

**Wolf case: Charges are not warranted**

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SOCORRO — No charges will be filed regarding allegations made by a New Mexico Game and Fish biologist that a USDA Wildlife Services predator control officer pointed a firearm at her following a lethal take of a problem Mexican grey wolf in Catron County on July 5.

Seventh Judicial District Attorney Clint Wellborn released a letter of findings Tuesday in the case of Angela Dassow, 26, who had a summer job as a biologist with the New Mexico Game and Fish Department. Dassow resigned her position after the alleged incident.

On the day of the alleged incident, Dassow had been sent by N.M. Game and Fish officials to notify USDA predator control officers that a lethal take order of Alpha Female 924, a Mexican grey wolf, had been rescinded.

Wellborn said a review of two investigations — one conducted by Catron County Sheriff's deputies in conjunction with a New Mexico Game and Fish sergeant and a New Mexico State Police officer, and an independent investigation by a special agent from U.S. Fish and Wildlife Services — show that no crime was committed and he has closed the case at this time.

"Based on all the evidence I have reviewed and relying heavily on the statements given by Ms. Dassow, I see no crime that was committed and no charges that could be filed," a letter from Wellborn to Catron County Sheriff Shawn Menges reads.

Wellborn said that a critical element of the crime is that the victim must have believed that the accused was going to cause her to receive immediate battery or cause her harm in some manner.

Wellborn said that in both investigations Dassow never said she was in fear of her life.

"Well, I mean I didn't feel warm and fuzzy inside, but, I mean, I didn't think he would actually shoot me," the letter cites Dassow's testimony given to Catron County deputies.

Dassow told the Albuquerque Journal in a copyright story Wednesday that the outcome was "pretty much exactly how I expected things to turn out."

In a telephone interview with the Journal from her Wisconsin home, said she told investigators she thought she had a 50-50 chance of being shot.

"To me, that means I felt threatened," she said. "But apparently they have a different interpretation."

Wellborn said Wednesday that it did not come out until the second interview with a U.S. Game and Fish agent how the gun, that Dassow alleges was pointed at her, was handled by USDA officer Bill Nelson.

According to the letter, Dassow told special investigator James Ashburner with U.S. Fish and Wildlife, that Nelson "shook a black rifle in her direction and told her she had no right to be there."

According to the letter, Dassow told Ashburner that Nelson held the rifle by the fore stock with the barrel pointed towards the sky and the butt of the gun towards the ground.

Wellborn's letter also indicates that Dassow failed to cooperate with investigations and Menges said Wednesday that she failed to return a signed release for her medical records on the day of the alleged incident and has not answered or returned messages left on her cell phone by Catron County Sheriff's investigators.

Menges said the department will not be seeking to file charges against Dassow for impeding the investigation.

"I don't think at this point we will pursue anything like that," he said.

Wellborn said Dassow could not be cited for filing a false report.

"I don't think I can say she lied," he said. "She is saying (Nelson) pointed a gun at her, but her actual description is not actually pointing a rifle."

Last week, eight environmental groups lead by the Forest Guardians asked for an independent federal investigation into the incident because of anti-wolf statements by elected officials in Catron County.

Forest Guardians officials could not be reached as of press time Wednesday but Michael Robinson with the Pinos Altos Center for Biological Diversity, one of the eight organizations in the petition, said an official investigation is still being sought.

"It is clear that where there is no physical evidence it is hard to press charges," he said. "But that does not mean there was not

rogue behavior by USDA Wildlife Services agents."

Robinson said an investigation leading to possible internal discipline of the USDA officer should still be conducted by the Inspector General's office.

The Associated Press contributed to this report

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