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Justice Department Secures Agreement Preventing Indiana Exhibitor and Dog Breeder from Violating the Animal Welfare Act

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Press Release

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WASHINGTON, January 28, 2025 — In a consent decree entered today by the U.S. District Court for the Northern District of Indiana, Indiana exhibitor and dog breeder, Vernon D. Miller, agreed to not apply for or engage in any activity that requires a Department of Agriculture (USDA) license for two years. If Miller is relicensed in the future, he must comply with Animal Welfare Act (AWA) regulations and standards necessary to provide humane and lawful care to the animals he exhibits and sells.

A complaint filed in October alleged that Miller — individually and doing business as the Dutch Creek Farm Animal Park in Shipshewana, Indiana — had violated the AWA by failing to provide adequate veterinary care, safe and hospitable enclosures, appropriate enrichment and sanitary housing, food and water to his animals. The complaint also alleged that Miller had failed to maintain legally required records.

At the time of the filing of the complaint, Miller had been cited for 90 AWA violations in just over a year, the highest number of citations for any USDA-licensed facility during that time period (2023-2024). Miller's violations impacted over 300 animals that he exhibited to the public — including deer, zebra, exotic birds and primates — and dozens of dogs and puppies that he bred for sale as pets.

The citations for multiple violations included unsanitary conditions (including stalls piled high with feces and food dishes coated in grime or mold), and failing to provide animals with sufficient shelter, failing to properly vaccinate puppies and failing to provide veterinary care for animals with illnesses or open wounds. The complaint alleged that such conditions had likely led to numerous animal deaths, with at least seven animals dying in the few months prior to the filing of the case.

USDA's Animal and Plant Health Inspection Service (APHIS) suspended Miller's license for 21 days starting on Oct. 9. The court entered a temporary restraining order against Miller on Oct. 28, requiring him to comply with multiple AWA regulations and standards, provide records and documentation to help monitor compliance and refrain from buying, selling, euthanizing or exhibiting animals without the consent of the United States or the court. The temporary restraining order expired on Dec. 2.

"The maltreatment of animals entrusted to Mr. Miller's care is a despicable act that deserves just intervention," said Acting United States Attorney Tina L. Nommay. "We will continue to work with our federal partners to identify and hold accountable those exhibitors and dog breeders who provide inhumane care to animals in violation of the Animal Welfare Act."

"USDA is committed to ensuring the safety and wellbeing of animals protected under the Animal Welfare Act," said Deputy Administrator Sarah Helming for USDA APHIS' Animal Care program. "The partnership between USDA and DOJ helps to ensure enforcement of the AWA regulations for those who put regulated animals at risk."

In addition to not applying for or engaging in activity requiring a USDA license for at least two years, the consent decree, in effect for five years, outlines that Miller will allow USDA inspectors limited access to the facility, if it is open to the public, and will produce certain records for compliance monitoring during any time he is not licensed. If Miller applies for and receives a USDA license in the future, he agrees to comply with AWA regulations and standards that he had previously violated and to

maintain veterinary and other accurate and complete records.

USDA investigated the case and filed a parallel administrative enforcement action.

Senior Trial Attorney Devon Flanagan and Trial Attorneys Kamela Caschette, Angela Mo and Chris Carrara of the Justice Department's Wildlife and Marine Resources Section prosecuted the case, with support from Assistant U.S. Attorney Dirk DeLor for the Northern District of Indiana and USDA's Office of General Counsel and APHIS.

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