Police chief loses dispute suit against city

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District Court Judge Robert Aragon ruled in favor of the city of Gallup in the city's dispute with Gallup Police Chief Phillip Hart over use of community service aides to pick up drunks.

Aragon held a day-long bench trial on the issue Feb. 28 rejecting Hart's interpretation of state laws dealing with placing intoxicated persons in detox centers like NCI.

Hart has been fighting with the city since last summer over this issue, claiming that state law requires a certified police officer or a doctor to sign someone in to a detox center. He argued that community service aides don't have that authority.

The city, however, argued that under state law community service aides are considered peace officers and do have that authority.

The issue has become somewhat moot in recent months since Hart has been assigned a certified police officer to be available to sign in people to NCI, thus maintaining the state law as he sees it.