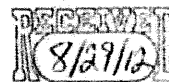




UNITED STATES DEPARTMENT OF AGRICULTURE

OFFICE OF INSPECTOR GENERAL

Washington D.C. 20250



DATE: August 29, 2012

REPLY TO
ATTN OF: PS-3301-0201

FROM: Ann M. Coffey
Special Agent-in-Charge
Investigations Liaison and Hotline Division

Digitally signed by Jessica M. E. Taylor
DN: cn=Jessica M. E. Taylor,
o=OIG, ou=USDA,
email=(b)(6)@oig.usda.gov,
ov, c=US
Date: 2012.08.29 15:11:38 -0400

TO: Marilyn L. Holland
Acting Deputy Administrator
Marketing and Regulatory Programs
Animal and Plant Health Inspection Service

SUBJECT: Hotline Complaint—(b)(6),(b)(7)(C) Veterinary Medical Officer (VMO) (GS-
(b)(6), Animal and Plant Health Inspection Service (APHIS), (b)(6),(b)(7)(C) ---
MISCONDUCT

It is requested that your office obtain sufficient information to address the allegation shown below. Within 90 days, please send our office a status report or a final report indicating what administrative actions are planned or have been taken as a result of substantiated allegations. The Hotline control number should be referenced on all correspondence related to the complaint. Send all mail in a sealed envelope marked "OPEN BY ADDRESSEE ONLY" to the above listed address.

If this complaint requires referral to another agency or to an OIG Regional Office for action, please return all documents to the Hotline Office along with your recommendations for the appropriate referral.

ALLEGATION: An anonymous complainant alleges that (b)(6),(b)(7) unfairly tests horses in order to solicit a reaction and routinely treats the Walking Horse Industry in a biased manner. (b)(6) did this on (b)(6),(b)(7)(C) by using (b)(6) thumbnail to reach the nerve of the pastern in a deliberate effort to seek a response from the horse. This was done following the prior testing procedures which did not solicit a reaction in the horse. The use of (b)(6) thumbnail instead of the "flats" of (b)(6) thumbs, is not a normal practice and one only (b)(6) uses. (b)(6) freely admitted to following (b)(6) "own directions." Please see the attached for further details.

Public Law 95-452, sec. 7, prohibits the unwarranted disclosure of the complainant's identity or the taking of reprisal action against the complainant. In those instances where the complainant is anonymous or wishes to remain confidential, no attempts should be made to discover the identity

complainant. The complaint should be provided or discussed only with those who need to resolve the issues. The typed complaint should not be provided to the subject; however, you may discuss with the subject all relevant issues to completely resolve the complaint.

Attachment

aphisattachment (3).txt

From: anonymous@xdhtpls2.ess.usda.gov
Sent: Monday, August 27, 2012 11:04 PM
To: USDA HOTLINE
Subject: Hotline Report

Email:

Report: who committed the wrongdoing (USDA Agency, person, organization, description etc.)?

(b)(6),(b)(7)(C) USDA VMO

What exactly did the individual or entity do?

Is not following proper palpation protocol in equine inspections. The horse completed swabbing and completed SHOW HIO inspection process including leading freely around cones and palpations and was passed.

(b)(6),(b)(7)(C) requested to inspect the horse following this already exhaustive process. As opposed to using the flats of (b) thumbs, (b) uses the point and nail of (b) thumb to reach the nerve of the pastern in a deliberate effort to seek response from the horse. If I were to practice these same techniques on a human foot, I feel quite certain I could elicit a response as well. When asked why (b) was not following prescribed protocol, (b) was response was "I follow my own directions."

Where did the alleged activity take place (address)?

(b)(6),(b)(7)(C)

When did the alleged activity take place?

Monday morning (b)(6),(b)(7)(C)

How are the individuals involved and how were these individuals able to perform the alleged activity?

(b)(6),(b)(7)(C) is an appointed USDA VMO tasked with the inspection of walking horses.

Do you know why the person committed the wrongdoing?

(b)(6),(b)(7)(C) attitude and demeanor in the inspection area shows a complete lack of respect for the industry and the efforts of the HIO. (b) is the only VMO that continuously generates a strong and present feeling of government exceeding its authority without any presence of appeal on site. (b) is a consistent source of controversy, exhibits an attitude of arrogance and pride in exercising (b) ability to negatively effect this industry. Despite knowing that this VMO has a history and reputation with the walking horse industry, the USDA continues to send (b) to walking Horse Shows around the country.

By comparison to other qualified VMO's, (b)(6),(b)(7)(C) attitude and technique continue to be supported

by the USDA and is only serving to defeat the process, spirit and intent of the HPA for the USDA to work

cooperatively and in conjunction with HIO in the protection of the walking horse.

The presence of

retaliatory tactics and attitude by (b)(6),(b)(7)(C) is not only damaging the walking horse industry but the reputation and credibility of the USDA.

Witnesses, if any, who can verify the allegations?

SHOW HIO Designated Qualified Persons, (b)(6),(b)(7)(C)



UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF INSPECTOR GENERAL
Washington D.C. 20250



DATE: May 5, 2011

REPLY TO
ATTN OF: PS-3301-0133

FROM: Ann M. Coffey (b)(6),(b)(7)(C) /*fer*
Special Agent-in-Charge
Investigations Liaison and Hotline Division

TO: Joanne L. Munno
Acting Deputy Administrator for
Marketing and Regulatory Programs
Animal and Plant Health Inspection Service

SUBJECT: Hotline Complaint-- (b)(6),(b)(7)(C) Veterinary Medical Officer (VMO) (GS-
(b)(6), Animal and Plant Health Inspection Service (APHIS), (b)(6),(b)(7)(C) -
MISCONDUCT

Our office received additional information on the subject complaint, which we are referring to your office for review, action, and inclusion in the subject file.

The original complaint was referred to your office on October 15, 2010.

ALLEGATION: The previously confidential complainant on this complaint has agreed to allow their email address to be given to the investigator. Their email address is (b)(6), @aol.com and they would like to be contacted by the investigator.

