

factsheet

Support H.R. 6388 – Strengthen the Horse Protection Act



The lead organization for equine veterinarians called for the abolition of industry-run inspections, saying “the acknowledged conflicts of interest which involve many of them cannot be reasonably resolved, and these individuals should be excluded from the regulatory process.” It further recommended that “[p]enalties should be much more severe and consequential to owners, trainers and other support personnel than in the past.”

-American Association of Equine Practitioners 2008 White Paper, “Putting the Horse First Veterinary Recommendations for Ending the Soring of Tennessee Walking Horses”



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Inflamed ankle of a Tennessee Walking Horse from application of caustic chemicals

Cong. Ed Whitfield (R-KY) and Steve Cohen (D-TN) have introduced H.R. 6388, the Horse Protection Act Amendments of 2012

The Problem: Cruel Soring of Show Horses

Congress enacted the Horse Protection Act in 1970 to make illegal the abusive practice of “soring,” in which unscrupulous trainers deliberately inflict pain on Tennessee Walking Horses’ hooves and legs to exaggerate their high-stepping gait and gain unfair competitive advantage at horse shows. Soring methods include applying caustic chemicals, using plastic wrap and tight bandages to “cook” those chemicals deep into the horse’s flesh for days, attaching heavy chains to strike against the sore legs, inserting bolts, screws or other hard objects into sensitive areas of the hooves, cutting the hooves down to expose the live tissue, and using salicylic acid or other painful substances to slough off scarred tissue in an attempt to disguise the sored areas. Sored horses often live in constant and extreme pain throughout their show ring careers.

Current Law Allows Industry to Police Itself

Decades ago, USDA set up an industry-run enforcement system in which Horse Industry Organizations (HIOs) are authorized to train their own inspectors, called Designated Qualified Persons (DQPs), to inspect horses for soring at shows. But DQPs are employees of these show organizations, and are often exhibitors of Tennessee Walking Horses themselves. So, not surprisingly, many DQPs avoid citing violations by those who hired them, ensuring lenient oversight and widespread soring that goes unpenalized.

USDA Inspector General Recommends Program Overhaul

Though the HPA was signed into law more than 40 years ago to protect horses from painful soring, this abuse continues unabated. A 2010 audit by the USDA Inspector General exposed how trainers in the industry go to great lengths to evade detection rather than comply with federal law and train horses using humane methods. The IG recommended stiffer penalties and eliminating the flawed system of industry self-policing, as well as increased funding to enable the U.S. Department of Agriculture to more adequately oversee the law.

Equine Veterinarians Call for Reforms

Several horse show industry groups and the key organization of equine veterinarians (American Association of Equine Practitioners) have joined animal protection groups in calling for substantial reforms and more robust agency funding. The AAEP issued a 2008 white paper condemning soring, calling it “one of the most significant welfare issues faced by the equine industry.” It called for the abolition of industry-run inspections, saying “the acknowledged conflicts of interest which involve many of them cannot be reasonably resolved, and these individuals should be excluded from the regulatory process.” AAEP further noted that the “adoption and strict enforcement of meaningful uniform standards and regulations, combined with more stringent penalties, are the cornerstones of establishing fair and humane competitions. Penalties should be much more severe and consequential to owners, trainers and other support personnel than in the

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past. Lifetime disqualification of horses found not to be in compliance would penalize trainers and owners to a degree likely to mitigate against a second infraction.”

Undercover Investigation and Enforcement Track Record

The HSUS’ undercover investigation of champion Walking Horse trainer Jackie McConnell and his associates revealed that trainers can sore horses and enter them into shows undetected, as McConnell did while serving a 5-year federal disqualification. Caught on videotape painting caustic chemicals on horses’ legs, McConnell pleaded guilty to conspiracy to violate the HPA. The video also showed horses being whipped, kicked, shocked in the face, and violently cracked across their skulls and legs with heavy wooden sticks (see the footage: www.humanesociety.org/mcconnell_horsesoring). Prosecutors expressed frustration with the weak penalties available under the current HPA. In another recent case, trainer Barney Davis pleaded guilty to multiple violations of the HPA and related financial crimes. According to Davis, “every trainer sored horses...You have to. That’s the bottom line....Without the soring, without some kind of soring, the horse, they’re not going to do the Big Lick” (the extreme high-stepping gait prized in the industry). While we applaud these prosecutions, the violators had been engaged in soring and had gotten by industry inspectors for decades, as have many others. Their prosecutions are noteworthy because they are so rare. A recent analysis of the violation history of the top 20 trainers in the industry’s Riders Cup award program found that every trainer on that list in the past 2 years was cited for soring violations, with a total 164 violations among them. Only 7% actually served suspension penalties – and of those, all but a handful were for a mere 2-week period. Many of the show judges also have records of soring violations. And, despite HIO claims of a 98% compliance rate at the 2011 Tennessee Walking Horse National Celebration, USDA inspectors found that every single horse (52 out of 52) randomly chosen there tested positive for prohibited foreign substances applied to their pasterns. This industry has been allowed to self-police for too long, penalties have been too weak to provide a meaningful deterrent even in the rare event of being caught, and USDA has lacked adequate resources to do the job.

H.R. 6388 Will Make Urgently-Needed Reforms to End this Torture of Horses

- Ends the failed industry self-policing system. USDA will license, train, and assign inspectors to horse shows instead of having HIOs choose who conducts inspections. Shows will still have the option of hiring inspectors or declining to do so; show management who opt out will (as in current law) risk greater liability if soring is uncovered at their show.
- Strengthens penalties. Increases criminal penalty from a misdemeanor to a felony subject to up to 3 years’ jail time, increases fines to up to \$5,000 per violation, and for a third violation, allows permanent disqualification from participating in any horse show, exhibition, sale or auction.
- Bans the use of devices associated with soring. Chains, weighted shoes, pads, and other devices used on certain breeds in conjunction with chemicals to intensify pain or to conceal foreign objects will be expressly prohibited.
- Makes the actual soring of a horse for the purpose of showing or selling the horse illegal, as well as the act of directing another to sore a horse for these purposes.

“Given the problems we observed with DQPs and the conflicts of interest, we are recommending that APHIS abolish the DQP program, and instead provide independent, accredited veterinarians to perform inspections at sanctioned shows. APHIS should hire and train these inspectors, but the agency should pass the costs for their inspections along to the show managers responsible for the show.”

-USDA Office of Inspector General 2010 audit report, “Animal and Plant Health Inspection Service Administration of the Horse Protection Program and the Slaughter Horse Transport Program”



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