

Killing Them in Texas

Mary Nash and Paula Bacon have deep roots in Kaufman, Texas, a city with a population of 6,600 located thirty-three miles southeast of Dallas, where **Belgian-owned** Dallas Crown Inc. continues to slaughter horses for **human consumption** overseas.

Nash's great-grandfather, Charles Cornelius Nash, was driving a herd of horses across Texas looking for good grazing land when he settled in Kaufman and purchased a forty-six-acre farm, which is now run by Mary Nash. The farm is adjacent to Dallas Crown. "It was originally for cattle under another name," Nash said. "The plant was built to slaughter cattle, not horses."

Though Nash's dad worked in insurance and real estate, he loved horses. "My dad and I used to train Shetland ponies," she said. "I rode my horse around town like a lot of kids here. I grew up with horses."

After Nash graduated from Kaufman High School, she attended Southern Methodist University, got married, and lived in Dallas with her husband and their son, Joseph. The family moved back to Kaufman in 1987 when Joseph was three. She took a job working in computer technical support for an accounting firm until she retired in 1998.

"From 1990, I had unfettered access to that property," she said. "I've been seeing the horses down there [at Dallas Crown] for years. We lived within walking distance from the farm, a couple blocks away. We'd go over in a golf cart. I remember the first time I got a good look at those horses in December 1990. I was amazed."

She was amazed because she had spent her entire life believing that the horses who were slaughtered at Dallas Crown were horses who were either injured or diseased.

"I thought those horses look a lot better than any horse I ever rode when I was a kid in Kaufman, a lot better," she said. "I thought, 'My God, why are these horses being killed?' These are horses who are gorgeous. I was so disgusted. It made me so mad. I didn't think there was a thing I could do about it."

She remembers the stories she had heard growing up. "The stories floating around town were that they all had diseases," she said. "That's what they were telling people when they slaughtered horses, that it was okay to slaughter them. That was the story being passed around town. For years, a friend of mine who's a vet would tell the story about the horses' sicknesses." In 2003, one of Nash's neighbors was having a beer with Nash's husband, Stephen, a lawyer who works in Dallas. "[Our neighbor] said he was having a beer with an employee of Dallas Crown and the guy said Dallas Crown's biggest client is Disney World to feed their zoo animals," Mary Nash said. "I said, 'He was lying.'"

Then Nash went on the Internet, downloaded a couple articles about horse slaughter for human consumption overseas and left them in the Dallas Crown's employee's mailbox with her business card. "Never in my life did I have an easier time dispelling a lie," she said. "That's the kind of bull that goes on in Kaufman, where people are naïve and unsophisticated. They believe anything without questioning it."

She knows because she did—until she got a closer look at reality. She has watched underground video filmed by the Humane Farming Association of the actual slaughter of horses at Dallas Crown when the plant did not know a visitor was coming. Asked if horses are always killed with the first shot of a stun gun, she said, "Of course not. Haven't you seen the video? A cow has a short neck like a hog. They get them in confined spaces. I've been around cattle; my dad used to raise cattle. And I've been around horses. The horse has a long neck and horses get excited. They flail around. Cows don't do that. With a horse, they're jumping around like crazy. They're nervous. They're scared. How are they going to hit the right spot with them jumping around? They hit everything but the right spot. It's a complete betrayal [of the horses]. They trust us and work for us. And then we sell them to these Belgian jerks?"

The people who sell horses and the people who buy and slaughter horses are doing so contrary to the state law of Texas, a law in existence since 1949.

When Skip Trimble, a sixty-four-year-old lawyer who owns Thoroughbreds, was asked in 2001 to draft legislation that could possibly stop the slaughter of

horses for human consumption in the state of Texas—where two of the three horse slaughterhouse plants in America are in operation—his research revealed an interesting fact: a statute banning horse slaughter for human consumption already existed.

According to Trimble:

The law said it clearly in Chapter 149 [Sections 149.002 and 149.003] of the Texas Agricultural Code. That law basically says you can't sell, exhibit for sale, possess for sale, or transfer for sale horsemeat for human consumption. If you do, that's a crime, punishable [by] up to two years in jail. I said this is pretty strange because one of the plants has been doing it since the [nineteen] seventies.