Public Law 95-452, sec. 7, prohibits the unwarranted disclosure of the complainant's identity or the taking of reprisal action against the complainant. In those instances where the complainant is anonymous or wishes to remain confidential, no attempts should be made to discover the identity of the complainant. The complaint should be provided or discussed only with those who need to resolve the issues. The typed complaint should not be provided to the subject; however, you may discuss with the subject all relevant issues to completely resolve the complaint.

Report: On (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) and I attended a charity horse show in

(b)(6),(b)(7)(C) with the proceeds benefitting the (b)(6),(b)(7)(C). (b)(6),(b)(7)(C) was

(b)(6),(b)(7)(C)

We also were (b)(6),(b)(7)(C). Shortly after the show started, there was a buzz among people in the facility that the USDA was on site inspecting horses

for violations of the Horse Protection Act. The talk was that an (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) was notorious for misbehavior and improper conduct while

performing (b)(6),(b)(7)(C) duties representing The USDA at horse shows across the country.

There were reports that many participants had left the show or were in the process of leaving. I walked outside of the arena and witnessed two horse trailers loaded with horses leaving the grounds. I then asked a friend of mine

who is a veterinarian about the exodus of participants and he told me he would

not lead a colt straight of a field to be inspected by this USDA inspector.

I then decided to see for myself what all the concern was about. I entered the

building where the warm up area was and observed a group of people in a public

area behind a rail, most were sitting on bleachers. There was a man running a

video camera. I watched him for a few minutes and then asked him who he was.

He said he was with the USDA. I asked him what he was videoing and he told me

I would have to talk to his boss. I asked who his boss was and he directed me

to an (b)(6),(b)(7)(C) At that moment, the (b)(6),(b)(7)(C) addressed me and wanted to know what I wanted. I asked (b)(6),(b)(7)(C) name so I could

introduce myself and address (b)(6),(b)(7)(C) appropriately. (b)(6),(b)(7)(C) curtly told me it was none of

my business. I asked if (b)(6),(b)(7)(C) was employed by the USDA. (b)(6),(b)(7)(C) said (b)(6),(b)(7)(C) was a VMO

with the USDA. I then asked if (b)(6),(b)(7)(C) was a licensed veterinarian. (b)(6),(b)(7)(C) said it was

none of my business. I then asked if (b)(6),(b)(7)(C) area of expertise was equine medicine. I asked (b)(6),(b)(7)(C) for (b)(6),(b)(7)(C) business card. (b)(6),(b)(7)(C) responded no. (b)(6),(b)(7)(C) told me it

was none of my business and asked who I was and did I have any horses at this

show. I told (b)(6),(b)(7)(C) I did not, that I was a U.S. taxpayer, that (b)(6),(b)(7)(C) was a

volunteer for the charity horse show and that I was a (b)(6),(b)(7)(C) wanting to know

why some exhibitors were leaving instead of allowing (b)(6),(b)(7)(C) to inspect their

horses. The VMO then pointed to the warm up ring and said I should ask those people why they weren't afraid of (b)(6). I then just stood and watched the proceedings. At this time the winners of the first few classes were returning for inspection after they had showed. The (b)(6),(b)(7)(C) inspected horses and passed some and said some were sensitive and wrote violations. I observed (b)(6) inspecting a particular horse that had no pads or chains on it's feet. I heard (b)(6) tell the exhibitor that her horse was sensitive on one foot. As (b)(6) passed by me behind the rail where there were several other spectators, I asked (b)(6) if the horse (b)(6) had just inspected and found sensitive was inspected before it participated in the show ring. (b)(6) rudely told me (b)(6) didn't have to answer my questions. So I asked the lady exhibitor if her horse had been inspected before it showed that evening and she said it had and was approved to show. I then asked her if the horse was shown with no action devices, then what made her horse unacceptable to the VMO? She replied she had no idea so as the (b)(6),(b)(7)(C) passed by me I asked (b)(6) the same question. Suddenly, (b)(6) ordered two (b)(6),(b)(7)(C) Highway Patrol Officers to remove me from the public area where I was standing. I was caught totally by surprise. I feel that the VMO's conduct was extreme and absolutely inappropriate and unacceptable as a representative of the USDA. The next night (b)(6),(b)(7)(C) and I attended the charity horse show again. Shortly after the show began, I had inquired and was informed (b)(6),(b)(7) was in the building observing the VMO inspecting horses. I wanted (b)(6) to watch the show with me so I entered the building on the opposite end of the area where the VMO was. As I entered the building seated just inside the door sitting on the bleachers was a friend of mine. I stopped and exchanged greetings with him. I was approximately 50-100 feet from the area where the USDA inspector was working. As I was about to look for (b)(6),(b)(7) out of the corner of my eye I saw two people approaching me. I turned and saw two Highway Patrol Officers. One told me I had to leave the building. I asked why and he asked weren't you involved in a confrontation last night with the USDA inspector. I said I was not involved in any confrontation but that the inspector had me unjustifiably removed from the building. I also told them I had just entered the building to

find (b)(6),(b)(7) so we could watch the show together. By this time (b)(6),(b)(7) saw what was happening and came to my side. We proceeded to leave the area with the Patrol Officers. Upon exit of the building I asked one of the Officers if he would go and ask the (b)(6), VMO for (b) business card or information regarding how to contact (b) office. The Patrol Officer told me that the VMO would not give me anything but wanted to know my name. I said I would give (b) my info if (b) would give me (b)(6),(b)(7). (b) refused. In my opinion this USDA representative has conducted (b)(6),(b)(7) in manner which is appalling and unacceptable. I was disrespected, embarrassed and belittled by this individual and feel my civil rights were violated. Therefore I am filing this complaint. I have lately found out that the name of the offensive VMO is (b)(6),(b)(7)(C). This individual is a disgrace and (b) conduct dishonors an important Government Agency the USDA. In my opinion this (b) has no place in enforcing the Horse Protection Act representing the USDA. (b) involvement diminishes and taints the process and (b) actions at the (b)(6),(b)(7)(C) show are unacceptable.



