

UNITED STATES DISTRICT COURT  
STATE OF RHODE ISLAND

UNITED STATES OF AMERICA	:	
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	:	
VS.	:	Case No:
	:	1:20-cr-00093-MSM-PAS
	:	
RHODE ISLAND BEEF AND VEAL,	:	
INC., et al.,	:	
Defendants	:	

**ANIMAL-WELFARE CHARITY’S AMICUS BRIEF ON THE ISSUE OF  
HUMANE SLAUGHTER AND SENTENCING**

The upcoming sentencing of Defendant Rhode Island Beef and Veal, Inc. (“RI Beef & Veal”) implicates important animal-welfare considerations.

RI Beef & Veal’s crimes involved depriving animals of the benefit of United States Department of Agriculture (USDA) inspectors. This is alarming, given RI Beef & Veal’s history of mistreating animals—and the frequency at which USDA inspectors have had to intervene to protect those animals. Moreover, RI Beef & Veal’s crimes involved deceiving the public about the lack of such inspectors. And this fact is alarming given that members of the public have repeatedly expressed concern about RI Beef & Veal’s mistreatment of animals.

Legal Impact for Chickens, a 501(c)(3) animal-welfare charity, thus hereby files this amicus brief on the issue of humane slaughter, animal cruelty, and the sentencing of RI Beef & Veal.

**I. Introduction**

As detailed below, RI Beef & Veal has a long history of cruelty to animals. And the crimes in this case involved depriving animals of the protection of inspectors to ensure humane slaughter. Moreover, in setting RI Beef & Veal's probation sentence, this Court has an opportunity to protect animals going forward.

In imposing a probation sentence on RI Beef & Veal, the charity thus suggests that the judge consider RI Beef & Veal's history of animal cruelty. The charity also suggests that the judge consider the ways that RI Beef & Veal's crimes deceived the public as to the fact that RI Beef & Veal's animals were being slaughtered without the protection of federal humane-slaughter oversight.

**II. RI Beef & Veal has a history of cruelty to animals.**

USDA inspectors have repeatedly caught RI Beef & Veal mistreating animals. And those USDA inspectors have repeatedly had to intervene to protect RI Beef & Veal's animals from further suffering. Moreover, RI Beef & Veal's mistreatment of animals has repeatedly caused concern to members of the public.

**A. USDA inspectors have repeatedly caught RI Beef & Veal abusing animals—and the inspectors have had to intervene to prevent further suffering.**

Defendant RI Beef & Veal has a documented history of violating the Humane Methods of Slaughter Act (HMSA), 7 U.S.C. ch. 48 § 1901 *et seq.* As detailed below, USDA inspectors have repeatedly observed violations of the HMSA when on duty at RI Beef & Veal. USDA inspectors have also repeatedly

intervened to stop these violations, such as by getting water to animals whom RI Beef & Veal had left without water.

Due to RI Beef & Veal's frequent HMSA violations, the Animal Welfare Institute (AWI) has listed RI Beef & Veal as the "'Very Small' Livestock Slaughter Plant[ ]" with the third "Most Humane Handling Incidents" from 2016 to 2018.<sup>1</sup> AWI's ranking is based on observations made by USDA inspectors.

Indeed, on multiple occasions, USDA has been forced to suspend RI Beef and Veal's inspection **due specifically to the inhumane treatment of animals**: USDA suspended RI Beef & Veal due to the inhumane treatment of animals in both December 2018 and April 2019.<sup>2</sup>

**1. RI Beef & Veal deprives animals of water.**

USDA inspectors have repeatedly observed RI Beef & Veal **forcing animals to go without water**, despite USDA regulations. Here are some examples:

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<sup>1</sup> See Animal Welfare Institute, *Humane Slaughter Update* (Apr. 2020), <https://awionline.org/sites/default/files/uploads/documents/20HumaneSlaughterUpdate.pdf> at 23.

<sup>2</sup> See USDA, *Quarterly Enforcement Report October 1, 2018 through December 31, 2018*, [https://www.fsis.usda.gov/sites/default/files/media\\_file/2020-08/QER-Q1-FY2019-Tables.pdf](https://www.fsis.usda.gov/sites/default/files/media_file/2020-08/QER-Q1-FY2019-Tables.pdf) at 24 (listing RI Beef & Veal's December 2018 suspension as due to "INH," and indicating that "INH" stands for "Inhumane treatment/slaughter"); USDA, *Quarterly Enforcement Report for October 1, 2019 through December 31, 2019*, [https://www.fsis.usda.gov/sites/default/files/media\\_file/2020-08/qer-q1-fy2020-tables.pdf](https://www.fsis.usda.gov/sites/default/files/media_file/2020-08/qer-q1-fy2020-tables.pdf) at 20 (listing RI Beef & Veal's April 2019 suspension as due to "INH," and indicating that "INH" stands for "Inhumane treatment/slaughter").

