

Challenges to Horse Protection Act
Enforcement

Or

Why Has the Horse Protection Act
Failed to End Soring?

**Keith Dane
Director of Equine Protection
The Humane Society of
The United States**

HSUS' Role in Equine Welfare

- Inform the public
- Engage our members
- Encourage responsible horse ownership to improve horses' lives
- Advocate for animal protective legislation and regulations
- Monitor, support, question, challenge USDA to enforce federal laws

Horse Protection Act

- HPA passed in 1970 due to public outcry - soring of Tennessee Walking Horses
- 38 years later, soring persists
- Congress intended for HPA to end soring, not “regulate” it
- USDA charged with enforcement

Challenges to Horse Protection Act
Enforcement

**Why Has HPA
Failed to End Soring?**

Why Has HPA Failed to End Soring?

Three main factors:

- Cultural
- Financial
- Political

Why Has HPA Failed to End Soring?

Cultural reasons:

- Industry addicted to “Big Lick” gait
- Industry in public denial of soring
- Conflicts of interest in industry
- Violators can still participate while on suspension for HPA violations

Why Has HPA Failed to End Soring?

US Equestrian Federation – The National Governing Body for Equestrian Sport – bans suspended individuals who violate its show rules from the grounds of any sanctioned show

The TWH Industry Allows Violators of Federal Law on Show Grounds with Horses in Training while on suspension

Why Has HPA Failed to End Soring?

Cultural reasons:

- No public knowledge of soring violators
- No stigma associated with soring violations among participants
- HPA only applies to show grounds, transport
- Judges can be & are past violators
- Presentation of horses less graphic than past, leading to “perception” of improvement

Why Has HPA Failed to End Soring?

Financial reasons:

- Relatively small minority of TWH industry has much at stake financially
- Many have too much invested to change the status quo
- Some have used political connections to exert pressure on USDA to “back off” from effective enforcement

Why Has HPA Failed to End Soring?

Financial reasons:

- Local papers protect the status quo rather than advocate reform
- Emphasis is on positive economic impact on middle TN
- Ignore negative impact of stigma of soring – not to mention animal welfare concerns
- Some believe without extreme gait, TWH would no longer be exciting, attract crowds, participants, customers

Why Has HPA Failed to End Soring?

**We believe they are selling their horse,
and their breed, short.**

Why Has HPA Failed to End Soring?

Consider: Most popular breed in America:
Quarter Horse

Shown with no animation whatsoever

What if TWH did not have the stigma of soring?

Was trained and shown doing everything Quarter
Horses do?

Why Has HPA Failed to End Soring?

What would the market be for this breed?

Why Has HPA Failed to End Soring?

Fact: soring is against the law

Soring is animal abuse – no less so than cockfighting or dogfighting

Public reaction to the Michael Vick case

Soring will not be tolerated by public

Why Has HPA Failed to End Soring?

Political reasons:

- Lack of adequate USDA funding – only \$500k per year – not enough for USDA to enforce Act on its own
- Cyclically erratic enforcement due to lobbyist, political influence and threatened cutbacks of USDA funding

Why Has HPA Failed to End Soring?

Political reasons:

- Industry questions credentials, credibility, findings of licensed Doctors of Veterinary Medicine hired by USDA to monitor and oversee inspection process
- Industry asks public to put its trust in its inspection system which allows violators of the HPA to serve in leadership, oversight roles
- Dedicated, effective vets on USDA team maligned by industry, “surgically removed” from the HP Program

Why Has HPA Failed to End Soring?

Political reasons:

- HIOs certified by USDA to carry out enforcement – mixed results
- Some HIOs have virtually no sore horses – a zero-tolerance policy
- Non-compliant HIOs - Violation rate soars whenever USDA present
- Lack of resolve by some HIOs to effectively enforce HPA, address serious issues

Why Has HPA Failed to End Soring?