UNITED STATES DEPARTMENT OF AGRICULTURE

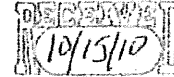
OFFICE OF INSPECTOR GENERAL

Washington D.C. 20250



DATE: October 14, 2010

REPLY TO
ATTN OF: PS-3301-0131



FROM: Ann M. Coffey (b)(6),(b)(7)(C) *lar*
Special Agent-in-Charge
Investigations Liaison and Special Operations Division

TO: Joanne L. Munno
Acting Deputy Administrator for
Marketing and Regulatory Programs
Animal and Plant Health Inspection Service

SUBJECT: Hotline Complaint—(b)(6),(b)(7)(C) Veterinary Medical Officer (VMO)
(GS (b)(6)), Animal and Plant Health Inspection Service (APHIS), (b)(6),(b)(7)(C) —
MISCONDUCT

It is requested that your office obtain sufficient information to address the allegation shown below. Within 90 days, please send our office a status report or a final report indicating what administrative actions are planned or have been taken as a result of substantiated allegations. The Hotline control number should be referenced on all correspondence related to the complaint. Send all mail in a sealed envelope marked "OPEN BY ADDRESSEE ONLY" to the above listed address.

If this complaint requires referral to another agency or to an OIG Regional Office for action, please return all documents to the Hotline Office along with your recommendations for the appropriate referral.

ALLEGATION: Numerous complainants allege that (b)(6),(b)(7)(C) inspections during the (b)(6),(b)(7)(C) Horse Show on (b)(6),(b)(7)(C) were inhumane and improper. They further allege that (b)(6) actions were discriminatory in "nature and word." They state that (b)(6) inspections are cruel to the horse and difficult for anyone to watch as (b)(6) does not follow proper protocol. The complainants state that (b)(6),(b)(7)(C) is incapable of conducting an honest impartial inspection of a Tennessee Walking Horse. They feel (b)(6) has a personal dislike for the walking horse industry as indicated by (b)(6) refusal to shake hands with one custodian at the show while stating "I don't shake hands with walking horse people." The complainants state that (b)(6) has violated their civil rights. Please see the attached incoming emails for further details. Two of the emails are quoted directly below.

.(b)(7)(C) VMO for the USDA should be relieved of (b)(6), (b)(7)(C) duties. (b)(6), (b)(7)(C) Actions would lead one to believe that (b)(7)(C) has a personal vendetta against the Walking Horse Industry. The purpose of the Horse Protection Act was to ensure the wellbeing of the breed not destroy the breed."

"USDA! They are a bunch of idiots that need to be checking chicken houses not wasting our tax \$ on Walking Horses! Esp. (b)(7)(C) "

Public Law 95-452, sec. 7, prohibits the unwarranted disclosure of the complainant's identity or the taking of reprisal action against the complainant. In those instances where the complainant is anonymous or wishes to remain confidential, no attempts should be made to discover the identity of the complainant. The complaint should be provided or discussed only with those who need to resolve the issues. The typed complaint should not be provided to the subject; however, you may discuss with the subject all relevant issues to completely resolve the complaint.

Attachments

aphisattachment1.txt

From: anonymous@edhttp1s2.ess.usda.gov
Sent: Tuesday, October 12, 2010 4:54 PM
To: USDA HOTLINE
Subject: Hotline Report

Email:

Report: I have worked with a group which has provided venues all spring, summer and fall for sound, compliant horses. The HIO we used was one of only 3 approved by the KY Race Horse Commission to perform such inspections in which all disciplines of the Th Walking Horse was eligible for the Breeder's Incentive Fund awards. I have watched these dqps perform inspections at all the shows as mandated by the Horse Protection Act. I know how a proper inspection is done. The exhibition put on by your employee, (b)(6),(b)(7)(C), at the (b)(6),(b)(7)(C) show from (b)(6),(b)(7)(C) bore no semblance to a legitimate inspection process in any form. (b)(7) actions were discriminatory in nature and word and were most certainly an major embarrassment to the USDA. Should video hit Facebook or U-tube as happened with the (b)(6),(b)(7)(C) incident, damage control is questionable as individual and industry rights and commercial values have been damaged beyond belief.

aphisattachment2.txt

From: confidential@xdhtpls2.ess.usda.gov
Sent: Wednesday, October 13, 2010 1:10 PM
To: USDA HOTLINE
Subject: Hotline Report

Email:

Report: To Whom it may Concern;

Below is a copy of an email that I sent on (b)(6),(b)(7)(C) to (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) in APHIS. It is regarding the actions of VMO (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) at the (b)(6),(b)(7)(C) Tennessee Walking Horse Show affiliated with the (b)(6),(b)(7)(C). The (b)(6),(b)(7)(C) is (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) has in (b)(6),(b)(7)(C) possession all of the video evidence of these events. (b)(6),(b)(7)(C) may be contacted at (b)(6),(b)(7)(C). Similar complaints were filed in (b)(6),(b)(7)(C) by another HIO.

Thank you for your time.

Dear (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C):

I would like to express my anger and disgrace at the actions of (b)(6),(b)(7)(C) at the (b)(6),(b)(7)(C) horse show. I am an exhibitor, owner, breeder, and spectator for over 30 years. We have seen this (b)(6),(b)(7)(C) in action before but the display at this particular horse show was even worse than any other in my memory. (b)(6),(b)(7)(C) obviously has a chip on (b)(6),(b)(7)(C) shoulder for whatever reason and has a personal dislike for the walking horse industry as indicated by his refusal to shake hands with one custodian saying "I don't shake hands with walking horse people..". It seems (b)(6),(b)(7)(C) would like to destroy this industry single handedly one horse inspection at a time and in my opinion does so in violation of our civil rights and the rights of our animals.

(b)(6),(b)(7)(C) inspections in my opinion are cruel to the horse as well as difficult for anyone watching. (b)(6),(b)(7)(C) does not follow protocol and stands in front of the horse when inspecting. While palpating (b)(6),(b)(7)(C) allows the hoof to point toward the ground uncomfortably which causes the horse to instinctively attempt to put the foot down. As (b)(6),(b)(7)(C) palpates with one hand (b)(6),(b)(7)(C) pulls back on the horses leg from with the other from underneath thereby pinching the horse and causing it to flinch. This (b)(6),(b)(7)(C) cannot possibly conduct an honest impartial inspection of a Tennessee walking Horse. The HIO affiliating this horse show did a fine job of allowing sound horses to show and conducting fair and objective inspections. (b)(6),(b)(7)(C) made a mockery of the inspections and was an extremely poor representative of our government and in fact brought disgrace to (b)(6),(b)(7)(C) position. (b)(6),(b)(7)(C) went so far as to actually pass one horse through inspection and then recall it to the inspection area. When the trainer refused (b)(6),(b)(7)(C) threatened the show manager with a felony lawsuit if the horse was allowed to show.

