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The Extent of Equine Cruelty/Neglect in Colorado and Case Studies of Equine Welfare Programs/Policies in Other States

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Executive Summary:

This report sought to:

- 1) Quantify the numbers and types of domestic equine cruelty and neglect cases being investigated by Bureau of Animal Protection agents in different types of equine facilities throughout the state
- 2) Summarize lessons learned from other states where programs or policies focused on promoting equine welfare have been implemented for equine rescues and other equine facilities.
- 3) Summarize key issues arising from the Colorado statistics and lessons learned from other states when considering potential programs or policies to address domestic equine welfare in the state.

We found that:

- 1) From July 2021-2023, the twelve surveyed Colorado state regulatory, animal welfare, and law enforcement agencies have had to manage at least 893 investigations into potential equine cruelty and neglect, of which 189 (21.2%) were at facilities that would potentially fall under a licensure program. A total of 71 investigations resulted in criminal charges or civil action of which 23 (8 different facilities total) of those were at facilities that would potentially fall under licensure. These investigations are initiated when a law enforcement/regulatory agency receives a complaint from the public and determines that the complaint has enough merit to investigate further; thus, there may be additional cases of cruelty/neglect that are unreported. Further, the investigations reported by respondents to the survey are likely only a portion of the total equine investigations conducted in the state by law enforcement, since there are many other law enforcement agencies that did not participate in this survey. These investigations were related to a variety of equine welfare complaints including lack of veterinary or farrier care and the



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spread of disease in equine facilities. Approximately 5% of these investigations occurred in rescues/sanctuaries, 13% occurred in facilities that provide lessons, boarding, or therapy-based services to the general public, 1% involved breeding facilities, and 1.5% involved dude ranches/outfitters. Approximately 21% of investigations involved facilities with 10 or more horses, while the remaining 79% of investigations were on properties with fewer numbers of horses.

- 2) From 2018-2023, civil action or criminal charges in response to animal cruelty or neglect have occurred across a range of equine facilities including rescues/sanctuaries, facilities that provide lessons, boarding, or therapy-based services, breeding facilities, and dude ranches. Civil actions or criminal charges resulting from 71 investigations over the past two years have led to the removal of 355 horses from situations of cruelty and neglect in July 2022-July 2023 alone (many of which were from the same facilities).
- 3) The case studies of Maryland and New Mexico demonstrate how other states have effectively responded to concerns over horse welfare and a growing unwanted horse population by creating equine facility licensure/registration programs. These programs have resulted in a reduction in cruelty cases in the facilities licensed and have also been used for outreach, education, and equine industry promotion. The Maryland Horse Industry Board regulates a total of 797 stables that solicit the general public, including rescues/sanctuaries, boarding, and rental or therapy facilities, while the New Mexico livestock board regulates 12 rescue/sanctuary facilities.
- 4) Successful implementation of similar licensure programs in Colorado could build on the lessons learned and challenges experienced in these other states by 1) ensuring that any regulatory program is partnered with a positive, educational and/or grant program that promotes the equine industry and provides some financial support for licensed equine rescues/sanctuaries; and 2) building in statutory mechanisms and funding so that the regulatory program can investigate and address unlicensed facilities that are required to be licensed.
- 5) The number of full time inspectors needed for Colorado to implement a program similar to the Maryland Horse Industry Board (MHIB) program would likely be up to twice the number as Maryland, given that there are approximately twice the number of horses in Colorado than Maryland, according to 2016 data. However, this is a rough estimate, given that the area of Colorado is much larger than Maryland, and we do not have data on the exact number of facilities in Colorado. Given that the MHIB program has 4 staff (1 director, 1 outreach/education-focused staff, and two inspectors), a program in Colorado modeled off of MHIB would likely require at least 4 inspectors in addition to a manager and at least one outreach staff member. This estimate is similar to the current number of FTE employed by the Pet Animal Care Facilities Act Program (PACFA), a licensure program for facilities with companion animals in Colorado.
- 6) In conclusion, the case studies and statistics highlight four potential key issues or outcomes that could be focused on in discussions about potential new programs or policies for Colorado: 1) Reducing equine investigations/cruelty cases for the 21% of



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investigations into equine facilities/large-scale operations in the state; 2) Reducing equine / cruelty cases for the 79% of investigations into private/small scale equine operations; 3) Ensuring there are adequately resourced sanctuaries/rescues for unwanted horses that adhere to animal welfare standards, such as is provided through the New Mexico rescue licensure program and Equine Shelter Rescue Fund; and 4) Promoting equine consumer protection and the CO equine industry by ensuring public soliciting equine facilities are adhering to basic animal welfare standards, such as is provided through the MHIB in Maryland.

