

SECTION FOUR. CODIFICATION

The provisions of this resolution that amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

SECTION FIVE. SAVING CLAUSE


If any portion of this Act is determined invalid by the Navajo Nation Supreme Court or by a District Court of the Navajo Nation, without appeal to the Navajo Nation Supreme Court, the remainder of this Act shall remain the law of the Navajo Nation.

SECTION SIX. EFFECTIVE DATE

The provisions of this Act shall become effective according to 2 N.N.C. § 221(B).

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 24th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 23 in Favor, and 00 Opposed, on this 19th day of April 2022.

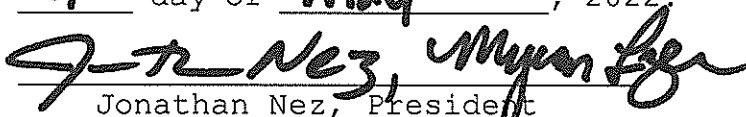

Honorable Seth Damon, Speaker
24th Navajo Nation Council
April 29, 2022
DATE

Motion: Honorable Edison J. Wauneka
Second: Honorable Rickie Nez

Speaker Seth Damon not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

- 1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 9th day of May, 2022.


Jonathan Nez, President
Navajo Nation

- 2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2022 for the reason(s) expressed in the attached letter to the Speaker.

Jonathan Nez, President
Navajo Nation

NAVAJO NATION



ANIMAL CONTROL

EXHIBIT

A

NNDFW Home

Business Hours
Mon - Fri 8am-5pm



Closed Weekends, Holidays, Tribal Holidays

NNDFW Personnel



DOG & CAT SERVICES

September 2021
Click Here

PELLYER

No Place
Like **Home**
Challenge



NAVAJO NATION PRESIDENT

Proclamation

FUNCTIONS OF NAVAJO NATION ANIMAL CONTROL

- Investigate bite cases, livestock damages, nuisance calls, animal cruelty, and abuse reports
- Impound stray, diseased, and uncontrollable animals
- Return animals upon redemption to owners
- Enforce animal control ordinances by answering complaints and patrolling designated areas
- Issue warning notices and citations, which are filed in appropriate courts
- Collect fees, issue receipts and make deposits
- Operate agency animal shelters
- Maintain daily activity records on all actions taken, and submit reports on a daily and weekly basis

- Euthanize unwanted, wild, unclaimed, rabid, sick or injured animals
- Issue animal licenses and provide vaccinations to animals, parasite control products and microchip identification
- Maintain cooperative working relationships with Navajo Police Department, Social Services, Division of Health, Veterinary Clinics and outside Law Enforcement agencies

- Develop relationship with Navajo Nation Courts and prosecutors
- Educate the public in regards to animal control ordinances and responsible animal care
- Conduct surveys as required on animal health, safety and control

CJY-64-18 Newly Amended Navajo Nation Animal Control Ordinance (PDFs) Ordinance Booklet & Educational Presentation



Request for Assistance

Call DNR Central Dispatch for Services
(928) 871-6491/7041

- Report Dog Bite / Vicious Dog
- Report Livestock Damage by dogs
- Animal (Dog & Cats) Surrender
- Reporting Loose and Stray Dogs / Cats
- Reporting Injured/Sick Animals (Dogs/Cats)

Email

Shiprock - [Stacy Daw](#)
 Ft Defiance - [Vincent Tsosie](#)
 Crownpoint - [Patrick Leo](#)
 Many Farms - [George Skeet](#)
 Kayenta - [Greg Pahe](#)
 Tuba City - Vacant

Please include in email

Name:
 Phone Number:
 Place of Residence:
 Nature of Complaint / Request:



Animal Impoundment, any animal not kept in conformity with the Animal Control Laws may be impounded, or a citation may be issued to the owner to appear in court; or both. [jump](#)

[Lost Pet Form \(pdf\)](#)

[Links](#)

[Navajo Nation Animal Control Presentation \(pdf\)](#)

This is a larger document and may take some time to download. Content contains some graphic images that may not be suitable for younger patrons.

