

Anne Russek's report:

**Sugarcreek, October 17, 2008**

**by: Anne Russek**

In the past few weeks there have been several stories about the continued abuses and lack of regulatory enforcement at the Sugarcreek auction in Ohio. First we had the story of the two weanlings that were rescued by Rachael and Amy. The filly had been brought to the auction with a broken hip and a broken ankle. After her rescue, while being examined at a local veterinary clinic, she was also discovered to have a severely torn vulva. The filly was humanely euthanised at the clinic due to the severity of her injuries. Leroy Baker , the owner of Sugarcreek, refused to disclose the name of the individual who had brought the filly to the auction in this condition.

One week later, Vicki was on a day trip to the town of Sugarcreek and decided to stop at the auction on Monday. She quickly learned that a cattle auction was underway, but she happened to wander into the pen area since she had spotted a few horses left over from the Friday auction. Unfortunately, she happened upon a dead pile which contained two dead horses and two dead cows. Incredibly , one of the "dead" horses began flailing his legs and weakly trying to whinny. Despite repeated efforts to obtain help for this unfortunate animal, she was unable to contact any humane officials, and the auction management showed no particular concern about the situation. Vicki did take pictures however, and hopefully charges can still be filed. You can read Vicki's firsthand account and view photo's of what she saw at Sugarcreek here

<http://www.bordercollie.org/boards/index.php?showtopic=21308>



In recent weeks several racetracks have adopted a "zero tolerance" policy relating to racehorses being sent to slaughter via auctions and direct to kill venues. All tracks under the Magna partnership are now operating under a no slaughter policy. Since Thistledowns is a Magna track, and Sugarcreek has often been the destination for many Thistledowns horses, I decided to go to Sugarcreek on Oct 17. I also had information that a particular horse from Mountaineer might be at the auction, and for reasons I am not able to elaborate on in this report, I chose this date. A good friend of mine, Linda, took it upon herself to raise the money so that I might rescue this horse if he was at the auction. Linda raised funds for his purchase, transport, and board. She did this in within 24 hours of my departure.

I arrived at Sugarcreek at 8:30 AM Friday. As usual, at this early hour, the pens are easy to navigate. I went into each pen that had horses and began "flipping lips". The first few horses I looked at were standardbreds, and the only thoroughbred I found had a very hard to read tattoo. I walked to the last pen in the back of the auction which had twenty or more horses left over from the previous weeks auction. These were all Leroy Bakers (owner of Sugarcreek) horses designated for slaughter. Several of the horses in this pen had profuse nasal discharges and one horse had an obvious case of strangles. I quickly spotted a chestnut, Hip # 404 and recorded his tattoo. His name was No Problem For Dino. He was last owned and trained by Ronald Puhl. The pen across the aisle from these horses was full of snotty nosed cattle. Unlike my other trips to Sugarcreek, these cattle were quite friendly. It was very easy for me to reach through the board fence and pet their heads. The floor of the pen was covered in manure, there was hay and water, but as usual, the pens are so overcrowded many of the animals never get near the hay or water.

I walked outside and saw a corral made up of portable gates. This pen was also full of last weeks horses. There was a round hay feeder in the middle of this very muddy pen. The water trough was bone dry, and so I filled it with a hose that was lying on the ground. I wondered to myself how many Sugarcreek employees walked past that trough and the hose without ever bothering to give those horses water. As soon as I turned the hose on, the horses began pushing and biting each other to get a drink. The weaker and less dominant horses stayed far back, patiently waiting their turn. I couldn't help but notice all the racing plates that were lying in the mud in this corral. I also noticed many more horses with heavy nasal discharge. As I walked to the back of the corral I saw a gray horse with a completely swollen right front leg. He could not walk on it, and his body was covered with bite marks.

I climbed into the corral and ran my hand down his leg to see if it was swollen from a cut or laceration. I felt no cuts, and my thoughts were that his knee was broken. He was very gentle, very responsive to my touch. I went to the hay feeder and brought some hay back over to him which he immediately devoured. Of course, once you give hay to one, you then spend quite a bit of time making piles all across the pen to keep everyone from fighting or taking it away

from the weak and sick horses. The saddest ones are the horses that can't eat because they are either in too much pain, or too sick. Others won't eat because they are in too much stress. These are the horses that have given up. These are the horses that seem to understand this is the end of the line.

