

## **Animals' Angels investigation of the Billings Auction and Slaughter Horse Transport in Montana**

**Dates:**

**10/27/12-10/29/12**

**Location:**

2443 N Frontage Rd  
Billings, MT 59101

**Background Information:**

The Billings Livestock Commission sells cattle every week on Thursdays. The 4<sup>th</sup> weekend of each month, BLC holds one of the largest horse sales in the country, selling 500 to 1100 horses on any given weekend. Riding horses sell on Saturday, while the majority of the loose horses are sold on Sunday. Since 1984 the auction is owned by Joe Goggins, horse sale managers are Jann & Bill Parker.

**10/27/12**

Investigators arrived at the sale at 2:00pm. The large auction has an extensive outdoor pen area, a restaurant, stalls, a riding arena and multiple parking lots.

The riding horse sale was already ongoing. There were approx. 900 horses & 150 cattle in the pen area. Riding horses were kept in pens closer to the auction, while the loose horses were kept in large pens in the back. All animals had access to hay and water. Close to the pens in the back were also two loading ramps and a small office to check horses in and out.



The loose horse pens were already crowded. In one of the pens, a mare and her foal were observed put in together with the other horses. The mare was very nervous and was trying to protect her foal, which resulted in fighting and kicking in the pen. They should have been segregated from the other horses. Overall, the condition of the horses observed was satisfactory.



It was noted that several known kill buyers were already in attendance. The truck and trailers of buyers Scott Kurtenbach from Lawler, IA, Jason Fabrizio from Colorado and Bill Richardson from Brookston, TX were observed in the parking lot. A long line of trucks was waiting in line to unload horses. Investigators left to return the next day for the loose horse sale.

**10/28/12**

Investigators arrived at the sale at 9:00am. The loose horse auction had already started and workers were moving large groups of horses through the pen area on horseback. The loose horse pens were much more crowded than the day before. The horses were very nervous and a lot of fighting and kicking was observed. A gelding with auction tag number 1330 apparently had obtained a fresh, profusely bleeding face injury in the fight. He was shaking and stood completely terrified in the corner of one of the pens. The workers showed no consideration for the fighting horses. A stud colt was unloaded and put together in a pen with mares and geldings, resulting in immediate fighting.



*Gelding with fresh injury*



*Thin horse covered in scars*

Several horses in poor condition were observed. Investigators noted thin horses, horses covered in scars, 1 horse with extremely overgrown hooves and several horses that were lame and limping.



*Sorrel gelding with overgrown hooves*

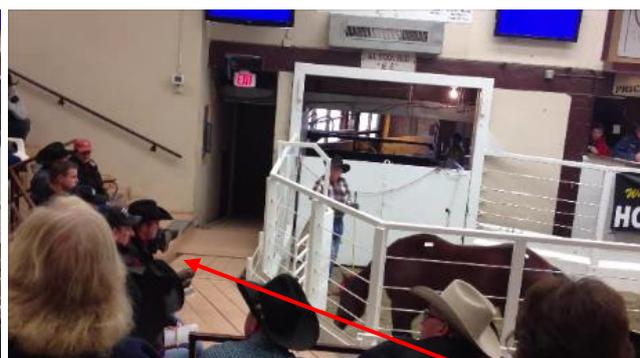
One pen contained a group of 10 stunning, black Percheron mares, all pregnant with several foals by their side. They were discarded by a breeder from Spokane, WA.



Inside the auction ring, the kill buyers were occupying the front rows. Buyer numbers 398, 578 and 463 bought the majority of the loose horses. They were sold at an extremely fast pace, each horse spent approx. 30 sec. in the auction ring. A horse with a missing eye was sold for \$1 to a local trader.