Background:

The equine industry is strong within Colorado, and it is likely that most equine owners and residents throughout the state care deeply about maintaining high equine welfare standards within this industry. The 2005 census of horses in Colorado found a total of 255,503 horses in the state (AHC 2005), while estimates from 2016 dip slightly to 205,300 horses (<https://datapaddock.com/>). According to the Colorado Horse Development Authority, in 1998, the value of all equine related assets in the state totaled \$7.7 billion (CHDA 1998). That same year, the commercial equine industry was made up of trail/guide and guest services (30%), boarding stables (28%), sales of equine (16%), lessons and clinics (4.7%), breeding services (3.7%), shows/rodeos (3.3%), and other (13.3%) (CHDA 1998).

Equine rescues and sanctuaries comprise a growing portion of the equine facilities in the state. According to a 2008 report by the Colorado Unwanted Horse Alliance, there were at least 31 horse rescues across the state, which offer rescue (18) and rehabilitation (16), followed by retirement (9) and sanctuary care (8). Most of these rescues are organized as charities and rely on donations. Horses in these rescues are coming from a variety of sources, including government impounds from cruelty/neglect investigations, veterinarian referral, and owner surrender (CUHA 2008).

In 2008, stakeholder research and discussions were initiated in Colorado in response to increases in the number of unwanted horses in the state and the number of reported cases of horse neglect and abuse in Colorado (CUHA 2008). CUHA defined unwanted horses as horses falling into one of several categories: “those sold at auction to be processed for food; those given away or abandoned; those available for adoption through horse rescues or unwanted horse surplus from the BLM Wild Horse program; finally, those that have been impounded by government agencies under cruelty investigations or charges” (CUHA pg 3). At the time of these discussions, the state Bureau of Animal Protection (BAP) reported that cruelty investigations conducted by the BAP had increased for the previous three years, with 975 cases in FY 04-05 to 1,067 in FY 05-06 to 1,498 cases in FY 06-07 (CUHA 2008). Relatedly, the number of horses originating from Colorado that were exported to Mexico and Canada for slaughter for human



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consumption increased 62% (276) from Dec 2006 to Dec 2007 (CUHA 2008, which drew from USDA Animal Inspection Service (USDA APHIS) data).

Stakeholder discussions on these issues evolved from a Task Force to become the Colorado Unwanted Horse Alliance (CUHA), a non-profit corporation in 2008. At that time, CUHA conducted ten focus groups with a total of 123 participants, including representatives from government agencies, horse rescue groups, charitable and animal welfare organizations, breed and other equine organizations, as well as individual ranchers and other stakeholders. The Alliance also conducted a survey of over 2,000 stakeholders most affected by and involved in the issue of unwanted horses in Colorado, including horse owners and individuals involved in the horse industry. Responses highlighted widespread concern for the growing number of unwanted horses in the state and perceived this increase was in part from the closure of slaughter facilities and the tightening of the economy. The majority of survey respondents (66%) believed that the image of the equine industry (i.e., “groups representing horses”) would be hurt in response to the increase in unwanted horses.

In this research by the Alliance, respondents proposed several possible solutions to the unwanted horse problem, including the need for enhanced outreach/education to owners, more rescues/retirement facilities, providing euthanasia options, as well as some type of monitoring or licensing for rescue facilities to ensure that unwanted animals are not going from bad to worse conditions. The Alliance found that 15 of 18 horse rescue operations interviewed believed that rescues should be credentialed, registered or licensed, and this desire for licensure was also linked to concern about public opinion of rescues worsening as a result of media coverage of rescue failures.

Objectives of the Report:

As of 2023, there is no state-run credentialing, licensing, or registration program for equine rescue or other equine facilities in the state. In late 2022 and early 2023, stakeholder discussions on this topic were re-initiated by the Denver Dumb Friends League due to continued interest in addressing domestic equine welfare concerns throughout the state. One of the take-aways from these initial discussions was that more information was needed on the scope and extent of the problem involving horse welfare and unwanted horses in the state. Particularly, stakeholders wanted to know how many and what types of equine cruelty and neglect cases were occurring and in what facilities. Additionally, stakeholder discussions determined that Colorado could learn from models in other states where registration or licensure programs have been implemented to prevent equine mistreatment in rescues and other equine facilities.

There are three objectives to this report:



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1. Quantify the numbers and types of equine cruelty and neglect cases being investigated by Bureau of Animal Protection agents in different types of equine facilities throughout the state
2. Summarize lessons learned from other states where programs or policies have been implemented to promote equine welfare in equine rescues and other equine facilities.
3. Summarize key issues arising from the Colorado statistics and lessons learned from other states when considering potential programs or policies to address domestic equine welfare in the state.

