



FILLMORE COUNTY SHERIFF'S OFFICE
INCIDENT REPORT

ICR# 19003260		AGENCY ORI# MN0230000		JUVENILE:	
INCIDENT	Reported: 05-09-2019 1430 First Assigned: 1434 First Arrived: 1434 Last Cleared: 0857 Committed Start: Committed End: Title: Animal Complaint Welfare How Received: Phone Short Description: CONCERN OVER WELFARE OF CHINCHILLAS Summary: On 05-08-19 I met with Ann Olson, Executive Director On behalf of Animal Folks along with County Attorney Brett Corson. Ann submitted a case file dealing with the Moulton Chinchilla Farm for our review. Location(s) MOULTON, DAN Address: 32846 COUNTY 5 City: CHATFIELD State: MN Zip: 55923 Country:				
	Officer Assigned: Whitacre, Phil Badge No: 2303 Primary: Yes				
	Involved: Reported By Name: OLSON, ANN DOB: -- Age: Sex: Race: Height: 0 Weight: 0 Address: (Residence) 1043 GRAND AVE City: SAINT PAIL State: MN Zip: 55105 Country:				
	Involved: Owner Name: Moulton, Daniel Joseph DOB: 12-06-1951 Age: 67 Sex: M Race: W Height: 601 Weight: 208 Address: (Residence) 32846 COUNTY 5 City: CHATFIELD State: MN Zip: 55923 Country: Phone: (Cell) (507) 358-4110 Eye Color: HAZ Hair Color: BRO ID Number(s) ID Type: Operators License Number ID #: N484160270516 State: MN Year: Class:				
Involved: Witness Name: SCHLOEGEL, MARGARET GORDON DOB: 12-31-1973 Age: 45 Sex: Race: Height: 0 Weight: 0 Address: (Residence) 5017 LYNDAL AVE S City: Minneapolis State: MN Zip: 55419 Country: Phone: (Home) (718)216-1325					
EVIDENCE	BarCode: 19-00193		Item Type: Documents		Bin: Room 2
	Description: Animal Folks Written Report Location Address: (Business) 32846 COUNTY 5 City: CHATFIELD State: MN Zip: 55923 Country:				

Supplemental Report	
ICR: 19003260	Last Modified: 07-01-2019 1445
Title: Animal Concern	Created By: Phil Whitacre

On 05-08-19 I met with Ann Olson, Executive Director, On behalf of animal Folks. Sheriff DeGeorge and Fillmore County Attorney Corson were also present. Ann presented documentation dealing with the Moulton Chinchilla Ranch located at 32846 County 5, Chatfield MN 55929. This facility is owned by Dan Moulton. Ann suspects that animal cruelty has occurred or is occurring at this facility and believes this to be in violation of Minn. Statutes Chapter 343. In her documentation Ann states that the Moulton Chinchilla Ranch has been cited for multiple violations of the Animal Welfare Act by the United States Department of Agriculture (USDA) over multiple years. Ann states these violation have caused harm and in some cases death to the animals.

Through the Freedom of Information Act (FOIA) Animal Folks was able to obtain USDA inspection reports, including some photographs for a time period of July 17, 2015 to October 16, 2018. The majority of the reports have some redaction. Animal Folks state that the Moulton Chinchilla Ranch was issued an official warning in 2013 citing evidence of violation between May 31, 2011 and January 16, 2013. It is stated that in addition to violation of sanitation guidelines and inadequate veterinary care six Chinchilla reportable died from heat stroke and suffocation.

Animal Folks's concern is that this facility has repeatedly violated basic animal welfare standards and they suspect that animals have been or are in distress. Animal Folks also list concerns that the number of Chinchillas at the facility has declined. This is based of USDA inspection report from October 16, 2018 indicating there are 527 Chinchillas at the facility and reports from April 03, 2017 showing there were 908 Chinchillas at the facility. Animal Folks report also cites news articles claiming that there were up to 6,000 Chinchillas at the facility in past years.

As stated in the report Animal Folks acknowledge that there are regulatory efforts that allow a facility to correct its actions. They feel that giving a business multiple chances to fix behavior can violate the spirit of the law. Animal Folks report lists the following specific examples of maltreatment:

- Moulton "has not sought veterinary guidance."
- Animals "haven't received treatment for their conditions due to not being noticed by facility" (lack of daily observation).
- The facility "has not reported these problems to the attending veterinarian."
- Chinchillas "have health problems that had not been identified or were not being treated."
- The "attending veterinarian has not been contacted "to see if treatment is needed.
- Many of the violations are marked as "REPEAT"

Animal Folks lists the following as types of maltreatment observed; these examples were pulled from USDA inspection reports between 2015-2018. I have summarized the following list to provide an example of the types of maltreatment alleged. The full list is in the document provided by Animal Folks:

- Deceased Chinchilla in an enclosure with live Chinchillas on both sides. Chinchilla was bloated, had peeling skin, strong odor and stiff limbs suggesting it had been there more than a day (04-03-17)
- Deceased Chinchilla was seen on top of an enclosure housing other Chinchillas. When the licensee had to remove the Chinchilla he had to peel the carcass of the top of the cage suggesting it has been there awhile." 02-11-16.
- Abscesses, reddened skin indicating inflammation, swollen eyes, sealed shit eyes, crusty matted fur, poor ventilation, open wounds, ingrown collars.

