



UNITED STATES DEPARTMENT OF AGRICULTURE  
OFFICE OF INSPECTOR GENERAL

Northeast Region

Suite 2-2230

5601 Sunnyside Avenue, Stop 5300

Beltsville, Maryland 20705-5300



DATE: August 28, 2008

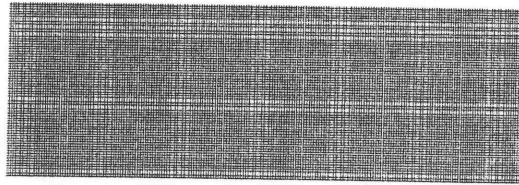
REPLY TO

ATTN OF: HY-3330-0018

TO: Deputy Administrator  
Marketing and Regulatory Programs, APHIS  
Washington, D.C.

s.(b)(6)

FROM: BRIAN L. HAASER  
Special Agent-in-Charge  
for Investigations



SUBJECT: Bad Newz Kennels, Smithfield, Virginia – Animal Fighting

Attached is one copy of our investigative report. As of this date, legal action is not complete. If you believe administrative action should be taken before all criminal and other legal matters are completed, please coordinate that action with Bethanne Marik-Dinkins, Assistant Special Agent-in-Charge, at (212) 264-3507 or [REDACTED] Senior Special Agent, at [REDACTED] in order not to jeopardize this investigation.

s.(b)(6)

s.(b)(2) - Low

s.(b)(7)(C)

Attachment

cc:

Assistant Inspector General for Investigations, OIG, Washington, D.C.

File



UNITED STATES DEPARTMENT OF AGRICULTURE  
OFFICE OF INSPECTOR GENERAL-*INVESTIGATIONS*  
Northeast Region  
Beltsville, Maryland



**REPORT OF INVESTIGATION**

**FILE NUMBER:** HY-3330-0018

**DATE:** August 28, 2008

**TITLE:** BAD NEWZ KENNELS  
Smithfield, Virginia

**CASE TYPE:** Animal Fighting

**SPECIAL AGENT:** [REDACTED] s.(b)(6)  
Beltsville, Maryland s.(b)(7)(C)

**APPROVED BY:** [REDACTED] s.(b)(6)  
BRIAN L. HAASER  
Special Agent-in-Charge

Distribution:

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- 1 – File

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**TITLE CONTINUED**

MICHAEL D. VICK  
a/k/a "OOKIE",  
"RON MEXICO"  
Smithfield, VA

QUANIS L. PHILLIPS  
a/k/a : "Q"  
Atlanta, GA

PURNELL A. PEACE  
a/k/a: "P-FUNK"  
Virginia Beach, VA

TONY TAYLOR  
a/k/a: "T"  
Newport News, VA

OSCAR ALLEN  
a/k/a: "VIRGINIA O"  
Williamsburg, VA

### SYNOPSIS

This investigation was conducted to determine if MICHAEL D. VICK (VICK), suspended quarterback of the Atlanta Falcons; QUANIS L. PHILLIPS (PHILLIPS); PURNELL A. PEACE (PEACE) and TONY TAYLOR (TAYLOR), all members of a dog fighting organization known as "BAD NEWZ KENNELS", together with OSCAR ALLEN (ALLEN), conspired to operate a dog fighting venture in Surry County, Virginia.

The investigation disclosed that from late 2002 to late April 2007, VICK, PHILLIPS, PEACE, TAYLOR, and ALLEN took part in the purchase and development of the property located at [REDACTED] Virginia, which served as the main staging area for housing and training pit bull dogs in the animal fighting venture and was used for conducting dog fights. They trained and bred pit bulls for participation in dog fighting competitions; traveled to other locations in interstate commerce to participate in dog fights; and sponsored and exhibited dogs in animal fighting competitions in interstate commerce by transporting dogs across State lines.

On July 17, 2007, VICK, PHILLIPS, PEACE and TAYLOR were indicted by a Federal grand jury in a one count indictment charging them with Conspiracy to Travel in Interstate Commerce in Aid of Unlawful Activities and to Sponsor a Dog in an Animal Fighting Venture in violation of 18 United States Code (U.S.C.) Section 371. All subsequently pled guilty and were sentenced to prison terms. On October 24, 2007, ALLEN was charged with Conspiracy to Travel in Interstate Commerce in Aid of Unlawful Activities and to Sponsor a Dog in an Animal Fighting Venture in violation of 18 U.S.C. Section 371. He subsequently pled guilty and received a sentence of probation.

