



## BOARD OF SUPERVISORS

October 15, 2019

The Honorable Board of Supervisors  
County Administration Building  
1221 Oak Street  
Oakland, CA 94612

Dear Board Members:

**Subject:** ADOPTION OF AN ORDINANCE AMENDMENT ADDING SECTION 5.08.175 TO THE ALAMEDA COUNTY ORDINANCE CODE TO PROHIBIT SHEEP RIDING

### **RECOMMENDATION:**

Conduct a first reading and introduction of an ordinance amendment related to prohibited activities at rodeo events in unincorporated Alameda County; approve adoption of ordinance section 5.08.175 prohibiting sheep riding/mutton busting at rodeo events.

### **BACKGROUND:**

In response to concerns regarding animal safety and treatment at rodeo events, on January 15, 2019 at the Board Planning Meeting, your board received an informational report reviewing Animal Control regulations pertaining to rodeo activities including sheep riding, also commonly referred to as mutton busting, and wild cow milking. Over the years, these activities have received increased scrutiny due to the potential harm to rodeo participants and animals. Based on the discussion during the hearing, your Board directed Community Development Agency and Sheriff Office staff (1/15/19 Planning Agenda, Item #3, File 30267) to develop an ordinance to prohibit sheep riding.

### **DISCUSSION/SUMMARY:**

Rodeo activities are regulated under Chapter 5 of the Ordinance Code and certain activities are prohibited in Article III of the Ordinance. Adopted in 1993, language specific to rodeos was presented to the Board of Supervisors for adoption, as concerns were raised related to the treatment of animals. The existing ordinance currently prohibits intentionally tripping or felling equine or bovine animals. The ordinance has not been revisited or amended since its adoption in 1993.

The attached ordinance reflects and addresses public concerns around sheep riding, which involves having young children ride sheep for entertainment purposes. The ordinance change adds section 5.08.175 to Chapter 5.08 – *Animal Control Regulations Generally, Article III – Rodeo Events or Other Activities*

*Prohibited* and bans any individual from climbing, riding, or attempting to ride any sheep for the purpose of entertainment, sport or practice, including rodeo.

Alameda County has a long history of agriculture and rodeo activities, however concerns have been raised over the years that the current regulations are not adequate to address on-going rodeo activities that are considered unsafe for participants and unnecessarily cruel and/or inhumane to farm animals. According to the Humane Society and the American Society for the Prevention of Cruelty to Animals, children's rodeo events such as sheep riding do not promote humane care and respect for animals.

This ordinance amendment expands upon existing code to promote public health, safety and welfare through the regulation and control of people's use and keeping of animals.

Active rodeos in the County are mostly found at the Alameda County Fairgrounds, in the City of Livermore, and at the Rowell Ranch Rodeo Park located just outside of the City of Dublin. Rowell Ranch Rodeo Park, owned and operated through the Hayward Area Recreational District is within the unincorporated area, and would be required to abide by any County ordinance.

Animal Control in the Alameda County Sheriff's Office is responsible for enforcing Chapter 5 of the Alameda County Ordinance Code.

**FINANCING:**

There is no increase in Net County Cost as a result of this action.

**VISION 2026 GOAL:**

The ordinance amendment supports our shared vision of **Safe and Livable Communities** by promoting public health, safety and welfare as well as the humane care for animals.

Respectfully,



Richard Valle, President



Wilma Chan, Supervisor

cc: Sheriff's Office  
County Counsel

ORDINANCE NO. 2019-\_\_\_\_\_

AN ORDINANCE ADDING SECTION 5.08.175 TO THE  
ALAMEDA COUNTY ORDINANCE CODE TO PROHIBIT SHEEP RIDING

SECTION I

In enacting this ordinance, the Board of Supervisors of the County of Alameda makes the following findings:

- a. The County of Alameda ("County") intends to promote public health, safety and welfare through the regulation and control of people's use and keeping of animals, including at certain rodeo events;
- b. Existing County Ordinance Code provisions regarding rodeos prohibit intentionally tripping or felling equine or bovine animals;
- c. In addition to these protections, the Board finds that the practice of children riding or attempting to ride sheep in a rodeo event known as "mutton busting," does not promote the humane care for animals and does not promote public health, safety or welfare;
- d. The Board recognizes that the American Society for the Prevention of Cruelty to Animals also opposes mutton busting;
- e. The Board finds that this ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to the common sense exemption, because it can be seen with certainty that there is no possibility that the activity subject to this ordinance may have a significant effect on the environment. CEQA Guidelines Section 15061(b)(3).

NOW, THEREFORE, the Board of Supervisors of the County of Alameda ordains as follows:

SECTION II

The Alameda County Ordinance Code is hereby amended as follows:

Section 5.08.175 is added to Chapter 5.08 – Animal Control Regulations Generally, Article III -- Rodeo Events or Other Activities Prohibited, and reads as follows:

**Section 5.08.175 – Ovine animals.**

No person shall climb on top of, ride, or attempt to ride any ovine animal (sheep), or to cause any other person to do so, whatsoever for the purpose of entertainment, sport or practice, including a rodeo.

SECTION III

This ordinance shall take effect and be in force thirty (30) days from and after the date of passage and before the expiration of fifteen (15) days after its passage it shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on the \_\_\_\_ day of \_\_\_\_\_, 2019, by the following called vote:

AYES:

NOES:

EXCUSED:

\_\_\_\_\_  
RICHARD VALLE  
President of the Board of Supervisors

ATTEST:  
Clerk of the Board of Supervisors,

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:  
DONNA R. ZIEGLER, COUNTY COUNSEL

By: \_\_\_\_\_  
Heather Littlejohn  
Deputy County Counsel

# ALAMEDA COUNTY AGRICULTURAL ADVISORY COMMITTEE

Chuck Moore  
Chair

October 23, 2019

Clayton Koopmann  
Vice Chair

Honorable Board of Supervisors  
Administration Building  
1221 Oak Street  
Oakland, CA 94612

Gerry Beemiller

Katherine Boxer

Chuk Campos

Dear Board Members:

Cheryl Escobar

SUBJECT: REQUEST FOR DELAY OF BOARD VOTE ON PROPOSED  
ORDINANCE TO PROHIBIT SHEEP RIDING

Larry Gosselin

At the October 22, 2019 Committee meeting, the Agricultural Advisory Committee voted unanimously to request that your Board delay voting on the proposed ordinance to prohibit sheep riding to give the Committee the opportunity to review the ordinance in the context of the proposed policy recommendations on page 12 of the attached document to provide a more informed recommendation to your Board.