Helpful Information

[2020 CLVC / Shelter Information](#)

[Voluntary Animal Surrender Sites](#)

[Canine Distemper Vaccination](#)

[Shelter Animal Service Delivery / Cost of Animal Wellness Services](#)

[Table of Penalties](#)

[Rabies Vaccination](#)

[Feline Distemper Vaccination](#)

[Parasites Cats / Dogs](#)

-- Public Message --

The Animal Control Program is dedicated and committed to the professional enforcement of Animal Control Laws established by the Navajo Nation Council, to protect the health, safety, and property of peoples and animals, address responsible pet ownership, over-population, disease, and neglect of animals through education, and promote foster programs, spay and neuter clinics and animal adoption programs through public, other agencies and organizations for the benefit of present and future generations.



White Paper Analysis of Law Enforcement Activities & Functions

Navajo Nation Animal Control Program

Glenda Davis, Program Manager

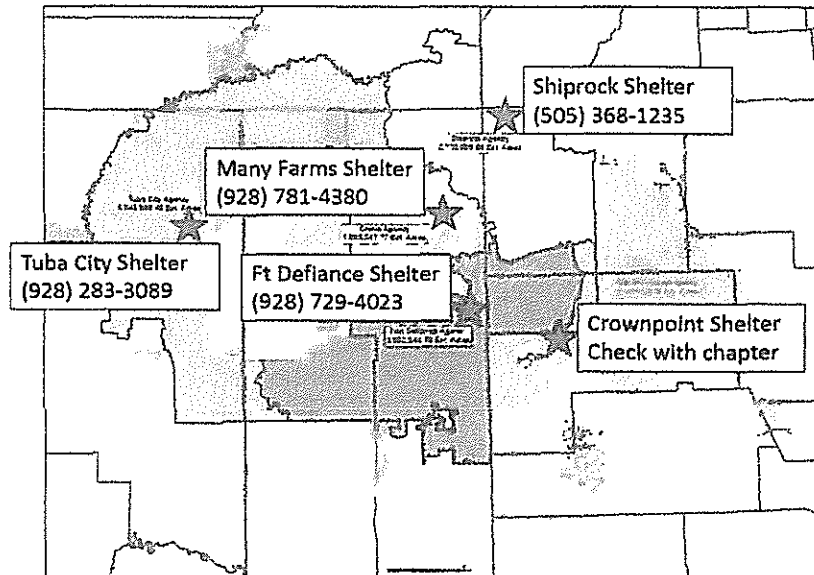
January 17, 2017



Navajo Nation Animal Control Program

PO Box 1480
Window Rock, AZ 86515

www.nndfw.ar1
Animal Control Program

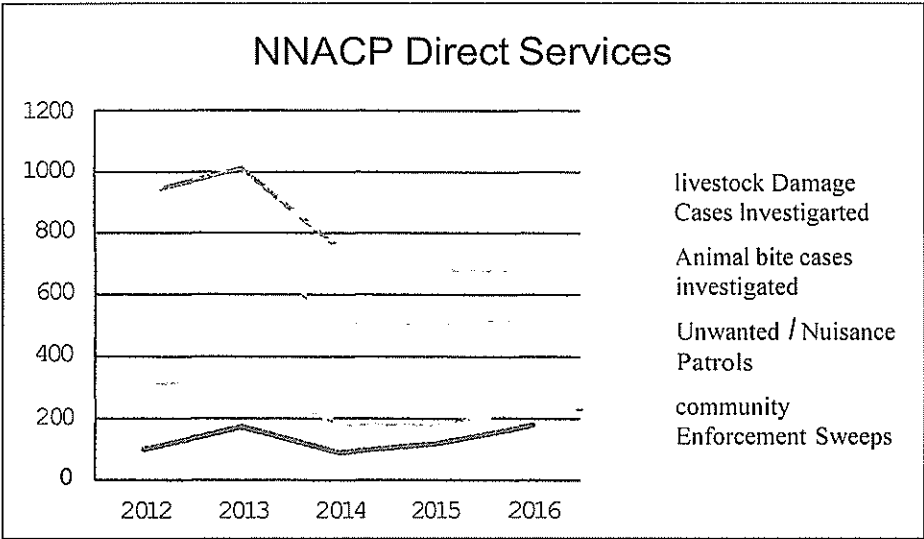


Introduction

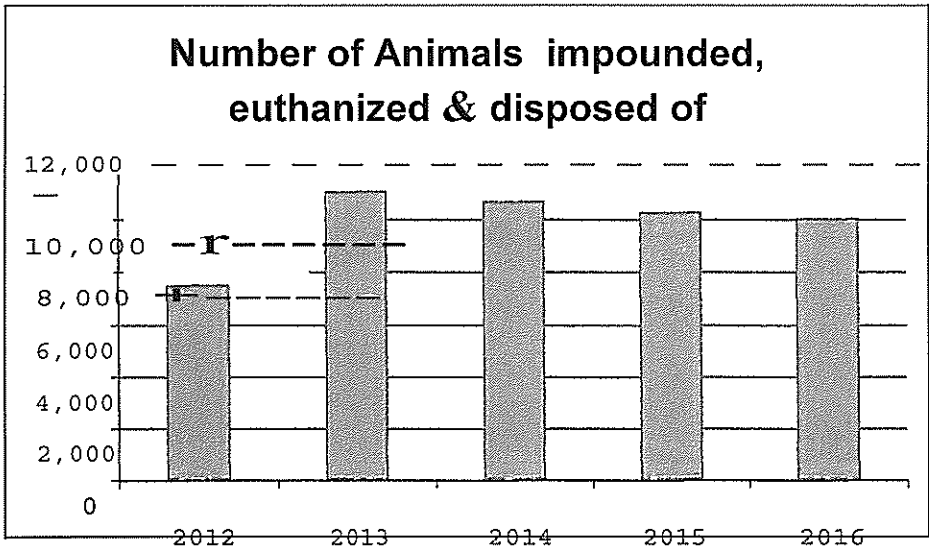
