

INTRODUCTION

Animal cruelty is on the rise in New Mexico, especially with equines (horses, donkeys, mules), but so is prosecution of those who do not adequately feed and care for their livestock. Law enforcement actively searches out cases of neglect and cruelty. Today, district attorneys and judges look at cruelty cases before them with a new sense of sobriety.

Cruel treatment is defined by New Mexico law to include two general types of actions: intentional actions and failure to act. Intentional cruel actions (abuse) include intentionally or maliciously torturing, mutilating, injuring, or poisoning an animal; maliciously killing an animal; killing an animal without lawful justification; or tormenting an animal.

Cruel treatment also includes situations where a person has failed to act or failed to provide (neglect) necessary food or care. Failing to act or failing to provide care rises to the level of cruelty when it involves either negligently mistreating, abandoning, or failing to provide necessary sustenance to an animal under a person's custody or control (Figure 1). Even failing to provide necessary veterinary care can fall under this category.

SIGNS OF EQUINE NEGLECT OR ABUSE

Signs of neglect may include:

- The equine is severely emaciated (starved and extremely thin) and/or dehydrated and appears too



Figure 1. Thin, unthrifty horses that may represent criminal neglect or abuse. (Photo courtesy of Shawn Davis, New Mexico Livestock Board Area I Supervisor. Used with permission.)

- weak/injured to stand, or is near death. The immediate area offers little if any feed or drinkable water.
- The equine is hung/caught in a fence or other structure and unable to free itself.
- The equine may have body sores, excessively long hooves, painful lameness, or other injuries with severe pain/distress indicative of a lack of routine care.
- The equine appears to be suffering from heat-stroke or, conversely, frostbite, and the immediate area offers no access to shelter from the elements.
- Depending on the severity, some of these signs may also indicate abuse.

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