In October of 2007, VICK, PHILLIPS, PEACE, and TAYLOR were charged by the Surry County Commonwealth's Attorney with dog fighting and animal cruelty. Trial in this case is pending.

### BACKGROUND

In 2004, the Surry County, Virginia Sheriff's Office investigated an individual named [REDACTED] for [REDACTED] involvement in an illegal dog fighting operation. The Surry County Commonwealth's Attorney criminally prosecuted [REDACTED] who was subsequently found not guilty.

In November 2005, a confidential informant supplied information to the Virginia State Police that VICK, PEACE, and other members of BAD NEWZ KENNELS were part of an illegal dog fighting operation.

In October of 2006, USDA-OIG was contacted by a Surry County Sheriff's Deputy about conducting a joint investigation of [REDACTED] for illegal dog fighting and narcotics trafficking. During the course of the conversation, it was alleged that [REDACTED] trained pit bulls belonging to VICK, as part of an illegal dog fighting operation. In January 2007, [REDACTED] died of a narcotics overdose.

CONSPIRACY - 18 U.S.C. § 371

This investigation was conducted by special agents from the U.S. Department of Agriculture (USDA), Office of Inspector General (OIG) with assistance from the following agencies: Virginia State Police (VSP), Surry County Sheriff's Office, Federal Bureau of Investigation (FBI), and the American Society for the Prevention of Cruelty to Animals (ASPCA).

STATE SEARCH WARRANT AND INVOLVEMENT

According to the Surry County Sheriff's Office, on April 25, 2007, two State search warrants were executed for narcotics offenses and operating an illegal dog fighting venture at [REDACTED] Virginia. The narcotics search warrant was based on a car stop of [REDACTED] who is [REDACTED]. During the car stop, narcotics were detected by a police dog, trained to detect illegal drugs. [REDACTED] supplied Sheriff's Office personnel with the [REDACTED] address as [REDACTED] residence. Based on this information, a State warrant was obtained for the purpose of searching for narcotics at the [REDACTED] address (Exhibit 1).

During the course of the search warrant, approximately 66 dogs and equipment were found, suspected of being associated with dog fighting activities. As a result, another State search warrant was obtained to seize evidence related to an illegal dog fighting operation (Exhibit 2). During the execution of the two search warrants, 54 pit bull dogs, numerous pieces of dog fighting equipment, veterinary medicines and documents related to the dog fighting operation were seized. Also, small amounts of narcotics and a firearm were recovered.

On April 27, 2007, USDA-OIG was contacted by a Surry County Sheriff's Deputy to request assistance in the illegal dog fighting investigation. At that time, USDA-OIG agreed to assist with forensic analysis associated with the investigation.

On May 21, 2007, the reporting agent (RA) met with Surry County Sheriff's [REDACTED] Surry County Commonwealth Attorney [REDACTED] and VSP personnel at the Surry County Sheriff's Office to discuss the dog fighting investigation (Exhibit 3). [REDACTED] presented an overview of the investigation and provided the names of three individuals who needed to be interviewed, who reportedly had information about VICK and dog fighting, including a confidential informant who was present during dog fights at VICK's property. [REDACTED] also stated that another State search warrant needed to be executed at [REDACTED] to uncover dog carcasses buried on the property and obtain additional forensics evidence. The RA told the group that [REDACTED] could assist with the forensic investigation by using USDA laboratories as well as assisting [REDACTED] with the interviews. It was determined at the conclusion of the meeting that another State search warrant would be sought and the interviews scheduled.

On May 23, 2007, [REDACTED] obtained a State search warrant (Exhibit 4). On this same date, approximately one half hour before the planned execution of the search warrant, Commonwealth [REDACTED] instructed [REDACTED] not to execute the

search warrant. Commonwealth Attorney [REDACTED] stated VICK had reportedly sold the [REDACTED] residence. In addition, Commonwealth Attorney [REDACTED] did not like the wording contained in the May 23, 2007 search warrant and doubted the validity of previously issued search warrants. Several days later the search warrant issued on May 23, 2007 (but never executed) was made public and information was received that items were being removed from the [REDACTED] property.

