

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

July 20, 1999

In Reply Refer To:
4730.1 (260) P
Ref. IM No. 98-141

EMS TRANSMISSION 07/26/99
Instruction Memorandum No. 99-154
Expires: 09/30/00

To: All Field Officials

From: Assistant Director, Renewable Resources and Planning

Subject: Humane Destruction of Dangerous Wild Horses and Burros

Field Offices have raised concerns about handling and/or adoption of dangerous animals currently in the adoption system. This policy identifies the rationale and requirements for decisions to euthanize unusually dangerous wild horses and burros. The Bureau of Land Management (BLM) has issued and implemented policy to euthanize animals, because they are old, sick or lame (WO-IM No. 98-141, Humane Destruction of Wild Horses and Burros). The euthanasia of an unusually dangerous animal is permissible where it is declared excess through herd management policy and guidelines, and it is a documented danger to the public. The rationale and citations for this conclusion are attached. When the authorized officer has ascertained an animal to be dangerous, the BLM should euthanize the animal in a manner consistent with the BLM policy in Manual 4730 Destruction of Wild Horses and Burros and Disposal of Remains.

Prior to being offered for adoption, horses and burros are observed during capture, preparation, shipping and handling during adoption events and training. During this time, an animal may exhibit dangerous characteristics beyond those associated merely with the inherent wild characteristics of mustangs and burros. The BLM may identify these threatening animals as unusually dangerous and find that they pose an unacceptable risk to the health and safety of the public.

While unusually aggressive behavior might be an acceptable risk on the range, such an animal can pose an unacceptable risk of injury to persons, when they are maintained in enclosed spaces where some level of handling is required. When the Bureau knows that a horse is untameable and violent, it is reasonable to conclude that an average adopter could not "humanely care" for the horse as stated in the regulations (e.g., provide proper transportation, feeding, medical care, and handling 43 CFR 4750.1).

The BLM cannot solve the problem by removing unusually dangerous animals from the adoption system and placing them in a sanctuary because this resolution also poses significant risk of injury, both to the animals in transport, and to the sanctuary operators. Most facilities are operated by private businesses under contract with the BLM and a few small sanctuaries are or have been operated by volunteers. Both contractors and volunteers may have the right to file suit in the event of injury or loss,

depending on language that the BLM has in its agreements with such groups.

The course of action the BLM will pursue in circumstances where an animal is a documented risk to health and safety of the public and determined to be an unusually dangerous animal, is humane destruction.

In all cases, the final decisions regarding humane destruction of a wild horse or burro for the safety of the public, rests solely with the authorized officer (43 CFR 4730). Humane destruction of unusually dangerous animals will be conducted according to the following procedures:

Before the BLM may euthanize an animal solely on the grounds that it is unusually dangerous to human health and safety, the authorized officer, in consultation with a veterinarian, extension agent, local humane official, or other individual acceptable to the authorized officer, must determine that the animal poses a significant danger which is unlikely to be corrected through accepted gentling practices. The BLM's authorized officer and a veterinarian, extension agent, local humane official, or other individual acceptable to the authorized officer, shall prepare and sign a written document that provides a physical and behavioral description of the animal specifying the reason this animal is considered unusually dangerous.

The Wild Horse and Burro National Program Office (WO-260) must be notified through electronic mail of the decision to euthanize an unusually dangerous wild horse or burro.

The BLM should never euthanize a wild horse or burro solely for reasons of population control. Since the passage of the Act, the BLM has handled over 160,000 wild horses and burros in the adoption system and surmises that the need to humanely destroy animals classified as unusually dangerous should be a rare occurrence.

If you have any questions regarding this policy, please contact Lee Delaney, Group Manager, WO-260, at (202) 452-7744.

Signed by: Authenticated by:
Tom Walker Robert M. Williams
Deputy Assistant Director Directives, Records
Renewable Resources and Planning & Internet Group, WO540

1 Attachment

[1 - Rational for Euthanasia of Dangerous Animals Based on Law and Regulations \(1 p\)](#)