Colorado State-Wide Equine Cruelty/Neglect Statistics:

Methods:

To assess the extent of equine cruelty and neglect cases occurring in the state, the Animal Human Policy Center sent out a survey to all [Bureau of Animal Protection \(BAP\) agents](#) in late July 2023 asking for them to report their agency's statistics on equine investigations and resulting civil or criminal action. Specifically, each agency was asked to report for the last two years on:

- 1) the number of calls related to horse cruelty/neglect they received,
- 2) the number of investigations they conducted on these calls,
- 3) the number of cases where warnings/education/monitoring occurred as a result of the investigation,
- 4) the number of cases where food or water was provided to horses as the result of the investigation,
- 5) the types of complaint being investigated (e.g., disease spread, lack of veterinary care, lack of farrier care, etc.),
- 6) the types of facility being investigated (e.g., rescue/sanctuary, boarding/lessons/therapy-based services, breeders, outfitters/dude ranches, as well as facilities with 10+ horses), and
- 7) the number of investigations (for each type of facility) that resulted in criminal charges or civil actions.

Reporters from each agency were also asked to share the total number of horses removed over the past year due to criminal charges or civil action, their perspective on the difficulty of finding locations to take in horses removed, and a narrative of major equine cases their agency has addressed.

Respondents included a total of 12 state regulatory, animal welfare, or law enforcement agencies that conduct investigations related to animal cruelty/neglect in the state. This included the Colorado Department of Agriculture Bureau of Animal Protection (BAP) staff which address



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cases throughout the state as well as the following agencies, which cover 52 different counties and three additional municipalities:

- Colorado Humane Society
- Dumb Friends League
- Humane Society of the Pikes Peak Region
- Larimer Humane Society
- Jefferson County Sheriff's Office- Animal Control
- Weld County Sheriff's Office
- Teller County Sheriff's Office
- Park County Sheriff's Office
- Summit County Animal Control
- Castle Rock Police Department
- Thornton Animal Control
- Westminster Police Department

The numbers reported here are likely a fraction of the actual cases of cruelty/neglect being investigated in the state. While BAP staff support law enforcement in investigating and addressing cruelty/neglect cases throughout the state and the Colorado Humane Society (CHS) supports law enforcement in investigating cases in 41 different counties, many cases are addressed by law enforcement without the assistance of BAP and CHS. Thus the numbers in this report can be interpreted as a minimum of what is actually occurring throughout the state.

Results:

Across all of these agencies, the following statistics were reported relating to investigations:

- Over the past two years (since July 2021), 893 investigations (i.e., actions taken beyond closing a case on first activity) related to equine cruelty/neglect were conducted
- Of these investigations:
 - 230 resulted in warnings or education being provided to an owner along with continuous monitoring to ensure equine welfare
 - 54 resulted in food or water being provided to the horse(s)
 - 69 involved complaints around lack of veterinary care
 - 36 involved complaints around the spread of disease between multiple horses in a facility
 - 42 involved complaints around lack of farrier care
 - 189 involved facilities with 10 or more horses
 - 113 involved facilities that provide lessons, boarding, or therapy-based services to the general public
 - 43 involved facilities that operated as a rescue or sanctuary
 - 12 involved facilities that operated as a horse breeding facility
 - 13 involved facilities that operated as outfitters or dude ranches



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- At least 3 involved facilities with more than 10 horses that didn't fit any of the descriptions above (there was missing data from multiple agencies on this question)
- Of the 893 equine investigations since July 2021, 71 resulted in criminal charges for animal cruelty or civil actions (issuing of Cease and Desist Order, Petition for Injunction, or removal of animals for a violation of Title 35 Article 42). Of these 71 charges/actions:
 - 23 involved facilities with 10 or more horses (although 16 of these were related to the same horse boarding facility over time)
 - 20 involved facilities that provided lessons, boarding, or therapy-based services to the general public (although 16 of these were related to the same horse boarding facility over time)
 - 3 involved facilities that operated as a rescue or sanctuary
 - 5 involved facilities that operated as a horse breeding facility
 - 1 involved facilities that operated as outfitters or dude ranches
- Additional statistics and cases shared:
 - A total of 355 horses were removed by reporting agencies in the last year from properties as a result of an investigation into potential animal cruelty/neglect
 - CHS shared the following statistics on the cases they addressed state-wide:
 - In 2022 they had eight large cases with warrants and impounds: one dude ranch, two breeding facilities, four horse rescues, and one hoarder/collector. Five of these cases resulted in criminal charges and two cases rose to the level of felony charges. Four of the cases were slaughter pen rescue operations. For one case they euthanized 52 horses that were severely lame, medically suffering, or seriously neglected beyond rehabilitation.
 - In 2021 there was an extensive investigation of a horse breeding facility which consisted of four warrants. There were four large properties that resulted in a large impound of 44 horses. There was a significant history of neglect for this owner for approximately 10 years. Criminal charges were filed, and the owner was convicted.
 - In 2019 they had three large cases: two breeding facilities and one dude ranch. The breeding facilities involved in these cases resulted in impounding 36 horses from one (this case had a criminal charge filed) and 49 horses from another. There was a history of problems in both of those cases. In the dude ranch case, all 57 horses were removed, and criminal charges were filed.
 - In 2018, CHS had five significant cases of equine cruelty/neglect throughout the state that required a warrant and impounding of more than 10 equines.
 - In 2023, BAP worked with the Colorado Humane Society on a case of horse neglect that involved a horse breeder with over 100 horses on their property,