I walked back into the building and came upon the auction veterinarian, Melissa Reddick, drawing coggins using the "gate method". This is a process by which a group of horses without halters are put into a long aisleway with a swinging gate at each end. The horses are herded down the aisle by the Amish with long whips and then they are singled out individually by being pinned between the gate and the sides of the aisleway. Reddick then climbs up the rungs of the gate, reaches over and sticks the horse with a needle to draw blood. If the horse thrashes, which most of them do, the Amish smack and holler at them, and apply more pressure on the gate which freaks the horse out more, which results in more yelling and more beating. Eventually the horse freezes in fear and the vet gets her blood. It makes absolutely no sense why the auction does not require horses to arrive with halters on so that coggins may be drawn in a safer and less stressful manner. Most of the abuse that occurs at Sugarcreek is because the horses do not have halters and the Amish beat them to move them instead of leading them. Horses slipping and falling on the concrete floors as they are being herded from pen to pen is common.

While I was watching Melissa Reddick draw the coggins on Hip # 941, I heard her tell her assistant that the horse was not fit for travel because of a heavy discharge from its nostrils. I tried to find out after the sale if the horse had been shipped, but Leroy Baker does not have to give out any information if he does not want to. I also wondered why Reddick had decided that particular horse was not fit for travel when there were at least fifty other horses at the auction with discharge worse than # 941.

I went to the area where the horses are offloaded from the trailers. As usual, any stud ponies or small intact horses are put in very narrow standing stalls that resemble stockades. These stalls are so tight and confining the horses can only shift their weight one step forward or backwards. I saw horses put in these stalls as early as 9 AM and stand in them until they sold at 2 PM. They had no hay, no water. When they urinate, they pee on their legs. Sometime during the morning, a very tiny mini was placed in one of these standing stalls. This poor animal was as sick as any horse I have ever seen. Its mane was impossibly tangled with burrs, it was skinny, and its entire face was crooked and deformed because of what appeared to be a sinus infection. Profuse snot was dripping from its nose. I went to a pen where there was hay and brought a handful back to the pony. I unlatched the heavy iron bolt that kept the door closed and placed the hay on the urine soaked floor in front of the pony. She weakly put her head down to eat but it appeared she could not chew and swallow.

As more horses were arriving at the auction, the sounds of horses being kicked in overcrowded pens becomes more frequent. I walked over to one particularly noisy pen and saw a gelding who had obviously been proud cut trying to mount mares and kicking the daylighters out of the other geldings. He was so aggressive the entire pen was in constant motion. I then noticed a bay horse with a swollen left leg and a large laceration across her knee. The yellow pus running down her leg was apparent from twenty feet away. She was frozen in fear because of the commotion all around her, and the aggressive gelding was working his way towards her. I entered the pen and attempted to catch the gelding. It wasn't easy, but a man standing outside the pen watching me reached over the fence in an effort to keep the gelding in one corner of the pen. Fortunately I caught him with a halter I had brought with me, and I led him out of the pen and put him into a box stall by himself. I gave him some hay and went back to find the injured horse which we later identified as a standardbred. I put the halter on the mare and slowly led her to the gate. A young woman saw me and offered to help by keeping the other horses away from me so I could get the mare out of the pen. About this time an Amish employee came over to watch me. The young woman saw him and said loud enough from him to hear " We're moving this horse because we don't want her to get kicked.". He looked at her leg and said, "She didn't get knicked here, she come in that way". He then turned and walked away. I thanked the woman and put the mare in another empty box stall and gave her hay.

At this time I decided to call the local humane officer to see if anything could be done for the gary horse with the injured leg, the bay mare with the knee, and the pitiful mini. I called the Sugarcreek sherriffs office ( 330-339-2000) to get the number for animal control. I was told to call 330-339-8968 and ask for Dawn Smitely. I called the number and got an answering service who told me they would contact her. While I waited, I saw Fred Bauer, a well known kill buyer back up to one of the unloading ramps. Thinking he may have thoroughbreds from the track , I walked over to see what he had. When Fred opened the back door of his very large trailer, I saw he only had five or six horses. The first one was a small chestnut horse that looked like it could be a two year old thoroughbred. Fred put him in a box stall directly across from his trailer. I went into the stall and Bauer watched me, I asked him if it was a thoroughbred as I was flipping his lip. Bauer said "No, he's no thoroughbred, I got him off an Amish fellow, says he's a real dangerous horse.". I commented that he didn't seem very typical of the kind of horse the Amish usually send to auction and Bauer shrugged his shoulders and offered that the horse was dangerous because he was " probably the result of a \$10.00 Amish castration .".