Millie Kimbro

David Najarian

Jack Norton

Since the next Rowell Ranch Rodeo will not take place until May of 2020, a delay of a few months will not affect the implementation of any potential prohibition if your Board ultimately decides to approve the proposed ordinance.

Darrel Sweet

Karen Sweet

Phil Wente

Thank you for the opportunity to provide you with the Agricultural Advisory Committee's recommendation regarding the proposed ordinance. If you have any questions or comments, please contact Liz McElligott at (510) 670-6120 or at [Elizabeth.mcelligott@acgov.org](mailto:Elizabeth.mcelligott@acgov.org).

Sincerely,



Chuck Moore, Chair  
Alameda County  
Agricultural Advisory Committee

## Attachment

Recommendation Regarding Animal Welfare and Mutton Busting  
Respectfully Submitted by Alameda County Agricultural Advisory Committee



## **Recommendation Regarding Animal Welfare and Mutton Busting** **Respectfully Submitted by Alameda County Agricultural Advisory Committee**

### **Recommendation**

The Alameda County Agricultural Advisory Committee (AAC) respectfully submits the recommendation that the Board of Supervisors do not eliminate mutton busting by ordinance. The characterization that it is cruel, harmful to children, and provides no benefit to the development of ranching skills is not supported by the facts.

Should the Supervisors direct, the AAC is able to collaborate with concerned citizens, rodeo advocates, the representatives of Maggie Rowell, and facilities operators to gain information and develop or modify policies to ensure the humane treatment of animals specific to this event.

### **Summary**

On January 15, 2019, a passionate request to eliminate three local rodeo events was submitted to the Board of Supervisors. Portions of a short video and anecdotal testimony was provided by citizens who advocated the events were cruel to animals and children, comparable to rape and child abuse, and should be eliminated.

Facilities professionals, Alameda County Sheriffs Department, and rodeo participants felt the claims did not accurately reflect the events and did not warrant banning the activities. Rodeo participants believe the events benefit children and the community. After discussion that included the wishes of the facility's benefactor, Maggie Rowell, the Board of Supervisors, by a 4-1 vote, directed staff to write an ordinance banning mutton busting for future consideration.

Rodeo representatives requested the Alameda County Agricultural Advisory Committee to consider the matter at the meeting of April 23, 2019. Testimony was received from rodeo participants and discussion followed. The Committee agreed to confer with rodeo representatives to provide a recommendation from the AAC to the Board of Supervisors.

This recommendation will provide background information regarding the standards of human interaction with livestock and other animals (human animal bond), comments specific to the testimony,

a concise opinion, and an alternative to ending a rodeo activity. We are hopeful the following information will temper the fervor of the January 15, 2019 testimony and provide a path forward that will ensure the welfare of the animals, respect the concerns of citizens, allow a unique opportunity for children to learn, and allow the County to develop progressive solutions to an issue that has Alameda County Agricultural Advisory Committee

The Alameda County Agricultural Advisory Committee (AAC) is a panel of experts created by the Board of Supervisors to provide leadership and direction in formulating policies relevant to agriculture. The welfare of animals and bioethics is an area of our professional training and working expertise. Preparation of this report included reviewing:

- the video tape of the January 15, 2019 hearing
- internet mutton busting video
- videos and websites addressing youth sports and other injuries
- additional websites on which Mr. Mills and others discuss rodeo events. The most comprehensive is <https://www.actionforanimals-oakland.com/>
- the opinions of other anti-rodeo advocates
- The Professional Rodeo Cowboy Association website
- The ASPCA website
- Local newspaper
- the lectures and writings of livestock welfare expert Temple Grandin Ph.D.

#### Understanding the Human-Animal Bond

"The human-animal bond is a mutually beneficial and dynamic relationship between people and animals that is influenced by behaviors essential to the health and wellbeing of both. This includes, among other things, emotional, psychological, and physical interactions of people, animals, and the environment. The veterinarian's role in the human-animal bond is to maximize the potentials of this relationship between people and animals." (American Veterinary Medical Association)



Putting our relationship with animals into perspective is the first step to making decisions affecting the welfare of animals. The social, cultural, and economic development of humanity has been dependent on our relationship with animals. The standards, and laws, of that relationship are highly variable amongst animal groups, cultures, and even communities, but always involve discretion that can be very controversial.

Categories of animals include companion animals, working animals (including working dogs), livestock, research animals, feral animals, captured wildlife, and free-range wildlife. Our standards for the human-animal bond varies dramatically amongst these animal groups. For example, dogs are pets, but they are also working animals, research animals, or feral animals. As working animals, by law dogs are entitled to roam freely in the bed of a truck moving down the freeway. As pets, dogs must be short tethered or confined to a small kennel when in the bed of a moving truck. As research animals, dogs are unlikely to ever be in the bed of a truck but instead are confined to small kennels. As feral dogs, being in the bed of a truck would indicate they had been caught and are unlikely to be placed in a home. There is a standard of care that depends on the use of the animal and the nature of our bond to that animal. Not every dog is treated to the same standard.

Even though we have standards of care that are accepted as humane for the different dog uses described, any use could easily be sensationalized as inhumane or cruel. Many aspects of pet ownership, from the breeding for "cute" deformities to the all too frequent abandonment of pets, could be sensationalized arguments to eliminate pet ownership. But it would be wrong to negate the benefit of pet ownership based on sensationalized arguments. There is always a context to understand when considering actions related to the human-animal bond. The argument against mutton busting has been sensationalized to misrepresent the event, the impact on animals, and the benefit to children.