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many of whom were in compromised body condition with inappropriate access to food and veterinary care. Due to the severity of the case the owner was deemed unfit to own horses by the courts and BAP worked with other agencies to remove over 60 horses from this location to date with plans to remove the remaining horses before the end of the year. In the past year, the BAP also used their civil authority to issue cease and desist orders due to violations of animal protection statutes to a horse rescue, horse boarding facility, horse breeder, and equine therapeutic center.

- Below are all additional comments shared by respondents about major equine cases and challenges in addressing these cases:
 - “The majority of individuals we deal with are people who just have a few horses and don’t have the resources to feed/care for them. We have had a few individuals that I would identify as backyard horse breeders that we have had to charge multiple times. Typically, none of their horses are registered or quality livestock; they have a stallion or two and allow horses to reproduce regularly without any real purpose other than making money from foals produced. Often, they either are given a colt that they allow to grow up and breed, or they start out trying to produce a specific breed but don’t have a good reproduction plan and just indiscriminately breed whatever they have. There is one individual who we impounded horses from on 3 different occasions (warrants) that I believe fits into the backyard breeder category (multiple head of horses). Another one that I can recall that we impounded horses from twice that also fit into this category. “
 - “All of our cases were related to a horse boarding facility where the manager of the property did not oversee the running of the facility and all horses were cared for by their owners. No upkeep or maintenance was performed and care of horses was variable. Challenges - there were no guidelines as to what is constituted as proper care for horses when they are not livestock and are kept as a "pet". The recent guidelines to come out from the state have been VERY helpful. For us there was also the challenge of not having a lot of horse veterinarians in our area. The demographic that we were dealing with was 100% Hispanic and most did not speak English. We tried to find a Spanish-speaking veterinarian that could come give a class to the horse owners regarding what is acceptable care, but we were unable to find one. The owners were resistant to what we had to say (everybody is an expert, and they had their own ways of caring for and training horses) ”
 - [A challenge is] “determining if the boarder or the property owner is in charge of fees/care due to lack of boarding contracts.”
 - “When dealing with 10 or more horses in situations of neglect or cruelty, usually it is the horse "rescues" that are the most common offenders - but horse owners with large numbers of horses are not uncommon. If and when regulatory action is considered for horse facilities, if only horse rescues are regulated it leaves



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large loopholes open for these individuals to simply call their operation something else and escape accountability.”

- “We have had no major equine related cases of this nature which we can reference for the requested time period. Additionally - our current in house reporting/data recording does not differentiate between species for welfare complaints or to the level requested in the survey.”
- “I think in all the cases that we have had; the main issues have been finding veterinarians that are available, not anti-law enforcement and will testify without changing their position on the case. We are very fortunate to have Harmony Equine Center. Prior to their existence, the cost of housing, veterinary care, feed etc. came out of our budget and was unsustainable. We spent well over \$100,000.00 on one case prior to the bonding statute. We had to move the horses in this case to three different locations while in our care and in doing so, had to hire horse trainers to assist.”

Summary of Key Findings from Cruelty/Neglect Statistics:

From July 2021-2023, Colorado law enforcement agencies have had to manage over 893 investigations into potential equine cruelty and neglect, the vast majority (79%) of which involved private horse owners. These investigations are related to a variety of equine welfare complaints including lack of veterinary or farrier care and the spread of disease in equine facilities. The investigations led to law enforcement officers having to provide food/water for horses in 6% of cases. Additionally, approximately a quarter of these investigations resulted in warnings, education, and continuous monitoring, a process that can take law enforcement agencies days, months, and even years. Investigations were occurring across a wide range of equine facilities: while approximately 5% of these investigations occurred in rescues/sanctuaries, 13% occurred in facilities that provide lessons, boarding, or therapy-based services to the general public, 1% involved breeding facilities, and 1.5% involved dude ranches/outfitters. Approximately 21% of investigations involved facilities with 10 or more horses, while the remaining 79% of investigations were on properties with fewer numbers of horses. However, we were not able to determine from our data the amount of overlap between the 21% of investigations with facilities with 10 or more horses and the 20.5% of facilities labeled as rescue/sanctuary, facilities providing lessons/boarding/therapy-based services, breeding facilities, and dude/ranches/outfitters. It is likely that there is a strong overlap in these.