- On November 8, 2017, a USDA inspector caught RI Beef & Veal depriving pigs of access to water.<sup>3</sup>
- On January 31, 2018, a USDA inspector caught RI Beef & Veal depriving goats and sheep of access to water.<sup>4</sup>
- On November 21, 2018, a USDA inspector caught RI Beef & Veal depriving pigs of access to water.<sup>5</sup>
- On December 28, 2018, a USDA inspector caught RI Beef & Veal depriving cows of access to water.<sup>6</sup> This December 28, 2018 incident was only **two days after** one of RI Beef & Veal's animal-mistreatment-based USDA suspensions had concluded.<sup>7</sup>
- On January 28, 2019, a USDA inspector saw **over 100 animals** left without water at the RI Beef & Veal slaughterhouse.<sup>8</sup>
- On July 29, 2020, a USDA inspector caught RI Beef & Veal depriving cows of water.<sup>9</sup>

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<sup>3</sup> See USDA, *Response to FOIA2018-170* (Jan. 24, 2018), [https://www.fsis.usda.gov/sites/default/files/media\\_file/2021-06/FOIA-2019-298-Released-Records.pdf](https://www.fsis.usda.gov/sites/default/files/media_file/2021-06/FOIA-2019-298-Released-Records.pdf) at 35 (noncompliance rep. no. VEL581 111080 8N-1).

<sup>4</sup> See USDA, *Response to FOIA2018-328* (May 29, 2018), [https://www.fsis.usda.gov/sites/default/files/media\\_file/2021-05/FOIA2018-328\\_NR.pdf%20-%20Reviewed\\_Redacted%20-%20Copy.pdf](https://www.fsis.usda.gov/sites/default/files/media_file/2021-05/FOIA2018-328_NR.pdf%20-%20Reviewed_Redacted%20-%20Copy.pdf) at 19 (noncompliance rep. no. VEL011 401083 1N-1).

<sup>5</sup> See USDA, *Response to FOIA2019-143* (Mar. 20, 2019), [https://www.fsis.usda.gov/sites/default/files/media\\_file/2021-05/FOIA2019-143\\_NR\\_Redacted.pdf](https://www.fsis.usda.gov/sites/default/files/media_file/2021-05/FOIA2019-143_NR_Redacted.pdf) at 11 (noncompliance rep. no. VEL071 411362 1N-1).

<sup>6</sup> *Id.* at 11 (VEL361 112062 8N-1).

<sup>7</sup> See USDA, *Quarterly Enforcement Report October 1, 2018 through December 31, 2018*, *supra* at 24 (indicating suspension ended Aug. 1, 2018).

<sup>8</sup> See USDA, *Response to FOIA2019-258*, [https://www.fsis.usda.gov/sites/default/files/media\\_file/2021-05/2019-FSIS-00258-F%20Records.pdf](https://www.fsis.usda.gov/sites/default/files/media_file/2021-05/2019-FSIS-00258-F%20Records.pdf) at 56 (noncompliance rep. no. VEL130 801152 8N-1).

<sup>9</sup> See USDA, *Response to FOIA2021-107* (Dec. 21, 2020), [https://www.fsis.usda.gov/sites/default/files/media\\_file/2021-06/21-07-Released-records-file\\_1-of-2.pdf-Small.pdf](https://www.fsis.usda.gov/sites/default/files/media_file/2021-06/21-07-Released-records-file_1-of-2.pdf-Small.pdf) at 282 (noncompliance rep. no. VEL3613 071029N -1).

The HMSA requires that “[a]nimals shall have access to water in all holding pens.”<sup>10</sup> Forcing animals to go without water thus violates HMSA regulations.

On each of these above-mentioned occasions, the USDA inspector intervened to make sure the animals received water.<sup>11</sup> Concerningly, had these incidents of water deprivation occurred during the period when RI Beef & Veal was operating without the benefit of USDA inspection, no inspector would have been there to intervene. Instead, the animals would have simply remained without water. And there would have been no record of the water deprivation. Indeed, there is no way to know whether such incidents did occur during RI Beef & Veal’s most recent suspension.