Experts dedicated to the welfare of animals embrace the ongoing controversy regarding the human-animal bond while recognizing they serve the values of people, as well as the welfare of animals. Acceptance of standards is not absolution of the responsibility to examine the human-animal bond. Every expert in the field of animal welfare can argue either side of an animal welfare topic, but

rather than arguing, it is nearly universally accepted our goal is to improve animal welfare while acknowledging the controversy that results from the responsibility of stewardship.

Serious animal care issues exist. Mutton busting is not one of them. We should not divert our efforts from more serious issues of animal welfare, but we should also not dismiss the concern expressed regarding this matter. Alameda County can benefit from the opportunity this controversial issue presents to develop procedures and policy that allow the event to continue while information is gathered to allow informed decisions to be made.

#### Our Relationship with Sheep – The Connection to Mutton Busting

Sheep are domestic animals. Specifically, they are livestock produced for food as well as work that is limited to light packing or pulling carts. They can be barnyard pets and are also sometimes used for research. When housed on open rangeland, up to 3% of a flock per year is lost to predation. When being used for special purposes like mutton busting or other youth projects the predation level drops to nearly 0%. When housed on rangeland close to urban settings they are subject to additional predation by roaming pet dogs who attack the sheep for sport rather than consumption. Injuries occur for any of the reasons that could be imagined when living on open range but drop significantly when used for other purposes. Sheep are at less risk in confined circumstances than on open range.

Although they can be preyed upon, their behavior has been selected by breeding to be responsive to and curious about people, working dogs, and guard dogs. They have good memories and would show a repetitive fear response if they were terrorized by handling, manipulation, or mutton busting.

On ranches and farms, sheep are the livestock that children are initially exposed to with less supervision. Children do indeed try to ride them during play in the same manner that they try to ride dogs, pigs, ponies, calves, aunts, uncles, and each other. Dogs climb on sheep, chickens and ducks climb on sheep, rabbits climb on sheep, goats climb on sheep to nibble on the leaves of trees. Sheep climb on other animals. All livestock run at times, sometimes they desperately try to avoid people, other

times they run to the fence to be close to people. The characterization that a running sheep is a terrorized sheep is wrong.

Vaccination, deworming, castration, shearing, foot care, lambing assistance, treatment of wounds caused by predators and roaming dogs, other medical care, and transportation are practices necessary for proper care of sheep. Sheep are inspected and moved regularly, often using trained dogs and shepherd's crooks to facilitate movement and capture. There is running, quick turns, fast stops, and falls on the part of dogs, people, and sheep. Laughter occurs. Yelling occurs. Crying occurs. Every activity engaged in by a sheep may result in an animal sustaining an injury from falls, running into equipment, or resisting restraint. All these activities cause responses by the sheep that are comparable to the responses seen with mutton busting. None of these activities are inhumane or cruel.

The routine care of animals, and the manner of handling, necessitates expediency and experience. Skills developed in youth provide the foundation for effective performance as adults. Mutton busting is an initial step to developing this familiarity.

Whether care is provided in pens, or on the range, sheep are ultimately controlled by the hands, limbs, and body of the handler. The animal will become passive when handled by a shepherd that is experienced and confident. That passive response decreases the likelihood of injury and stress to both the handler and the animal. The sheep will attempt to avoid treatment because it is a nuisance, causes minor pain, or for fun. The behavior of sheep in the mutton busting arena is consistent with their routine responses to care. Claims that they are fleeing in terror, believe children are a unique type of predator, or the animals conceptualize their impending death, are not supported by research, the interpretations of those who work regularly with livestock, or by the animal's subsequent responses to children.

Sheep have good memories demonstrated by a retained response to repetitive events. Their field of view is very wide allowing them to see and recognize the children on their back without turning their heads. They demonstrate less concern, even curiosity, for puppies and small children. Sheep do not perceive children clutching their backs to be predators, they perceive them as children. If this was not so, they would kick at the children or occasionally turn, snort, and stamp their feet at a fallen child or

a child separated from them by a fence. If they perceived mutton busting to be a terrorizing experience, they would become more reactive to handling during subsequent routine care.

The human-animal bond is bi-directional. Domestication has resulted in creatures that expect handling, transportation, restraint, and other human activity. Much as we have an affinity for them, they have an affinity for us. Mutton busting is not so unusual from their routine care as to warrant exclusion from rodeo events.

Further studies could be advised to determine if mutton busting results in a rate of injury that exceeds routine care or injuries sustained in open pasture. There has been no testimony or significant evidence that would indicate so.

#### Child Welfare and Mutton Busting

The Agricultural Advisory Committee is not the appropriate authority to comment on the relationship of animal activities to child injuries other than anecdotally. However, a quick "you tube" search for "children hurt in youth sports" shows that physical activity of children in other organized activities results in many injuries. No evidence was found in statistics or video indicating mutton busting put children at risk beyond that of other children's sports.

The AAC is the appropriate authority to comment on the development of animal handling and restraint skills. We have learned that, as with any other skill, exposure to an activity at a very young age affects performance as an adult. Those who begin handling sheep and other livestock at a young age are more likely to develop the intuitive response, dexterity, confidence, and most importantly, the lifestyle commitment necessary to consider remaining in agriculture as adults. Mutton busting is relevant to the development of skills necessary to effectively handle full grown sheep. Those who claim otherwise may be sincere with their opinion but lack the knowledge and experience with production scale animal husbandry to understand skill development. A young child can not shear, or handle a sheep to a passive position, or vaccinate, or treat wounds; but they can put their face into a sheep's fleece, smell it, feel it move against their bodies, and gain familiarity with the power of the animal. This contact is the first step of a journey to responsible stewardship of livestock and working animals.

