

COLORADO CATTLE & HORSE RUSTLERS, PROPERTY THEFT, WEATHER MODIFICATION PROGRAMS & HUMAN ABUSE

**By Rosalind Peterson
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The following story could have been copied straight from almost any script of a John Wayne western movie about land barons, cattle and horse rustling, payoffs, bribery, a few crooked sheriffs, a few veterinarians and judges who are either intimidated or bought and paid for by crooks. All the elements are the same: money, greed, intimidation, and power. Some of the actors in this old western script, live in Colorado today, and in other western states, just like in the old westerns we watched for years in movie houses.

The thieves and corruption slipped in quietly, undercover, protected by laws that were never intended to be used to deprive residents of their constitution rights, civil liberties, and due process under the law. Lobbyists worked overtime to get new bills passed in many states, including Colorado, pretending that the main reason for the laws were to protect animals. The ultimate goals were actually the huge amounts of money, land, property, and power over citizens that could be acquired once these laws were enacted. It is honorable to protect abused animals...it is quite another to use these laws to extract wealth, land, and property through human abuse.

In Colorado our hero, State Representative Wes McKinley, has initiated hearings, to educate others and to try and correct this legal injustice, on February 15 & 16, 2011, (1:00 P.M. both days), at the Colorado State Capitol in Denver, Colorado. Testifying will be many Colorado residents, like horse and cattle ranchers, who are alleged to have been deprived of their property, legal due process, their constitutional rights, and ability to make a living under these laws. Professionals in many fields will testify about the human abuse that legislation has created in Colorado.

If you have been deprived of your property, animals or lands in recent years please feel free to contact Representative McKinley to either testify or educate yourself about these issues on February 15-16, 2011, or you may speak with the Representative himself or your elected state representatives about your concerns. Experts will also testify on these issues along with legal authorities to expand upon this issue and how best to protect the residents of Colorado from this type of abuse under the laws now in effect. And you can support Congressman McKinley's efforts by working to help pass legislation that will address some of these issues in order to protect the residents of Colorado from this type of abuse.

A property rights bills will be voted upon on February 17, 2011, and other related legislation will be voted upon on February 21, 2011 [1]. Bills that will be introduced or passed in February are important to every resident of Colorado.

- 1) A new animal cruelty law was enacted in Colorado in 2006, and this law makes it very difficult for anyone accused of animal abuse to defend themselves because they are considered guilty before any hearing or court trial. In two cases (used as examples), between March 23, 2010, and May 25, 2011, the Colorado Department of Agriculture issued Press Releases regarding their actions implying that the defendants in these cases were guilty before any judicial hearings or a court trial. These press releases were then picked up by the Colorado news media and then made national news coverage without, for the most part, providing the other side of the story.

- 2) It is alleged that reporters who investigated the other side of the story in these cases had their stories cut or not printed at all in some newspapers. In one case a reporter had her story sanitized and cut short before going to press. Her second story was not printed at all. Why?

Note the one-sided story in the Western Farmer Stockman News on April 2, 2010, after reading the joint press release by the Colorado Department of Agriculture and the Sheriff's Department [2], on March 23, 2010, on an animal abuse case, prior to any judicial hearing or the owner being convicted in a court of law [3].

- 3) It appears in some cases that the charges may not have been true when the facts were examined in detail. The law still allows for the continued harassment of owners with both civil and felony charges. (The results in some cases have been bankruptcy and destitution.)
- 4) The following is alleged: Prior to conviction on any animal abuse charges the valuable animals in question may be sold at auction or given away to those wishing to adopt enriching both Colorado and those purchasing valuable animals at bargain basement prices. The owner, if found not guilty, has no right to have his property returned or the money received by Colorado officials for the sale of his animals returned. This appears to be true in many cases and legislation is proposed that would change some of those abuses.
- 5) In one unpublished newspaper article, written on October 7, 2010, by Flip, is the following quote: There has been raised "...some very serious allegations against the PCSO, the PCAC, and the CDA, including but not limited to, denial of due process, violation of constitutional rights, seizing...cattle illegally, and not taking care of those illegally seized cattle..."