*Auction Ring*



*Kill buyers in the front row*

**1:10pm**

Investigators left the auction ring to check on the loose horses all the way in the back of the premises. While walking behind the back pens, they noticed that a calf had been dumped next to the auction's manure pile, hidden behind a fence. It was still alive, but three of his legs appeared to be broken. It desperately tried to get up, but was only able to crawl. Investigators documented the calf and the location and then waited to see if someone from the auction would arrive to address the situation.



In the meantime, the Peterbilt truck and single deck trailer of kill buyer Charles Carter from Kersey, CO had arrived. The truck (DOT 1373008) backed up to the loading ramp immediately and started loading at 1:30pm.



*Carter truck at ramp*

**Background information:**

Carter has accumulated more violations of the Commercial Transport of Equines to Slaughter Regulations than any other kill buyer, owing the USDA approx. 242,075.00 USD in fines.

(Case numbers: CO05017, IL05002, IL05050, IL05066, IL05136, IL05137, IL05138, IL05139, IL05141, IL05151, IL05154, IL05158, IL05159, IL05165, IL05175, IL05176, IL05180, IL05183, IL05188, IL05197, IL06005, IL06006, IL06007, IL06008, IL06009, IL06012, IL06032, IL06033, IL06051, IL06052, IL06060, IL06085, IL06160, IL07022, IL07180, IL07181, IL07182, IL07183, IL07185, MO07002)

These violations are extremely severe and include the deaths of numerous horses during transit to the slaughter plant and countless gruesome transport injuries. He is responsible for shipping double blind horses, horses unable to bear weight on all four legs, mares giving birth during transit and non-segregated stallions.

To date, he has made no attempts to pay these fines. Carter is one of the larger kill buyers and ships horses to the Beltex feedlot in Morton, TX.

Jason Fabrizius, who had been buying the horses for Carter, helped the driver load the horses. Both men had whips and were using them **excessively to force the horses into the trailer, striking the animals across their faces with full force.** They finished loading 20 minutes later and the truck with his solo driver left the premises shortly thereafter.



*Carter driver hitting horse*



*J S Rodeo Ranch truck at ramp*

At 2:22pm, a black J S Rodeo Ranch truck (DOT 1052114) from Belt, MT with a white single deck trailer arrived, backed up to the loading ramp and started to unload cows. Workers were moving large groups of horses closer to the loading area. Inside the large pens they were then tagged for slaughter and one of the workers removed their shoes.



At 3:30pm, the J S Rodeo Ranch truck started loading the slaughter tagged horses. 15 minutes later the loaded truck left the premises.

Immediately afterwards, Kurtenbach hauler Sheridan Trucking (DOT 551306) backed up to the ramp and started loading. He left the auction at 4:00pm.



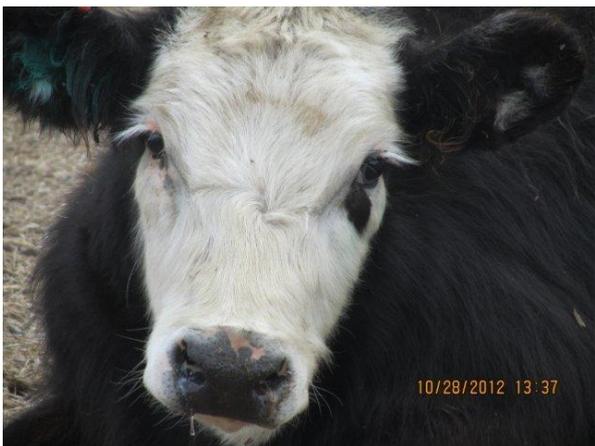
*Kurtenbach hauler Sheridan from Iowa*



*B R Ranch truck*

**4:11pm**

Three hours after investigators had discovered the non-ambulatory calf, still no one from auction management had addressed the situation. Investigators decided to call local law enforcement to get help. 15 minutes later, a police officer arrived on the scene. While he first seemed to be willing to help, his attitude changed as soon as he talked to someone from the auction. He informed investigators that the auction was well aware of the calf, but that they were not going to euthanize it while the sale was ongoing in order to not scare/alert auction visitors. Investigators responded that the calf was suffering and needed to be euthanized right away. Ignoring their concerns, he stated that he agreed with the auction's decision and left without another word.