Example:

- Pressure shoeing is on the rise
- USDA and industry agree stiff penalties should be imposed

BUT

- No protocol or method to check for pressure shod horses
- Inspectors not all trained in use of hoof testers
- Shoes are not pulled, even when use of hoof testers shows evidence of pain

Why Has HPA Failed to End Soring?

Political reasons:

- Not inspecting in barns, on trailers, elsewhere on show grounds
- No central database to monitor performance, ensure application of penalties across HIOs
- 14 HIOs, all with different tracking and reporting systems – no standard forms
- Lack of annual reporting on HPA enforcement

Why Has HPA Failed to End Soring?

The HPA has failed to end soring because USDA has been forced to allow industry self-regulation – and industry self-regulation has failed to be an effective deterrent to soring.

Industry presents veneer of compliance, boasts low violation rate based on statistics which dilute true percentage of sore horses

Why Has HPA Failed to End Soring?

Fact: the last report to Congress issued by USDA (2000), stated that overall, 42% of horses its veterinarians inspected at 56 shows had pathological abnormalities indicative of soring. Among stacked horses the rate was 79%; among flat shod horses, 17%

Why Has HPA Failed to End Soring?

No report to Congress has been issued by USDA since 2000

No Horse Industry Organization has ever been decertified by USDA for non-compliance (as authorized in HPA)

Other Laws Prohibit Soring

HPA is not only law that prohibits soring

Some states have laws prohibiting soring of horses anywhere, not only at shows

Tennessee Animal Cruelty Code

39-14-202. Cruelty to animals.

(a) A person commits an offense who intentionally or knowingly:

(5) Inflicts burns, cuts, lacerations, or other injuries or pain, by any method, including blistering compounds, to the legs or hooves of horses in order to make them sore for any purpose including, but not limited to, competition in horse shows and similar events.

(f) (1) Cruelty to animals is a Class A misdemeanor.

(2) A second or subsequent conviction for cruelty to animals is a Class E felony.

Tennessee Animal Cruelty Code

- TN state law not being effectively enforced
- HSUS reward program

HSUS Tennessee Reward Program



**SORING OF
HORSES IS
A CRIME**

**\$10,000
REWARD**

*for information leading
to arrest and conviction*

24-Hour Anonymous Tipline • Call Business Risk Services

**MALTRATAR A
LOS CABALLOS
ES UN CRIMEN**

**RECOMPENSA DE
\$10,000**

*a las personas que den información
que resulte en un arresto y una convicción*

Linea anónima—24 horas • Llame a Business Risk Services

1-866-411-TEAM (8326)



**THE HUMANE SOCIETY
OF THE UNITED STATES**

Why Has HPA Failed to End Soring?

No national united voice against soring - many individuals and independent groups have tried to speak for the horse

ALLIANCE TO END SORING

New National Coalition Being Formed
Animal Welfare and Equine Groups

- Communicate with Congress
- Monitor enforcement, comment to USDA
- Mobilize members to action
- Educate and inform the public

ALLIANCE TO END SORING

- AMERICAN HORSE DEFENSE FUND
- ASPCA
- ANIMAL WELFARE INSTITUTE
- FRIENDS OF SOUND HORSES
- HORSE PROTECTION COMMISSION
- HUMANE SOCIETY OF THE U.S.

How Can We End Soring?

The "Carrot":

Increase Rewards for Breeding/Training Naturally Gaited, Multi-talented Horses

Offer Courses to Teach "Trainers" How To Train Without Soring

Develop More Sound Show Venues

Goal: Compete with American Quarter Horse

How Can We End Soring? The "Stick":

National Media Attention

Public Insistence on HPA Compliance

Congressional Mandate for Enforcement

USDA Free to Do Its Job

Enforcement of State Laws

For more information...