In addition to requiring the resources of law enforcement to investigate, provide food/water, and provide education and monitoring, 8% of these investigations from July 2021-2023 resulted in criminal/civil action. In the past five years (as evidenced by the Colorado Humane Society data from 2018 until now as well as the data reported across all agencies from the past two years), charges have occurred across a range of facilities including rescues/sanctuaries, facilities that provide lessons, boarding, or therapy-based services, breeding facilities, and dude ranches.



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This civil/criminal action has led to the removal of 355 horses from situations of cruelty and neglect in July 2022- July 2023 alone (many of which were from the same facilities).

Cases Studies of Equine Welfare Programs in Other States:

Methods:

To understand and learn from existing programs that have been implemented to promote equine welfare in equine rescues and other equine facilities, we conducted a case study of two different states: New Mexico and Maryland. We chose these two states because they have two different types of programs for equine facilities that could serve as different models for promoting equine welfare in Colorado; while Maryland licenses all stables that solicit the public in the state, New Mexico has a registration program only for equine rescues/sanctuaries.

For each state, we interviewed 1-3 experts via zoom involved in implementing and/or developing the registration or licensure program. We asked experts a series of questions including those below:

- Please describe what current regulations you have around equine facilities in your state.
- What types of facilities must be licensed/registered and what does licensing/registration require?
- Can you tell me a bit about what led to the development of this licensing/registration program? What issues was the program meant to address?
- How effective has the program been at addressing these issues? Is there any data that exists on effectiveness?
- How many facilities does your program currently license/register?
- How is the licensure/registration program funded and what is the program's annual budget?
- How many staff help implement this program and what are their duties? How would you use additional funding/resources for your program?
- What updates have been made to the program in response to stakeholder or public feedback or patterns you have seen over the years?
- What have been some challenges in implementing (i.e. monitoring and enforcing) this program?

Below, we summarize key points from responses to these questions from both programs and compare lessons learned, benefits, and challenges faced by the two different types of programs.

Results:

Table 1 provides an overview comparison of the licensure programs in both states: the Maryland Horse Industry Board (MHIB) and the New Mexico Livestock Board horse rescue licensure



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program. While both programs are regulatory and involve licensure/registration fees and annual inspections of facilities to ensure certain animal welfare and facility standards are being met, the key difference between the programs is the type and scope of facilities being regulated. MHIB regulates a total of 797 stables that solicit the general public, including rescues/sanctuaries, boarding, and rental or therapy facilities, while the New Mexico Livestock Board regulates 12 rescue/sanctuary facilities and no other types of horse facilities (see Table 1 for detailed definitions). Both programs have civil authority to conduct inspections of facilities to ensure defined standards of care are being met and can petition for a hearing for revoking a license if these standards are not met after notice is provided. Further, both programs are funded in part by annual license fees (Table 1).

Both programs were created in response to growing concerns over equine welfare in their states. In New Mexico, more equine rescues/sanctuaries were being created in response to the growing unwanted horse population, but sometimes these rescues did not provide sufficient care for the horses, further perpetuating neglect. The New Mexico Livestock Board horse rescue licensure program was created in the early 2000’s to ensure basic standards of care are being met and the state had trusted, registered facilities to bring unwanted horses to. In Maryland, the MHIB was created in the 1960’s in response to public concerns over how some arabbers were treating their horses (i.e., street vendors selling fruits and vegetables from colorful, horse-drawn carts). The program was created to ensure basic standards of care were being met by arabbers, and the program was later expanded to include a greater diversity of equine facilities as well as serve not only as a regulatory board, but also a commodity board.

Table 1: A comparison of the equine facility licensure/registration programs in Maryland and New Mexico

	<i>Maryland Horse Industry Board</i>	<i>New Mexico Livestock Board Horse Rescue Licensure Program</i>
<i>Types of Facilities Included</i>	<p>“All Maryland stables that solicit the general public, and have ONE or more horses - and either give lessons, board horses, have a rental service, offer Equine Therapy or Therapeutic Riding, or are a rescue or sanctuary stable, are required by the State of Maryland to obtain and maintain licensing through the Maryland Horse Industry Board.” (MHIB)</p> <p>https://mda.maryland.gov/horseboard/Pages/MD-License-Stable.aspx</p>	<p>Equine rescue, sanctuary and retirement facilities, including facilities which provide care for captured wild horses that cannot be returned to their range.</p> <p>Facilities are defined by NM Stat. § 77-2-30 as “a horse rescue or retirement facility, including a private reserve or private preserve, that advertises of [or] solicits for horses and provides lifelong care or finds new owners for horses that are unwanted or have been neglected or abused or captured wild horses that cannot be</p>