A societal value accepts the exposure children to supervised risk by participating in many sports and activities. It has been decided that the skills and values developed as a result of those events warrants the risks. There is no evidence that children are forced into mutton busting any more than they are forced to take music lessons, attend school, or engage in other sport activities. No evidence could be found that there are a disproportionate number of injuries to children caused by mutton busting. However recent research has provided evidence that children raised in a rural environment, surrounded by animals and bacteria-laden dust, grow up to have more stress-resilient immune systems and might be at lower risk of mental illness than pet-free city dwellers (*April 30, 2018 Proceedings of the National Academy of Sciences*)

#### Evaluation of Testimony and Video Evidence

The web site of Eric Mills states that his objective is to eliminate all rodeo. He accepts the description during radio interviews that he is an anti-rodeo activist. He does not cite advanced education degrees or work experience related to animal husbandry or animal behavior during his testimony, on his website, or during a radio interview. He did spend time on his grandparent's farm when he was a child. None of the anti-rodeo advocates presenting testimony at the January 15 hearing cited education related to animal husbandry, livestock behavior, or work experience with livestock or in other animal support services although one had an aunt with a large ranch. Although Mr. Mills has been engaged with lobbying for decades, he does not provide comparative statistics or other science to support his claims of cruelty, child abuse, that animal events teach cruelty to children, or that rodeo is a "macho, sexist, bogus industry". He speaks passionately and chooses to insult and disparage citizens who oppose his viewpoint.

Video was presented before oral testimony was given. It included several rodeo local events. A short segment of the video showed a "mutton busting" incident of a sheep limping after taking a fall during the event. The video ended shortly after the incident, not allowing evaluation of the persistence or severity of the injury. No testimony was given regarding the eventual outcome of the incident. The improvement of the sheep's condition within a short period of time indicates a transient injury but a

subsequent exam would be necessary to confirm. The video contained many written descriptions that are highly inflammatory, often incorrect, and may be intended to shape thought by creating a false narrative. The most provocative of these include:

- Animal Brutality
- CHILDREN TAUGHT TO ABUSE AND BRUTALIZE ANIMALS
- EXTREMELY DANGEROUS FOR CHILDREN & CALVES
- SMALL CHILDREN ARE FORCED
- THE ANIMALS WILL LAY DOWN ... TO AVOID THE BRUTALITY
- MANY TIMES AFTER BEING ASSAULTED, THE BABY GOATS WILL JUST LAY THERE...COMPLETELY BRUTALIZED

Evaluation of these statements is clearly subjective. However, comparable statements could be made to falsely represent well-honed videos of children's sports, dog grooming, sheep dog trials, management of animal shelters, zoo management etc. I saw no evidence in the video that children were being taught to brutalize, or that they were forced to participate, or there were assaults against animals. The style of testimony is passionate, but it is the passion commonly used to generate prejudice. Prejudicial testimony has no relevance to decision making other than being non-expert opinion.

Mr. Mills statements made during testimony include:

- It's as bad as child abuse and rape
- let's screw them over for fun and games
- in the name of macho, sexist, bogus entertainment
- teaches animal cruelty
- animals fear for their lives.

Mr. Mills did not provide evidence to support his prejudicial testimony.

Testimony of the of other anti-event advocates at the January 15 hearing attacked and challenged the values, culture, and personality of the rodeo participants. Those statements could be interpreted as

intending to shame and misrepresent, not educate. Had the comments been directed at any other cultural or social group they would have been considered words of prejudice.

Internet sites and interviews of Eric Mills reflect his opinion that all rodeo events should be eliminated, not just those discussed at the hearing. He even justifies the lack of support for his position by most veterinarians by claiming animal care professionals are motivated by misplaced values and financial gain while conspiring to hide the true extent of animal cruelty.

On 1/28/2019 Mr. Mills was interviewed on KBOO radio. He responded to claims he was a racist due to his efforts to end Charreada (Mexican Rodeo) events by saying "Well I can say I'm an equal opportunity racist. I said look, I don't care if it's God or Mother Teresa, I'm going to get beyond the picket line. This stuff is wrong." The context of the interview suggests that Mr. Mills believes his responsibility extends beyond deities or revered saints and that antagonism, discrimination, and prejudice are justified if they advance his perception of a greater good.

Those providing testimony supporting rodeo events included ranchers, facilities managers, and community supporters. Many had extensive on-going experience with livestock through employment or lifestyle. They disputed the extent of risk to animals and children, acknowledged that rodeo is not without risk, and spoke in support of the event. They had no specific evidence to demonstrate the activity puts the sheep and children at greater or less risk for injury than other youth or animal activities.

During testimony a quote of Temple Grandin PhD was referenced to support the position against mutton busting. Dr. Grandin is an animal scientist and behaviorist who believes her autism condition allows her a unique understanding of animal behavior. She believes in science-based evaluation of animal welfare based on objective criteria, observation by trained personnel, and an understanding of anatomy and physiology. Her quote used in testimony by Mr. Mills was not relevant to her professional opinion regarding rodeo. Her views regarding rodeo, "chuckwagon racing" (another highly controversial animal activity), and animal welfare are transcribed below. The video source can be viewed at: <https://www.youtube.com/watch?v=5KAJ6GzTumY>

**Interviewer:**

**"On a personal level what do you think of the sport of rodeo and chuck wagon racing?"**

**Temple Grandin:**

**"I think it's something that can be done with a good level of welfare... You see, on a lot of animal abuse things, I'm interested in reforming things not getting rid of things. Some animal rights people think you should get rid of eating meat. I've worked all of my life to fix slaughter houses, and when they're working really well the cattle go in very calmly and it's about the same level of stress as a veterinary chute and you gotta have good management... We have a population today that's totally removed from animals and also totally removed from practical things. People just don't understand the most basic things. Just the most basic things people don't know...In animal ag we need to show what we do."**

**Dr. Grandin's opinion is practical, calls for identification of a specific problem as well as a solution, and is not oppressive of animals or people. She acknowledges the controversial aspects of animal welfare and advocates reform when needed.**