The purpose of the Animal Control Program is to enforce the animal control laws established by the Navajo Nation Council, to protect the health, safety and property of people and animals, address responsible pet ownership, over population, disease and neglect of animals through education, and in the spirit of cooperation, promote and foster spay and neuter clinics and animal adoption programs through the public, other agencies and organizations for the benefit of present and future generations. (Resolution: GSCD-87-02 NNACP Plan of Operation)

Problem Definition

The number of dog bites and livestock damage cases consumes 85% of our field officers' time. While our officers are addressing these investigations, the number of general traffic and service calls accumulate. The sheer volume of dogs running-at-large, the increase of vicious animals on school campuses and unwanted animal pick up requests is alarming within all Navajo Nation communities.

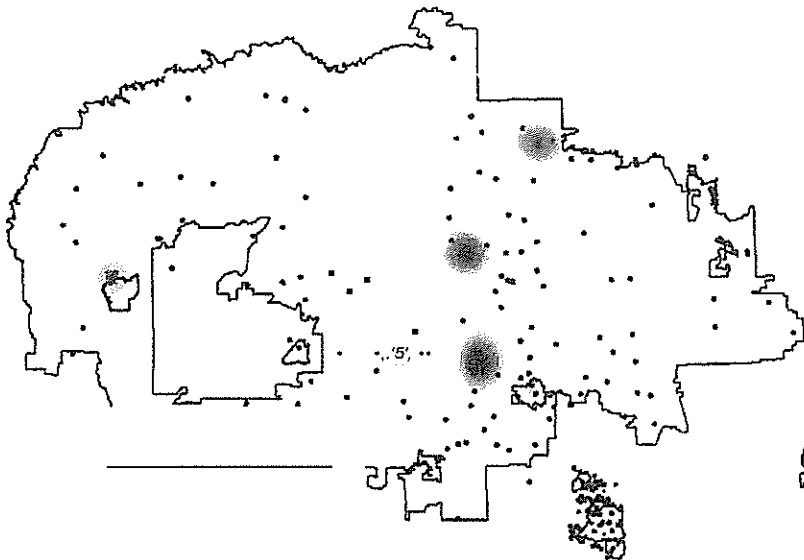


A Navajo Nation wide effort for Rocky Mountain Spotted Fever Prevention and the coordination of Navajo Nation Progras demonstrated an increase in direct services across all direct service avenues in 2013. The additional funding in 2013, made a remarkable difference in direct services and cases investigated. Whether this decreasing trend is due to a decrease in funding as a direct correlation or if the animal numbers are actually decreasing is difficult to measure after 2013.