www.humanesociety.org/horses_equines

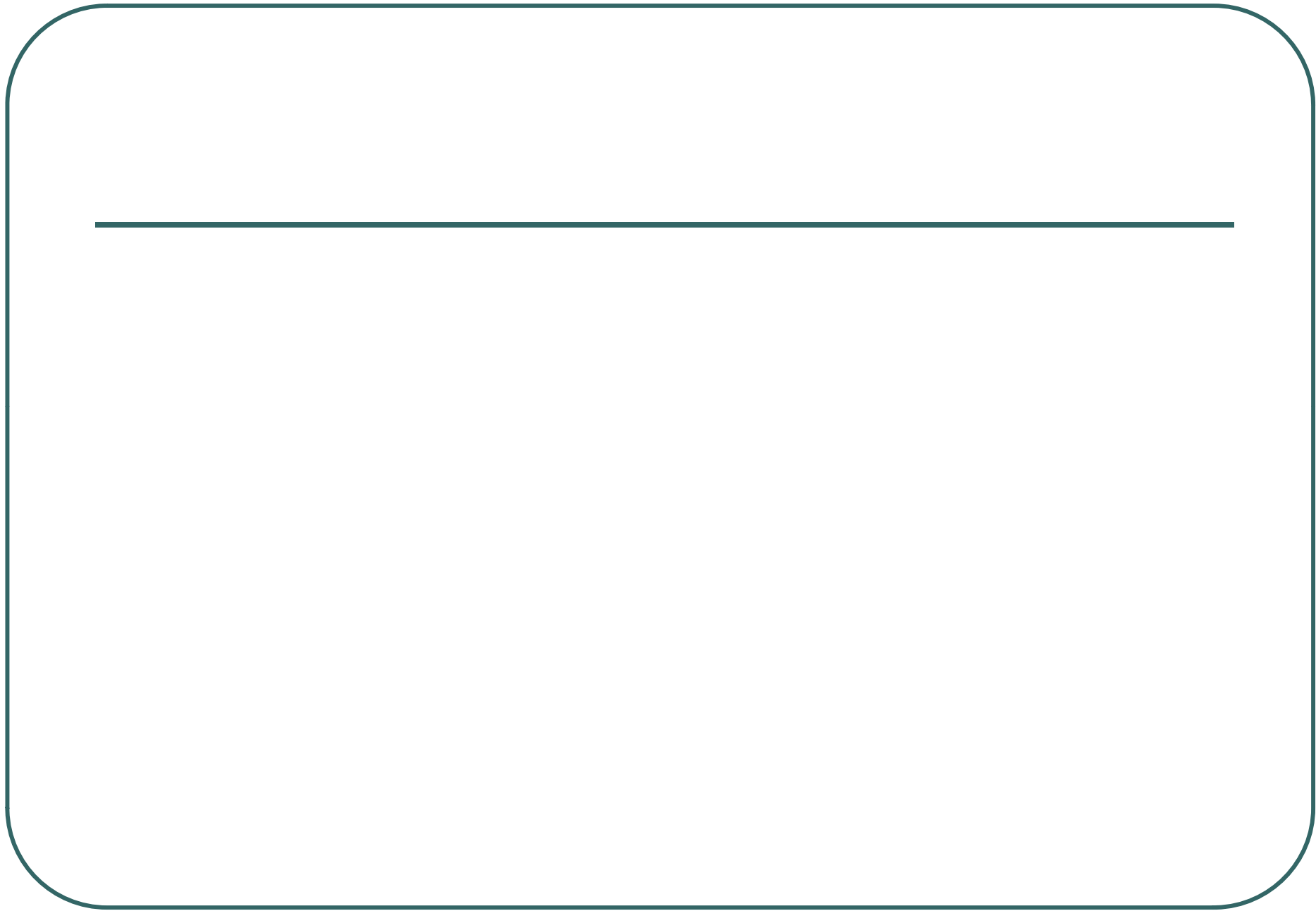


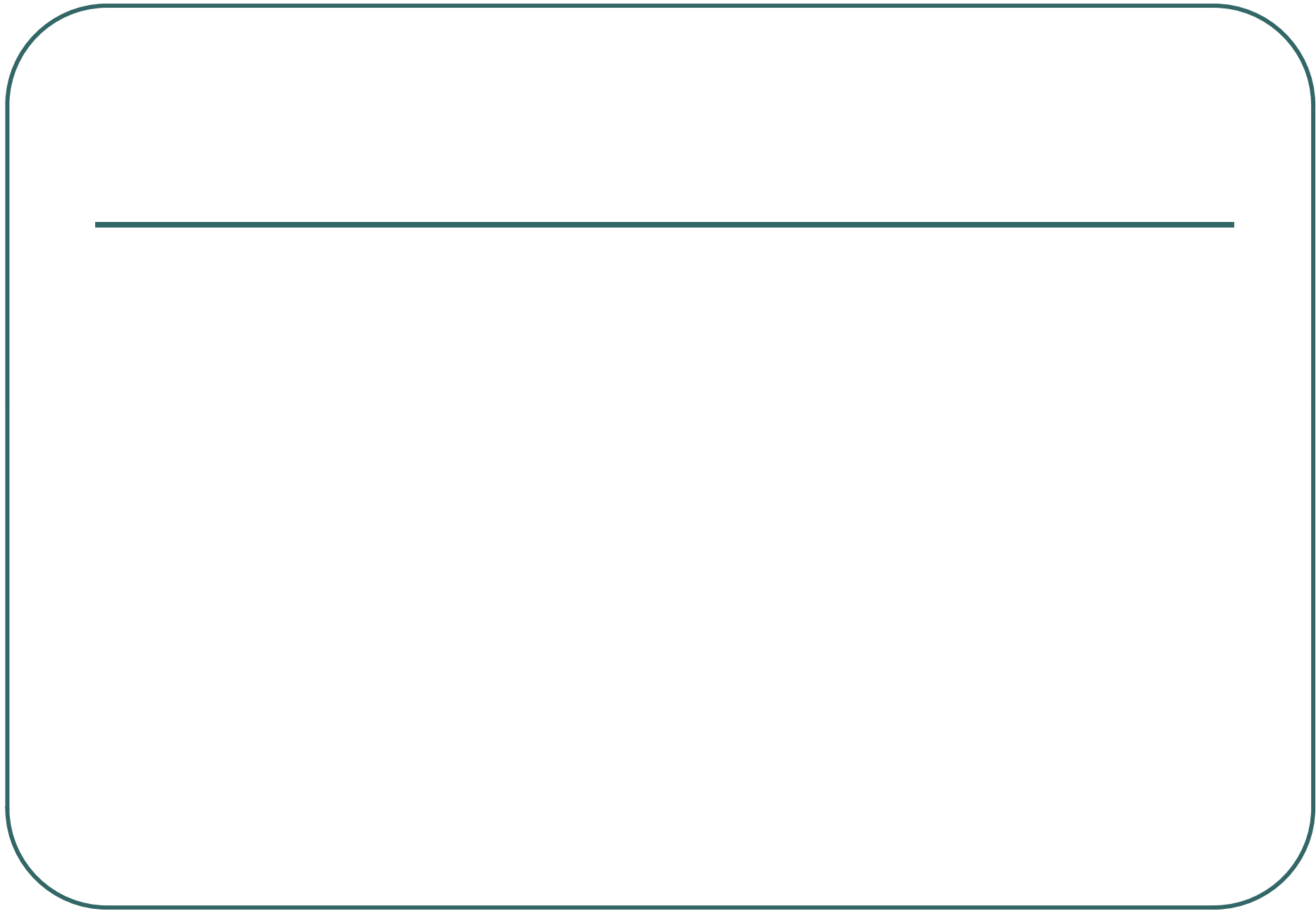
THE HUMANE SOCIETY
OF THE UNITED STATES

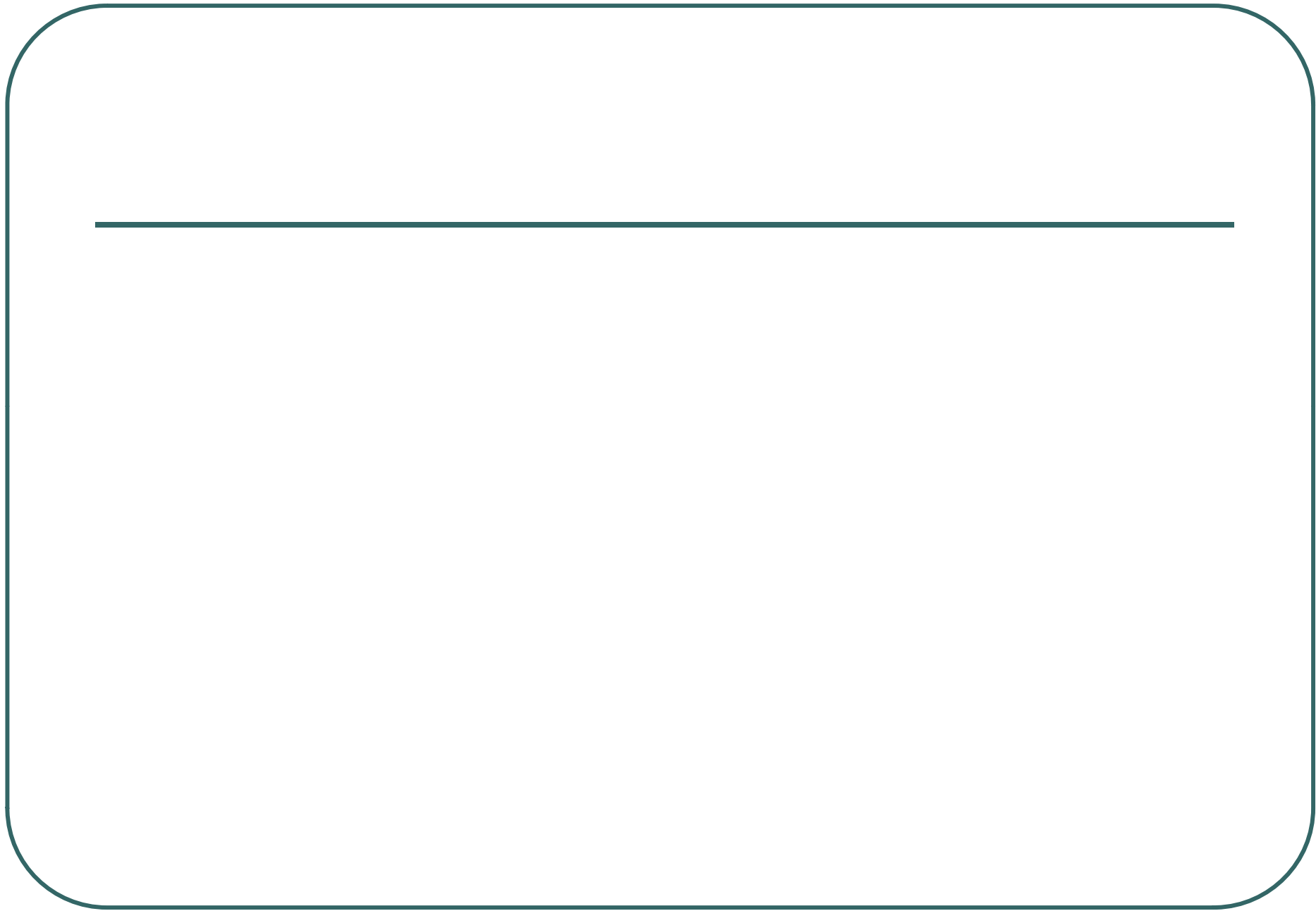
Keith Dane
Director,
Equine Protection

700 Professional Drive
Gaithersburg, MD 20879
Office: 301-258-3076
Fax: 301-258-3078

kdane@humanesociety.org







Why Has HPA Failed to End Soring?

Example:

In 2007 a trainer accused of pressure shoeing accepted a five year suspension of his trainer's license. He was later seen on the grounds of the TWH National Celebration, with horses that he was training prior to that suspension, which were shown by other riders. These and other horses continue to be shown, under the violator's stable name.