### INTERVIEWS CONDUCTED BEFORE FEDERAL INDICTMENTS

On May 23 and June 5, 2007, interviews were conducted of a confidential witness (CW), known as [REDACTED] regarding illegal activities that occurred at [REDACTED] in [REDACTED] Virginia. As a result of the interviews, [REDACTED] hereafter referred to as CW #1, supplied the following information (Exhibits 5 and 6):

VICK owned the property located at [REDACTED] Virginia. CW #1 met VICK in [REDACTED] when PEACE [REDACTED] address. During this time period, a trailer was located on the property with plans to build a house. VICK paid [REDACTED] cash in amounts ranging from \$100 to \$1,000 for [REDACTED]. Thereafter, [REDACTED] when the white brick house was under construction. A person named [REDACTED] built the three black sheds, located in the back of the property. One two story shed was used for the dog fights; a second shed was used for training the dogs and storing the equipment; while the third shed was used as an emergency room for injured dogs. [REDACTED] observed PHILLIPS, TAYLOR, VICK, and PEACE administer medicine by injection to pit bull dogs. [REDACTED] first noticed approximately 30 pit bull dogs on the [REDACTED] property in 2001, when the double wide trailer was located on the property. On one occasion in 2002, [REDACTED] observed PHILLIPS, TAYLOR, VICK and PEACE "rolling" the pit bull dogs (testing the dogs to determine if they would fight). At this time, [REDACTED] asked PEACE what he was doing with the dogs and PEACE responded by saying "you don't want to know." Only VICK, PHILLIPS, TAYLOR and PEACE were allowed in the back of the property where the sheds were located. After the house was completed in 2004, TAYLOR began living at the residence while taking care of the dogs. CW #1 believed that the house was built as a "front" to cover up the dog fighting operation located in the back of the property.

VICK, TAYLOR, PEACE and PHILLIPS formed the dog fighting organization known as "BAD NEWZ KENNELS." They purchased and wore shirts and headbands, displaying the "BAD NEWZ KENNELS" logo, to organized dog fights. All four would assist in the training and fighting of the pit bull dogs. In 2004, TAYLOR was ousted from "BAD NEWZ KENNELS" after having problems with PHILLIPS. VICK agreed with the removal of TAYLOR from the group.

CW #1 observed at least ten organized dog fights at the [REDACTED] address. These dog fights occurred very late at night (i.e., 2 a.m. or 3 a.m.). [REDACTED]

During the dog fights, PEACE, PHILLIPS, and TAYLOR charged admission, at a rate of approximately \$20 a person, while VICK stayed upstairs in the shed. VICK was concerned about people seeing him at the dog fights. Before the fights, the pit bull dogs were washed and weighed. CW #1 saw numerous individuals placing bets on the dog fights, including VICK, PEACE, and PHILLIPS. At the fights, CW #1 observed vehicles bearing Out-of-State license plates from Texas, New York, North Carolina, and Maryland.

On two occasions, VICK placed his [REDACTED] dog in the ring and the "BAD NEWZ KENNEL" pit bull dogs caused major injuries to [REDACTED] dog. VICK also placed his [REDACTED] dog in the ring. Both dogs were family pets. VICK, PEACE, and PHILLIPS thought it was funny to watch the pit bull dogs belonging to "BAD NEWZ KENNELS" injure or kill the other dogs.

In March of 2007, [REDACTED] recalled that PEACE and PHILLIPS obtained approximately \$1,700 from Western Union in order to travel to North Carolina for a pre-arranged dog fight. PEACE and PHILLIPS needed the money to rent a van and to place wagers.

In mid-April of 2007, VICK, PEACE, PHILLIPS, and ALLEN were "rolling" dogs at the [REDACTED] property. VICK, PEACE, and PHILLIPS killed approximately seven dogs by hanging and drowning at this time. ALLEN did not take part in the killing of the dogs. VICK, PEACE, and PHILLIPS hung approximately three dogs by placing a nylon cord over a 2 x 4 that was nailed to two trees located next to the big shed. They also drowned approximately three dogs by putting the dogs' heads in a 5 gallon bucket of water. [REDACTED] also observed as VICK and PHILLIPS killed a red pit bull dog, by slamming it to the ground several times before it died, breaking the dog's back or neck. VICK and PEACE instructed [REDACTED] to dig two graves for the dead dogs and VICK paid \$100 for the job. However, [REDACTED] refused to bury the dogs, so PHILLIPS, PEACE and VICK buried the dogs themselves.