The report from Animal Folks also cites concerns over the USDA inspection and licensing process. These concerns are that some of the inspection reports are "focused" and that in multiple I inspections the focus was on records not animals. Multiple inspection visits resulted in "no responsible adult" being present so no inspection could occur. Animal Folks feel that this raises the question when and if a responsible adult was (is) at the facility to care for the animals. The report also states that typically the USDA inspector samples only a few animals within a facility, which may not be a true a true assessment.

As I reviewed the materials Ann provided I noted that the most recent USDA inspection report was dated October 16, 2018. I noted that the report lists a number of issues such as tight collars, swollen eyes, hair loss, abscesses, eye discharge, eye crusting, etc. I noted that the narrative states that the facility has found and is treating at least 16 animals that are kept in a 'sick bay' area. It also states there were several animals found that had not been identified as having health issues.

Ann O.B.O Animal Folks inquired if we could execute a search warrant at the Moulton Chinchilla Ranch. The agreement between County Attorney Corson, Sheriff DeGeorge and I was that the newest information in Ann's report is 7 months old and therefore is not fresh enough to obtain a warrant. It was agreed that since the Moulton Chinchilla Farm is being inspected by the USDA we would contact them.

I contacted multiple personnel at the USDA in an attempt to confirm that there is a process in place to deal with animals that they feel are being neglected or otherwise abused. I was eventually put in contact with Cathy Hovoncsak, Animal Care Supervisor with the USDA. Cathy informed me that due to data privacy regulations she could not discuss a particular licensee. Cathy did agree to explain the USDA process when they feel animals are being abused or mistreated. Cathy stated licensees are inspected on a regular basis. She explained that if the inspectors find problem multiple times or uncorrected this triggers an enforcement action. Cathy stated that if it becomes serious enough it goes to the Regulatory Support Services then to the Investigative Enforcement Services (IES) and that they open an investigation on a federal level. Cathy stated that the results of that investigation would then go to the Office of General Counsel. Cathy would not state if any of these actions are occurring with a particular licensee. I was unable to obtain any confirmation if the Moulton Chinchilla Ranch was licensed or is under any form of investigative process by the USDA.

On 06-14-19 I was given contact information for Jennifer Moore, Branch Chief Animal Welfare Enforcement Branch Investigative and Enforcement Services, USDA. I made contact with Jennifer who requested I send a formal request for the information I am attempting to obtain. I sent the request asking for answers/clarification on the following issues:

- Is the Moulton Chinchillas Ranch licensed by the USDA.
- Is the Moulton Chinchilla Ranch being investigated by the USDA or other state/federal agency.

On 06-24-19 I received an email back from Jennifer addressing these issues. In summary Jennifer confirms that the Moulton Chinchilla Ranch is actively licensed by the USDA operating as a dealer and holding a class "B" license. Jennifer confirmed that the USDA Animal and Plant Health Inspection Services (APHIS), Investigative and Enforcement Services (IES) concluded an investigation into alleged violations of the Animal Welfare Act by Daniel Moulton and based on substantial violations, requested that the USDA Marketing, Regulatory and Food Safety Programs, Office of the General Counsel (OGC) pursue administrative enforcement against Mr. Moulton. This case is currently with that office for action.

Jennifer's response details the USDA protocols for the investigative process from investigation through resolution including that the process allows for local law enforcement to be contacted if there is reason to believe animal cruelty exists. I have checked and did not locate any incidents where law enforcement was contacted by the USDA in this matter.

For details see Jennifer Moore's email in the media portion of this report.

On 06-28-19 I received a letter from County Attorney Corson advising me that he is declining criminal charges in this matter. The letter was added to the media portion of this report.

Supplemental Report

ICR: 19003260

Last Modified: 05-31-2019 1033

Title: Letters from DVM

Created By: Phil Whitacre

On 05-29-19 I received an email from Ann Olson. The email contained letters from two veterinary doctors that Ann had sent the USDA reports to. The veterinary doctors are Dr. Chris M. Casey and Dr. Margaret Gordon. The letters offer each doctors assessment of the conditions of the Chinchillas at the Moulton Chinchilla ranch. These assessments re based off of the USDA Inspection Reports that Ann sent to the doctors. On 05-31-19 I attempted to contact each doctor to obtain their contact information.