In my opinion no amount of retraining or reprogramming could ever make this person an acceptable inspector. I am certain that if you review the statistics and tapes of (b)(6),(b)(7)(C) inspection process you will be convinced of the same. I am anxious to receive your reply on this issue. Thank you for your time.

Sincerely,

(b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C)
Sent: Thursday, October 14, 2010 8:33 AM
To: USDA HOTLINE
Subject: Hotline Submission

My name is (b)(6),(b)(7)(C) and I live in (b)(6),(b)(7)(C) and I breed, show, and own Tennessee Walking Horses. I am asking for your help and consideration in combating the blatant misuse of authority by the USDA in general, and one VMO in particular, (b)(6),(b)(7)(C). I am including a letter, which has been printed in breed publications outlining (b)(6),(b)(7)(C) obvious disregard for following the HPA as written, and (b)(6),(b)(7)(C) flagrant abuse of authority.

The Tennessee Walking Horse Industry plays a major part in the economy of the (b)(6),(b)(7)(C) and the Horse Industry as a whole plays a very big part in the nation's economy. Consider the effect on sales of livestock, sales of tack, farriers, vets, feed suppliers, etc. which could all be adversely effected by the demise of the TWH show industry. We in the TWH Industry have made every effort to comply with the HPA as it is written, and have every intention of continuing to do so. However, from week to week, we are faced with on the one hand, being able to continue showing the horses that we love, and having to face subjective inspection processes such as those described below. How can we as breeders continue to advertise the TWH as a fun horse to show, when such travesties are allowed to continue?

Please see that the inspector named below, (b)(6),(b)(7)(C) be removed from the VMO rotation, and that other VMO's are made to follow the law. Just the fair enforcement of the HPA as it is written is all that we are asking, no begging for.

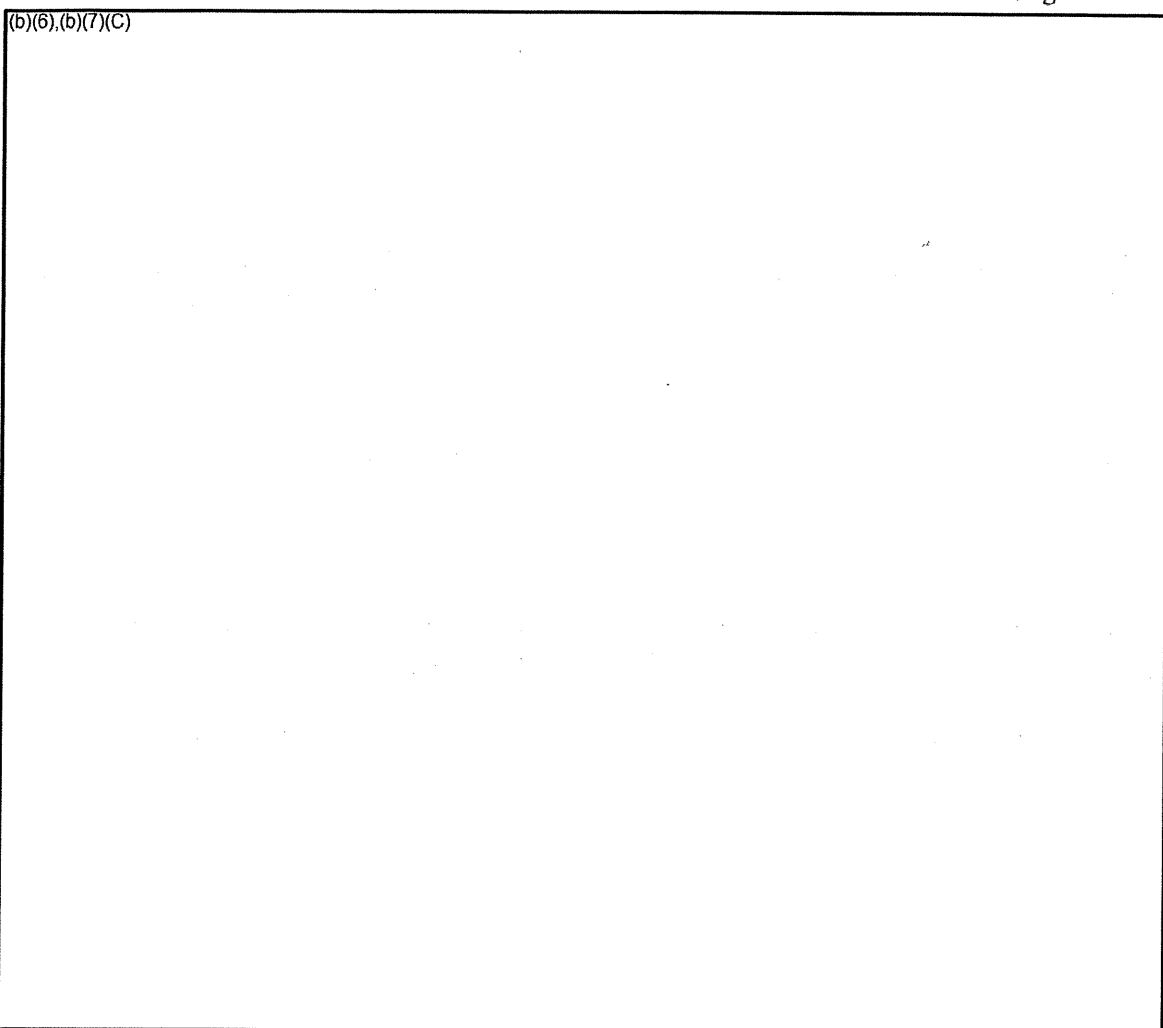
As taxpayers, and as citizens of USA and (b)(6),(b)(7)(C) we deserve no less.