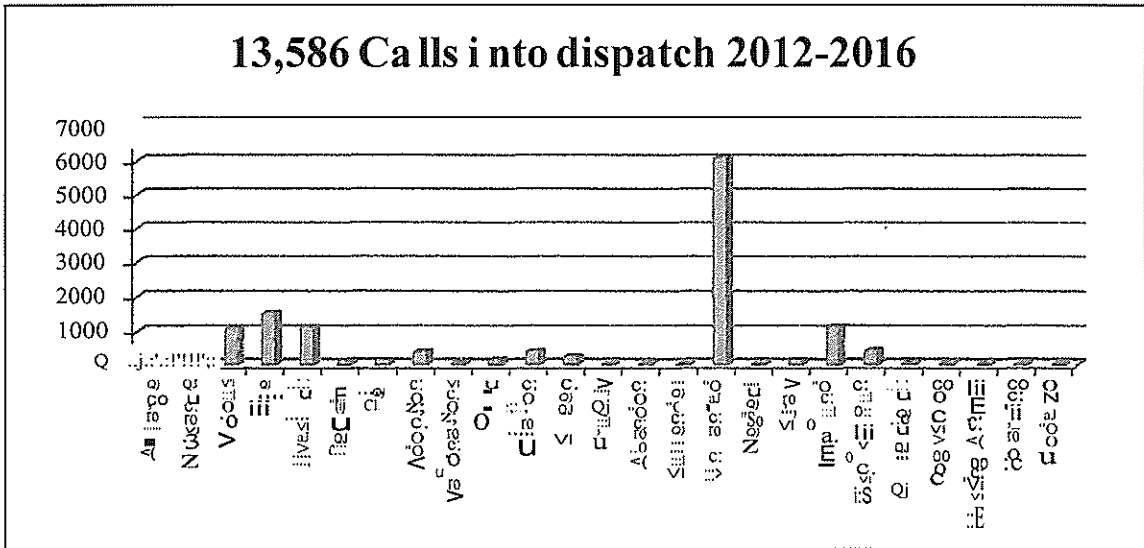


Given that on an annual basis, over 10,000 animals are impounded, euthanized and disposed of brings to question if we truly have any control of our animal population.

The Department of Fish & Wildlife has a single dedicated dispatch personnel for all law enforcement within the department. Communication directly to field officers is critical for the safety of the officers and the investigation of the violation in progress. The following is a summary of the data on the calls received between 2012-2016.



*Concentration of calls over Navajo Nation communities between 2012-2016 from dispatch data; Over 17,056 calls for all of Department of Fish & Wildlife – 65% related to Animal Control at 13,586



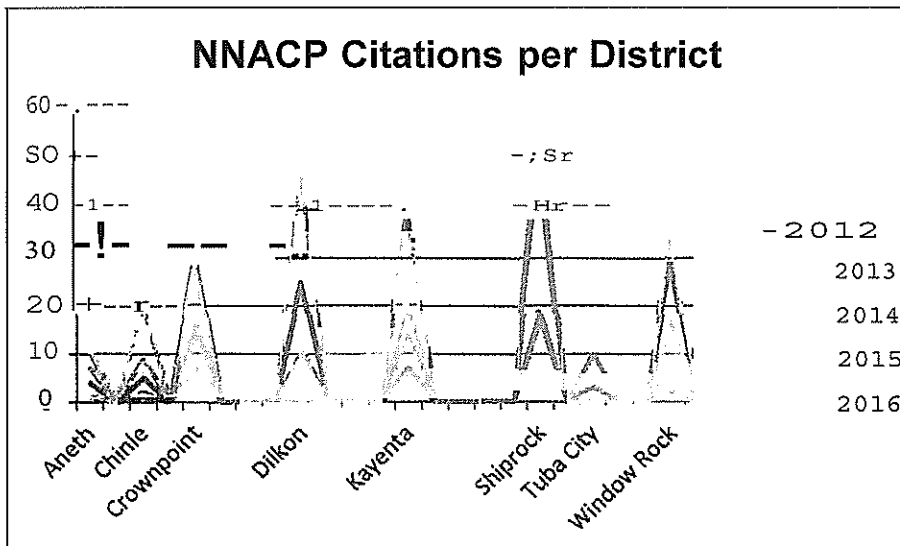
*Breakdown of calls -TOP FIVE: 6,078 Unwanted animals, 1,529 Bite cases, 1,135 Impounded animals, 1,118 Livestock Damage and 1,087 Vicious dogs.

