

Preventing and Addressing Equine Cruelty and Neglect in Colorado: Lessons Learned from Research and the Field



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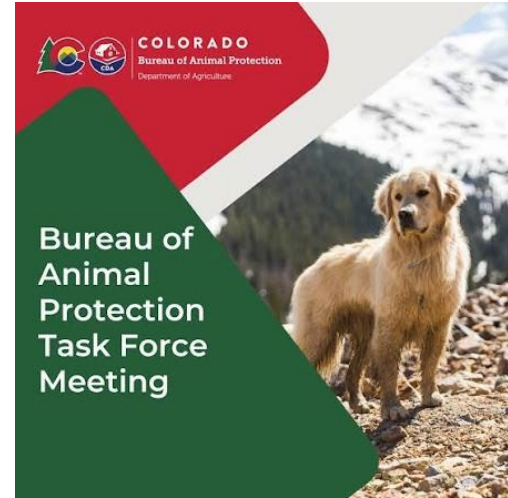
Animal-Human Policy Center
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Opinion: Colorado needs better protection for its horses

Laws that protect dogs, cats don't apply to the equine industry



Fabrizius v. United States Department of Agriculture (10th Cir. 2025)

Court: U.S. Court of Appeals for the Tenth Circuit

Docket Number: 23-9570

Date Decided: February 24, 2025

Justia Opinion Summary

Petitioners Jason Fabrizio and Fabrizio Livestock LLC sought review of a USDA Judicial Officer's order that denied their appeal of two USDA ALJ orders. The ALJ found Fabrizio Livestock responsible for ensuring animals transported interstate had required documentation and issued a \$210,000 fine against the company. Fabrizio Livestock, a Colorado corporation dealing in horses, often sold horses intended for slaughter and kept them in conditions that made them vulnerable to disease. The company sold horses across state lines without the necessary documentation, including ICVIs and EIA test results.



Surviving in the margins: The plight and dilemma of wild mustangs in the San Luis Valley

By Savannah Eller

Published August 8, 2026 4:11pm | Updated August 8, 2026 10:47pm



The San Luis Valley horses, of uncertain origins and grazing mostly on private land, did not make the list of federally recognized herds.

“It’s this regulation gray area,” said Wayne East, the agriculture and wildlife programs manager at the Colorado Department of Agriculture.



Companion Animal vs. Equine Cruelty Cases

Companion Animal

- PACFA program regulations enabled proactive improvements in welfare, often preventing situations from turning into cruelty
- PACFA enabled investigations into large scale facilities; helped BAP and law enforcement obtain warrants
- Public soliciting facilities regulated; still some cruelty in facilities but could be addressed through civil and criminal remedies between PACFA and BAP

Equine

- No state-run credentialing, licensing, or registration program for equine rescue or other equine facilities in the state
- No way to proactively improve welfare; have to wait until situation escalates into cruelty
- Difficult to get on to large scale facilities to investigate due to lack of program similar to PACFA



2023 Research on Equine Cruelty: Objectives

01

Quantify Equine Cruelty & Neglect Cases

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.

02

Summarize Lessons Learned from Other States

Summarize lessons learned from other states where programs or policies have been implemented to promote equine welfare in equine rescues and other equine facilities.

03

Identify Key Issues & Policy Recommendations

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.



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Methodology

SURVEY OVERVIEW

Data Collection Strategy

Sent out a survey to all Bureau of Animal Protection (BAP) agents in **late July 2023**.

Objective: Requesting agents to report their agency's statistics on equine investigations and resulting civil or criminal action.



12 RESPONDING AGENCIES

Covering 52 Counties & 3 Municipalities

- Colorado Dept. of Agriculture Bureau of Animal Protection (BAP)
- Colorado Humane Society, Dumb Friends League
- Humane Society of the Pikes Peak Region
- Larimer Humane Society
- Sheriff's Offices: Jefferson, Weld, Teller & Park Counties
- Police & Animal Control: Summit County, Castle Rock, Thornton & Westminster



Findings

893

Equine Cruelty & Neglect Investigations Conducted

Between 2021-2023

230

Warnings & Education

Provided to owner along with continuous monitoring to ensure equine welfare

69

Lack of Vet Care

Involved complaints around lack of veterinary care

54

Food or Water Provided

Resulted in food or water being provided to the horse(s)