About this time Kathy and Diana met up with me and we went to every pen looking for thoroughbreds. I showed them the three injured horses. Kathy said that the thoroughbreds from Mountaineer would not arrive until the sale was ready

to start, and the throughbreds we did identify had been left over from the previous Friday. We were able to get good readings on two or three, and had difficulty with two or three others. The same gelding I had identified earlier, No Problem For Dino, made it very obvious we were not leaving without him. Kathy said that even though he would not sell through the ring, she felt sure she could buy him privately after the sale.

Kathy and Diana went to wait for the Mountaineer horses and I made another call to animal control. The answering service told me they had no way to page the humane officer, Dawn Smitely. Worried that she would never get the message, I called a county commissioner, Mr. Abbuhl. I had been advised by an Ohio Department of Agriculture official, Dr. Darnen, that all abuse at auctions must go through the local humane officer, and so I decided to follow the chain of command to get through to Ms. Smitely. Mr. Abbuhl told me that Dawn would be at the auction within the hour.

I went back to the unloading area just as the auction began selling the horses. Not long after, the Mountaineer horses arrived. There were five of them, all without halters, all wearing racing plates. Their shoes made sparks on the concrete floors as they scrambled to keep their balance as they were herded into a pen closest to the auction ring. They were a very attractive group. Four of the five were easy to catch and read their tattoos. The large bay, with an obvious bowed tendon, Hip# 406, was the hardest to catch. He was beside himself with worry. No matter how many rescues I go on, I am always torn apart by the look of confusion in the eyes of the thoroughbreds. They are desperate for someone to lead them to a place of safety. While we were still reading tattoos, an Amish man opened the gate to their pen and herded them into the aisleway so they could have their blood drawn. Like so many other horses before them, they were pinned in the gate while Reddick drew blood. Every one of these thoroughbreds off the track have a valid coggins in the racing office, I have no idea why the kill buyers who pick them up at the track don't bring the coggins with them. I suspect it is because the name of the last owner and trainer is on them. Not to mention, it would be harder for the track management to ignore the slaughter pipeline.

About this time I noticed a Sugarcreek police car pull into the parking lot. I decided to go check on the standardbred with the hurt knee and was shocked to see her being herded down an aisleway on her way to the auction ring. She went through the ring in less than 20 seconds, was purchased by Leroy Baker, and put in the kill pen with twenty or more other horses. I went to her pen and as I was going in to check on her, I was stopped by Dr. Reddick, a policeman and Dawn Smitely. Dawn asked me if my name was Anne, and I told her "yes". She asked me what was the problem. I told them that there were three horses at the auction who were obviously brought to the auction by their owners suffering from either abuse or neglect. I offered to go into the pen and show them Hip#807. I led her over and Dr. Reddick immediately stated the leg was not broken. I asked her how she could make that call when the knee was swollen three times

its normal size with a deep laceration and yellow pus dripping down her leg. Reddick said it can't be broken because she is standing on it. I then pointed out that if someone had given her enough Banamine and bute she would be able to stand, but only an x-ray could determine if it was broken. The policeman asked Redick if that was true and Reddick acknowledged she couldn't say for sure without an x-ray. I told the policeman that since the horse was standing in a kill pen, I wanted to make sure she would not be loaded on a trailer and forced to ship thousands of miles. Reddick said she would not okay her for transport. Reddick went on a rant about how it was not her job to check every horse, but rather she was only responsible for taking coggins. She said that going in the pens was too dangerous, and she had recently been badly injured and was not going to risk her life checking for abused horses.

I then told them there was another horse outside. We walked over to the broken legged gray horse. This time, everyone took a step back. Dr. Reddick told the policeman she had never seen this horse before, it had been here for over a week, and she would never issue a health certificate for him to be transported. The policeman asked if his leg was broken and she said she did not know. About this time one of Bakers thugs came from out of nowhere. He demanded to know what we were doing and said the horse was private property and Baker could do whatever he wanted with him. Reddick explained the horse could not travel. The thug said that it was not Bakers fault the horse was in this condition, that the horse had been brought to the auction looking like this. I asked if that meant the horse had been standing in the pen with a broken leg for over a week and the thug said it was none of my business. Dawn, ( humane officer) said that Baker could not be held responsible since he had bought the horse at auction, not brought the horse to auction. I suggested we could find out who had brought the horse here if we asked Baker to check his sales records and the thug said that was not going to happen. Dawn indicated to me that if I filed a complaint Baker would have to reveal the name and I said, "fine, I'll file a complaint.". I then told Dawn there was still another horse we needed to look at.