In this same article Dr. Amy Mason, Guffey Veterinarian states with regard to the whole seizure process by the PCSO and the CDA (Colorado Department of Agriculture) "...a very serious abuse of power by a person or persons in a position of trust, a general miscarriage of justice, abuse of a statute made to protect animals, selective enforcement for personal or political gain, denials of the rancher's ability to defend himself and denial of due process..."

- 6) In addition, it is alleged that the animals transported to other locations in abuse cases are harmed during the transportation process and/or in the stockyards and other areas where they are kept until being sold or processed through adoption procedures. In many cases the animals in question, unless needing immediate veterinary care, should be kept on the ranch or other lands until their status is established by independent veterinarians and observers and action is taken to address the issues while the animals are on the property in question. It is alleged that larger animals are more subject to harm from transportation and/or off-site storage facilities.
- 7) Impound costs of caring for animals could be reduced by keeping larger animals on farms or ranches while they receive needed food or care. The impound and care of animals fees charged to owners who are accused of animal abuse are in many cases exorbitant and would not be so high if animals were cared for on the property of the owner under supervision until the disposition of both civil and felony charges. This would minimize the stress on the animals and also allow for the owner to retain his property if found not guilty or the charges were later dropped.

Colorado SB 11-2009 would make corrective changes in the law and amendments could make this letter even better to protect all concerned. In addition, the various groups that take early possession of the animals would not incur expenses of taking care of confiscated animals in

these cases. And they would not benefit financially from the early sale of said animals in cases where the owners were found not guilty or the charges were dismissed.

- 8) It is also alleged that the bargain basement early sale or adoption of valuable animals keeps them from being returned to original owners found not guilty or who had the charges against them dismissed. It is believed, in many cases, civil rights and due process are being violated in order to enrich others while these cases are being addressed in legal proceedings.

These and other issues which should be addressed in these cases:

- A) Who profits from making animal abuse complaints?
- B) Where does the funding go from the sale of allegedly abused animals?
- C) Many animal abuse charges in many cases involving cattle and horses are usually filed during the winter and spring months and in many cases the names of those making the charges are withheld for months until a subpoena by the defendant is initiated. Why?
- D) In the case of a complaint being dismissed or an owner being found not guilty why are the proceeds from the sale of these animals not returned to the owner?
- E) Why are impound costs too high in many cases?
- F) Why are many claims made against ranchers and farmers during the winter or early spring months when cattle and other ranch animals had just gone through a tough winter?
- G) Colorado and other states, according to NOAA (National Oceanic & Atmospheric Administration), in Colorado have been conducting weather modification programs for years. In 2005, Colorado joined a number of other states to enhance rain and snowfall in the mountain regions to benefit Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming – 5-Year \$8.8 Million Program [4].

This program started in 2006, and since that time extreme snow and other weather conditions have caused the military, on several occasions, to engage in food drops for cattle, horses, and wild animals in Colorado and other states [5]. (Please note that no references were made to current and ongoing weather modification programs which enhance snow and rainfall totals.)

- H) Ranchers and Farmers are usually unaware of these programs and sometimes fail to understand the ramification of these programs on their animals. These programs can induce drought in surrounding areas, deprive some areas of normal rainfall, while producing excessive snow and rainfall in other areas. The ramifications of these programs may cause ranchers to not have enough food on-hand for animals during these events, as they are not warned in advance, and also increased costs from having to purchase extra feed for animals. Also crop production from these weather events can cause a severe reduction in crop production, thus increasing prices and also making feed harder to purchase due to shortages.

It is alleged that there are other high stakes ulterior motives for animal abuse charges besides the protection of animals:

- 1) Enriches Animal Rights Organizations through impoundment fees charged to owner and sale and adoption of valuable animals.