Please do not send a "form" response---I would much prefer to see action taken. We the citizens elect you to be our voice, so please note that I am not alone.

Copy of letter below:

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)



UNITED STATES DEPARTMENT OF AGRICULTURE

OFFICE OF INSPECTOR GENERAL

Washington D.C. 20250



DATE: September 4, 2012



REPLY TO
ATTN OF: PS-3399-0910

FROM: Ann M. Coffey
Special Agent-in-Charge
Investigations Liaison and Hotline Division

Jessica M.
E. Taylor

Digitally signed by Jessica M. E.
Taylor
DN: cn=Jessica M. E. Taylor, o=OIG,
ou=USDA,
email=(b)(6)@oig.usda.gov,
c=US
Date: 2012.09.04 11:40:54 -0400

TO: Joanne L. Munno
Deputy Administrator for
Marketing and Regulatory Programs
Animal and Plant Health Inspection Service

SUBJECT: Hotline Complaint—Horse Protection Act—OPINION/INFORMATION

We are forwarding this information for whatever action you believe to be appropriate. No reply to our office is necessary.

NARRATIVE: An anonymous complainant provided the below opinion on the Horse Protection Act.

"it is a sad day when you have inspectors and managers who do not like horses allowed to inspect horses and not follow the law that was writtne in the horse protection act and then email a vmo and state! we need to insure no one know how we feel about industry or the horses!" (sic)

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ATTACHMENT 3- PS-3399-0816



UNITED STATES DEPARTMENT OF AGRICULTURE

OFFICE OF INSPECTOR GENERAL

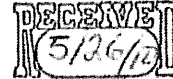
Washington D.C. 20250



DATE: May 25, 2010

REPLY TO

ATTN OF: PS-3399-0816



FROM: Ann M. Coffey (b)(6), (b)(7)(C) for
Special Agent-in-Charge
Investigations Liaison and Special Operations Division

TO: Joanne L. Munno
Acting Deputy Administrator for
Marketing and Regulatory Programs
Animal and Plant Health Inspection Service

SUBJECT: Hotline Complaint—Horse Protection Act—OPINION/INFORMATION

We are forwarding this information for whatever action you believe to be appropriate. No reply to our office is necessary.

NARRATIVE: Complainant, (b)(6), (b)(7)(C) alleges that the money spent by APHIS on enforcing the Horse Protection Act is wasteful spending. (b)(6), (b)(7) stated the following verbatim:

I am writing regarding the wasteful spending of tax dollars by the USDA in regards to the enforcement of the Horse Protection act. The USDA is paying 4 or 5 VMO's along with US Marshalls to attend local horse shows to examine horses feet..In the name of the Horse Protection act..The action of the USDA goes beyond the abuse of horses (which I'm against). They are shutting down the horse industry, causing unemployment, killing millions of dollars of charitable contributions to needy children. These VMO's need to be inspecting our FOOD supply, and water supply rather than being paid to look for a BLEMISH on a \$100,000 horse..The Marshals should be assigned to airports protecting our people rather than protecting federal VMO's...Let's give the taxpayers LESS government spending by cutting funding for the USDA's enforcement of the HPA. Remember the actions of PETA when President Obama killed that fly? You should watch the USDA turn a horse down at inspection...If they find SOAP on its feet...!!!! Same reasoning....Lets show some common sense...Save the tax dollars...CUT USDA FUNDING in regards to the HPA.

Public Law 95-452, sec. 7, prohibits the unwarranted disclosure of the complainant's identity or the taking of reprisal action against the complainant. In those instances where the complainant is

anonymous or wishes to remain confidential, no attempts should be made to discover the identity of the complainant. The complaint should be provided or discussed only with those who need to resolve the issues. The typed complaint should not be provided to the subject; however, you may discuss with the subject all relevant issues to completely resolve the complaint.



UNITED STATES DEPARTMENT OF AGRICULTURE

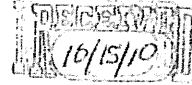
OFFICE OF INSPECTOR GENERAL

Washington D.C. 20250



DATE: October 15, 2010

REPLY TO
ATTN OF: PS-3301-0133



FROM: Ann M. Coffey ^{for} (b)(6),(b)(7)(C)
Special Agent-in-Charge
Investigations Liaison and Special Operations Division

TO: Joanne L. Munno
Acting Deputy Administrator for
Marketing and Regulatory Programs
Animal and Plant Health Inspection Service

SUBJECT: Hotline Complaint—(b)(6),(b)(7)(C) Veterinary Medical Officer (VMO) (GS-
(b)(6),(b)(7)(C)), Animal and Plant Health Inspection Service (APHIS), (b)(6),(b)(7)(C) -
MISCONDUCT

It is requested that your office obtain sufficient information to address the allegation shown below. Within 90 days, please send our office a status report or a final report indicating what administrative actions are planned or have been taken as a result of substantiated allegations. The Hotline control number should be referenced on all correspondence related to the complaint. Send all mail in a sealed envelope marked "OPEN BY ADDRESSEE ONLY" to the above listed address.

If this complaint requires referral to another agency or to an OIG Regional Office for action, please return all documents to the Hotline Office along with your recommendations for the appropriate referral.

ALLEGATION: A confidential complainant alleges that (b)(6),(b)(7)(C) treated (b)(6),(b)(7)(C) very rudely for no reason. Further, (b)(6),(b)(7)(C) had the complainant escorted out (by two Highway Patrol Officers) of the charity horse show held in (b)(6),(b)(7)(C) on (b)(6),(b)(7)(C). Presumably, this was done because the complainant was asking questions about why horses were being disqualified after they were already shown. The complainant states that their reason for these questions was for edification purposes and not to question (b)(6),(b)(7)(C) qualifications or judgments. The next night at the horse show, the complainant entered the building where the VMO (b)(6),(b)(7)(C) was inspecting horses. Upon entering, the complainant began speaking with an acquaintance. At that time, the complainant was approached by two Highway Patrol Officers and escorted out. When the complainant asked why this was happening, the Patrol Officers asked "weren't you involved in a confrontation last night with the USDA inspector?" The

complainant stated that there was no confrontation; but that did not change anything as they continued their escort. The complainant has since found out that the name of this offensive VMO is (b)(6),(b)(7)(C). The complainant states that (b)(6),(b)(7)(C) conduct dishonors USDA. Please see the attached for further details.