Statistics law enforcement district (Window Rock, Chinle, Dilkon, Tuba City, Kayenta, Shiprock, & Crownpoint)

The Navajo Animal Control Program reported that 1,024 citations were filed in Navajo Nation courts from 2014 - 2016. The Program began monitoring citations in 2014 therefore any previous data was not available for this report.

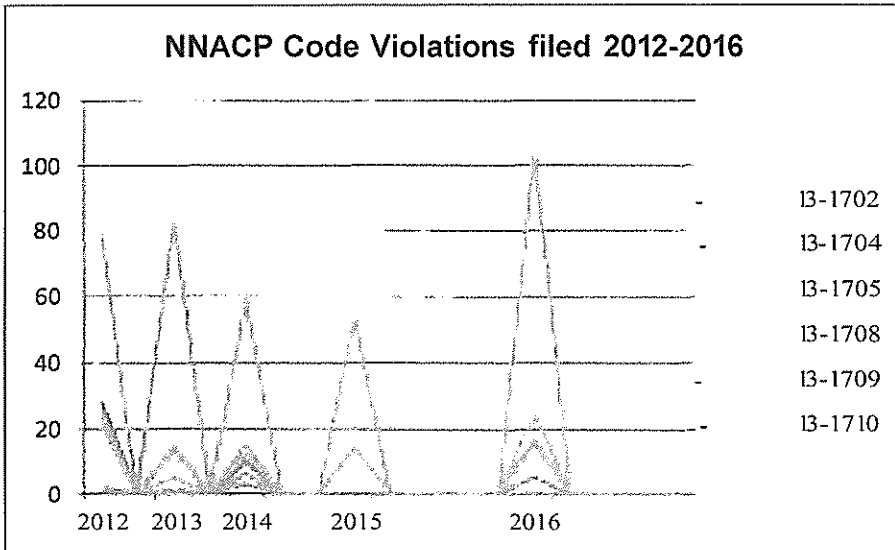
An official review of our citations was requested and compiled by Melanie A. Price. The report was received January 19, 2017. The following information is a summary of the data.

Over a five-year period between 2012 - 2016, six hundred red twelve (612) citations were reported to be filed into the Navajo Courts. Comparing the Animal Control Program data between 2014-2016, the report from the Courts defines that 340 citations were filed whereas the Animal Control Program has reported that 1,024 citations were filed with the courts for the same timeframe.



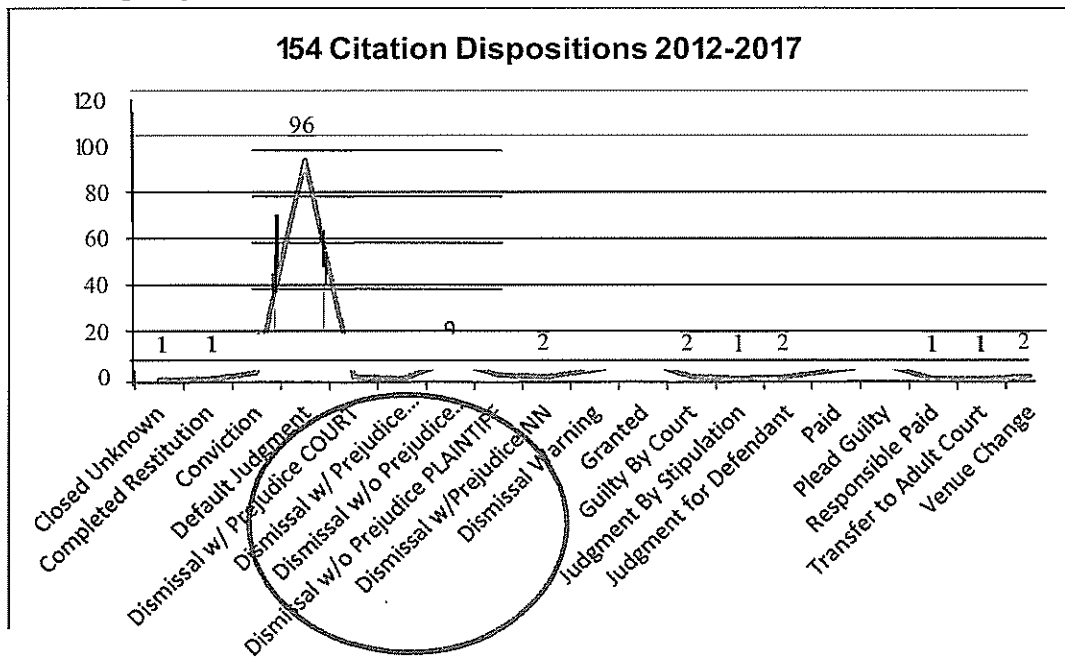
*Window Rock (District 1) - 90 cases filed, Shiprock (District 2) - 162 cases filed, Crownpoint (District 3) - 96 cases filed, Tuba City (District 4) - 13 cases filed, Chinle (District SJ - 37 cases filed, Kayenta (District 6) - 87 cases filed, Dilkon (District 7) - 94 cases filed, and Aneth (District 8) - 33 cases filed