On May 30, 2007, an interview was conducted of CW #2 who supplied the following information (Exhibit 7):

CW #2 was involved in dog fighting for the past [REDACTED] years. CW #2 met VICK on least two occasions, beginning in [REDACTED]. [REDACTED] sold three pit bulls to VICK, charging VICK \$1,200, \$900, and \$800 for the animals. At the time of the sale, VICK was accompanied by a person known as "PURNELL" (PEACE).

In early 2002, after the National Football League (NFL) season ended, [REDACTED] and his/her cousin attended a dog fight in Surry County, Virginia. [REDACTED] matched a dog against VICK's dog and bet \$3,000 on the fight. VICK's dog was disqualified because it

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jumped out of the ring. [REDACTED] and VICK decided to continue the fight and VICK's dog eventually lost. On VICK's orders, PEACE killed the dog by shooting the animal with a .22 caliber handgun.

On May 31, 2007, an interview was conducted of CW #3 who supplied the following information (Exhibit 8):

CW #3 first met VICK and a person known as "PURNELL" (PEACE) in [REDACTED] at a house in [REDACTED] Virginia, where a pre-arranged dog fight was being held. He/she knew that VICK's kennel was known as "BAD NEWZ KENNELS." The fight had been arranged approximately 6 weeks before, and it was determined that they would have two fights, with a 35 pound female and a 47 pound male. During the first fight, the female dog belonging to [REDACTED] beat VICK's dog and PEACE killed VICK's dog by electrocution. The male dog belonging to [REDACTED] also beat VICK's dog. The losing dog, which appeared to be seriously injured, was placed in the back of VICK's pick-up truck. [REDACTED] observed VICK giving cash to PEACE, which was subsequently given to [REDACTED] when he/she won \$13,000 and \$10,000 as a result of the fights.

On May 31, 2007, an interview was conducted of CW #4 who supplied the following information (Exhibit 9):

In [REDACTED] CW #4 participated in a planned dog fight with VICK and BAD NEWZ KENNELS at VICK's Surry County, Virginia residence. CW #4, along with his/her group, met a person known as "PURNELL" (PEACE) along the road and they followed PEACE to VICK's residence. CW#4 observed the white brick residence, located across the street from a church, and the black sheds on the back of the property. CW #4 met VICK at the residence and they had discussions about [REDACTED]. [REDACTED] had a pre-arranged wager with VICK for \$7,000, and a side bet with PEACE for \$4,000. The two dogs that were fighting were weighed and washed. VICK was involved in this activity. During the fight, PEACE handled VICK's dog while CW #4 handled his/her dog in the ring. The fight lasted over 2 hours and VICK's dog lost the fight. VICK's dog was seriously injured and CW #4 observed PEACE administer medicine intravenously to VICK's dog. Based on the injuries to VICK's dog, CW #4 believed that the dog died. VICK remarked that it was a "good fight" and supplied CW #4 with his telephone number. A few days later, CW #4 was informed that VICK wanted to purchase a dog named "Trouble" which belonged to [REDACTED] for \$15,000. [REDACTED] refused VICK's offer.

On June 28, 2007, TAYLOR was interviewed and supplied the following information describing his relationship with VICK, PEACE, PHILLIPS, ALLEN and others involved with BAD NEWZ KENNELS and the dog fighting operation (Exhibit 10):

In 2001, he took part in the selection and purchase of the property located at [REDACTED]. One of the main reasons he liked the [REDACTED] location, which consisted of 15.7 acres, was that it was remote and would conceal the dog fighting operation from the public. The name "BAD NEWZ KENNELS" was created by



VICK, PEACE, PHILLIPS, and him and referred to their hometown of Newport News, Virginia. From 2002 to 2004, VICK paid him to live on the property, take care of the dogs, and arrange dog fights. During this time period he traveled to North Carolina, South Carolina, Maryland, New Jersey, New York, Alabama, and Georgia, to participate in organized dog fights. He admitted killing numerous dogs after "testing" and after fights by shooting and electrocuting the dogs and then burying them on the [REDACTED] property. In September of 2004, he was told by VICK that he was no longer part of the BAD NEWZ KENNELS operation after having a dispute with PEACE and PHILLIPS.