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	Horse racing and standardbred stables and farms using horses for agricultural purposes are exempt from the licensing requirement (for definitions see Maryland Statutes, Title 15, Department of Agriculture, Subtitle16).	returned to their range.” This statute requires that “a facility [as defined above] shall not operate in New Mexico unless registered by the board.”
Number of Facilities Included	797	12
Summary of Program Regulatory Authority	<p>The MHIB is a regulatory and promotional program for all stables as defined above in the state. On the regulatory side, the program licenses and inspects all stables as defined above on an annual basis. Every stable must renew their license each year, which involves passing an annual inspection by the state to ensure that the stable is abiding by general requirements (e.g., regarding shelter/stalls/stable area, fences, food and water, health care, and condition of tact, see inspection sheet for more detail). Under Subtitle16, the MHIB may bring formal charges against a licensee if the licensee fails three consecutive inspections, which results in an administrative hearing to determine whether the operator’s license should be suspended or the operation shall pay an administrative penalty. The MHIB may also bring formal charges against a person who operates or maintains a horse establishment without a license or who refuses to allow a member of the Board to enter and inspect a licensed premise. In addition to annual inspections, the MHIB also inspects licensed facilities in response to complaints filed with the program.</p>	<p>The New Mexico Livestock Board licenses horse rescue, sanctuary and retirement facilities in the state, which subscribe to the standards of care for horses as detailed in "Care Guidelines for Equine Rescue and Retirement Facilities", published by the American Association of Equine Practitioners. Every rescue, sanctuary, or retirement facility as defined above must obtain/renew their registration each year by completing an application/renewal and passing a facility inspection by the state to ensure that the stable is abiding by general requirements (e.g., regarding preventative care and basic health management, feed program, water supply, fencing, pasture/facilities/equipment, farrier care, and IRS status, see application for more detail). According to NM Stat. § 77-2-30, the board or its agents may enter the premises of a facility to conduct unannounced inspections and may issue a written notice if the facility does not meet minimum requirements. If noncompliance continues, the board may impound the horses and hold a hearing to determine if the license should be revoked. In addition to annual inspections, the New Mexico Livestock Board also inspects licensed facilities in response to complaints filed with the program.</p>
Staff Involved in Implementing Program	Currently 4 total employees- executive director, employee focused on marketing and outreach (e.g., running horse discovery center program), and 2 inspectors	Currently 1 full time employee- a field veterinarian for the New Mexico Livestock Board who conducts all the inspections. This employee also works with the



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		<p>Deputy Director of the New Mexico Livestock Board in enforcement of compliance and day-to-day aspects of the program with the rescues. The Livestock Board's Chief Financial Officer is also involved in disbursement of the New Mexico Equine Shelter Rescue Fund.</p>
<p>Annual Budget/Funding Sources</p>	<p>Annual budget currently \$300,000 which comes from a few different sources:</p> <ul style="list-style-type: none"> • Stable licensing fee is \$125 a year, which amounts to about \$100,000 a year in funding for the program. • Also funded by a feed check off program; every time someone buys a bag of horse feed the program gets 15 cents and that amounts to approximately \$200,000 a year. • Have also received USDA grant funding and a funding award from the Governor 	<p>The annual budget to cover the full time employee comes from the New Mexico Livestock Board and in part from licensing fees which are \$250 for initial registration and \$100 for annual renewal.</p> <p>Another component of the budget is the New Mexico Equine Shelter Rescue Fund (formerly Horse Shelter Rescue Fund), which disperses grants to registered equine rescue/sanctuary/retirement facilities. This fund comes from annual appropriations from the state legislature as well as donations and voluntary contributions from tax refunds. The fund varies year by year but has reached as high as \$360,000.</p>
<p>Education/Outreach, Grant Funds, and Other Components of the Program Beyond Licensure/Registration</p>	<p>In addition to its regulatory focus, the MHIB seeks to increase public awareness of Maryland's equestrian/equine traditions and the positive impact of horses on the quality of life in Maryland. For example, in 2015, the MHIB launched the Horse Discovery Center program which now has 42 centers that are part of a volunteer, certified program for already licensed stables focused on providing outreach to the general public about horses. The MHIB also conducts outreach to legislators and the public to promote the equine industry.</p> <p>The outreach and educational focus of the Board is outlined in statute. According to Article 2-708.1 of the Annotated Code of Maryland, "The Board shall:</p> <p>(1) Carry out the licensing, inspection, and enforcement provisions of this</p>	<p>The New Mexico Equine Shelter Rescue Fund coincides with the licensure program by providing funding for licensed rescue facilities. According to NM Stat. § 21-32-6, "monies in the fund may be distributed to reimburse registered horse rescue and retirement facilities to defray the feeding and care expenses incurred by those facilities whenever they provide care and feed to animals that have been placed there by the board or other government agency in accordance with Chapter 77, Articles 2 through 18, NMSA 1978, after owner surrender, the estray process or seizure or court-ordered disposition." The funds are allocated by a committee of New Mexico Livestock Board staff and stakeholders (e.g., Animal Protection New Mexico) only to licensed facilities and are typically given proportionally based on the number of New Mexico rescue</p>