A breakdown of the 612 violations are demonstrated in the graph below with animals running at large the highest at 378 cases followed by vicious animals at 80 cases and other citations.

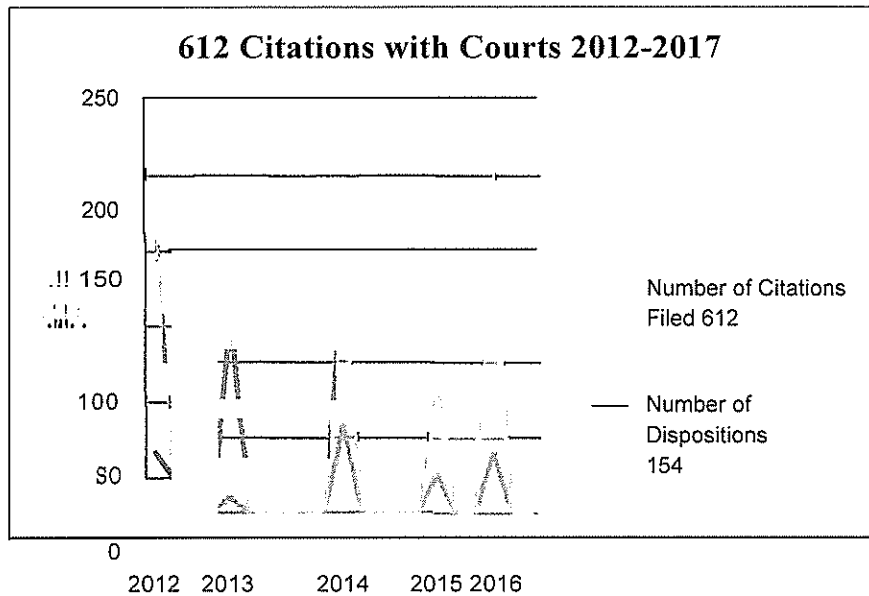


*13-1702 Animal Licenses - 68 citations (11% of 612 citations), 13-1704 Rabies Control - 68 citations (11% of 612 citations), 13-1705 Animal Bites Cases - 5 citations (1% of 612 citations), 13-1708 Nuisance Animals - 13 citations (2% of 612 citations), 13-1709 Restraint of Animals - 378 citations (62% of 612 citations), and 13-1710 Vicious Animals - 80 citations (13% of 612 citations)

The report was analyzed and reported that only 154 citations received dispositions of the 612 citations filed with the courts. Surprisingly 96 of the 154 cases had default judgements with 22 varied dismissal judgements, following by the remaining disposition results.