NOTE: Though (b)(6),(b)(7) of this complaint (b)(6),(b)(7)(C) as in PS-3301-0131, we felt that because the situation occurring was at a different horse show and the allegations are different, it should be made a separate complaint.

Public Law 95-452, sec. 7, prohibits the unwarranted disclosure of the complainant's identity or the taking of reprisal action against the complainant. In those instances where the complainant is anonymous or wishes to remain confidential, no attempts should be made to discover the identity of the complainant. The complaint should be provided or discussed only with those who need to resolve the issues. The typed complaint should not be provided to the subject; however, you may discuss with the subject all relevant issues to completely resolve the complaint.

Attachment



UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF INSPECTOR GENERAL
Washington D.C. 20250



DATE: December 7, 2010

REPLY TO
ATTN OF: PS-3301-0131

FROM: Ann M. Coffey *Jessica M. E. Taylor* for
Special Agent-in-Charge
Investigations Liaison and Special Operations Division

TO: Joanne L. Munno
Acting Deputy Administrator for
Marketing and Regulatory Programs
Animal and Plant Health Inspection Service

SUBJECT: Hotline Complaint--(b)(6),(b)(7)(C), Veterinary Medical Officer (VMO)
(GS (b)(6)), Animal and Plant Health Inspection Service (APHIS), (b)(6),(b)(7)(C)--
MISCONDUCT

Our office received additional information on the subject complaint, which we are referring to your office for review, action, and inclusion in the subject file.

The original complaint was referred to your office on October 14, 2010.

ALLEGATION: Complainant, (b)(6),(b)(7)(C)
(b)(6),(b)(7)(C) alleges that (b)(6),(b)(7)(C) did not follow the USDA set protocol and rules during the inspection of horses at the (b)(7)(C) (b)(6),(b)(7)(C) in (b)(6),(b)(7)(C) held on (b)(6),(b)(7)(C). Please see the attachment for further detailed information.

Public Law 95-452, sec. 7, prohibits the unwarranted disclosure of the complainant's identity or the taking of reprisal action against the complainant. In those instances where the complainant is anonymous or wishes to remain confidential, no attempts should be made to discover the identity of the complainant. The complaint should be provided or discussed only with those who need to resolve the issues. The typed complaint should not be provided to the subject; however, you may discuss with the subject all relevant issues to completely resolve the complaint.

Attachment

(b)(6),(b)(7)(C)

United States Department of Agriculture
Office of Inspector General
PO Box 23399
Washington, DC 20026-3399

Dear Inspector General:

The USDA assigned (b)(6),(b)(7)(C) to attend the (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) in (b)(6),(b)(7) on (b)(6),(b)(7) (b)(6), and the (b)(6), fully expected the USDA to attend the show as they have for 6 of the last 8 years. (b)(6), and the (b)(6),(b) are both fully committed to upholding the HPA as written. (b)(6), has worked very closely with the USDA from its inception to ensure that we have done everything in our power to create an organization beyond reproach when it comes to compliance with the USDA and the HPA. This includes having (b)(6),(b) personally review our members of the Oversight committee and all DQP personnel that we have selected. The USDA at no time has had an issue with any of these individuals and the jobs that they have done. At the age of () I have been in the Walking Horse Industry for () years. I have sat on the (b)(6),(b)() board. While serving as a (b)(6), of the (b)(6), I made the motion to create the (b)(6),(b)(7) I served on there (b)(6),(b)(7)(C) I was

(b)(6),
(b)(7)
(C)

working hand in hand with the USDA. I want to commend the USDA on its efforts to continue to work with the industry to enhance the enforcement of the HPA. We welcome any constructive changes that will better the industry and help us do our job.

As a part of (b)(6),(b)(7)(C) we have worked all year to make sure that we have been consistent and fair to every exhibitor. We have worked very diligently to educate our industry on their responsibilities to ensure HPA compliance. We have made sure that the industry understands that the USDA is not our enemy and that we need to work side by side, hand in hand to enforce the HPA fairly and consistently at all Tennessee Walking Horse events. By doing this we can rid ourselves of the stigmas associated with owning and showing this great horse. Our goal is to see our industry flourish and the charities that we support raise more money for their worthy causes. The Walking Horse industry is at a crossroads at this point and some very important and positive changes are being made that will greatly enhance the HPA enforcement. (b)(6), is a big part of that change. We have worked all year to educate and convince this industry that we can show compliant horses. (b)(6),(b)(7)(C) (b)(6),(b) show on (b)(6),(b) morning and explained what we expected out of them. We also explained our inspection process and the fact that it would be strictly by the protocol that the USDA had used when training our DQPs at the clinics. We emphasized that it would be consistent and uniform at all times and fair for everyone involved. We also informed them that on any horse that was questionable would be checked by a second DQP and a decision would be made by both DQPs. We informed them that we would be walking the grounds and in necessary we would inspect horses at the barns if they were not satisfactory. We told them that we would work with the USDA VMOs if they were present to ensure that compliant horses got to show and non-compliant horses were written tickets. The trainers and (b)(6),(b) was 100 percent behind us and were very encouraged about the changes that we were bringing about to help our industry and its reputation. Prior to the show two of our DQPs walked the grounds and inspected one horse that was not up to our standards. We wrote this horse a unilateral ticket and word spread quickly that we were doing our job. The trainers were prepared for our DQPs and the USDA to be present at the show. No one was prepared for what happened after this point.