We then all walked back inside to the standing stalls. I removed the steel bar to the door and showed them the mini, cowering in the back of her filthy stall, with her deformed face. Dr. Reddick immediately diagnosed her as having a severe sinus infection. I found it amazing that she could immediately recognize a severe sinus infection within thirty seconds but could not acknowledge a horse may have a broken leg when it was swollen three times its normal size. At any rate, it was once again agreed that the horse was brought to the auction in this condition, and that the owner was guilty of abuse or neglect. At this point, the police officer was showing obvious signs of resentment. He did not want to be here, and he just wanted to know whether or not a complaint was going to be made. Once again, I told him I was willing to make that complaint. Dr. Reddick then began to state her case. She said, again, that her job was not to tell owners they could not bring their abused horses to the auction. ( Dawn Smitely later confided to me the exact opposite, Dawn said that if Reddick

would call her when these types of horses showed up at the auction, Dawn could prosecute). Reddick also went on to say that if the abused and neglected horses were not admitted to the auction, they would only be abused further at the owners home. I couldn't decide if Reddick did not know the law or felt she had the right to interpret the law to suit her own agenda. I told Dr. Reddick that is precisely why we have animal abuse laws, so that the offenders are prosecuted. Dr. Reddick said I was living a fantasy and that she would not/could not uphold the law. Dr. Reddick then proclaimed that the single biggest illegal activity taking place at the Sugarcreek Auction was the fact that every Friday, after the sale, dealers were leaving the auction with trailer loads of horses and crossing state lines without health certificates or coggins papers. She said that DOT was not doing their job. This opinion was verified by Dawn Smitely. Amazingly enough, even though the police officer heard both of these authorities tell him about the illegal activity that would be occurring that very afternoon, he made no effort to call DOT.

I also spoke to Reddick about the weanling filly from the auction two weeks before. Reddick acknowledged that the filly had a brokem hip and ankle, but when I told her about the torn vulva, she said " that filly did not have a torn vulva when she came in, she got that after she got here."

I told the officer and Dawn that I wanted to file a complaint against the owners of the three horses we had looked at, who had brought these injured animals to the auction. The officer commented he should be home by now, but agreed to go with Dawn to speak with Baker.

The sale was winding down but I noticed a young man leading an exceptionally attractive bay mare in from the parking lot. She had a leather halter with her name plate, Foxy Nokea. I asked the man why he was bringing the mare to this auction. He told me that the horse belonged to his partner's girlfriend who was going to vet school and could no longer afford to keep her. I asked if he knew this was a slaughter auction. He acted uncomfortable, but said "she won't go for slaughter, I am going to walk her in the ring myself". I asked him why he thought that would make a difference but he said that it would. I asked him what he wanted for her, and he said he did not know, but whatever she brought, the partner would take. I told him that I could find a buyer for her, but would need a few days. He said they could not wait. I then offered to pay her board if he took her back home until I found a buyer. He said he would ask his partner. I told him I would be around after the sale to give him some money, but to please not let her go to the kill buyers. He told me that would not happen.

By now, Dawn and the policeman returned from talking to Baker. Dawn said that Baker was going to shoot the gray horse. Dawn said that Baker was going to put a bandage on the standardbreds leg, and if it was not better by the morning, he would shoot her also. (I offered to pay for x-rays but Baker refused.) The mini had been purchased by a couple for \$30.00, and they were going to

take her home and try and save her. Dawn asked me if I was satisfied. I told Dawn that I not only was not satisfied, I wanted to know what follow up she intended to do. Dawn said if there was no complaint, as far as she was concerned, the investigation was over. I told Dawn I wanted to file a complaint, and I wanted her to do a follow -up on all three horses. Dawn was not happy with my resquest, and the policeman was real unhappy with my request. Dawn said that this was why she hated coming to the auction. She said she was underpaid, ( \$400.00 per month) and she was tired of being yelled at by Baker. She also mentioned a five year old son but I have no idea what he had to do with the situation . The police officer said he was going home, and if I wanted to file a complaint I had to go to the Sugarcreek police station but the only other officer who could register my complaint was at a traffic accident and might not be back for hours. I told him I would wait at the police station as long as I had to. That was the last I saw of Dawn and the policeman.