**2. RI Beef & Veal repeatedly fails to render animals insensible to pain prior to slaughter.**

In February 2019, People for the Ethical Treatment of Animals (PETA) requested a criminal probe after RI Beef & Veal was caught shooting cows multiple times and stabbing a cow while fully conscious.<sup>12</sup> PETA explains:

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<sup>10</sup> See 9 C.F.R. § 313.2(e) (“Animals shall have access to water in all holding pens.”).

<sup>11</sup> See USDA, *Response to FOIA2018-170*, *supra* at 35 (noncompliance rep. no. VEL581 111080 8N-1); USDA, *Response to FOIA2018-328*, *supra* at 19 (noncompliance rep. no. VEL011 401083 1N-1); USDA, *Response to FOIA2019-143*, *supra* at 11 (noncompliance rep. nos. VEL071 411362 1N-1, VEL361 112062 8N-1); USDA, *Response to FOIA2019-258*, *supra* at 56 (noncompliance rep. no. VEL130 801152 8N-1); USDA, *Response to FOIA2021-107* at 282 (noncompliance rep. no. VEL3613 071029N -1).

<sup>12</sup> See PETA, *Criminal Probe of Slaughterhouse Sought After Cows Shot Multiple Times, One Stabbed While Still Conscious* (Feb. 14, 2019), <https://www.peta.org/media/news-releases/criminal-probe-of-slaughterhouse-sought-after-cows-shot-multiple-times-one-stabbed-while-still-conscious/>.

PETA has obtained two U.S. Department of Agriculture reports revealing recent violations of law at Rhode Island Beef & Veal, Inc., in Johnston. On December 24[, 2018], a worker attempted to stun a cow, hoisted her, and cut her throat after she cried out—and then shot her again. On January 8[, 2019], a worker ineffectively shot a conscious cow in the head, after which the injured animal tried to escape and was then shot a second time. The facility was also warned about another ineffective stunning attempt on January 2[, 2019].<sup>13</sup>

In contrast to RI Beef & Veal’s haphazard and unlawful actions, the HMSA requires that “all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective.”<sup>14</sup>

As mentioned above, USDA suspended RI Beef & Veal for inhumane treatment of animals in April 2019.<sup>15</sup> Sadly, however, PETA’s and USDA’s efforts both failed to change RI Beef & Veal’s behavior. Rather, the improper stunning continued. On July 16, 2019, for instance, a USDA inspector witnessed RI Beef & Veal improperly stun another cow.<sup>16</sup> Then, on September 10, 2019, a USDA inspector wrote:

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<sup>13</sup> *Id.*; See Also [https://www.fsis.usda.gov/sites/default/files/media\\_file/2021-05/FOIA2018-328\\_NR.pdf%20-%20Reviewed\\_Redacted%20-%20Copy.pdf](https://www.fsis.usda.gov/sites/default/files/media_file/2021-05/FOIA2018-328_NR.pdf%20-%20Reviewed_Redacted%20-%20Copy.pdf) at 19 (USDA Noncompliance Report documenting 01/31/2018 incident), [https://www.fsis.usda.gov/sites/default/files/media\\_file/2021-05/FOIA2019-143\\_NR\\_Redacted.pdf](https://www.fsis.usda.gov/sites/default/files/media_file/2021-05/FOIA2019-143_NR_Redacted.pdf) at 11 (USDA Noncompliance Report documenting 11/21/2018 and 12/28/2018 incidents), and USDA, *Response to FOIA 2019-258, supra* at 56 (noncompliance rep. no. VEL151 401180 2N-1) (Jan. 2, 2019 incident).

<sup>14</sup> 7 U.S.C. § 1902(a).

<sup>15</sup> See USDA, *Quarterly Enforcement Report for October 1, 2019 through December 31, supra* at 20.

<sup>16</sup> See USDA, *Response to FOIA2020-05* (Oct. 7, 2019), [https://www.fsis.usda.gov/sites/default/files/media\\_file/2021-05/2020-FSIS-](https://www.fsis.usda.gov/sites/default/files/media_file/2021-05/2020-FSIS-)

[T]he following noncompliance was observed. The contact-fired captive bolt was applied to the head of the steer. The steer moved his head and although the captive bolt penetrated the skull, the steer remained conscious. Blood was visible from the nares. The steer remained on its feet, moved its head a couple of times, and moved back and forth in the chute a couple of times [before the slaughterhouse successfully re-stunned the steer].<sup>17</sup>

On September 30, 2023, a USDA inspector observed another botched stunning event, in which a “startled” cow “jumped up and turned around in the alleyway” before being re-stunned successfully.<sup>18</sup> Similarly, on November 4, 2019, a USDA inspector observed RI Beef & Veal “mis-stun” a sheep.<sup>19</sup> This resulted in “a hole and some bleeding on the skin above the lamb’s head,” while the captive bolt “did not penetrate through the skull.”<sup>20</sup> Soon thereafter, on December 16, 2019, a USDA inspector observed the following “noncompliance”:

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00005%20-%20All%20Responsive%20Records.pdf at 68 (noncompliance rep. no. VEL061 607531 6N-1).