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We were in the process of starting the show and had checked the first 2 classes when (b)(6),(b)(7) showed up with (b)(6),(b)(7) and two security personnel. They immediately came in and started asking questions and trying to get set up. This was a major distraction and an interruption to the horse show. The HPA clearly states that the inspection process should not interfere with the event. I did not discuss this issue with (b)(6),(b)(7) because I have been late to meetings or events myself and I wanted to make sure that we presented ourselves professionally and cooperatively to (b)(6),(b)(7) and the USDA. We help them get set up and provided all information and support that they asked us to provide. At no time did (b)(6),(b)(7) or any USDA personnel provide any official credentials or badges for our inspection. Matter of fact I had to introduce myself to them before I even found out their names. This is also a very clear violation of the HPA and the Regulations. The DQPs had already written 2 or 3 tickets before the USDA started inspecting horses. Our DQPs were instructed to follow the USDA protocol on each inspection. (b)(6),(b)(7) informed the DQPs that (b)(6),(b)(7) was there to monitor them and told them to, "Do their job!"

(b)(6),(b)(7) observed the DQPs for less than 5 minutes before asking to inspect a horse behind one of the DQPs. I had personally watched this horse being inspected by the DQP. The DQP did a very thorough inspection and passed the horse. This horse moved well, ears were up and had no signs of distress. (b)(6),(b)(7) called out the trainer by name and asked to inspect his horse. The trainer walked the cone and allowed (b)(6),(b)(7) to inspect the horse. It was obvious from the very beginning that (b)(6),(b)(7) was not following the USDA set protocol. When (b)(6),(b)(7) picked the horse's foot up to inspect it behind (b)(6),(b)(7) stood in front of the foot with (b)(6),(b)(7) back to the horse's head and held the horse's leg with one hand up almost at (b)(6),(b)(7) knee. By doing this (b)(6),(b)(7) allowed the horse's ankle and pastern to dangle in a very uncomfortable position. At no time did (b)(6),(b)(7) support the weight of the horse's hoof with (b)(6),(b)(7) hand. When (b)(6),(b)(7) palpated the horse (b)(6),(b)(7) used a very rhythmic process of poking the horse with (b)(6),(b)(7) thumb similar to goosing someone in the ribs. By doing this (b)(6),(b)(7) elicited movement from the horse and before the horse could relax (b)(6),(b)(7) would poke it again. This created the impression that this horse was really sore. (b)(6),(b)(7) repeated this process on both legs. (b)(6),(b)(7) at no time palpated the horse using the protocol that the USDA has implemented. (b)(6),(b)(7) then informed the handler that the horse was bilaterally sore and would not get to show. (b)(6),(b)(7) took information on this horse and took the back number from the trainer to ensure that the horse could not be reentered in a latter class. The DQP that checked the horse spoke to (b)(6),(b)(7) in a very polite and way to understand if he had done anything wrong in his inspection process of this horse. (b)(6),(b)(7) said, "I just check differently" and stated again without elaborating, "Just do your job!"

(b)(6),(b)(7) continued this approach to checking horses throughout the night Thursday night. On one occasion (b)(6),(b)(7) called one DQP over to (b)(6),(b)(7) table and commended that DQP on doing an excellent job and informed him that he needed to instruct the other DQPs on how to inspect a horse. At no time did (b)(6),(b)(7) talk to (b)(6),(b)(7) or our (b)(6),(b)(7)(C) or me about any issues with our DQP's inspection. This was a very inappropriate way to handle this situation. (b)(6),(b)(7) at one time noticed a trainer having a horse inspected and stopped (b)(6),(b)(7) current inspection to inspect that trainer's horse leaving the first horse in mid inspection. It was obvious that (b)(6),(b)(7) was pulling certain trainers aside on every horse they lead thru inspection. (b)(6),(b)(7) even called them by name on numerous occasions. At one point (b)(6),(b)(7) pulled all 4 DQPs aside and instructed them that they were not inspecting the horses properly even though they were following the protocol. This was after (b)(6),(b)(7) had told the one DQP that he was doing an excellent job. One of our DQPs received an injury from a horse due implementing (b)(6),(b)(7) unorthodox method of inspection. (b)(6),(b)(7)(C) was observed slapping two different horses at the conclusion of (b)(6),(b)(7) inspection process. When (b)(6),(b)(7) was approached about (b)(6),(b)(7) method of inspection (b)(6),(b)(7) stated, "I inspect a horse with my back to his head so he cannot see where I am palpating him. I do this because the trainers have taught these horses not to move when palpated." (b)(6),(b)(7) went on to state, "I inspect horses that are wild looking, jumping and bucking because these are horses that trainers have stewarded and taught to not move during inspection." The USDA has always emphasized that horses need to lead free and look like they are not in pain and now this VMO is penalizing horses for being in this very condition. (b)(6),(b)(7) turned down the first 4 or 5 horses that (b)(6),(b)(7) checked on Thursday night. In all 14 horses were written by (b)(6),(b)(7) on Thursday night along with the 23 or so tickets that (b)(6),(b)(7) wrote. We did our job and wrote several tickets. This was a very high number of tickets for this show. At the end of Thursday night the moral of our DQPs, Show Management and the entire industry was destroyed by this one (b)(6),(b)(7). We had all prepared very hard to prove to the USDA and to the world that we were doing our very best to present our horses in a compliant manner and to work with the USDA. (b)(6),(b)(7)

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(b)(6),(b)(7) destroyed all of that work with (b)(6) inconsistent, unorthodox, inspection process. (b)(6) has worked very hard to build a credible relationship with both the Walking Horse industry and the USDA. That work was destroyed by (b)(6),(b)(7) in a few short hours. On Friday morning I expressed my concerns to (b)(6) over the phone and (b)(6) indicated that 14 tickets was a very high number and that (b)(6) would discuss this with (b)(6),(b)(7).