On July 10, 2007, an interview was conducted of CW #5 who supplied the following information (Exhibit 11):

CW #5 has known PEACE [REDACTED] and has been involved in dog fighting for the past [REDACTED] years. In the dog fighting business, CW #5 dealt with a dog fighter from North Carolina named [REDACTED] who was a friend of PEACE and VICK. [REDACTED] arranged a fight with BAD NEWZ KENNELS, which CW #5 knew was owned by VICK. CW #5 hired another dog fighter to condition his/her dog, a 55 pound male pit bull, for the fight with BAD NEWZ KENNELS. It was determined that the wager on the fight would be \$3,500. Several weeks before the fight, CW #5 traveled to North Carolina and gave [REDACTED] \$1,200 as a forfeit amount (approximately 1/3 of the wager). [REDACTED] was scheduled to be the referee of the fight. In early fall of 2003, CW #5 drove to a pre-determined location where he/she followed an unknown male to the [REDACTED] location. CW #5 noticed a new house under construction and several sheds. The fight occurred in one of the sheds. Before the fight, the dog belonging to CW #5 was weighed and washed. The hired dog fighter handled the dog belonging to CW #5, while PEACE handled VICK's dog. When the fight started, CW #5's dog had the advantage over VICK's dog. CW #5 became excited and yelled out a statement to the effect of "I got you VICK." When CW #5 made the statement, VICK responded by giving a disapproving look. CW #5 was later told that it was not proper to publicly acknowledge VICK. Eventually, the dog belonging to CW #5 lost to VICK's dog due to a leg injury. CW #5 did not have the dog killed.

CW #5 scheduled a second fight in the spring of 2004 with BAD NEWZ KENNELS for a wager of \$10,000. CW #5 paid a \$1,500 forfeiture fee. However, this fight never occurred because CW #5 was arrested.

On August 7, 2007, ALLEN was interviewed and supplied the following information describing his relationship with VICK, PEACE, PHILLIPS, TAYLOR and others involved with BAD NEWZ KENNELS and the dog fighting operation (Exhibit 12):

He retired from New York City Transit and moved to Williamsburg, Virginia, in 1993. During his time in New York City, he became involved with dog fighting. After moving to Virginia, he housed one of his pit bulls at [REDACTED] property. He first met VICK through TAYLOR. In 2001, VICK purchased land in Surry County for the dog fighting operation. TAYLOR was the chief of the operation for VICK and was paid by

VICK for his services. From 2001 to 2003, VICK, PEACE, PHILLIPS and TAYLOR built dog kennels and sheds, and also had a double wide trailer moved onto the property. TAYLOR lived in the trailer and later in the house, which was built in 2004. In 2003, TAYLOR introduced him to VICK, PHILLIPS, and PEACE, and told them that he (ALLEN) was a "good guy" who could be trusted. Also in 2004, VICK, TAYLOR, PHILLIPS, and PEACE began calling their operation "BAD NEWZ KENNELS." They purchased t-shirts and headbands displaying the BAD NEWZ KENNELS logo. He sold dogs to BAD NEWZ KENNELS, including the dogs known as "MAGIC" and "JANE". He remembered traveling to a fight in New Jersey with the BAD NEWZ KENNELS' group and JANE, who was a Grand Champion. The most he ever bet on a dog was \$1,200. The largest bet he ever witnessed was \$25,000.

Approximately 1 week before the first State search warrant in April 2007, he was present at the [REDACTED] property. He, along with VICK, PEACE, and PHILLIPS, "rolled" (tested) approximately eight dogs that day at the two-story black shed. After the testing, he observed a person driving an all terrain vehicle (ATV) with dead dogs stacked in the bed of the ATV. He did not see anyone kill the dogs. However, he heard noises when the dogs were being killed. He did not take any part in killing any dogs.

#### EXECUTION OF TWO FEDERAL SEARCH WARRANTS

On June 7, 2007, a Federal search warrant was obtained for the property located at [REDACTED] Virginia. On this same date, special agents from USDA-OIG and VSP executed the search warrant. The following evidence was recovered: 1) DNA samples from eight pit bull carcasses found buried on the property (all eight pit bull carcasses were reburied in same location); 2) pieces of plywood flooring and dry wall covered with dark stains (believed to be canine blood); 3) spent shell casings; 4) clothing containing stains; 5) medicines, syringes and medical supplies; 6) burned carpet; and 7) other equipment and devices related to dog fighting.

Agent's Note: The affidavit for this Federal search warrant remains sealed by the U.S. District Court in Richmond, Virginia.