**A lecture given by Dr. Grandin regarding autism, animal behavior, animal perception of death, and animal welfare is a good introduction to the nuanced reality of the human-animal bond. She reiterates a theme, "I am a reformer. I want to fix the industry, not get rid of it." This is, and has been, the standard for welfare in the animal care industry whether it be resolving the burden of overbreeding and abandonment of companion animals, managing urban cats to prevent loss of wildlife, or slaughtering livestock for meat. Her lecture can be viewed at <https://www.youtube.com/watch?v=-Hu72Cm-xQ&t=2168s>.**

**When considering the testimony offered by the anti-rodeo advocates it may be best to consider the words of three-time Pulitzer Prize winner, Carl Sandburg who wrote:**

**"If the facts are against you, argue the law. If the law is against you, argue the facts. If the law and the facts are against you, pound the table and yell like hell"**



The testimony against rodeo events is based primarily on prejudicial statements, table pounding, and limited poor quality video evidence. The testimony should not be given added weight due to the subject material or the passion of those speaking. In fact, the testimony is intended to be prejudicial and deserves critical review or should be discounted while research and more reliable sources of information are found.

#### Opinion-Recommendation

The Board of Supervisors has been put in the awkward position of deciding, with inadequate evidence, an emotionally charged issue that is most immediately under the jurisdiction of Hayward Recreation and Park District. Although there is universal agreement that children and animals should not be subject to terror and cruelty, insufficient evidence has been presented to support the claim that the event of mutton busting as practiced at the Rowell Ranch Rodeo is cruel, inhumane, comparable to child abuse or rape, or teaches children to be cruel. The heinous nature of the claims, and the dramatic remedy offered, warrant investigation to discover facts beyond those that have been offered, but they are insufficient to eliminate the event.

Eliminating the benefits of mutton busting event is not indicated for the protection of animals, children, or the advancement of animal welfare. However, the opportunity is before us to inform the public, review and develop policy to ensure the continued safety of animals and children, and educate participants regarding animal welfare. Doing so would be progressive, demonstrate the County's leadership, and be consistent with the philosophy of the referenced expert, Dr. Grandin, who believes animal welfare is best served by reform based on facts. Alameda County has a history of progressive, collaborative innovation tailored to specific needs of its citizens. Innovation is the solution to this matter.

The most powerful consensus amongst groups giving testimony was a desire to ensure the welfare of animals. Acknowledging the contribution and coexistence of livestock with people, while ensuring visibility and reform if needed, is the progressive path to follow. A strategy can be developed to gather information and establish a progressive program without eliminating the event. Policy can be

developed specific to this event that will ensure continued benefit to the public, the participants, and the animals.

#### Policy Recommendation

These recommendations should be modified to address the reasonable concerns, and practicalities, specific to the event after receiving input from stakeholders.

- 1) Hayward Area Regional Park District will review and update their animal welfare policy regarding mutton busting. They will solicit comments and recommendations from stakeholders that define problems and offer solutions. They will lead and mediate meetings if needed. This policy will be submitted to the Board of Supervisors for approval.
- 2) Best practices will be developed specific to the transport of sheep, movement on the facilities, handling in the chutes, evaluation of distress in the chutes, placement of children on the animals, and release of the sheep and child into the arena.
- 3) Children and sheep will be weighed and matched to not exceed accepted packing ratios of 1:4.
- 4) The gait of sheep will be evaluated by a veterinarian for lameness before and after an event.
  - a. A record of findings will be made by the veterinarian. Copies will be kept by the veterinarian, Alameda County Sheriff's Office Animal Control, and Hayward Area Recreation and Park District.
  - b. Lameness before the event will eliminate the animal from participation
  - c. Lameness after the event will require an examination, a preliminary diagnosis, and treatment by the rodeo veterinarian.
  - d. Any animal lame after the event will require a field examination within 4 weeks of the event. The outcome of the final exam will be noted in the records. If the animal is not available for subsequent exam it will be assumed to have a permanent clinical injury.
- 5) Before the event, children will be asked if they wish to participate. None will be forced. A record will be kept of question asked and answered.

- 6) The children will receive an age appropriate discussion of the importance of animal welfare, the sentience of animals, and the role of ranchers, farmers, agencies, and the community to ensure animal welfare. It is advised they be given a certificate, treat, or reward for participation in the animal welfare exercise.
- 7) The sheep will be habituated to the children by being hand fed small amounts of sweet feed before and after the event. If the sheep demonstrate behavior consistent with terror, or a sense of impending death, the response will be recorded, and the children will be asked to step away.
- 8) Children to be 5 – 7 years old. Parents to certify age and weight and give permission to weigh the child.
- 9) Children to wear a helmet and protective vest. No spurs.
- 10) Dirt in the arena to be conditioned before the event.
- 11) Pilot program to be in effect for three years and a report shall be issued to the Board of Supervisors at the end of this time.
- 12) Other, including specialist participation, pending further suggestion and consideration.

#### Comments Regarding Prejudicial Testimony

The following comments are relevant to testimony concerning mutton busting and animal welfare.

There is a tendency to remain silent and not respond to prejudicial comments. Responding to prejudice is sometimes considered to fuel the controversy of the discussion. But, to not refute bigotry opens the door to allowing prejudice to continue as a credible argument. The January 15, 2019 presentation of limited video, lack of evidence, and commingled descriptions of various abuses are strategies of propaganda. Using antagonistic description of people, culture, or events is a strategy of propaganda. Appealing to the views of a self-appointed leader, whose values are claimed to be beyond God or a saint, is a strategy of propaganda. All have occurred with testimony presented to the Board of Supervisors regarding mutton busting.