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	<p>subtitle;</p> <p>(2) Advise the Department regarding matters affecting the horse industry in the State;</p> <p>(3) Support research related to equine health and related issues;</p> <p>(4) Promote the development and use of horses in the State;</p> <p>(5) Create public awareness of the value of equine activities as they relate to the preservation of green space and agricultural land; and</p> <p>(6) Develop and disseminate information concerning the equine industry, including the history and tradition of breeding and the role of horses in recreational activities.”</p>	<p>horses each facility keeps (but can also be determined based on hay cost and other regional factors).</p>
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When asked what has worked well for these licensure/registration programs, all interviewees from both states discussed the critical role of these programs in reducing incidents of equine cruelty/neglect and ensuring basic standards of care for horses are being met across the state. In the case of Maryland, this helps the state promote the state’s equine industry as being committed to adhering to high animal welfare standards. In the case of New Mexico, this ensures unwanted horses coming from situations of neglect, cruelty or abandonment, including those seized by the state and law enforcement, don’t end up in worse off situations. One interviewee mentioned that in the case of New Mexico, standards of care are now being met in rescues/sanctuaries, but some guidance for standards of care in other facilities would be useful for helping law enforcement address cases of cruelty/neglect in different types of facilities.

Interviewees from both states highlighted the benefit of their programs combining the regulatory “stick” with a “carrot” in the form of grants and/or equine industry promotion. These “carrots” had the benefit of incentivizing facilities to obtain their license and maintaining stakeholder support for the programs. In the case of New Mexico, the New Mexico Equine Shelter Rescue Fund provides grants to licensed rescues and shelters, while in Maryland, the MHIB engages in significant outreach to the public, legislators, and stakeholders to help promote and build Maryland’s commercial equine industry.

There were some additional unique components of each of these programs beyond their regulatory focus that were also identified by interviewees as successful. MHIB’s [Horse Discovery Center program](#), for example, in which licensed facilities become certified to



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voluntarily provide outreach and riding experiences for the general public, was shared as a successful approach for promoting the equine industry and engaging more diverse populations with this industry in Maryland. In the case of New Mexico, having a state microchip registry database for horses through the New Mexico Livestock Board was also identified as useful for understanding where horses are coming from, which can help with investigations, questions of ownership, and with emergency response. Also in New Mexico, licensed rescues and sanctuaries coordinate through the New Mexico Equine Rescue Alliance, which helps the state determine where horses from impounds can be sent and coordinates surrenders of unwanted horses often before the horses' situation gets bad enough to require regulatory action.

When asked about challenges for implementing these programs, one challenge expressed by interviewees from both states was related to inspecting and taking action against facilities operating without a license. While in both states, eligible facilities are required by statute to be licensed, interviewees expressed how in reality, finding these unlicensed facilities, inspecting them, and enforcing this provision of the statute is an ongoing challenge due to limited resources and/or a lack of authority to effectively conduct investigations of these facilities (e.g., to enter unannounced on the premises of unlicensed facilities as the state can do for licensed facilities). One interviewee suggested that an additional staff member dedicated solely to working with law enforcement to investigate unlicensed facilities would go a long way in addressing this challenge. Another interviewee stated that including a non-compliance penalty/enforcement provision in the statute requiring the licensing of equine rescue facilities is very important, since without it the requirement is unenforceable.

Summary of Key Findings from Case Studies of Other States and Lessons Learned for Colorado:

The case studies of Maryland and New Mexico demonstrate how other states have successfully responded to concerns over horse welfare and a growing unwanted horse population by creating equine facility licensure/registration programs. While the two programs vary in the scope and types of facilities that are licensed, interviewees expressed the benefit of licensure programs in addressing and preventing cases of equine neglect and ensuring industry standards of equine welfare are being met in the facilities being licensed. These programs are funded through a variety of mechanisms, including licensure fees, annual appropriations, feed check-off programs, federal grants and donations, and require 1-4 FTE to implement. Successful implementation of similar programs in Colorado could build on the lessons learned and challenges experienced in these other states by 1) ensuring that any regulatory program is partnered with a positive, educational and/or grant program that promotes the equine industry and/or provides some financial support for licensed equine rescues/sanctuaries; and 2) building in statutory mechanisms and/or funding so that the regulatory program can investigate and address unlicensed facilities that are required by statute to be licensed.