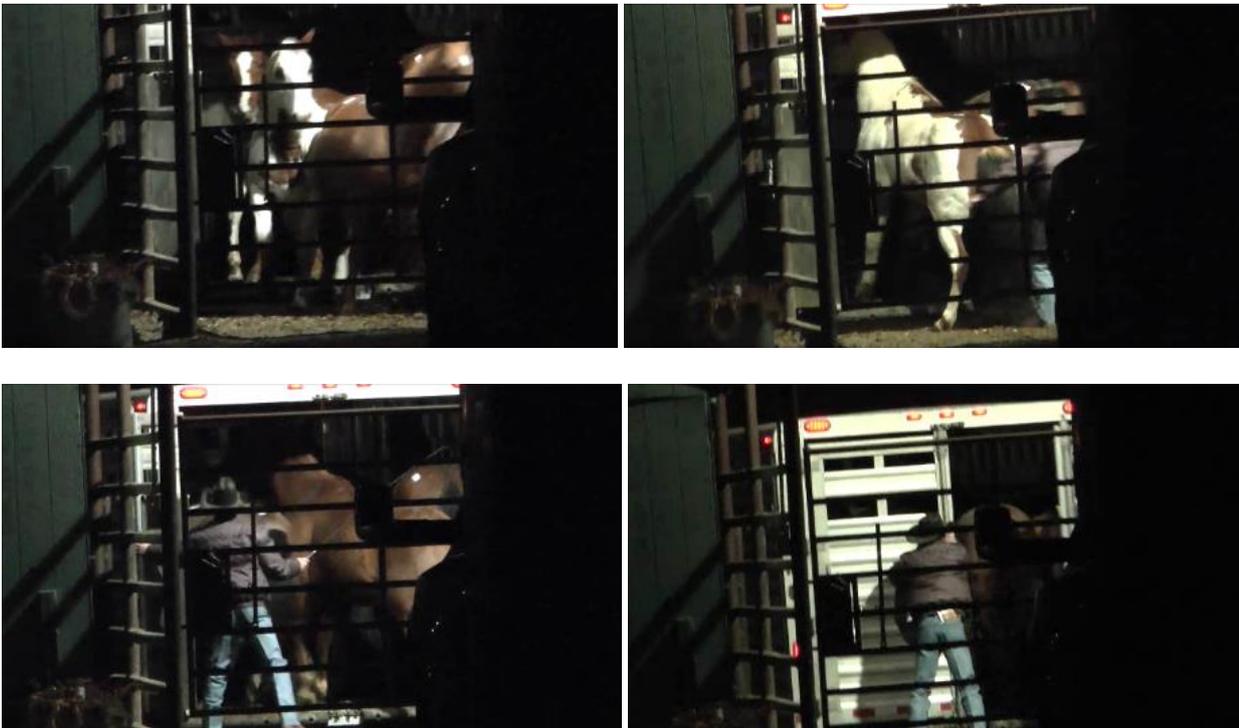
Investigators called animal control and several other organizations in the Billings area, but since it was a Sunday, no one was available.

Meanwhile at the loading ramp, Bill Richardson's truck was the last one to load. Investigators noted that his BR Ranch truck did not display any DOT number. His driver started loading the front compartment of his trailer at 6:00pm. At 6:47pm, he added another horse to the front and then disappeared.



**7:30pm**

Jason Fabrizius drove to the back of the pens and started loading his trailer. Again, the handling observed was very rough and impatient. He put way too many horses into the trailer, forcing them to move forward with excessive hitting.



He finished loading 10 minutes later and left the premises. Investigators heard the horses crammed inside kicking the trailer sides and fighting.