If there is expert testimony, literature, or science that demonstrates animals experience fear of death, or are terrorized by children on their backs, it should be brought forward to inform the debate. If children are learning to be cruel due to their rodeo experiences, there should be a body of social or behavioral science brought forward. If there is evidence that rodeo is comparable to child abuse or rape, it should be addressed vehemently with facts and the actions of professionals. However, if those statements are not supported by facts, regardless of how frequently and passionately they are repeated, regardless of the number of people making the statements, regardless of the claims of a greater good, the credibility of the statements should be considered as uninformed opinion. Those statements are propaganda. A brief description of propaganda techniques can be found at:

[https://en.wikipedia.org/wiki/Propaganda\\_techniques](https://en.wikipedia.org/wiki/Propaganda_techniques)

March 1, 2019

Alameda County Board of Supervisors  
1221 Oak Street, Suite 536  
Oakland, CA 94612

RE: Request for Reconsideration of the Creation of a Mutton Busting Ordinance

Honorable Members of the Board:

The Rowell Ranch Pro Rodeo started out as a friendly competition amongst the ranches that, to this day, cover Alameda County. Once a friendly contest between ranches to see who had the best cowboys, has become a growing professional sport across the United States. A sport where the health and safety of our livestock is always our first priority.

The rodeo is part of our community, entwined with our rich history it goes back to the early Spanish Ranches that became the ranches, orchards and city centers of today. The Rowell Ranch Pro Rodeo committee takes the responsibility of preserving our history very seriously. As ranchers, we don't always do a very good job of telling our story and setting the myths straight. We tend to put our heads down against the wind and get our jobs done. Until so many myths have been put out there, we find it necessary to put forth the truth.

The truth about the Rowell Ranch Pro Rodeo is as a sanctioned rodeo of the Professional Rodeo Cowboys Association it doesn't matter if it is a professional event or not, all events are under their strict animal welfare guidelines. A qualified rodeo veterinarian is always on-site during competition to make sure all animals are healthy. Our animals are not heading for slaughter – our animals are truly our livelihood and are very valuable. To a rancher his livestock comes first – they eat before he does, they are properly bedded before he sleeps and always have plenty of water and food. The equipment we use does not hurt the animals. It is made of soft materials and indicates to the animal how to do their job. Our stock is truly bred and trained for the sport of rodeo.

The truth is, the Hayward Area Recreation District reviews the rodeo annually and does not punt their responsibilities off to the Alameda County Board of Supervisors. We appreciate the long-standing relationship we have with the HARD board members who have asked us the tough questions. The board conducted an extensive review of the Rowell Ranch Pro Rodeo in March of 2018 where it was determined by a vote of 4 to 1 that the rodeo, and all events conducted at the rodeo, are in compliance and did not need to be reviewed again until such time that state laws changed. Our relationship is a partnership, and the legacy of Harry and Maggie Rowell is something we work together to fulfill. We consider it our responsibility to make sure the construction and maintenance of the Rowell Ranch Rodeo Park is an expense we share.

Events like Mutton Busting are an opportunity for our children to get outdoors, find the value of good sportsmanship and learn firsthand about rodeo and what it takes to be a cowboy. We have numerous

volunteers and members of the community that do not have a ranching background that will tell you mutton busting is an opportunity to experience what it is like to be a cowboy. Someone outside of agriculture that doesn't have a ranching background is able to learn firsthand about a very real career that contributes more than \$20 million annually to Alameda County.

Children between 5 and 7 years of age and weighing no more than 55 pounds can compete in the Mutton Busting event at the rodeo. The average sheep weighs about 180 pounds. Riders wear protective helmets and vests. In a combined 300 years of competition, eighteen rodeos surveyed in California have never had a sheep injured.

We respectfully request your reconsideration of the ordinance being considered against Mutton Busting as a result of the discussion at your January 15 board meeting. Due to the short notice of the item on the agenda for that meeting we were not able to provide experts to testify, nor for our key members to be in attendance to offer expert testimony about the rodeo and our events. Livestock welfare is always our first priority and we suggest that the Board adopt a mutton busting study over the next three years based on the enclosed information.

In conclusion we would like to invite you to help us celebrate the 99<sup>th</sup> Rowell Ranch Pro Rodeo May 17-19. We know in reviewing the testimony that many of you have not had the opportunity to attend the rodeo. We would consider it an honor if we could also give you a behind the scenes tour and firsthand knowledge of the sport of professional rodeo, showing you the animals and equipment used for their safety.

Again, thank you for your time and consideration. We know you have busy schedules and items back up for reconsideration can be difficult to fit in the schedule. As residents of Alameda County we appreciate your efforts and the time you take to hear from all points of view about issues.

Sincerely,

A handwritten signature in dark ink, appearing to read "Russ Fields", with a large, sweeping flourish extending to the right.

Russ Fields, President  
Rowell Ranch Pro Rodeo Committee



## PROFESSIONAL RODEO COWBOYS

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January 15, 2019

Alameda County Board of Supervisors  
1221 Oak Street, Suite 536  
Oakland, CA 94612

Jed Pugsley  
Livestock Program Administrator  
101 Pro Rodeo Drive  
Colorado Springs, CO 80919

**Subject: Review of Animal Control Regulations to Rodeo Activities**

Honorable Members of the Board,

Noted as the World's oldest and largest rodeo sanctioning body, the Professional Rodeo Cowboys Association proudly sanctions two rodeos within your county's boundaries, The Rowell Ranch Rodeo in Hayward and the Livermore Rodeo in Livermore. Both events have been community staples, community supporters and wholesome family entertainment for nearly a century. This year the Livermore Rodeo will celebrate its 101<sup>st</sup> year while the Rowell Ranch Rodeo will celebrate its 99<sup>th</sup>.

Born of the hard-working American ranchers who built the West and helped feed our nation, the sport of rodeo directly descends from the everyday ranch work of roping stray cattle and breaking wild horses. The one-on-one competitions of cowboys grew more popular through the years and eventually became organized events. Today we are proud to sanction both the Livermore Rodeo and the Rowell Ranch Rodeo, as well as more than 650 events nationwide. With sanctioning comes accepted practices, bylaws and rules established to promote the sport of professional rodeo, provide fair competition, and yield safety for both the cowboys and the purpose bred livestock competing at the events.