- 2) Enriches various agencies within the State of Colorado through confiscation and sale of abused animals prior to court hearings and trials.
- 3) If an owner is put out of business he will not be able to pay his property taxes and he will be forced to sell if he cannot pay his taxes. Thus, this property can be bought for less than its value and/or a rancher may lose his water rights or grazing rights.
 - a. Water Rights - The privatization of water is taking place in many states for a variety of reasons.
 - b. Once privatization occurs the cost of water skyrockets and puts many ranchers and farmers out of business because they can't afford to pay for the water once privatized.
 - c. Privatization of water means that local water supplies can be bottled and sold anywhere in the world for high prices...depriving local residents of water which has always remained in local control.
 - d. Uranium, oil, and natural gas drilling requires large amounts of water and land.
 - e. Grazing Rights, when coupled with water rights, are a prime target for land speculators, natural resource mining by private corporations, and other interests.
- 4) Many owners are faced with increasing harassment in the filing of more legal charges over long periods of time.
- 5) If the rancher has to hire legal help to defend himself against all charges which can last for years, it can cost a fortune. In addition, if the defendant cannot afford to hire a lawyer or his money runs out from legal battles, the public defender usually plea bargains the case to the disadvantage of the owner in many cases. Many are told that if they leave the State of Colorado that the charges will be dropped effectively putting them out of business and their land holdings up for sale or confiscation for non-payment of taxes.

Animal abuse is a terrible crime that should be punished and not condoned. However, the laws in any state should not deprive those accused of their constitutional rights, due process of law, and the appropriation of their property without recourse when found not guilty of their case is dismissed. The laws we pass in any state legislature, including Colorado, must address animal abuse in a way that does not cause human abuse in the process.

It is time to rewrite the above script so that justice prevails in Colorado and other states. We have to remember that laws passed at either the state or federal level can have a great impact on our lives.

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- 1, Agriculture Defense Coalition Website: Colorado Issues-Current Legislation also available by contacting the Colorado State Legislature.
<http://www.agriculturedefensecoalition.org/?q=content/colorado-issues>
<http://www.agriculturedefensecoalition.org/?q=weather-modifications>

- 2, Note one-sided story in Western Farmer Stockman News April 2, 2010
<http://www.westernfarmerstockman.com/story.aspx/animal/cruelty/charges/filed/against/colorado/livestock/owner/36960>
- 3, **FROM: The Logan County Sheriff's Office & Colorado Department of Agriculture**
DATE: March 23rd, 2010 RE: Animal Cruelty Charges Filed Against Logan County Livestock Owner
<http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheader=text%2Fhtml&blobkey=id&blobtable=MungoBlobs&blobwhere=1251617681242&ssbinary=true>
- 4, USA Today December 19, 2005 Article "Scientist Excited for Cloud Seeding Program"
http://www.usatoday.com/tech/science/2005-12-19-wyoming-cloud-seeding_x.htm
- 5, United States Northern Command Website: "National Guard rescues people, cattle after severe winter storms" January 5, 2007 By Sgt. Jim Greenhill, National Guard Bureau
<http://www.northcom.mil/news/2007/010807.html>
- 6, PPJ News December 2010
<http://ppjg.wordpress.com/2010/12/29/wisconsin-weather-modification-program/>
- 7, December 29, 2010 PPJ Article:
"...When DATCP (U.S. Department of Agriculture, Trade & Consumer Protection), can't get what it wants directly they send in USDA APHIS (Animal & Plant Health Inspection Service), to conduct night raids and interrogations of farmers, coercing farmers into signing affidavits, without counsel present, agreeing to answer questions regarding their farming activities. Interesting coincidence that the raids initiated on the same day the USDA announced its appointments to citizens group for animal identification. A reward for services rendered no doubt..."
- 8, Dumb Friends League 2010 Colorado Report-See Legislation Information + Numbers
http://www.ddfl.org/sites/default/files/currentanrep_1.pdf
- 9, Uranium Mining
 - A) The New York Times January 8, 2011 Headline News: "Uranium Mill in Colorado Gets License" to operate from Colorado Department of Health.
 - B) License was granted despite well-documented history of health effects and radioactive air and water pollution. Transportation is also a problem in Colorado.
- 10, Oil & Natural Gas Drilling (Fracking) 6, New York Times – Uranium Mining Approval in Colorado – January 5, 2011 <http://www.nytimes.com/2011/01/06/us/06uranium.html>
- 11, New York Times – Uranium Mining December 27, 2010
<http://www.nytimes.com/2010/12/27/science/earth/27uranium.html>
 - A) Requires large amounts of water and areas where drilling can take place.
 - B) Water Pollution is a byproduct of Natural Gas Drilling from the chemicals used in the process whenever the chemicals and water pumped underground leaches into underground aquifers.
 - C) COLORADO OIL AND GAS HEALTH AND TOXICS ISSUES: "...Oil and gas development is rapidly advancing throughout Colorado. It is naive to think that the addition of thousands of wells per year will have no impact on the environment and the lives of people living in close proximity to the development..." Earthworks Website January 24, 2011 Oil & Natural Gas Development in Colorado <http://www.earthworksaction.org/ColoToxics.cfm>