On July 5, 2007, a second Federal search warrant was obtained for [REDACTED] Virginia. On July 6, 2007, special agents from USDA-OIG, with the assistance of VSP, the Surry County Sheriff's Office, FBI, and ASPCA executed the search warrant. Nine pit bull dog carcasses and two samples of skeletal remains, along with plant material, insects and water samples were recovered.

Agent's Note: The affidavit for this Federal search warrant remains sealed by the U.S. District Court in Richmond, Virginia.

### FORENSIC & LABORATORY TEST RESULTS

After the execution of the first Federal search warrant, pieces of plywood were sent to the University of California at Davis for laboratory analysis. DR. [REDACTED] determined the dark stains on the plywood consisted of canine blood.

After the second Federal search warrant, dog bones were sent to DR. [REDACTED] in order to conduct DNA analysis. This test was never completed because all four defendants pled guilty.

Also after the second Federal search warrant, DR. [REDACTED] Forensic Veterinarian, conducted autopsies on the nine pit bull carcasses. DR. [REDACTED] test results substantiated the observations of [REDACTED] regarding the manner of death of the nine pit bulls killed in April 2007, by hanging, drowning, and being slammed to death.

Agent's Note: As of this date, the specifics of DR. [REDACTED] forensic reports remain sealed.

### INDICTMENT AND OTHER JUDICIAL PROCEEDINGS

On June 29, 2007, the U.S. Attorney's Office for the Eastern District of Virginia filed a Verified Complaint In Rem (Exhibit 13) to seize 53 pit bull dogs seized from the [REDACTED] property during the execution of the State search warrant. The 53 pit bulls were seized under the authority of 7 U.S.C. § 2156, Animal Fighting Venture.

On July 17, 2007, a Federal grand jury in the Eastern District of Virginia, Richmond, charged VICK, TAYLOR, PHILLIPS, and PEACE with Conspiracy to Travel in Interstate Commerce in Aid of Unlawful Activities and Sponsoring a Dog in an Animal Fighting Venture in violation of 18 U.S.C. § 371 (Exhibit 14).

In July of 2007, all four defendants were arraigned in U.S. District Court for the Eastern District of Virginia, Richmond, and entered pleas of "not guilty." Subsequently, in August 2007, VICK, PHILLIPS, and PEACE pled guilty in U.S. District Court (Exhibits 15, 16 and 17). Each admitted that from 2001 to April of 2007, they conspired to travel in interstate commerce in aid of unlawful activities and to sponsor dogs in an animal fighting venture (Exhibits 18, 19 and 20). They also admitted that in April 2007, at [REDACTED] they killed dogs by various methods, including hanging and drowning. Also in August 2007, TAYLOR pled guilty in U.S. District Court (Exhibit 21) and admitted to traveling in interstate commerce for the purpose of dog fighting from 2001 to 2004 and killing dogs that did not test well or that were injured during fights (Exhibit 22).

Agent's Note: TAYLOR was not involved in the killing of the dogs in April 2007.

On October 24, 2007, ALLEN pled guilty to a one-count criminal information (Exhibit 23). In his guilty plea, ALLEN admitted that he unlawfully traveled in interstate commerce for the purpose of dog fighting, and that, in April 2007, he was involved in the "testing" of dogs at [REDACTED] to determine which dogs were good fighters (Exhibits 24 and 25).

### POST INDICTMENT INTERVIEWS OF VICK, PEACE AND PHILLIPS

On August 14, 2007 and on October 9, 2007, after agreeing to plead guilty, PEACE was interviewed and supplied the following information (Exhibits 26 and 27):

He had been fighting dogs since 1990 and met VICK in 2000. VICK introduced him to PHILLIPS in 2000. In 2001, VICK purchased [REDACTED] Virginia, for the purpose of conducting a dog fighting operation. He became a part of the BAD NEWZ KENNELS group, which included VICK, PHILLIPS, and TAYLOR. They were all involved in the construction of sheds on the property in 2003, and the single family white brick house in 2004. The sheds were used for training the pit bulls and were where the fights occurred. They knew that dog fighting was illegal. This is why they constructed a picket fence to hide the dog fighting activities from the public and from law enforcement.

In 2002, he, VICK, PHILLIPS and TAYLOR "rolled" (tested) dogs at [REDACTED] to determine if they were good fighters. They would kill the poor fighters by shooting, electrocuting, or drowning them. Almost all of the dogs that they killed were buried on the [REDACTED] property. On occasion, he would want to give away a dog that would not fight. However, VICK stated "they got to go", meaning they needed to be killed. Many times, VICK, PHILLIPS and TAYLOR killed dogs when he was not present. TAYLOR would tell him about the dogs that did not test well and would say "they didn't make it", meaning they were killed.

