

Questions and Answers Regarding “General Affidavits”

Why has a General Affidavit been given to me?

The Animal Services Division recently received a report from either you or another citizen which indicated that you were an eye-witness to violations of either County or State laws dealing with animals. Since our staff did not witness these events, in order to investigate and possibly prosecute these violations, we must rely on citizens who did see the event to provide us with their statement(s) about what they saw.

Why did you leave me more than one form?

In case more than one person has information pertaining to this violation, we would like to obtain statements from as many witnesses as possible. If you know of others who can contribute to this investigation, please give them one of the “General Affidavit” forms. Additional witnesses may help us to find a successful resolution to these violations.

Does the affidavit need to be notarized?

Yes, and to make it more convenient for you to do this, most of our Animal Control Officers are Notary Publics. They can notarize this document for you **if** signed in front of them. There is no charge to you for this service if the document is notarized by an Animal Services staff member.

Do I have to mail this form in to the Animal Services Office when it is completed?

No. Simply call our office and request an Officer come by to pick up the affidavit(s). These will then be taken back to our office and reviewed for correctness. You also have the option of bringing these documents in to our office, or they may be mailed to us. The affidavit(s) will be included in our investigative file that is being prepared in order to help resolve this animal related problem.

Do I have to appear in court if I fill out one of these affidavits?

Not necessarily. If the defendant is issued a citation for violation of a County Ordinance, they usually have an option to pay a fine and avoid any Court appearances. However, if the defendant chooses to contest the charge and enter a plea of innocent, a final hearing will be set before a Judge. In that case, you and any other witnesses who filled out affidavits will be subpoenaed to appear in Court to testify. Our investigating Officer will also appear to testify. Keep in mind that fewer than 25% of citations result in Court action requiring witnesses to appear to testify. If the charges are *criminal*, the case will be referred to the State Attorney’s Office for prosecution consideration. Defendants in these cases may plead innocent as well, which could result in a jury trial. In those cases, witnesses are subpoenaed to testify on behalf of the State.

What should I do if the problem continues or recurs?

Contact the Animal Services Office again. If this continuing or recurring incident is witnessed by you or others, we may again request that affidavits be completed to document the offense. This will allow for progressive enforcement and the possibility of additional charges being made against the violator. Fines for County Ordinance violations double with each subsequent infraction and each day that the violation exists can constitute a separate offence. The new affidavits provide evidence to a Judge that the violation is continuous in nature.

If you have any question regarding the use of these forms, please call our office.

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