

Investigation of Stanley Brothers Farms Horse Feedlot and Transport of horses for slaughter in Mexico

1. General Information

Date:

2/19/10-2/22/10

Location:

1803 Auction Barn Road
Bastrop, LA

Trucking Company:

Stanley Brothers Farms
747 HWY 8 WEST
HAMBURG, AR 71646
DOT # 451845

2. Background Information

The following investigation was triggered by a number of complaints Animals' Angels received from concerned citizens regarding Stanley Brothers involvement in the horse slaughter trade and the conditions of horses observed on the Bastrop premises. **Further research revealed numerous convictions and complaints. Animals' Angels found the following violations in public records:**

Mitchell B. Stanley, d/b/a Stanley Brothers, has a previous conviction for violation of the *Commercial Transport of Equines to Slaughter Regulations* (9 C.F. R. Paragraph 88 et seq.) He was fined **\$10,550** by USDA (A.Q. Docket No. 07-0023). Among these violations was a violation for transporting a horse for slaughter to the Beltex Corporation that was blind in both eyes.

Mitchell B. Stanley, d/b/a Stanley Brothers, was fined another **\$12,800** for violation of *the Animal Health Protection Act* and the *Commercial Transport of Equines to Slaughter Regulations*. (A.Q. Docket No. 06-0007)

Records of the Bastrop Police Department show that a cruelty complaint concerning dead animals at the Auction Barn Road property (According to the Bastrop Property Assessment Department the premises are owned by a member of the Stanley Family) was made in December 2008. According to the police report, the dispatched police officer found one dead horse and two dead cows inside the barn and three dead cows, another dead horse and a dead sheep outside. The auction manager stated that he would "*purchase sick livestock and nurture it back to health*", and that he, "*did not know about the dead animals outside the barn.*" **No investigation was launched and no charges were filed.**



Federal Motor Carrier Safety Records show the following violations for carrier Stanley Brothers Farms:

391.41(A)	D N	MEDICAL CERTIFICATE	No medical certificate on driver's possession
395.8(E)	D Y	FALSE LOG BOOK	False report of drivers record of duty status
395.8(F)(1)	D N	NO LOG BOOK, LOG NOT CURRENT, GENERAL LOG VIOLATIONS	Drivers record of duty status not current

Among the violations were also the reports of two “non fatality collisions” during 2009 while driving the company’s tractor trailer, a vehicle weighing “in excess of 26,000 tons”

3. Investigation

2/19/10 Hamburg, AR

The investigation started in Hamburg, AR. Just inside town, we saw a green Peterbilt truck attached to a double decker trailer parked at a gas station, that appeared to be out of business. The Stanley Brothers Farms company information and the slogan “Save a horse, Ride a cowboy” were written on the side of the truck. There was no activity observed and we proceeded to the auction barn in Bastrop, LA.



1803 Auction Barn Road, Bastrop, LA

The former livestock auction barn is used by the Stanley Brothers as a collecting station for horses.



At the location, there was little activity. The barn looked very run down and trash was everywhere, scattered throughout the premises including the pens and alleys. A few hours later a red Stanley Brothers truck with a single deck trailer arrived and backed up to the loading ramp. After unloading, the driver pulled to the side of the barn, unhooked his trailer and left. There was no more activity.

2/20/10 Bastrop, LA

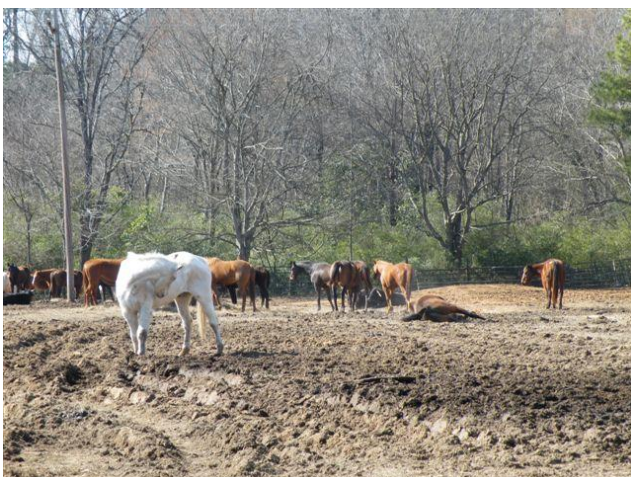
We documented the condition of the animals and the premises. The animals kept in the outside pen had access to hay and water, but no access to shelter. The pen was extremely muddy and in some areas the horses were sinking several inches into the mud. We observed a thin, white horse with a **green USDA slaughter tag** on its withers and an extremely enlarged left front knee. The horse appeared unable to bear weight on the leg. We observed the pen for several hours and never saw the horses move more than a few inches or walk over to the round bale of hay.



