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DEPARTMENT OF  
**ANIMAL SERVICES**  
221 North Figueroa Street  
5<sup>th</sup> Floor  
Los Angeles, CA 90012  
(888) 452-7381  
FAX (213) 482-9511

EDWARD A. BOKS  
GENERAL MANAGER

October 17, 2006

Karen Rosa  
Director  
American Humane Film & TV Unit  
15366 Dickens Street  
Sherman Oaks, CA 91403

Dear Ms. Rosa:

I am responding to your inquiry into Animal Services' investigation into the Flicka Incident. This incident involved the death of a horse with a painted number 23 on its hindquarters. The horse was running with another horse inside the Hansen Dam Arena at the time of death.

A special task force investigated the following allegations that arose following this death: 1) the horses involved were from the Bureau of Land Management; 2) the horses did not have halters and lead ropes on; 3) cattle prods or other devices were used to incite the horses to act wild; 4) the horses were abused; and 5) the cause of death was the result of abuse.

Animal Services' findings to these allegations are as follows:

- 1. BUREAU OF LAND MANAGEMENT (B.L.M.) HORSES USED ON THE "FLICKA" MOVIE SET:** After extensive interviews it was confirmed that the horses were professional bucking horses provided by Bill Agin and were not from the Bureau of Land Management.
- 2. THE ABSENCE OF HALTERS AND LEAD ROPES ON THE HORSES:** Halters and lead ropes were used in the "Wild Horse" race scenes. All of the horses had halters and lead ropes on them during the filming of the "Wild Horse" race scenes.
- 3. CATTLE PRODS OR OTHER DEVICES WERE USED TO INCITE THE HORSES TO ACT WILD:** There is no evidence that any cattle prod or any other electrical devices were used on any of the horses at any time. The "Wild Horse" race footage was observed and there was no evidence of any cattle prods, hot shots, handheld shockers or whips used on any of the horses. The film footage was observed from 5

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different POV's (Point of View) and included footage before and after each take. Witnesses directly on top of the chutes during the filming also stated that they did not observe any of the handler's using any type of electrical device or whip to agitate the horses.

4. **THE HORSES WERE ABUSED:** There is no evidence that the horses were abused at any time. The film footage showed the activity before and after each take and at no time is there any evidence that the horses were hit or abused. The photos and necropsy of the deceased horse showed it to be in excellent shape and weight with no apparent signs of being overworked.
5. **THE CAUSE OF DEATH WAS THE RESULT OF ABUSE:** The necropsy report concluded the horse died from tripping on its lead rope causing it to fall and break its neck, which caused asphyxia due to diaphragmatic paralysis. The report characterized the cause of death as accidental.

After hundreds of hours of investigation Animal Services has determined that this was a preventable accident. Animal Services contends this accident could have been avoided had the horses not been allowed to gallop or cantor freely with a dragging lead line and without an outrider to control them.

The "Wild Horse" race film footage showed a horse with a painted number 23 on its hindquarters running with another horse inside the Hansen Dam Arena. The horse apparently tripped on its lead rope causing it to fall violently headfirst. Once on the ground the horse kicked its hind legs out for approximately three seconds then lay motionless having died instantly. Horse number 23 was not being chased by anyone and both horses were alone at one end of the arena when the incident occurred.

The conclusion of this investigation is that the death of the horse, number 23, on the "Flicka Wild Horse" race scene was a preventable accident but there was no violation of the California Penal Code 597(a) or 597(b) or Los Angeles Municipal Code 53.65.

It is the responsibility of LA Animal Services to inspect and investigate the use or work of animals in theatrical, motion picture, television and other performances and productions and enforce the City of Los Angeles' humane laws. In the future Animal Services should be contacted in advance time to fully monitor such filming and should be provided unlimited access afterwards to conduct thorough investigations when required.

Sincerely,

Edward A. Boks  
General Manager  
LA Animal Services

Cc: Tarrig Khero, LA Animal Services, President Commissioner  
Jim Bickhart, LA City of Los Angeles, Mayor's Office  
Dov Lesel, LA City of Los Angeles, Deputy City Attorney  
David Diliberto, LA Animal Services, Field Ops Director