

Testimony
of
Judy Keeler
New Mexico Cattle Growers' Association
and
New Mexico Farm Bureau
on
Livestock Theft
Before the
New Mexico Interim Economic & Rural Development Committee
Wednesday, October 5, 2018
Cloudcroft, New Mexico

Chairman Rodella and members of the Committee, my name is Judy Keeler. I am a 5th generational rancher with ranches in both Hidalgo and Luna County, New Mexico. My husband, Murray, and I are also members of the New Mexico Cattle Growers' Association and the New Mexico Farm Bureau.

I come before you to discuss livestock theft in New Mexico. Specifically, recent livestock thefts in Southwestern New Mexico. Livestock theft is a subject I am intimately familiar with, and the devastating economic impacts it can have on a ranching family.

I have a deep, abiding love for my nation, my state and my neighbors, especially my ranching neighbors. I am very familiar with their fight to remain economically viable in the ranching industry. Having cattle stolen doesn't help their struggles.

Let me assure you, ranchers don't all share the same economic status. We come in all sizes. One rancher may own five (5) head of cattle, another five thousand (5,000) head. A few may own a lot of private land, others a checker-board of private, state and federal lands.

We don't all agree on how to manage our ranching operations. We all come from different backgrounds and we all have different reasons for ranching. However, the majority, choose their profession because they love their animals, enjoy their own little slice of Heaven and receive satisfaction when a job is well-done. Conversely, our soul travails when we fail. Especially, when it's due to circumstances beyond our control.

I want to thank Don Hartman, Chairman of the Luna County Farm Bureau, and Joe Johnson, a rancher along the New Mexico border with Mexico, for trying to draw attention to one of these “circumstances”. They have attended a lot of meetings trying to draw attention and seeking help for our livestock theft problems. That’s the reason why I am here today. To continue their good work.

I’m asking you, our New Mexico Legislators, to help us with some cattle thefts that are taking place right under our noses.

My testimony involves the economic impacts to ten (10) ranching families that live in this great state. I have not included all the ranchers in our area, only the few we have heard from directly.

Economic Impacts of Livestock Theft

As you may be aware, theft of any kind has a negative economic impact on every business. Livestock theft is no different. It is impacting my neighbors’ and my family’s well-being. All together we have lost at least three hundred twelve (312) cows and heifers that we can account for.

Depending on the market, three hundred twelve (312) head of livestock, estimated at one thousand dollars (\$1,000) each, have been lost over the last 5 years. This computes to a three hundred twelve thousand dollars (\$312,000).

This figure, however, does not reflect the calves that might have been with their mothers, or were born, after the cow went missing. A cow and calf pair are more valuable than just a cow.

In lost beef production revenues, if we assume an eighty-eight percent (88%) pregnancy rate, we lost another two hundred forty-seven thousand (\$247,000) in production for just one year. Losing this kind of income not only impacts each individual family but also impacts our communities and our state.

If we extrapolate this lost revenue over the estimated life-time of a cow, which is about 10 years, we have lost two million four hundred seventy-one thousand dollars (\$2,471,000). An even more significant amount of money to lose in beef production.

I’m sure you are all aware how difficult it is to keep an eye on every head of livestock that is scattered throughout the irregular landscapes of our state. It’s not uncommon to have three hundred (300) head of cattle spread across a twenty-five thousand (25,000) acre area. This

is the average size of a medium-sized ranch. For larger ranches, it's even harder to keep an eye on all their livestock.

Because of the rough terrain, most ranchers don't see every cow they own all together, in one place, but once or twice a year. This usually happens when we gather our cattle to brand the calves or to pregnancy test our cows. Depending on a rancher's personal management style, some ranchers may never gather all their livestock in just one place. They usually gather one pasture at a time.

Following a gather, we are sometimes left to think some of our cowboys, typically friends and family, missed a couple of head. We don't think to report these missing cattle. Instead, we hope they show up at the next gather. Because of our uncertainty of reporting, we typically have no evidence a law enforcement agent can use to verify who stole the livestock or that it even occurred.

We do know the thief(s) must use our road system to transport the cattle. There are roads all over our state, ranch roads, county roads, state roads and interstate roads. A thief can load our livestock in a gooseneck trailer and haul them anywhere in, or out of this state. In one rancher's experience, the thieves loaded a semi-truck and just drove off his ranch while he was in the hospital.

In Southwestern New Mexico, State Road 9, parallels the international border. People can drive from El Paso, Texas to Douglas, Arizona, and points beyond without even stopping for gas in our state. Most of us believe our cattle were transported using this highway.