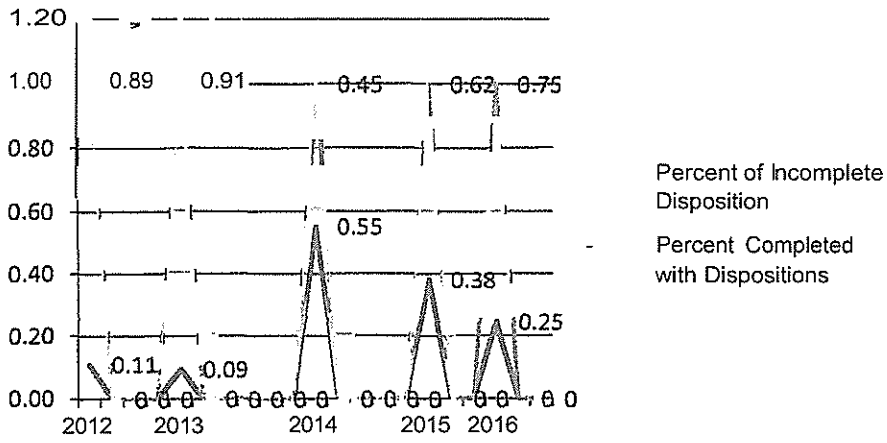


The following graph demonstrates the number of citations filed and the number of dispositions received of the 612 citations between 2012-2017.



Below are the percent of dispositions completed and percentage of pending citations presently with the courts between 2012-2016. The overall average of completed citations with disposition was 25% with 75% incomplete citations that still require dispositions. It was not revealed which districts have the specific disposition results as reported.

612 Citations with Courts 2012-2017



Upcoming Issues

Within the Animal Control Program there is a need for additional training on correctly completing citation and warnings to the general public to decrease the number of citations that are dismissed. Outside of the Program, there is a need for a better understanding of the prosecution process especially since 13 NNC 1701-1712, are civil cases. It appears that civil cases are considered a lesser priority over more serious violations.

Over the last five years there has been increase in the severity of dog bite cases. The Animal Control Officers agree that the dogs are becoming more vicious and aggressive.

A need for a massive humane education platform on responsible pet owner and relationship of pet ownership with abiding our Navajo Nation codes for the control of pets within communities.

To begin coordination of services with other programs to assist with service delivery and increasing direct services within communities and at each animal shelter.

Barriers

- To decrease the timeline between the filing of citations and the disposition of each case.
- Lapse of statutes of limitations on cases filed.
- Need to process civil cases, to demonstrate to pet owners to be more responsible for their pets and decrease fines
- Better communication on trial dates

Resource Needs

- Increase in the number of animal control officers to two per shelter and a kennel officer at each shelter
- Funding for a second dispatch
- Massive Humane Education Platform - Responsible Pet Ownership; Obey all Navajo Nation Animal Control Laws

Proposed Solutions

- Increase in the number of animal control officers to two per shelter and a kennel officer at each shelter
- Training with the prosecutors, provide some time for "animal control issues"
- Develop a system to track citations, monitoring citations within the courts. "Just ware" Training on platform and use

Summary

After review of the data, a few specific areas need to be reaffirmed. The data submitted from the district courts, document that 612 citations were received but only 154 dispositions were completed, an estimate of only 25% of citations have dispositions. Of the 154 dispositions, 96 had default judgement with an additional 22 citations that were dismissed. The Animal Control Program is concerned that our citations are not taken serious within the courts, since only 25% have been processed with 460 filed citations pending within the courts since 2012.

Over the three year period, the Animal Control Program reports that 1,024 citations were filed by the officers where only 340 citations were received by the courts.

The dispatch call density map has the communities of Window Rock, Chinle and Shiprock as the areas requesting for a majority of the assistance from the Department of Fish & Wildlife and Animal Control Program.

The personnel of the Animal Control Program expend over \$800,000 in financial resources to keep the Navajo public safe and control our animal numbers. We are seeking your support to recognize the issues and assist the program to prosecute cases in a timely manner.

The humane education effort of the Animal Control Program requires cooperation and acknowledgement that our animal issues are really - People Issues.

Call to Action - "Safety for th**People & Animals**"

NAVAJO NATION



ANIMAL CONTROL

[NNAC Home](#)[Personnel](#)

The Navajo Nation currently lacks an effective Animal Control Program and adequate Animal Shelters. Because of this, we are unable to provide services in a variety of areas such as: aggressive enforcement of laws, vaccinations, livestock damage investigations, animal-bite investigations, quarantines, adoptions, pick-up of stray/unwanted animals, dead animal disposal, and assisting with spay/neuter clinics. As a result, over **3,000** individuals are treated **each year** at hospitals and clinics for animal attacks and bites. The majority of victims are children and elderly. Some of these victims are transported to other hospitals for special treatment.

