

## EQUINE ABUSE INVESTIGATIONS: THE ROLE OF THE VARIOUS PLAYERS

The American Horse Protection Association along with veterinarians, humane societies, animal care and control departments and other law enforcement and public safety groups have a legal, professional, and ethical responsibility to attend to equine welfare.

AHPA plays an integral role in promoting responsible horse ownership by supporting equine protective laws at the local, state and national levels and offering its training seminars to investigators, veterinarians and citizens concerned with equine welfare. Additionally, AHPA provides horse owners with information on all facets of proper horse care and management.

The responsibility of the veterinarian with the client is educational, preventive, and corrective, if problems exist. Similarly, investigators and practitioners must work in cooperation to evaluate a situation, work toward a reasonable resolution, and if necessary, work together for enforcement of the anti-cruelty statutes. The horse owner is responsible for humane care and treatment of an animal that has been domesticated by man to serve man and has a life span of twenty to thirty years.

The majority of equine cruelty cases are the product of neglect rather than intentional mistreatment. In all situations the fact finders need a knowledge of the jurisdiction's anti-cruelty statutes, an understanding of the purpose of the anti-cruelty statutes and how enforcement is accomplished, as well as an understanding of human nature to reach a reasonable resolution.

The practitioner's role in recognizing an abuse/neglect situation includes looking beyond the immediate purpose for the client's call.

Similarly, the humane investigator must recognize when there is a problem.

Frequently, the veterinarian provides affirmation to the investigator about the problems already documented. The clinical identification remains basically the same, but with far more detail. Focus must be on developing the evidence necessary to support one's findings. All humane investigator cases are potential prosecutions and must be prepared as such, even though that is not the preferred outcome. The solution will begin with treatment and education to resolve the problem followed by subsequent visits to monitor progress.

Both the veterinarian and the investigator must be prepared to provide the attorney with the strengths as well as the weaknesses of the case, what knowledge can be surmised from the available information, and what could have been done differently by the owner to provide an acceptable outcome. The opinion evidence offered by a veterinarian, as an expert witness, must have a factual basis from the investigation and examination, relating the statutory standard to the physical findings.

In summary, each player in an equine abuse case has a clear role: the equine practitioner can offer education and options to owners, as well as opinion in court; the investigator provides the direction the case shall take based on an investigation; and the owner has the power to dictate the path to resolution through his/her action or inaction. The common goal is the welfare of the horse. The tools are education, respect and communication between equine practitioners, law enforcement and horse owners. ♦

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