

# No relief for wild horses

Fighting allegations that wild horses removed from Bureau of Land Management property are clandestinely sold to slaughter, Salt Lake District BLM state wildforce manager Glade Anderson on July 28 told Deseret News staff writer Steven R. Mickelson that Utah Hunter Association volunteers would henceforth screen prospective adoptors and inspect their facilities.

The BLM/UHA alliance scarcely reassured wild horse defenders, whose confidence was further rattled on August 7 when Associated Press reporter Martha Mendoza disclosed that of 125 “convictions” the BLM in January claimed to have won between 1985 and 1995 for alleged violations of the 1971 Wild and Free-Roaming Horse and Burro Act, only 26 could be verified. Just three convictions were won under the act. Twenty-three persons were convicted under other laws for related crimes.

“I would suspect that the Justice Department defines convictions differently than we do,” BLM spokesperson Bob Johns reportedly told Mendoza. “I don’t think there was intent to mislead the public.”

According to Mendoza, “Johns said the BLM defines convictions to include indictments, citations, fines, and even cases that U.S. attorneys decline to prosecute,” presumably because of insufficient evidence. Apparently about 785 cases were in that category.

The BLM claim of 125 successful prosecutions was issued after Mendoza found through a record search that the paperwork had never been completed to finalize thousands of mustang adoptions, and that significant numbers of BLM horses apparently are going to slaughter. The data apparently did not substantiate, however, activist claims that BLM staff are adopting large numbers of horses just to resell them for slaughter. Neither did the data distinguish between horses sold to slaughter as soon as the adoptor either received title or figured out a way around the titling procedure, and horses sold after some years as breeding stock, or saddle horses.

Much of Mendoza’s data came from records kept by the Cave West horse slaughterhouse in Redmond, Oregon. The ability of investigators to follow up her allegations and prosecute any criminal wrongdoing was compromised when a July 23 arson razed the plant, the only horse slaughtering facility west of the Rockies. The arson was anonymously claimed about 24 hours later by the Animal Liberation Front. Slaughterbound horses were diverted to plants in Texas, Missouri, and Canada.

Decades of perversion of legislation intended to save wild horses into the instruments of their removal from the range—whether corruptly or otherwise—took yet another cynical twist on July 2, when the Nevada state Senate passed a bill requiring the state Commission for the Preservation of Wild Horses to “provide financial assistance for the removal and disposal of wild horses.” The funding would be taken from a trust fund left to Nevada by the late Leo Heil for the purpose of protecting wild horses. The Nevada Senate also approved transferring the Commission for the Preservation of Wild Horses from the governor’s office to the Department of Conservation and Natural Resources, and creating a wild horse policymaking office within the Division of Agriculture.

**Assembly Bill 474: Revises provisions governing payment of expenses of Commission for the Preservation of Wild Horses from money in Heil Trust Fund for Wild Horses. (BDR 45-1261)**

Mr. Stevens said that A.B. 474 would allow the Commission for the Preservation of Wild Horses to expend money within the principal of the bequest that was provided by Mr. Heil. Currently, the law allowed the Commission to use only the interest generated from the principal amount; however, by the end of the biennium, the Commission would have an insufficient amount of interest. A.B. 474 would allow the Commission to expend principal as well as the interest generated from the principal.

Mr. Marvel said that there had recently been an Attorney General's assessment of approximately \$18,000 against the Commission. He opined that in order to save the Commission, A.B. 474 had to be passed. Mr. Marvel added that Freeman Johnson, Assistant Director, State Department of Conservation and Natural Resources, was present in the audience and could address the Committee's concerns if needed.

Ms. Giunchigliani said she supported the Commission, but she felt that A.B. 474 violated the bequest of the individual who had established the Heil Trust Fund for Wild Horses.

Mr. Freeman said the original bequest by Leo Heil was approximately \$375,000. Over the course of 30 years that amount grew to approximately \$1.3 million, and at some point the Legislature had placed a threshold of \$900,000 upon the fund. The Commission could not spend below that amount without legislative consent. Mr. Freeman indicated that the current balance of the Heil Fund was approximately \$700,000. He stated that if the bill was not passed, then it would be a matter of saying that the "operation was a success, but the patient died" because there would be no Commission to implement the wishes of Leo Heil.

Mr. Beers disagreed with Mr. Freeman and said if the bill was processed, the Legislature would be ensuring that the Commission would be gone within four years. He opined that it would be better to cut expenses and allow the fund to increase so the investment income would be able to fund ongoing operations.

Mr. Freeman contended that the Commission had been utilizing the interest income, but as interest rates were going down, the Commission was forced to function with a much smaller operating income. To prohibit the Commission from paying its expenses as it administered the program would defeat the purpose of the trust, which was to care for wild horses. He repeated his earlier comment regarding a successful operation and said if the bill was not passed, there would be money, but no Commission to administer the program.

Chairman Arberry reminded the Committee that there was not much time for discussion. He indicated he would take a motion.

ASSEMBLYMAN MARVEL MOVED TO DO PASS A.B. 474.

ASSEMBLYMAN PARKS SECONDED THE MOTION.

MOTION CARRIED WITH MR. ANDONOV, MR. BEERS, MRS. GIBBONS,  
MS. GIUNCHIGLIANI, AND MS. LESLIE VOTING NO.