But thieves are not limited to using just this highway. We cattle we had stolen were transported from Hachita, New Mexico to the Belen Livestock Auction via I-25. The individual that stole them was a deputy livestock inspector. The paperwork proved he consigned our cattle to himself. The livestock inspector at the Belen auction allowed the cattle to be sold through the sales ring. It is illegal for an inspector to cosign another person's cattle to himself. It is also illegal for our cattle, identified with a registered New Mexico brand, to go through the sales ring. It should never have been allowed to happen.

Family History

Both my paternal grandfather, Rufe Faulkner, and my father, Dick Faulkner, were New Mexico livestock inspectors. My Grandfather began his career as a law enforcement brand

inspector in 1915. He worked in this position until his death, in 1956. He was also a rancher that was familiar with his district and the people that lived there.

The Cattle Sanitary Board or, as it is better known today, the New Mexico Livestock Board, had a two-pronged mission during his tenure: 1) To ensure livestock in our state were healthy and free of diseases, and; 2) To apprehended and prosecuted livestock theft.

My Father's career was a little shorter, but the Board's mission remained the same. He started with the Cattle Sanitary Board in 1958. Shortly after an election, a new Governor and his cabinet took office. He was released from his duties in 1964. During those six (6) years our family spent nine (9) months in Las Vegas, where he was trained to be an inspector, two (2) years in Las Cruces and three (3) years in Deming.

Both men were ranchers. They knew their districts, the people that lived there and were actively involved in their communities. They also knew how to read a brand, how to mother up a cow and a calf and the livestock laws. They were men of integrity and enforced the laws.

My Grandfather probably had the toughest job. His district was southern New Mexico, from the Texas border to the Arizona border. In his early years as an inspector, he rode the trains that ran between El Paso and Douglas to perform his duties.

It was also during his time that New Mexico had one big "buffalo common". Very few of the ranches were fenced. Livestock commingled with neighboring livestock. This competition for native grasses caused much of the overgrazing we see today. It also caused a lot of other problems.

In several cases he had to act as a mediator, between ranchers, to settle ownership disputes. When the Taylor Grazing Act was proposed by the U.S. Congress, he encouraged ranchers in his area to support this national effort to adjudicate the western lands. An older rancher from the Rodeo, NM once told me, he was one of the fairest inspectors he knew. This is the kind of inspector we still need today.

Our group has been brainstorming about what can be done to stop the livestock thefts in our area. Don and Joe have been talking to just about everyone that will listen, including the New Mexico Brand Board, our County Sheriff and our locally elected representatives.

This is not a situation we can resolve alone. As elected officials, with over-sight responsibilities of our state agencies, we need your help.

Remedies

- Ensure the Livestock Board's mission remains two pronged: 1) The livestock in our state remain healthy; and 2) The livestock thefts are stopped.
- New Mexico Cattle Growers Association could help by conducting a state-wide poll asking the other ranchers if they are as concerned with livestock thefts as we are in Southwestern New Mexico.
- NMCGA could also, at the same time, ask if the NM ranchers are willing to increase the current fees they pay to the NM Livestock Board to help with the costs of livestock theft investigations, apprehensions and prosecutions. This additional funding should be dedicated to livestock thefts.
- The NM Livestock Board could outline a plan to let everyone know how they intend to investigate, apprehend and prosecute livestock thieves.
- NMLB must pay a salary to their livestock inspectors equivalent to other New Mexico law enforcement officers. This will help with retention.
- Livestock Inspectors and their deputies should be trained in their ethical as well as their legal obligations to the NM livestock industry.
- NMLB should recruit other state law enforcement officers, including: New Mexico State Police; NM Department of Transportation, and; County Sheriffs to assist with livestock investigations and apprehensions.
- State and Federal employees of the National Park, Forest Service, Border Patrol, New Mexico Game & Fish and other agencies should be trained to recognize illegal gathering and hauling of livestock within the boundaries of our state.
- We all need to learn how we can work, in cooperation with our local brand inspectors, to stop illegal transportation of livestock within the State of New Mexico.

Conclusion

Having your cattle stolen can be a devastating event. It's very similar to having your home broken into and your possessions stolen. You feel personally violated. Traumatic events can set in motion a lot of other events that economically and emotionally impact a family. I don't wish to hear of any more ranching families experiencing what we did after our livestock were stolen. It happened at a time when we certainly couldn't afford the loss of beef production and set us back several years.

On behalf of all the ranching families that remain in our industry, thank you for this opportunity to submit my testimony on livestock theft in New Mexico.

ATTACHMENT "A"