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When considering developing an equine licensure program in Colorado, the numbers and types of facilities in Colorado compared to Maryland and New Mexico should be taken into consideration. In 2016, Colorado had a total of 205,300 horses, compared to 101,500 in Maryland and 113,500 in New Mexico (<https://datapaddock.com/>). Thus, if the rate of change in horse numbers since 2016 has remained similar for all three states and there were similar ratios of horses per facility in all three states, Colorado's licensure program would likely eventually require up to twice the number of inspectors than both of those programs (i.e., at least 2 full time inspectors for a rescue/sanctuary only program and at least 4 full time inspectors plus a director and outreach staff for a program similar to Maryland's). This FTE estimate for a program similar to Maryland's would be on par with the current number of FTE employed by the Pet Animal Care Facilities Act Program (PACFA), a licensure program for facilities with companion animals in Colorado.

Key Issues/Expected Outcomes to Consider for Potential Programs and Policies in Colorado:

Overall, our review of case studies of equine welfare programs in other states and statistics in Colorado suggests four key issues or expected outcomes to consider when discussing potential programs or policies established in Colorado to enhance equine welfare. In this section, we summarize each potential outcome and link it to the data described above.

1) Reducing investigations/cruelty cases for the 21% of investigations into facilities/large-scale operations: Our data from regulatory/law enforcement agencies in Colorado suggest that approximately 21% of the 893 equine investigations reported in the past two years are occurring in facilities/large-scale operations including boarding, breeding, and rescue/sanctuary facilities. One potentially desired outcome of any new programs/policies may therefore be to reduce the number of cruelty/neglect cases in these larger-scale operations by providing education, incentives/assistance, registration, or licensure to promote or ensure that certain standards of animal welfare are being adhered to. Such a program could help prevent cruelty/neglect before it occurs in these facilities.

2) Reducing investigations/cruelty cases for the 79% of investigations into private/small scale operations: The other 79% of the 893 equine investigations reported in the past two years occur in small scale, private operations. Thus, if seeking to reduce the overall number of investigations/cruelty cases, programs/policies could also target this audience of small scale horse owners by providing education, incentives/assistance, registration, or licensure to promote or ensure that certain standards of animal welfare are being adhered to. Such a program could help prevent cruelty/neglect before it occurs in small-scale, private operations.

3) Ensuring there are adequately resourced sanctuaries/rescues to take unwanted horses that adhere to animal welfare standards: The approximately 355 horses reported to be removed each year from cruelty/neglect cases in Colorado have to then be re-housed, which can be a significant challenge for some regulatory/law enforcement agencies. Currently, there is



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no state registration or licensure program for rescues/sanctuaries to ensure that unwanted horses coming from situations of cruelty/neglect are going to facilities that follow basic standards of animal welfare. Indeed, since 2021, at least 3 different facilities that operated as a rescue or sanctuary in Colorado were charged with cruelty/neglect. One of the case studies reported here demonstrated how the New Mexico rescue licensure program and Equine Shelter Rescue Fund was created to ensure that facilities operating as rescues/sanctuaries were adhering to basic standards of animal welfare. The program also provides some resources for these facilities to take in unwanted horses, including those seized by the state from cruelty/neglect cases. Thus, another potential desired outcome of future programs/policies in Colorado could be to ensure that there is a network of well-resourced equine rescue/sanctuary facilities that adhere to basic animal welfare standards that can take in unwanted horses, including those seized by law enforcement/regulatory agencies from cruelty/neglect situations.

4) Promote equine consumer protection and the CO equine industry by ensuring public soliciting equine facilities are adhering to basic animal welfare standards: Because our data suggest that investigations and cruelty charges are occurring in public soliciting equine facilities, this poses not just an animal welfare challenge, but also a consumer protection challenge. Currently, there are no programs in place to help ensure that horse owners seeking to board their horse don't end up using a boarding facility where cruelty/neglect is occurring. Our data suggest that indeed, cruelty/neglect does occur at boarding and other similar facilities. Specifically, there were 20 investigations that resulted in criminal charges or civil action in the prior two years that involved facilities that provided lessons, boarding, or therapy-based services to the general public. Further, members of the public donating to rescues or seeking to buy a horse from a breeder or purchase trail ride experiences have no way of ensuring that these horses are not being mistreated. We found that in the past 2 years, there have been at least 3 criminal charges/civil actions that involved facilities that operated as a rescue or sanctuary, 5 that involved facilities that operated as a horse breeding facility, and 1 that involved facilities that operated as outfitters or dude ranches. This indicates that consumers financially supported facilities that were engaged in neglect or mistreatment of horses. Our case study of the MHIB demonstrated how Maryland was able to establish a program requiring licensure for public soliciting equine facilities to ensure these facilities adhere to basic animal welfare standards in the state. This provided equine consumer protection and promoted the equine industry. Thus, another potential desired outcome of any programs/policies in Colorado could be to promote equine consumer protection and the CO equine industry by ensuring public soliciting equine facilities are adhering to basic animal welfare standards.

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