42

Lack of Farrier Care

Involved complaints around lack of farrier care

36

Disease Spread Concerns

Involved complaints around the spread of disease between multiple horses in a facility



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Findings

Facility Breakdown of 893 Total Investigations Conducted

189

10+ Horses Facilities

Involved facilities housing 10 or more horses

113

Public Serving Facilities

Provided lessons, boarding, or therapy-based services to general public

43

Rescues & Sanctuaries

Operated as an equine rescue or sanctuary facility

13

Outfitters & Dude Ranches

Involved facilities operating as outfitters or dude ranches

12

Horse Breeding Facilities

Involved facilities operating as horse breeding facilities



Findings

71

Criminal Charges or Civil Actions

From the 893 investigations

3

Involved
rescues/sanctuaries

5

involved horse breeders

1

involved outfitters/dude
ranches

20

involved facilities that provide lessons,
boarding, or therapy- based services (across 5
facilities)

23

involved facilities with 10 or more horses
(across 7 facilities)



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Findings



355

Horses Removed

A total of 355 horses were removed by reporting agencies in one year from properties because of an investigation into potential animal cruelty/neglect.



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Findings



Colorado Humane Society Had 8 large cases in 2022

Involved warrants and impounds: 4 horse rescues, 2 breeding facilities, 1 dude ranch, and 1 hoarder/collector.

- **5 Criminal Charges** (2 cases rose to felonies)
- **4 Slaughter Pen Rescue** operations
- **52 Horses Euthanized** in 1 case (severely lame, suffering, or neglected beyond rehab)



Findings

Quotes from Law Enforcement

*“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 [...] 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).”*



Findings

Quotes from Law Enforcement

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





CUHA works in collaboration with equine organizations, horse rescues, veterinarians, and state agencies to raise awareness about unwanted horses and the importance of responsible horse ownership. We promote research to better understand the scope of the unwanted horse problem, and we provide financial support to organizations to help them feed, shelter, care for, and train abandoned horses and improve their chances of being adopted.

Key Takeaways from Research and Practice

- 01 Lack of Proactive Regulation:** Colorado's equine industry lacks the proactive regulation that our companion animal industry has
- 02 Barriers to Preventing and Addressing Cruelty:** This makes it more difficult to investigate and address large scale equine cruelty cases as well as prevent cruelty
- 03 Recurring & Severe Impact:** Equine cruelty cases do occur on large-scale/public soliciting facilities, are often recurring, and can result in significant suffering by the time a case is addressed
- 04 Consumer Protection Risks:** These cases also pose consumer protection concerns for those boarding or buying horses
- 05 Proactive Solutions:** Proactive regulation can help prevent and more effectively address this cruelty and neglect on large scale properties



Regulatory Programs in Other States

Broad Scope of Regulation

Regulates 797 stables soliciting the general public, including rescues/sanctuaries, boarding, and rental or therapy facilities.

Historical Origins

Created in the 1960s in response to public concerns over how some arabbers were treating their horses.

High Welfare Standards

Helps the state promote its equine industry as being committed to adhering to high animal welfare standards.



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Regulatory Programs in Other States

Program Overview

New Mexico Livestock Board Horse Rescue Licensure Program regulates rescue and sanctuary facilities.

Historical Purpose

Created in the early 2000s to ensure basic standards of care are met and establish trusted, registered facilities for unwanted horses.

Enforcement & Funding

Holds civil authority to conduct inspections and petition to revoke licenses if standards are not met. Funded in part by annual license fees.



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In Conclusion

Leadership Opportunity

Colorado has an opportunity to be a leader in ensuring welfare standards are met in our equine industry and addressing and preventing equine cruelty.

Proven Frameworks

There are models in other states we could follow as well as our own PACFA program.

Proactive Regulation Benefits

Such proactive regulation could help prevent and address equine cruelty/neglect, protect horse buyers/boarders, and ensure basic welfare standards are met in large scale facilities.



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Read the full report at:

<https://sites.warnercnr.colostate.edu/animalhumanpolicy/>



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