Slaughter tag



Distended Knee



102.1. Cruelty to animals; simple and aggravated

A. (1) Any person who intentionally or with criminal negligence commits any of the following shall be guilty of simple cruelty animals:

(a) Overdrives, overloads, drives when overloaded, or overworks a living animal.

(b) Torments, cruelly beats, or unjustifiably injures any living animal, whether belonging to himself or another.

(c) Having charge, custody, or possession of any animal, either as owner or otherwise, **unjustifiably fails to provide it with proper food, proper drink, proper shelter, or proper veterinary care.**

(2)(a) Whoever commits the crime of simple cruelty to animals shall be fined not more than one thousand dollars, or imprisoned for not more than six months, or both.

(b) In addition to any other penalty imposed, a person who commits the crime of cruelty to animals shall be ordered to perform five eight-hour days of court-approved community service. The community service requirement shall not be suspended.



2/21/10

We returned to the auction barn and checked on the white horse, which still did not bear any weight on the left front leg. There was a lot of activity and people were walking around in the pasture and the barn. However, nobody gave the horse with the injured knee any attention. We decided to wait before calling police in order to observe if someone would follow applicable law and provide the horse with “proper veterinary care.”

At 5:04 pm, the red Stanley Brothers Peterbilt truck arrived, hooked up to the single deck trailer parked on the premises, backed up to the loading ramp and loaded horses. We were unable to observe which horses were loaded. Concerned that the white horse was on the trailer, we decided it was necessary that we follow the truck.

At 6:05 pm, the truck pulled out of Auction Barn Road and proceeded south on Hwy 425. While going through the town of Bastrop, the driver hit his breaks hard at a red light, causing horses to be dangerously thrown off their feet.

Route traveled:

- **Hwy 425 to Hwy 165 South.** Truck stopped on the side of the road for 15 minutes.
- **I-20 West.** At 7:10 pm the truck pulled into a rest area before Ruston, LA until 8:25pm.



- **Continuing on I-20 West.** Driver stopped for 31 minutes in Minden, LA (exit 49) to buy food.
- **TX Hwy 31 West.** At midnight(2/22/2010), the truck turned onto TX Hwy 31 West.
- 1:15am the truck pulled into a picnic area near Powell, TX until 2:30am.
- **I-35 South.** 3:22am the truck turned onto I-35 South in Waco, TX.
- Near Austin, TX the driver appeared to be getting tired. The truck started drifting into the other lanes, speeding up and slowing down for no apparent reason.
- **Hwy 90 West.** At 6:00am truck turned onto 90 West in San Antonio, a direct route to Del Rio export pens. The truck proceeded to Uvalde, TX but then turned south towards Eagle Pass.

9:40am: The truck arrived at the Texas Department of Agriculture Export Pens in Eagle Pass. The horses were unloaded immediately. All horses walked off the truck. We did not see the horse with the swollen knee.





The truck left the pens at 9:52am. **The driver was on the road far longer than the law allows, exceeding safety regulations by more than 5 hours and 30 minutes.** Federal Motor Carrier Safety Regulations allow for no more than 11 cumulative hours; however, the Stanley Brothers driver was on the road for at least 16 hours and 37 minutes.