He recounted the details of several dog fights involving dogs belonging to BAD NEWZ KENNELS, and the gambling which took place during the fights. Some of the fights required the members of BAD NEWZ KENNELS to travel from Virginia to other States for the purpose of attending and participating in pre-arranged dog fights.

In September of 2004, TAYLOR was removed from the BAD NEWZ KENNELS' operation because of a dispute with PHILLIPS and VICK. As a result, he took over TAYLOR's job of looking after the dogs and VICK paid him \$3,000 a month for this work.

In mid-April of 2007, he, VICK, PHILLIPS, PEACE, and ALLEN tested dogs at the [REDACTED] location. He and PHILLIPS did most of the testing of the dogs. This occurred in the large black shed on the property. It took between five and ten minutes

to complete the testing of each dog. They decided to kill the dogs that they deemed not to be good fighters. He and PHILLIPS consequently drowned seven to eight dogs. Additionally, he, VICK, and PHILLIPS hung approximately four dogs with a nylon cord. One dog that did not die from hanging was taken down and drowned in a 5 gallon bucket of water. All of the dead dogs were buried on the [REDACTED] property.

On August 14, 2007, after agreeing to plead guilty, PHILLIPS was interviewed and provided the following information (Exhibit 28):

He met VICK in the seventh grade and they became best friends. They played football and basketball together in middle school and high school. He lived with VICK for several months while VICK was attending Virginia Polytechnic Institute and State University (Virginia Tech), but subsequently returned to Newport News, Virginia, where he worked at odd jobs.

He and VICK first became involved in dog fighting through TAYLOR in approximately 2001, before VICK signed with the Atlanta Falcons NFL football team. TAYLOR was known throughout Newport News and the neighborhood as a dog fighter. He recalled a meeting in 2001 between VICK, TAYLOR and himself at a Newport News barber shop. During this meeting, TAYLOR discussed his love of dog fighting and how they could get started in this business by purchasing, training, and fighting dogs. After this meeting, there were other discussions with TAYLOR about acquiring land in Surry County, Virginia, in order to start the dog fighting business.

In late spring of 2001, TAYLOR located property in [REDACTED] Virginia. VICK purchased the property, which is located at [REDACTED]. TAYLOR's job was to direct the dog fighting operation and VICK's role was to finance the business. The land was cleared and a double wide trailer was moved to the property. In 2002, PEACE became part of the group. TAYLOR lived in the trailer and was paid by VICK to take care of the dogs. In 2003, sheds were constructed on the property, which were later painted black by TAYLOR. The sheds were used to store the dog fighting training equipment, such as slat and tread mills, turn tables, etc. They used live chickens and rabbits as bait when training dogs on the tread mills. In 2004, the trailer was removed and in its place, a white brick single family residence was constructed. Dog kennels with runs were also constructed on the property. TAYLOR continued looking after the dogs and staying in the house until the fall of 2004.

In 2002 and 2003, four pit bulls were purchased in North Carolina; six adult pit bulls and six pit bull puppies were purchased in Richmond, Virginia; a male pit bull named "Tiny" was purchased in New York; and a female pit bull named "Jane" was purchased from ALLEN, who lived in Williamsburg, Virginia.

In the summer of 2002, he, VICK, TAYLOR and PEACE would "roll" or "test" pit bulls, to determine which dogs were good fighters as opposed to those that refused to fight. During these sessions, dogs that did not perform well were killed. You could not give the dogs away, so the only way to get rid of the dogs was to kill them. Dogs were killed by shooting, electrocution, and drowning. TAYLOR would electrocute and shoot dogs. He and PEACE would drown the dogs by placing their heads in a 5 gallon bucket of water. He estimated that he drowned three dogs during this period. VICK also purchased 5 stun guns during this time period.

In 2002, TAYLOR developed the name "BAD NEWZ KENNELS" for the dog fighting operation. "BAD NEWZ" was a reference to Newport News, Virginia, where they grew up. TAYLOR had shirts and headbands made which he, VICK, PEACE, and TAYLOR wore to pre-arranged dog fights.