- 12, WASHINGTON, D.C., April 1st, 2010 – “...**The Obama administration yesterday elected to defend a Bush-era policy that allows unlimited amounts of our nation's treasured public lands to be used as toxic waste dumps for the multinational hardrock mining industry...The Bush-era policies allow multinational mining companies unlimited amounts of public land to dump toxic mine waste and tailings from large-scale industrial mining operations.** The challenged regulation, first issued in 2003, reinterpreted what is known as the "millsite provision" of the 1872 Mining Law. The 1872 Mining Law currently allows mining companies to take valuable minerals like gold, copper and uranium from public lands for free...” Earthworks Website January 24, 2011 Mining Interests in Western States http://www.earthworksaction.org/PR_ObamaMillsite.cfm
- 13, “...Leasing Public Minerals for Oil and Gas Development Landowner Notification. The direct notification of individuals who own or lease land located above publicly owned minerals typically does not happen when the leasing of state or federal minerals occurs. Consequently, often surface owners do not realize that the mineral rights have been leased to a company that may use their land to access and produce the oil and gas underneath their property...” Earthworks Website January 24, 2011 Oil & Gas Leasing – Public Notification Limited<http://www.earthworksaction.org/oilgasleasing.cfm>
- 14, “...STOCK RAISING HOMESTEAD ACT OF 1916 (SRHA) – Everyone should know about this law in Colorado (See PDF File Below under 41L). It doesn't just apply to ranchers or farmers. Earthworks Website January 24, 2011 Mineral Rights Issues <http://www.earthworksaction.org/SRHA.cfm>
- 1) SRHA allows ranchers to homestead (i.e. privatize) lands originally deemed of no value except for livestock grazing and the growing of forage.
 - 2) SRHA homesteaders own surface rights to the land, but federal government retains the mineral rights underneath.
 - 3) Since the Federal Government retains the mineral rights under this act, the 1872 Mining Law applies to these minerals.
 - 4) SRHA lands are open to mineral entry even though the surface land is private. As a result, anyone has the right to enter these lands, search for minerals, file a mining claim, and then file a plan of operations to mine.
 - 5) Although SRHA was amended in 1993 to require notification of the surface owner before their land is entered, the landowner has no right to prevent entry or stop mining from taking place on the property.
 - 6) The surface owner cannot be reimbursed for loss of property values as a result of mining claims or operations...”
 - 7) Could this be why homesteading related past property tax re-evaluations have been increased in recent years on property owners in Colorado placing a tremendous tax burden on land owners? “...During the time that operations take place, the surface owner receives an annual rental payment based on fair market rental conditions for agricultural land...”