Currently there are only five Animal Control Officers employed to address animal control issues for the entire Navajo Nation. These Officers can only provide services that have been determined as priority, such as bite cases and livestock damage. Officers are stationed in each of the five agencies (Ft. Defiance, Chinle, Shiprock, Tuba City and Crownpoint). Without an adequate Animal Control Program, we place the public's health and safety at risk.

The Animal Control Program must have additional funding to accomplish the following:

- Build and establish adequate comprehensive animal control centers in each agency that will serve as an animal shelter and adoption/vaccination centers;
- Reduce the number of bite cases that occur to children and elderly;
- Provide adequate services to BIA schools/housing, HIS Hospitals/housing, other schools/housing, and chapter communities;
- Reduce the number of livestock loss/damage cases by dog attacks;
- Develop an education program to address responsible pet care and an awareness of proper animal ownership;
- Address complaints received from guests/visitors regarding stray dogs and 'road-kills' they see when visiting the Navajo Nation;
- Address the over-population of dogs and cats within the Navajo Nation;
- Promote spay/neuter clinics;
- Enforcement of Navajo Nation animal laws.

The Animal Control Program is dedicated and committed to the professional enforcement of Animal Control Laws established by the Navajo Nation Council, to protect the health, safety, and property of peoples and animals, address responsible pet ownership, over-population, disease, and neglect of animals through education, and promote foster programs, spay and neuter clinics and animal adoption programs through public, other agencies and organizations for the benefit of present and future generations.



THE NAVAJO NATION

Proclamation

**RECOGNIZING THE MONTH OF MARCH 2021
AS THE "NO PLACE LIKE HOME" CHALLENGE
FOR ALL NAVAJO NATION PET OWNERS**

WHEREAS, the Navajo Nation has established animal control laws to protect the health, safety and property of people, which includes yearly licensing, microchipping, vaccination and confinement of dogs and cats; and

WHEREAS, Navajo children, elderly persons and livestock have suffered injuries, loss of life, from animals that run at large across the Nation; and many dogs and cats suffer from neglect, abuse, disease and injury and roam the Nation in search of food, water and shelter; and

WHEREAS, this situation is a threat to the public health, safety and welfare of Navajo communities; and

WHEREAS, Navajo citizens are required to abide by the animal control laws and should implement the following measures: microchip household pets; vaccinate to prevent diseases such Rabies and Parvo; deworm to reduce the number of parasites; and confine pets indoors or within an enclosed area.

NOW, THEREFORE, I, JONATHAN NEZ, President of the Navajo Nation, and **I, MYRON LIZER**, Vice-President of the Navajo Nation, with First Lady **Phefelia Nez** and Second Lady **Dottie Lizer**, do hereby proclaim the month of March 2021 as the "No Place Like Home" Challenge for all Navajo Nation pet owners to acknowledge that the best place for pets is at home and urges Navajo citizens to Microchip, Vaccinate, Deworm and Confine their pets for the health, safety and welfare of our communities.

PROCLAIMED THIS 24TH DAY OF FEBRUARY 2021

Jonathan Nez, *President*
THE NAVAJO NATION

Myron Lizer, *Vice President*
THE NAVAJO NATION

Phefelia Nez, *First Lady*
THE NAVAJO NATION

Dottie Lizer, *Second Lady*
THE NAVAJO NATION

NAVAJO NATION

1021

4/19/2022

Navajo Nation Council 2022 Spring Session

11:46:36 AM

Amd# to Amd#

Legislation 0002-22: Amending

PASSED

MOT Wauneka, E

Title 17 of the Navajo Nation

SEC Nez, R

Code to Establish Criminal Penalties for Vicious Dog and...

Yeas : 23

Nays : 0

Excused : 0

Not Voting : 0

Yea : 23

Begay, E

Daniels

Slater, C

Tso, E

Begay, K

Freeland, M

Smith

Walker, T

Begay, P

Halona, P

Stewart, W

Wauneka, E

Brown

Henio, J

Tso

Yazzie

Charles-Newton

James, V

Tso, C

Yellowhair

Crotty

Nez, R

Tso, D

Nay : 0

Excused : 0

Not Voting : 0

Presiding Speaker: Damon