By now the auction was over. I saw the boy who had brought Foxey Nokea in. I asked him what happened and he said, " the killers got her". I asked him why he had allowed that to happen, and he shrugged his shoulders and said "my parner wasn't going to bring her home". I reminded him that I had said I would pay her board but he said that his partner did not care. I cannot get that mares face out of my mind. I never thought for a minute that I would be leaving the auction without her.

The pro -slaughter side promotes the lie that the horses are unwanted, but the truth is that auctions such as Sugarcreek are set up to deter people from buying the horses in the first place. For starters, the horses are in crowded pens with no halters. Secondly, the thoroughbreds are the last to arrive and the first to sell. They have no opportunity to be examined by the public. The auction process takes less than thirty seconds per horse.

There is no protection for the buyer regarding the health or soundness of an animal, I saw a large bottle of Banamine on a shelf next to one of the pens. Anyone could have used it for any purpose.

While I was grieving for Foxey Nokea, Diana found me and told me that Fred Bauer was extorting money from Kathy. He had bought one of the Mountaineer thoroughbreds for less than \$300.00 , yet he would only sell her to Kathy if she gave him an additional \$500.00. She gave him the money, but his sinister demands limited our ability to save the other three. When it was all over, Kathy and Diana saved three, whose names and background are at the end of this report.

In regards to the abuse complaint, I have called Dawn Smitely every day for the past three days. She does not answer my calls, but I will persist. I would suggest that anyone who reads this report who wants to help should contact Rosemary Williams at Mountaineer Prk and ask why she does nothing to stop the pipeline from her racetarck to Sugarcreek. The number to call is 304-387-8300. This # will connect you to the stewards at which point you should tell them how disgusting it is that they send horses to slaughter and then ask for the

number for Rosemary Williams, who is the director of racing at Mountaineer Park.

I would also call the mayor of Sugarcreek, Jerri Middaugh, 330-852-4415 and ask him why he allows the auction to operate in violation of federal transport regulations. I would also ask him why he allows this auction to accept abused and injured animals.

I would stop buying anything made or produced by the Amish. They have a serious problem within their cult, and their Bishops need to address the issue of cruelty towards their animals by a majority of their members.

I would also urge anyone who attends livestock auctions to start reporting violations. The important thing to remember is to get the name and number of the humane officer before you go. Then, follow through with complaints when they do show up.

Finally, continue your support for the anti slaughter legislation in Washington. This bill should have been passed five years ago..... the horse slaughter pipeline is a disgrace to America, and the weekly violations point out the inadequacy of the USDA and state agriculture departments to police the industry.

Anne Russek

Here are the thoroughbreds from the Sugarcreek Auctio, Oct 17

Rocking Minardi( SAVED) last raced Oct 14 at Mountaineer for owner/trainer Patrick Jeffries. I have reason to believe that he is also the one who would not work with me to save Foxy Nokea.

No Problem For Dino (SAVED)last raced at Pinnacle on 9/27 for owner/trainer Ronald Puhl. This year he had also raced at Thistledown, Beulah, and Mountaineer.

Kaufy Machine ( SAVED)last raced at MNR on 10/6 for Trainer Charles Keiser and Owner, Fred Schunmann.

Dont Jinx It and Sagres are both dead...Bauer bought them. He wanted \$500.00 more than he paid for us to rescue them and the funds were just not available.

Dont Jinx it last raced at MNR on 9/8 for trainer Donald Roberson and owner Paul Girdner.

Sagres last raced at Suffolk on May 7th for Trainer Gregory Rivera and owner Full Card Stable. Rivera gave the horse to the same guy that Suffolk ruled off for sending Dunemoor and Dahlia Denda to Camelot Auction several weeks ago.

While at the auction, Rosemary Williams of Mountaineer Park was contacted and informed that there were five horses from her racetrack at the auction earmarked for slaughter. We asked if she could intervene on their behalf, possibly by donating the extra funds to save them. She declined to help.

UPDATE!! October 24--I just spoke to the girl who rescued the mini. Her veterinarian said the pony does not have a sinus infection, her nose had been broken, probably by being beaten with a board or other object. Vet report is now on file.