**At 8:00pm**, a black car drove by the loading ramp and headed straight to the calf next to the manure pile. Several people and a dog exited the car, making it impossible for investigators to approach the location close enough to observe what was happening in the dark.

At 9:00pm, Richardson finally loaded the 2nd compartment. The truck left the auction at 9:25pm and pulled into the nearby truck stop. By then, the 13 horses in the front compartment **had already been on the trailer for 3.5 hours**, which is completely unacceptable. Investigators counted 30 horses inside the trailer. At 10:11pm, the truck left the fuel island and the solo driver started driving on 90 East. At midnight, the truck stopped at the Wyoming port of entry for 15 minutes. He then stopped again at the next exit to get coffee. He continued driving on 87 South. Investigators followed the truck until 3:00am and then turned around in order to be able to return to the auction the next day.



Public documents indicate that Bill Richardson ships the majority of his horses from a collecting station in Perkins, OK. From there, they continue their journey to the Presidio export pens and then to the Intermeats plant in Aguascalientes, Mexico.

Distance from Billings, MT to Perkins, OK: 1200 Miles (19 hours)

Distance from Perkins, OK to Presidio, TX: 730 Miles (12 hours, 30 minutes)

Distance from Presidio, TX to Aguascalientes, Mexico 660 Miles (14 hours)

**Total distance traveled: 2590 miles**

The same truck loaded with horses and the same solo driver were documented on **10/31/12** at 11:30am close to Presidio, TX, which confirms this route. According to eyewitness testimony, the driver was driving erratic, speeding up or slowing down for no reason and waving in and out of his lane.



*Horses with slaughter tags inside trailer*



*BR Ranch truck heading to Presidio*

The eyewitness called the Marfa police and the truck was stopped by a Deputy Garcia. According to information received from the dispatcher that day, a trooper from the Texas Department of Public Safety was also present. According to the eyewitness the dispatcher also stated that there was an issue with one of the horses when the truck was stopped. However, when additional information about the incident was requested the next day, Deputy Garcia and the DPS trooper both denied that there were any problems. According to trooper Luna, no log books were checked. **There is no explanation as to why they would not check log books, especially since a formal complaint was made about the driver's erratic driving.** Animals' Angels has requested police reports and call in sheets from that day to further investigate this incident. To date, we have not received an answer.

**10/29/12** Investigators returned to the Billings Auction at 9:00am. It was raining and the temperature that day was 52 degrees Fahrenheit. They noticed that there were still two large pens with slaughter tagged horses left from the night before. Investigators drove back to the manure pile. The calf was gone, but where it had been blood and some intestines were visible.





At 1:14pm, the black JS Rodeo truck investigators had observed the night before arrived at the auction and backed up to the loading ramp. He immediately started loading horses and left at 1:40pm. Investigators followed as the truck started heading north on Route 3. The horses were agitated and were observed biting each other inside the trailer. All of them had the green USDA slaughter tags attached.



*JS Rodeo Ranch truck at ramp*

*Horses entering trailer*



*Truck en route*

*Horses inside trailer*



At 5:00pm, the truck passed across the scales close to Great Falls. At 6:55pm, the truck arrived in Shelby, MT and drove straight to Bouvry's Bar S Feedlot. The gates were closed and the driver waited a while in front of the gates before someone from the feedlot arrived to let him in. The horses were unloaded.

END OF INVESTIGATION

## **Conclusion:**

The investigation revealed several areas of concern:

- Auction management should ensure that mare with foals as well as studs and geldings should be segregated in the pen area to avoid injuries and unnecessary fighting.
- Auction management should provide immediate attention to suffering & injured animals. Animals without hope of recovery should be euthanized without delay by a trained employee. Dumping a suffering animal at the manure pile for more than six hours is completely unacceptable. All employees should be instructed accordingly.
- Auction management should monitor all loading activity to ensure humane handling and proper loading of trailers.