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Cattle Rustlers Defeated By DNA

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(AP) Cattle rustling has been around ever since there have been cows and unscrupulous cowboys, but cutting-edge DNA technology promises to change some of the old patterns.

DNA testing helped convict John Baker, a Tulare County rancher accused of altering brands and documents to keep cows that he claimed had wandered into his property from neighbors' lots.

"Having DNA evidence was conclusive," said William Yoshimoto, an attorney with the Tulare County District Attorney's Office and project director for the Agricultural Crime Technology Information and Operations Network. "We could try to show how the brands had been altered, but you really can't alter a cow's DNA."

Baker's crime was old-fashioned, but what investigators did to prove it was unprecedented in California.

They took DNA samples from Baker's bull, a cow belonging to neighboring rancher John Rodgers, and from a calf born to the cow.

Analysis of the samples by a lab in the University of California, Davis gave conclusive evidence that Baker's bull had sired the calf, and that the cow had been on Baker's ranch for over a year.

Baker was sentenced in Tulare County Superior Court on Jan. 8th by Judge Joseph Kalashian on 11 counts of grand theft of cattle, one count of forgery, and one count of altering a brand. He got 60 months of formal probation, a year in county jail and an order to pay a restitution of \$22,000 to five cattle ranchers.

Baker's case came to light in 2001, when a state brand inspector who examines proprietary marks burnt into a cow's flank found a funny-looking brand. It read "dH," but the letters seemed to have been altered - the H looked like it had been an h, with an added leg. So inspector Joey Evans asked Baker, who had put the cow up for sale, for proof of ownership.

Baker submitted an invoice for that cow, but when the sales yard matched it to the original 1996 invoice, they realized the document faxed by Baker had been forged.

Days later, the Beresford Corporation, whose ranch shares a fence with Baker's Shiloh Ranch, discovered one of their cows in his fields. The animal originally carried the Beresford "dh" brand - but someone had stamped Shiloh Ranch's "S/R" on top.

Cattle theft has been rampant, Yoshimoto said, especially since high-protein diets sent the price of beef soaring in the last year. Cattle thieves now use tractor-trailers to haul their goods; it was time investigators moved on to new technology as well.

DNA testing has been used in other states before - Washington rancher Matthew Goodwin pleaded guilty in Spokane County Superior Court to livestock theft and forgery in a similar case - but this was the first time it was used in California courts.

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