<sup>17</sup> See *Id.* at 68 (noncompliance rep. no. VEL281 009571 0N-1).

<sup>18</sup> See *Id.* at 69 (noncompliance rep. no. VEL281 509393 0N-1).

<sup>19</sup> See USDA, *Response to FOIA2020-127* (Jan. 14, 2020) at 60 (noncompliance rep. no. VEL230 611160 5N-1), [https://www.fsis.usda.gov/sites/default/files/media\\_file/2021-05/20-127%20Redacted%20Records.pdf](https://www.fsis.usda.gov/sites/default/files/media_file/2021-05/20-127%20Redacted%20Records.pdf).

<sup>20</sup> *Id.* at 60 (noncompliance rep. no. VEL230 611160 5N-1).

The employee performing the stunning applied the pressure triggered captive bolt stunner to the head of the bovine and it fired. The position of the captive bolt was not in the center of the head. The bull slowly dropped to the ground, one leg at a time, and then stood back up, one leg at a time. The bull moved its head left to right [before the slaughterhouse successfully re-stunned the steer].<sup>21</sup>

**3. RI Beef & Veal keeps its slaughterhouse floors in a dirty, dangerous condition—and then neglects animals who become injured as a result.**

In 2020, a USDA inspector found that RI Beef & Veal had left two cows overnight—both laying on the slaughterhouse floor with their back legs splayed out—after they both had slipped and fell on the facility’s dirty, slippery floor.<sup>22</sup> The USDA inspector noted that, “previous noncompliance about the condition of the flooring has been documented and the establishment has failed to provide corrective actions/preventative measures.”<sup>23</sup>

Indeed, the suspension that RI Beef & Veal will plead guilty of violating was a suspension based on improper sanitation.<sup>24</sup> The 2020 two-cow incident illustrates how this same lack of proper sanitation has negative impacts on animal welfare, such as by causing animals to slip, fall, and become unable to stand.

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<sup>21</sup> See *id.* at 61 (noncompliance rep. no. VEL210 712061 7N-1).

<sup>22</sup> See USDA, *Response to FOIA2021-107* (Dec. 21, 2020), *supra* at 284 (noncompliance rep. no. VEL0508 095022N -1).

<sup>23</sup> *Id.*

<sup>24</sup> See USDA, *Quarterly Enforcement Report for October 1, 2019 through December 31, supra* at 21 (listing RI Beef & Veal’s August-through-September 2019 suspension as due to “SPS,” and indicating that “SPS” means “Sanitation performance standards”).



**B. The public has also repeatedly expressed concern about the welfare of RI Beef & Veal's animals.**

Members of the public who visited RI Beef & Veal also witnessed the apparent mistreatment of animals. For instance, one online reviewer wrote: "Had to send someone near there . . . and they came back in tears [because] the baby cows were screaming."<sup>25</sup> Another reviewer wrote that, while at RI Beef & Veal, she heard, "[t]he cries of [a] calf screaming."<sup>26</sup> She continued: "The bull they have in the back is kept in a little area . . . . The bull is such a bi[g] animal and here he is in a little pen, hearing animals die and smelling the[ir] blood. The smell is repulsing and the place is just disgusting."<sup>27</sup> A third reviewer wrote: "All I can say is I could hear these people yelling at the animals[. I]t was so bad !!! Terrible !!!!"<sup>28</sup> And a fourth reviewer—a chef—wrote this: "Needs to be shut down[.] I have seen the inner workings of this place[. I]t's an unsanitary **horror show**."<sup>29</sup>

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<sup>25</sup> See Sharon Gamba, *Review for RI Beef & Veal*, Google, <https://g.co/kgs/7qAHf1>.

<sup>26</sup> Meyghan Cepeda, *Review of RI Beef & Veal*, Google, <https://g.co/kgs/6mwN8H>.