Just as the one-on-one competition has evolved and changed into the sport of rodeo as we now know, so has the livestock welfare program of the Professional Rodeo Cowboys Association. Since 1947, when the first rules regarding the welfare of livestock participating in PRCA-sanctioned events were implemented, additional rules, strategies and overall awareness has allowed the sport to prosper despite continued criticism. Today, the Professional Rodeo Cowboys Association enforces more than 70 association rules that govern the care and treatment of rodeo livestock, the strongest rules employed by any rodeo association.

101 Pro Rodeo Drive | Colorado Springs, CO 80919 | (719) 693.8840  
[www.prorodeo.com](http://www.prorodeo.com)



## PROFESSIONAL RODEO COWBOYS

The rules and bylaws of the Professional Rodeo Cowboys Association have been developed with the collaboration of industry experts, those who understand both the sport and the livestock involved, to include: veterinarians, livestock owners, rodeo cowboys, promoters and law makers. The rules and bylaws of the Professional Rodeo Cowboys Association are widely recognized as the most comprehensive in the rodeo industry and serve as models for most other rodeo associations.

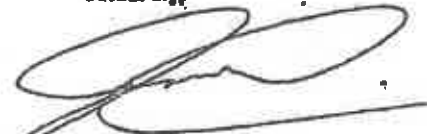
Enforcement of the rules and bylaws is handled by Pro Officials and Judges, very similar to other professional sports leagues. Further, Pro Officials, Judges, and on-site veterinarians assess each animal prior to competition to ensure all livestock are well-suited and fit for competition. In addition to monitoring the livestock prior to competition, a veterinarian is on-site during each competition performance.

While the rules and bylaws of the association mandate that a rodeo must hold the traditional 5 events, Bareback Bronc Riding, Steer Wrestling, Team Roping, Saddlebronc Riding, Tie-Down Roping and Bull Riding, the rules and bylaws do provide the opportunity for "local" events to be held also. While specific rules apply to these "local" events, the same rules governing for the care and treatment of rodeo livestock are in effect for the entirety of the rodeo. It is in the best interest of all those involved with the rodeo to ensure that the livestock are treated humanely.

Those involved with the sport are the true advocates of livestock welfare (the fundamental belief that we have the right to interact with animals in industry, sport, recreation and entertainment, but along with that right comes the responsibility to provide proper care and handling), as they are the ones providing daily care to the purpose bred livestock of the sport. Livestock welfare is not only the backbone of the PRCA's approach to successful events, but the keystone to a prosperous future. The Professional Rodeo Cowboys Association proudly leads the way in creating livestock welfare procedures, rules and standards for rodeo.

We respectfully petition the Board to use common sense decision making, just as the Hayward Area Recreational District Board did in March of last year, while discussing and addressing possible animal control regulations to rodeo activities. I am available for additional information, clarification, testimony, or consultation on these subjects. Please feel free to reach out to me at 719-528-4782 or [jed@prorodeo.com](mailto:jed@prorodeo.com).

Sincerely,



Jed Pugsley





**TROY S. FORD, DVM**

**Diplomate, American College of Veterinary Surgeons**

My name is Troy Ford, a veterinarian who works exclusively with farm animals. I would like to provide my professional opinion and experience on the event of mutton bustin. I have practiced exclusively on farm animals for my entire professional career of 33 years. I obtained my veterinary degree from UC Davis and trained in surgery at the University of Pennsylvania at New Bolton Center. I am a diplomate in the American College of Veterinary Surgeons. I have been an assistant professor of large animal surgery at Texas A&M and eventually transitioned into private practice. I was born and raised on our family's cattle ranch in Central California. In summary I have been involved in the production, health, disease prevention and well being of animals for the majority of my life.

Rodeo is an historical event with a rich history and provides entertainment and education to the public. For many it is a way of life. The people of rodeo consider the health and well being of animals to be primary to their existence, without healthy animals there would not be rodeo. Nor would I be abiding by my code of ethics as a veterinarian should this be the case.

It has come to my attention that mutton bustin remains under scrutiny in Alameda County and some consider it a cruel and torturous event for the animal. I find this conclusion perplexing, false and marinating in anthropomorphism. As an attending veterinarian of rodeos for many years, I have never witnessed an injury to the animals participating in this event. I have also reached out to colleagues who are also the attending veterinarians at rodeos and again no one has seen an injury to the animals. The age/weight requirements in ratio to the animal are appropriate, especially as it appears the average length of time a child is on the animal is just a few seconds. If the lay observer were to see the animals both pre-event and post-event, most would see contentment. This can be subjectively measured by posture, interaction with their cohorts, appetite and ambulation. If the primary concern for the elimination of this event is that it is cruel and torturous, I find no subjective or objective evidence that would suggest as such. As a veterinarian my professional obligation is to the health and well being of animals, in fact it is of my utmost importance. If I thought this event met the definition of cruel and torturous, I would never put my name to this letter.

If we really analyze the event, the health and safety of the animal and the contestant is paramount. The contestants wear protective helmets and vests and the age/weight ratio to the animal is appropriate. The truth lives within the evidence and based upon my past experiences I find no legitimate reason to consider the banning of this event.

Should the event be banned, what would be next in the many things people and animals do together for sport. Should we consider banning agility training of dogs, prohibit dogs from surfing or riding skate boards with their owners, prevent people from throwing Frisbees or balls for their dogs to fetch in public parks for fear of injury to the animal. Should we ban our police and military from using dogs for detection of bombs, narcotics and to subdue criminals.

Thank you for your time and consideration of my opinion.

Troy S. Ford DVM, DACVS



Joe Rosenberg, DVM  
P.O. Box 26100  
Mira Mesa, CA 92196

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Fax: 858-547-9444

www.PanioloEquine.com  
PanioloEquine@gmail.com

February 6, 2019

Alameda County Board of Supervisors:

I have been a veterinarian for 21 years, specializing in equine and large animal care. During that time, I have participated as the officiating veterinarian for over 100 horse shows and rodeo performances. It's been an honor to have been the official rodeo veterinarian for the Poway Rodeo for over 14 years.