The French-owned Beltex Corporation has been slaughtering horses for human consumption since 1978 at its plant in Fort Worth, roughly twenty miles west of Lone Star Park, the host of the 2004 Breeders' Cup World Thoroughbred Championship races, in Grand Prairie. The plant also sells bison and ostrich meat to markets in France, Belgium, and Japan. The plant has some ninety employees.

The Belgian-owned Dallas Crown Inc. in Kaufman, forty miles south-east of Lone Star Park, slaughters horses for human consumption in Italy, Japan, France, Belgium, Switzerland, and Mexico. Dallas Crown, which opened in 1994, has about forty employees.

In 2002, the two plants slaughtered more than 42,000 American horses and shipped the meat overseas, resulting in gross sales of more than \$40 million.

In 2003, 50,564 American horses were slaughtered at the two Texas plants for human consumption, according to the United States Department of Agriculture.

According to Just Say Whoa!! To Horse Slaughter, approximately five thousand horses were slaughtered at the two plants in the month of January 2004. They were slaughtered despite the law prohibiting such a business operating in the state.

"When I saw that law in the books, I started calling the Department of Agriculture and district attorneys," said Trimble, who is on the legislative committee of the Texas Humane Legislation Network. "I asked, 'Why is it that these plants are still in operation?' Nobody seemed to know. So I started writing letters back and forth, asking for explanations, and never got anything satisfactory. I said, 'Why not ask the attorney general to give an opinion?'"

The Texas Attorney General, John Cornyn, who has since been elected to the United States Senate, issued his opinion on August 7, 2002. Discarding the companies' contention that they were not subject to Texas state law because the meat was sold overseas, Cornyn ruled that Texas state law did apply and that the owners of the companies should be prosecuted.

But the companies jointly filed a federal lawsuit in September 2002, and procured an injunction to remain in business until that lawsuit is adjudicated. The two Texas county district attorneys involved agreed to wait until the lawsuit was resolved before prosecuting. (In the suit, Beltex included its slaughterhouse, Empacadora de Carnes de Fresnillo S.A. de C.V. in north central Mexico, because the company ships horsemeat through Texas to be flown to foreign countries.) The lawsuit is awaiting a decision from U.S. District Court Judge Terry Means in the Fort Worth Division of the Northern District in Texas.

In the interim, Representative Betty Brown of Kaufman went to bat for the slaughterhouses, sponsoring a bill that would have amended the Texas state law banning horse slaughter only if the human consumption of horsemeat occurs in the United States. "We have a population of over a million horses in Texas and very few end up in slaughterhouses," Brown said. "But this is one avenue that needs to remain open."

The reality, of course, is that horses sent to slaughter at the two Texas plants come from all over the country and are frequently transported inhumanely to be slaughtered inhumanely.

Not all horses that end up in slaughterhouses were sent by owners who knew of their fate. Some end up there under tragic circumstances, their owners duped by people who are looking to make a quick buck. Judy Taylor of Kentucky knows.

According to documents from the Jefferson Circuit Court of the Commonwealth of Kentucky, two of Taylor's horses were slaughtered at Beltex after she had arranged for other people to care for them.

Taylor owned two registered Appaloosas named Poco and P. J. Poco was fourteen and P. J. thirteen, and Taylor had had them since they were foaled. When she and her husband separated in 1994, Taylor remained at the residence where the horses were boarded and assumed sole responsibility for their care. Due to deteriorating health—she was suffering from myasthenia gravis and other medical problems—she could not continue to physically take care of the horses. Instead of selling them, she entered into an arrangement called a "free-lease" agreement, in which someone would care for the horses in exchange for the enjoyment of having them.

Taylor's brother suggested she give her horses to his friends Lisa and Jeff Burgess, who had a small farm with horses of their own. Taylor testified that she explained to Lisa Burgess that she never wanted to lose contact with the two horses, and if the Burgesses could no longer care for them, they would be returned to Taylor. Taylor did not transfer ownership of the two horses.

On August 31, 1994, the Burgesses took the horses. Lisa called Taylor that evening to tell her that she had led them around their new pasture and that the horses were doing fine. Within a few days, Lisa Burgess called Eugene Jackson, a known killer buyer, to say that she had two horses for sale. On September 6, 1994, Jackson purchased the two horses for \$1,000.

Taylor waited a week to visit her horses, bring them treats, and take pictures. At that point, Lisa Burgess told Taylor that she had given them to a man she had met on a trail ride, but she did not know his name. Upset and frightened, Taylor said she needed to know where her horses were so she could bring them back home.