<sup>27</sup> *Id.*

<sup>28</sup> Patty M., *Review of RI Beef & Veal*, Yelp (Oct. 6, 2020), [https://www.yelp.com/biz/rhode-island-beef-and-veal-johnston?hrid=jeZRkfmFIWHYW3030uNnUQ&utm\\_campaign=www\\_review\\_s\\_hare\\_popup&utm\\_medium=copy\\_link&utm\\_source=\(direct\)](https://www.yelp.com/biz/rhode-island-beef-and-veal-johnston?hrid=jeZRkfmFIWHYW3030uNnUQ&utm_campaign=www_review_s_hare_popup&utm_medium=copy_link&utm_source=(direct)).

<sup>29</sup> Chef K, *Review of RI Beef & Veal*, Yelp (Oct. 23, 2014) <https://www.yelp.com/biz/rhode-island-beef-and-veal-johnston?q=horror> (emphasis added).

**III. The crimes RI Beef & Veal will plead guilty to involve depriving animals of humane-slaughter inspectors.**

As detailed above, USDA inspectors have repeatedly caught RI Beef & Veal mistreating animals. And those same USDA inspectors have repeatedly had to intervene to protect RI Beef & Veal's animals from further suffering—such as by getting water to animals whom RI Beef & Veal had left without water.<sup>30</sup> While RI Beef & Veal's most recent suspension was due to sanitation issues, the slaughterhouse has also repeatedly been suspended in the past due to mistreatment of animals.<sup>31</sup> And RI Beef & Veal's lack of sanitation, itself, also poses a risk to animals—such as when cows slip and fall on the dirty ground, and cannot stand up, while RI Beef & Veal ignores them. Moreover, as detailed above, RI Beef & Veal's mistreatment of animals has repeatedly caused concern to members of the public.

Given this pattern, it is extremely alarming that RI Beef & Veal would choose to slaughter animals without the benefit of USDA inspectors. It is even more concerning that RI Beef & Veal would mislead the public into thinking that its animals were still receiving the benefit of such inspection.

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<sup>30</sup> See USDA, *Response to FOIA2018-170*, *supra* at 35 (noncompliance rep. no. VEL581 111080 8N-1); USDA, *Response to FOIA2018-328*, *supra* at 19 (noncompliance rep. no. VEL011 401083 1N-1); USDA, *Response to FOIA2019-143*, *supra* at 11 (noncompliance rep. nos. VEL071 411362 1N-1, VEL361 112062 8N-1); See USDA, *Response to FOIA2019-258*, *supra* at 56 (noncompliance rep. no. VEL130 801152 8N-1); USDA, *Response to FOIA2021-107*, *supra* at 282 (noncompliance rep. no. VEL3613 071029N -1).

<sup>31</sup> See USDA, *Quarterly Enforcement Report October 1, 2018 through December 31, 2018*, *supra* at 24; USDA, *Quarterly Enforcement Report for October 1, 2019 through December 31*, *supra* at 20.

And yet, the crimes to which RI Beef & Veal will plead guilty in this Court involved depriving animals of the protection of federal HMSA inspectors—and deceiving the public about that fact. By committing these crimes, RI Beef & Veal prevented its animals from being observed by inspectors tasked with protecting the animals' welfare.

Specifically, RI Beef & Veal is pleading guilty to “prepar[ing] beef . . . without complying with the inspection requirements of the Federal Meat Inspection Act” (FMIA), 21 U.S.C. ch. 12 § 601 *et seq.*, and related crimes.<sup>32</sup>

When a company complies with the FMIA inspection requirements, a USDA inspector checks to ensure the humane slaughter of animals.<sup>33</sup>

By choosing to operate without USDA inspection, RI Beef & Veal is thus depriving animals of USDA inspectors who would otherwise protect RI Beef & Veal's animals from suffering.

And by lying to the public about its lack of inspection, RI Beef & Veal is deceiving the public about an issue that the public cares about: The welfare of RI Beef & Veal's animals. As detailed above, the public has shown specific concern

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<sup>32</sup> See Indictment (ECF No. 1) at 1–2; RI Beef & Veal Plea Agreement (ECF No. 34) at 1 ¶ 1(a) (agreeing to plead guilty to all counts).