Before each rodeo, I perform a walk-through of the livestock pens. Each animal is assessed for body condition, overall general appearance, the absence of noticeable injuries and mobility issues. If any concerns are identified, the livestock contractor is alerted and the individual animal's needs are addressed. During the rodeo performance, I am always on the rodeo grounds and sometimes station myself chute-side for higher-risk events (i.e. – tie down & team roping). Rodeo officials are notified of my arrival and departure times, and are able to access me via phone if a concern develops. A final rodeo report of all injuries or animal welfare issues is signed by myself and rodeo officials after the last performance.

During my career, I have experienced only a handful of animal injuries (most of them minor) and only one that needed to be euthanized. None of the injuries involved sheep in the "mutton busting" event. The event is what I would classify as "low-risk" to the animal based on the nature of the event.

If you have any questions or concerns, please do not hesitate to contact me.

Thank you for your time.

Sincerely,

Joe Rosenberg, DVM



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February 18, 2019

Dear Sirs,

I am writing this letter to address animal care at PRCA rodeos, specifically regarding sheep used in the mutton busting events. I have been practicing large animal veterinary medicine since 1981 and have been associated with the Reno Rodeo since 1982. As a member of the Reno Rodeo Association, I have been a chairman of the Animal Care Committee since 1989 and assisted on that committee for several years prior to that. My duties have included general assessment of the health and well being of all livestock on the rodeo grounds for the Reno Rodeo, assuring that either myself or another veterinarian is present during all performances and insuring that any ill or injured animals are treated in a timely and humane manner. In my over 30 years as a rodeo veterinarian, I have seen no injuries to sheep in the mutton busting events. These sheep are kept together in their flock in a safe location separate from other livestock, and travel to and from the arena together, resulting in a low stress situation. The handling of the sheep is carefully done and the event itself, with small children riding these sheep is not harmful to the animals.

Please feel free to contact me with any questions through the Reno Rodeo Association office at: 775-329-3877.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph M. Coll", written over a horizontal line.

Joseph M. Coll, DVM



**From:** Tim Eastman  
**Sent:** Thursday, February 14, 2019 12:23 PM  
**To:**  
**Subject:** "Mutton Busting" safety

Dear Alameda County Board of Supervisors:

I have been the veterinarian of record for the California Rodeo in Salinas for the past 18 years. Over those years I have been consistently impressed with the quality of care that the rodeo livestock receives and given the number of animals involved, how infrequently injuries occur.

As required by state law, any injured animal I treat during our Rodeo or after I submit to the details to the California Veterinary Medical Board. For many years we have allowed our local SPCA officers "all areas" passes and I have worked with them to monitor all of the livestock that comes for our rodeo. I know in the past my records have always agreed with their records.

I believe "mutton busting" has been a part of our track show for the 18 years I have been involved and I do not recall or have a record of any of the sheep involved having an injury whatsoever. Given the durability of the animals and how light the kids are that attempt to ride them an injury seems very unlikely to me in a well managed facility.

This event is always popular with the crowd and gives local kids the chance to become involved in one of the countries fastest growing sports, rodeo!

--  
Tim Eastman DVM, MPVM  
Diplomate American College of Veterinary Surgeons

**Address:** 15881 Toro Hills Avenue, Salinas, CA. 93908  
**Hospital:** 831-455-1808  
**Woodside Office:** (650) 851-1214  
**Fax:** 831-455-1906  
**Cell:** (831) 206-3719  
**E-mail:** [teastman@steinbeckequine.com](mailto:teastman@steinbeckequine.com)  
**Website:** <http://steinbeckequine.com/>

**California Rodeos  
2019 Mutton Busting Event Survey**

Please complete the following survey and return to Rowell Ranch Pro Rodeo. Thank you in advance for your participation.

1. Do you hold mutton busting at your rodeo? (If answer is no please go to question number 9.)
2. If so, how long have you been holding mutton busting at your rodeo?
3. If so, how many contestants for this event do you have in total for your rodeo?
4. How many mutton busters to you host per rodeo performance?
5. Have you ever had any injuries to the sheep?
6. If answered yes to question 5, please explain.
7. How many runs do your sheep make per day?
8. How would you rank the popularity of the mutton busting event with fans on a scale of 1 – 10 (10 being the most popular)?
9. How much money does your rodeo contribute back to the community annually? (An estimate is sufficient.)
10. What is the economic impact of your rodeo to the community and/or region at large that you serve?

**Mutton Busting Survey Summary**  
**February 11, 2019**

A survey of California Rodeos was conducted to gather data about the mutton busting event.

**Highlights:**

- 15 out of 18 California rodeos surveyed hold mutton busting as an event at their rodeo.
- On a scale of 1-10 the average popularity of the event is 9.5 with 10 being the highest possible score.
- Out of a combined total of more than 306 years of the Mutton Busting event being held at these California Rodeos there have been no reported injuries to the sheep.
- On average combined Calif Rodeos have more than 600 contestants participate in the event annually
- On average a sheep only makes 1 run per day at a rodeo.
- This survey reflects a combined total of more than 58 days of rodeo in California annually.
- California Rodeos contribute well in excess of \$2,456,000 million back to other nonprofits and charities in their communities annually
- For those rodeos where the information was available the all-volunteer events account for more than \$92.9 million in economic impact back to their communities annually.

### **MODIFIED MUTTON BUSTING REQUIREMENTS**

1. Children to be 5-7 years old. Parents to certify age and weight and give RRR permission to weigh the child.
2. 55 pound weight limit for children. Scale to be on site to weigh children.
3. Sheep to be weighed before event and a listing will be kept.
4. Vet to be on site and examine sheep before and after event.
5. Children to wear helmet and protective vest.
6. No spurs.
7. Dirt in the arena to be conditioned before the event.
8. Pilot program to be in effect for three years and a report will be made to BOS at end of this time.