The Burgesses then got a friend in Indiana, Kenny Rudolph, to cover for them by lying and telling Taylor that he had the horses. When Taylor called and said she wanted to see the horses, Randolph gave her vague directions to a fictitious location in Frenchtown, Indiana. After Taylor was unable to locate the horses, she returned home distraught. Randolph later confessed to an Indiana police detective that he had lied to Taylor and never had the horses.

With the aid of Victoria Coomber, a humane investigator, and Sharon Mayes, president of a local humane organization, Taylor learned that Eugene Jackson had bought the two horses from the Burgesses and sold them to Jason Ryan of the Ryan Horse Company, a business that supplies horses to Beltex to be slaughtered. They died there in late September 1994.

On August 23, 1995, Taylor filed suit against the Burgesses, Randolph, and Jackson in Jefferson Circuit Court in the Commonwealth of Kentucky. She filed an amended complaint to include Jason Ryan, James Ryan, and the Ryan Horse Company as defendants. The lawsuit against Randolph was dismissed for lack of jurisdiction, and that against Jackson and the Ryans was dismissed on grounds of improper venue.

In the suit against the Burgesses, a jury in April 1999 ruled that the couple had breached their agreement with Taylor and that they had intentionally inflicted emotional distress on her. The jury awarded Taylor \$1,000 for the fair market value of the horses, \$50,000 in

compensatory damages for outrageous conduct, and \$75,000 for punitive damages. The Burgesses lost on all appeals.

While Taylor's horses were sold by unscrupulous friends, others sold to slaughter in Texas are stolen. Texas Representative Charlie Howard said on the floor of the Texas House of Representatives on April 23, 2003—the day Representative Betty Brown's pro-slaughter bill was voted on—that he learned his stolen horses ended up in one of the slaughterhouses.

Brown's bill passed the Texas House of Representatives, 83-53, that day. The bill, however, was killed in the Senate despite an effort to resuscitate it by Representative Rick Hardcastle of Vernon, who attached an amendment to an omnibus agricultural bill sponsored by Senator Robert Duell of Greenville that would have allowed human consumption of horsemeat. Duell was not pleased at the addition and stripped it from his bill in a conference committee.

"They tried to get the law changed, and they failed at that," Trimble said. "So we're back to square one, which is, 'What is the judge going to say about the lawsuit?'"

In early March 2004, Ann Diamond, the Assistant District Attorney for Tarrant County, said the judge's decision could come in days or it could be months. At the time Diamond said this, the 2004 Breeders' Cup was less than eight months away.

"We hope that it will be over by then," Trimble said in early 2004. "I'm sure there will be huge demonstrations if the slaughterhouses remain open, but it won't be by our group. There are horse groups that are irate over this."

At the end of 2004, the two Texas slaughterhouses were still in operation. Personally, Trimble is appalled. "I saw Ferdinand in the Kentucky Derby. I was there. I still get a lump in my throat when I think of him being slaughtered in Japan. That's the last time Willie Shoemaker [who was a native of Texas] won the Derby. I saw Ferdinand beat Alysheba in the Breeders' Cup Classic at Hollywood Park."

Trimble has impatiently waited for the federal court to rule on the lawsuit to end the slaughter of horses in Texas, but nothing has changed. "It's status quo," he said. "They're still slaughtering horses as fast as they ever did. And nobody can do anything."

But people are trying. Mary Nash began her own website after she was appointed to the Kaufman Planning and Zoning Commission in 1999. The following summer, she expanded the zoning website, www.kaufmanzoning.net, to include a section on horse slaughter. That section offers a timeline of important events since 1997, undercover

scenes from a Texas horse slaughterhouse, the Texas lawsuit documents, the American Horse Slaughter Prevention Act, a message from Chris Heyde of the Society for Animal Protective Legislation, and an exhaustive list of correspondence on the topic.

On March 22, 2004, a TV crew from Dallas aired a piece about Dallas Crown. To get a view of the horses at Dallas Crown before they were slaughtered, they shot film from Nash's farm adjacent to the plant. "The mayor and I were both in it," Nash said.

In response, Dallas Crown built a barrier between its property and Nash's to obstruct the view. "Nothing surprises me," Nash said. "These people are liars. People in Kaufman have been lied to for thirty years."