<sup>33</sup> See FMIA, 21 U.S.C. § 603 (“For the purpose of preventing the inhumane slaughtering of livestock, the [USDA] shall cause to be made, by inspectors appointed for that purpose, an examination and inspection of the method by which amenable species are slaughtered and handled in connection with slaughter in the slaughtering establishments inspected under this chapter.”); see also FMIA, 21 U.S.C. § 610(a) (prohibiting the slaughtering of animals “except in compliance with the requirements of this chapter [12]”); 21 U.S.C. § 610(b) (as part of chapter 12, requiring compliance with HMSA).

about the treatment of RI Beef & Veal's animals.<sup>34</sup> And more broadly, animal welfare—including the humane slaughter of animals—is a matter of public importance.<sup>35</sup>

**IV. In setting the terms and length of RI Beef & Veal's probation, this Court has an opportunity to further the lawful and humane slaughter of animals.**

The Court's probation sentence has the power to protect RI Beef & Veal's animals.

As mentioned above, the humane treatment of animals and humane slaughter—including, specifically, the humane treatment of RI Beef & Veal's animals at slaughter—are issues of public concern.<sup>36</sup>

And, in sentencing RI Beef & Veal to probation, the Court can do two things to further these interests: the Court may both (1) select a lengthy probation sentence, and (2) include special conditions relating to the humane treatment of animals.

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<sup>34</sup> See *Gamba, supra*; *Cepeda, supra*; *Patty M., supra*; *Chef K, supra*.

<sup>35</sup> See, e.g., HMSA, 7 U.S.C. § 1901 ("The Congress finds that the use of humane methods in the slaughter of livestock prevents needless suffering [and has other benefits]. It is therefore declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods."); *USA v. Stevens*, 559 U.S. 460, 469 (2010) ("[T]he prohibition of animal cruelty itself has a long history in American law, starting with the early settlement of the Colonies"); *Ortega-Lopez v. Barr*, 978 F.3d 680, 687 (9th Cir. 2020) (concluding that cockfighting "is categorically a crime involving moral turpitude").

<sup>36</sup> See, e.g., HMSA, 7 U.S.C. § 1901; *Stevens*, 559 U.S. at 469; *Ortega-Lopez*, 978 F.3d at 687; *Gamba, supra*; *Cepeda, supra*; *Patty M., supra*; *Chef K, supra*.

Under the parties' plea agreement, this Court may select a probation sentence up to fifteen years.<sup>37</sup> Fifteen years would be the best length of time for this Court to select. A fifteen-year probation sentence would be the Court's best chance of encouraging ongoing compliance with the law, including the HMSA, which RI Beef & Veal has habitually violated. RI Beef & Veal has shown that it lacks sufficient internal motivation to treat animals well, and that it is not susceptible to light touches. This is evidence by the facts that (1) USDA has had to issue numerous noncompliance reports regarding RI Beef & Veal's HMSA violations, including several citations on the same topics, (2) USDA has had to actually suspend RI Beef & Veal multiple times, (3) RI Beef & Veal continued to operate, and deceived the public while suspended, and (4) RI Beef & Veal's animal cruelty has repeatedly drawn the attention of animal-welfare advocates and the public. RI Beef & Veal thus needs extra encouragement and oversight to ensure the company treats animals humanely and complies with the law.

The Court should also impose special conditions to ensure the humane treatment of animals. These special conditions could include: (1) full compliance with the HMSA and all HMSA regulations—meaning zero additional noncompliance reports issued by USDA, (2) RI Beef & Veal is forbidden from operating while suspended from USDA inspection—since it cannot be trusted to treat animals well without USDA inspection, (3) full compliance with Rhode Island's state animal cruelty law, (4) RI Beef & Veal should be required to prove

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<sup>37</sup> See Plea Agreement (ECF No. 34) (“[I]f the Court were to impose consecutive sentences, the maximum penalties to which the defendant could be sentenced are: 15 years of probation, a fine of \$30,000, and a mandatory special assessment of \$300.”).

to a probation officer that it is treating animals humanely—regardless of whether the company’s treatment of animals has risen to the attention of law-enforcement officers, and (5) RI Beef & Veal should be instructed to post notices directing visiting members of the public as to how they may contact RI Beef & Veal’s probation officer if they have any concerns about animal-welfare issues.

V. **Conclusion**

Through sentencing RI Beef & Veal, this Court has an opportunity to prevent further animal cruelty at the slaughterhouse. The charity thus urges the Court to impose the longest condition of probation available under the parties’ plea agreement, and to include special conditions regarding animal welfare.

Respectfully Submitted,  
Legal Impact for Chickens  
By its Attorneys,

/s/ Stephen A. Rodio

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Dated: November 2, 2023

CERTIFICATE OF SERVICE

I hereby certify that, on the 2nd day of November, 2023, the foregoing was electronically filed using CM/ECF system, which will send notification of such filing to the following:

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