At the beginning of Friday night (b)(6) once again stated that (b)(6) was going to do more observing and less checking. (b)(6) also indicated that our DQPs were not checking correctly. (b)(6) had one DQP check a horse and demonstrate the way (b)(6) wanted us to check the horses. This was not the way our DQPs had been taught by the USDA at the certification clinics but we did our best to appease (b)(6),(b)(7). Again we were down to three DQPs due the injury sustained by one DQP while attempting to check in the manner that (b)(6),(b)(7) had requested. (b)(6),(b)(7) commented to one DQP turning down a horse that lead good, "I was not looking as the horse walked the cones." (b)(6),(b)(7) did not complete the inspection because (b)(6) did not watch this horse walk the cones as the protocol indicates. (b)(6),(b)(7) also indicated that (b)(6) was, "looking for the bilateral sore horse and did not care about the scar rule or unilateral sore horses" even though (b)(6) did write some tickets for those infractions. Midway thru Friday night (b)(6),(b)(7) pulled myself and (b)(6),(b)(7) aside and said, "I am on the verge of asking for a letter of warning on (b)(6),(b)(7) and I both asked (b)(6),(b)(7) why this was the case and asked (b)(6) to tell us what (b)(6) was doing wrong. (b)(6),(b)(7) told me at least three times that (b)(6) could not tell me what (b)(6) was doing wrong other than (b)(6) needed to do his job. How are our DQPs supposed to learn and do their job better if the VMO that they are working with cannot even explain what they are doing wrong? (b)(6),(b)(7) is dedicated to doing our job but we must know what we are doing correctly and what we are doing incorrectly. (b)(6),(b)(7) kept repeating, "Just do your job" I feel that we did our job as the USDA had taught us and that (b)(6) was making us look like idiots in front of everyone. It did not take (b)(6),(b)(7) long to abandon (b)(6) observation position on Friday night and start checking horses. (b)(6) did seem to back off to some extent but I observed (b)(6) several times exaggerating the horse's reaction to palpation by moving the horse's leg with the hand that (b)(6) was holding it with. In my opinion (b)(6),(b)(7) deviated from the protocol so that (b)(6) could use (b)(6) hand to move the horse's leg to look like it was reacting to (b)(6) prodding with (b)(6) thumb. I observed (b)(6) inspections several times and each horse's reaction was exactly the same. It was always a rhythmic rocking motion each time (b)(6) touched it with (b)(6) thumb. I have watched many inspections and can say with confidence that no two horses react the same to pain. I observed (b)(6),(b)(7) inspect several horses and each of them reacted the exact same way. (b)(6),(b)(7) would get most horses to move behind and then in the front. (b)(6) commented to one DQP, "If I can get them dancing behind I can get them dancing everywhere."

On Saturday night (b)(6),(b)(7) seemed a little more relaxed and inspections were somewhat smoother. (b)(6) continued (b)(6) unorthodox inspection procedures and (b)(6) comments to folks. It became obvious that (b)(6) was after (b)(6),(b)(7) on Saturday night. During inspections for the last class of the evening our DQP inspected (b)(6),(b)(7) horse and passed the horse. (b)(6),(b)(7) requested to check the horse. Once (b)(6) completed the inspection (b)(6) walked away and did not indicate that there was a problem with (b)(6),(b)(7) horse. If (b)(6),(b)(7) had an issue with a horse all weekend (b)(6) would immediately ask for information and then take the exhibitors back number from them to ensure that they did not show the horse. (b)(6),(b)(7) did not take (b)(6),(b)(7) back number. (b)(6),(b)(7) walked away with his horse and began preparing him for the stake class. He braced the horse and saddled the horse. In the meantime (b)(6),(b)(7) instructed the DQP that he was to write the horse a ticket. (b)(6),(b)(7) stated, "I do not care if you write him a one footer, scar rule or a two footer, this horse is not going to show." The DQP was puzzled because (b)(6),(b)(7) had not asked us to write any tickets on any horses all weekend. If (b)(6) checked a horse and it did not suit (b)(6) then (b)(6) wrote it a ticket and did not refer these horses back to us. Now all of the sudden on the last class of the night (b)(6) changes everything once again. Our DQP went to speak with (b)(6),(b)(7) and explained the situation. (b)(6),(b)(7) and the horse's owner were quite upset because they felt as if (b)(6),(b)(7) was being completely unfair. I was called to intercede along with the (b)(6),(b)(7),(b)(7)(C) demanded, "You can write him any ticket you want but that horse is not to show or I will hold the (b)(6),(b)(7),(b)(7)(C) responsible." The (b)(6),(b)(7) and I went to the owner and trainer and convinced them that they should not attempt to show the horse. I also told them that I would do my job and make sure that the USDA understood that (b)(6),(b)(7) inconsistent and orthodox inspections and actions

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throughout the show fueled this showdown on Saturday night. I can say with 100 percent certainty that this unfortunate event would not have occurred if any other VMO had been assigned to this show.

(b)(6), along with the (b)(6), upheld the HPA by not allowing this horse to show. I personally have put my reputation and credibility on the line with the entire industry by telling them that the USDA is not our enemy and that the USDA would deal with (b)(6),(b) and (b) flagrant disregard for the USDA's own rules and protocol. (b)(6),(b) has worked with the USDA all year long to build a partnership and to uphold the HPA. The Industry is very volatile at this point due to this situation and (b)(6),(b)(7) inexcusable actions at (b)(6). They are waiting anxiously for how the USDA will respond to this situation. The USDA has made statements over the past few years that its only goal is to enforce the HPA and nothing more. Matter of fact (b)(6),(b) instructed the entire staff to do just that not very long ago. The USDA has a golden opportunity here to build a lot of credibility with the Walking Horse Industry by dealing swiftly with (b)(6),(b) and ensuring that (b) is not assigned to inspect horses in the future. I want to emphasize that the (b)(6),(b) and (b)(6),(b) fully expected and welcomed the USDA to attend the show. Our issue is not with the USDA but with (b)(6),(b) and (b) actions.

We have witnesses, video tape, sworn letters and much more to support our statements and allegations against (b)(6),(b). You can contact me to get this information at any time. I have sent a letter to (b)(6),(b) and (b)(6), concerning this matter on (b)(6),(b)(7) concerning this matter and they have failed to respond. I also sent (b)(6),(b)(7)(C) a letter on this matter on (b)(6),(b)(7)(C) and (b) has failed to respond. I have sent a letter to Senator Mitch McConnell as well. He stated that he would be speaking to the Secretary of Agriculture about this matter. (b)(6), and the entire Tennessee Walking Horse Industry are asking you to help us make sure that this vigilante justice by (b)(6),(b)(7)(C) is stopped immediately. Please contact the Secretary of Agriculture on our behalf and ask him to remove this individual from inspecting anymore horse shows. Thank you for your cooperation in this matter and I am looking forward to your expedited response in this matter.

Sincerely,

(b)(6),(b)(7)(C)

(b)(6)