In a July 25, 2004, e-mail to Carol Chapman, who operates The Last Refuge in Hitchcock, Texas, Nash wrote:

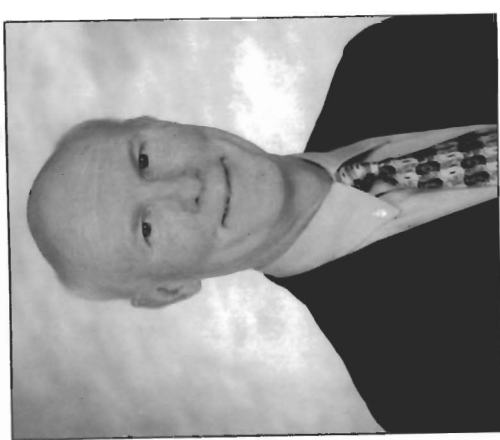
If you feel like giving up, come to Kaufman and look at the horses waiting for slaughter. I remember one day I drove to our farm on our golf cart to check out Dallas Crown to see how many horses were waiting.

It was late afternoon and the killers had gone home, leaving the horses behind to mill around in the holding pen. When the horses saw me across the way, they perked up and watched me.

I felt like they were expecting me to come over and talk to them. A few stood patiently at the fence, heads high, as if to say, 'Aren't you coming?' It broke my heart.

Paula Bacon, elected mayor of Kaufman in May 2003, is doing everything she can to close Dallas Crown. "It is gruesome, inhumane, and everything you think it would be," Bacon said in July 2004. "It has an incredible smell with thick, thick black flies."

"This morning in Texas, I got up at 6:30. I live in a house my grandfather bought. I open the back door, and then it hits me, the smell of urin-



Skip Trimble pressed for enforcement of a 1949 Texas law that bans horse slaughter for human consumption.

and blood. They're killing today. They're killing on Mondays and Thursdays. I'm looking for fresh air. What I got was a nose-full of manure, urine, and either blood or terror. They smell death. They're terrified."

Bacon, who is a native of Kaufman, lived in New Mexico, Boston, and Italy before returning to Kaufman to help her dad with his lumberyard.

When she was growing up in Kaufman, she, too, believed the line that the slaughterhouse was a necessary evil. "People would go around saying these horses are old and sick and have a defect in their legs that would cripple them later in life," she said. "I remember stopping and thinking, 'This sounds stinky. Surely, there must be a regulatory commission with people more intelligent than I am on it. It must be okay.' As Mary [Nash] said, it slipped under the radar."

And that is where it has stayed for years.

"There's a mentality here that has to do with people in this situation," Bacon said. "They enter a denial phase. They don't want to deal with it. People have been lied to. People trusted the officials. Now, if you admit it's wrong, you have to admit that you were fooled for years and years and years. They can't admit horse slaughter was a big lie all these years. It's very frustrating.

"I'm looking for a lawyer to close those [expletives] down."

Back in Business in Illinois

When the Belgian-owned Cavel International Inc. slaughterhouse in DeKalb, Illinois, burned to the ground in March 2002, amid unproven accusations that animal rights activists were responsible, Cavel did not wait long to announce it would rebuild the plant and reopen it as early as April 2004, so it could resume slaughtering as many as one hundred horses a day. It took a bit longer than that, but Cavel did, indeed, reopen in early June 2004.

By then, a rapidly growing base of opposition had sparked legislation in the Illinois Legislature, which would have explicitly banned the slaughter of horses for human consumption. Senator Christine Radogno of Lemont and Representative Robert S. Molaro of Chicago introduced companion bills in their respective houses to outlaw horse slaughter.

"When we were informed that there would be a plant opening for the slaughter of horses for human consumption, I would have to say almost every legislator in Springfield was shocked," Molaro said in an interview with Chicago's ABC Channel 7 in March 2004. "We don't breed horses to slaughter them for human consumption. That's what we're going to outlaw in this bill: not in this state, not in this country. And that's what the bill does. It's that simple."

Molaro had the ardent support of Arlington Park Chairman Richard Duchossois, whose track is located in the Chicago suburb of Arlington Heights. Said Duchossois, "It's the right thing to be done because it's the right thing to do."

But the 500-member Horsemen's Council of Illinois, which is affiliated with the American Horse Council, opposed the ban.