Federal Motor Carrier Safety Regulations 49 CFR, Part 395.3 (Hours of Service):

(a) No motor carrier shall permit or require any driver used by it to drive a property-carrying commercial motor vehicle, nor shall any such driver drive a property-carrying commercial motor vehicle:

*(a)(1) **More than 11 cumulative hours following 10 consecutive hours off duty; or***

*(a)(2) **For any period after the end of the 14th hour after coming on duty following 10 consecutive hours off duty.***

We approached export pen manager Ricardo Perez in order to inquire if the white horse with the leg injury was among the horses unloaded. Mr. Perez stated that no such horse had been unloaded and that horses that are limping or otherwise in bad condition are not accepted at the export pens.

We were relieved that the horse had not been shipped, but concerned about the pitiful condition of the horse and the fact that it continued to suffer in Louisiana. We called the police department in Bastrop. We filed an animal cruelty complaint (**Failure to provide veterinary care**), then asked them to locate the white horse and ensure the animal received much needed and legally required veterinary care. We were told a police officer would be sent out to check on the horse.

We called again the next day to check on the status of the horse and our complaint. We were told that the animal control officer did not see a horse in the condition we described. The police officer then said that this would not be surprising. He stated that there had been complaints in the past, but they all went nowhere because the Stanley family had money and no one in Bastrop would touch them. We insisted that someone else from the police department return to the premises and look for the horse again.

2/23/2010

Detective Tappin from Bastrop Police Department called and informed us that he visited the auction barn and found the white horse with the swollen knee and another horse that had “*something wrong with its testicles*” The police subsequently contacted the Stanleys who claimed that the white horse was abandoned on the premises and did not belong to them.

The Stanley’s claim that the white horse had been abandoned on their property seemed very improbable since the horse wore a green USDA slaughter tag on his withers and was inside the barn when the police officer found it. Additionally, they had never reported an estrayed horse and filed a police report as estray laws require.

When we did not receive any more information from Detective Tappin, we contacted Chief of Police Downy Black to clarify the situation. He told us that the Stanleys had been advised to obtain veterinary care for both horses since they were on their property and their responsibility. He informed us that the police report and pictures of the horses had been sent to City Attorney John Bentley.

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3/1/10

We called Detective Tappin again and he informed us that when he went out again on 2/24/10 to check on the white horse it was gone. He did not inquire what had happened to it nor did he find it necessary to investigate further.

We contacted the City Attorney to inquire about the status of our complaint. Mr. Bentley appeared to have no or very limited knowledge of animal cruelty laws in his state. He informed us that he would have to do further research and that he would get back to us. We provided him with a copy of applicable animal protection laws.

3/11/10

After almost three weeks with no new information or knowledgeable response from any of the Bastrop officials involved, we contacted the City of Bastrop Code Enforcement Officer, Mr. Ernest Lee.

Bastrop Code 5-4. Responsible animal care – General

It shall be unlawful for any owner or harbinger of a domestic animal not to provide for such person's animal:

(3) Veterinary care to prevent suffering.

Code Enforcement Officer Lee was the investigating officer who handled the 2008 cruelty complaint mentioned at the beginning of this report. At that time, several dead horses and cows had been found on the Auction Barn property. Officer Lee informed us that he had researched the law during the prior case and that he found that neither Louisiana Cruelty Laws nor the City of Bastrop Code apply to this situation. He explained that because the animals were already in bad health when they were purchased by the Stanley Brothers, they could not be held accountable if one of these animals dies.

We attempted to explain to him that any animal became Stanley Brothers' responsibility at the time of purchase. We explained that a pre-existing condition does not justify neglect and the denial of veterinary care. Officer Lee, like City Attorney Bentley, seemed unable to understand what Police Chief Black recognized when he told us that the Stanleys had been advised to obtain veterinary care for both horses since the horses were on the Stanley's property and were their responsibility.

Officer Lee responded by insisting there was nothing he could do.

Conclusion:

The investigation revealed that the complaints Animals' Angels received about Stanley Brothers Farms were correct. Violations of Louisiana Animal Protection Laws and Federal Motor Carrier Safety Regulations have been documented. The investigation also raises questions about the seeming complicity of officials, including Bastrop Police Department, the City Attorney and the Code Enforcement Officer. Despite the recent history of existing animal cruelty complaints, the substantive evidence provided to them and their own police report confirming our findings, none of the officials we contacted appeared to be willing to investigate this matter.