In September 2004, TAYLOR was removed from BAD NEWZ KENNELS after an incident at a Newport News night club involving the breaking of an expensive gold chain belonging to VICK. After TAYLOR left the group, PEACE cared for the dogs and the property at the [REDACTED] address. VICK paid PEACE for this service.

He recounted the details of several dog fights involving dogs belonging to BAD NEWZ KENNELS, and the gambling which took place during the fights. Some of the fights required the members of BAD NEWZ KENNELS to travel from Virginia to other States for the purpose of attending and participating in pre-arranged dog fights.

In mid-April of 2007 VICK, PEACE, and PHILLIPS "tested" numerous pit bulls at the [REDACTED] property and he estimated that approximately six to eight dogs were killed on that day. He, VICK, PEACE, and ALLEN "tested" pit bulls to determine if they would be good fighters. After the testing sessions, he, VICK, and PEACE determined which dogs should be killed because there was no purpose in keeping dogs that were poor fighters. He, VICK, and PEACE killed the dogs. He and PEACE drowned approximately three dogs in a 5 gallon bucket and he, VICK, and PEACE hung approximately five dogs with a nylon leash, from a 2x4 board nailed to two trees located next to the large "blacked out" building. He and VICK took down one of the dogs that would not die from hanging and tossed the dog to the side. He later hung the same dog until it died. He wore overalls, which were hung in the garage, when he killed the dogs, so he would not soil his clothes. [REDACTED] was doing yard work in the front of the house at the time. PEACE asked [REDACTED] to dig two graves where the dogs could be buried.

On August 14, 2007 and on October 10, 2007, after agreeing to plead guilty, VICK was interviewed and provided the following information (Exhibits 29 and 30):

He grew up in Newport News, Virginia, where he attended high school. He subsequently received an athletic scholarship to play football for Virginia Tech.

He first met PHILLIPS when they attended sixth grade together in Newport News, Virginia and PHILLIPS is his best friend. He first met TAYLOR when he was 11 years old and TAYLOR was 18 years old. As a child he looked up to TAYLOR and it was common knowledge in the neighborhood that TAYLOR owned pit bulls. He first learned that TAYLOR was involved in dog fighting during a 2001 discussion at a Newport News barber shop. This meeting with TAYLOR occurred a short time after the NFL Draft, when he was selected by the Atlanta Falcons NFL football team. TAYLOR told him that "He got the real dogs" and kept these dogs on his [REDACTED] property in Smithfield, Virginia. This discussion first sparked his interest in dog fighting. However, while growing up in Newport News, he remembered seeing numerous unorganized dog fights that occurred in the street and in open lots. He first met PEACE though TAYLOR sometime in 2000 or 2001. He knew that PEACE owned and fought dogs. He also learned that PEACE was involved in selling narcotics. He met [REDACTED] in approximately 2003 and [REDACTED] worked for him cutting grass and doing yard work. He met ALLEN in approximately 2003 through TAYLOR. He drove to ALLEN's residence, in Williamsburg, Virginia, with TAYLOR and PHILLIPS when they purchased "JANE", a female pit bull, from ALLEN.

He purchased his first pit bull while he was attending Virginia Tech in 1999. This pit bull was a female dog that he called "Champagne." Champagne was considered a pet and he never fought this dog. He mated Champagne with a pit bull owned by [REDACTED] [REDACTED] also known as [REDACTED] and Champagne had a litter of puppies. Champagne was seized during the April 2007 search warrant.

In the summer of 2001, TAYLOR discussed purchasing land for the purpose of dog fighting. He, TAYLOR, and PHILLIPS knew that organizing dog fights was illegal. TAYLOR had eight pit bulls, which he kept at his [REDACTED] house. In July or August 2001, TAYLOR found the property, which consisted of approximately 15 acres, at [REDACTED] in [REDACTED] Virginia (Surry County). He never saw the property before the purchase. However, he did speak with the realtor by phone. He spent approximately \$34,000, to purchase the property. The first time he saw the property was with TAYLOR and PHILLIPS in July of 2001. It was TAYLOR's idea to purchase the double wide trailer and place it on the [REDACTED]. The plan was for TAYLOR to live in the trailer and oversee the dog fighting operation. He paid TAYLOR for the service of caring for the dogs.

In 2001, he had approximately 12 dogs. He purchased four dogs from [REDACTED] in North Carolina. He also purchased six dogs and six puppies from a person in Richmond, Virginia. He recalled in 2004, TAYLOR purchased a dog from someone in Texas. These dogs were purchased for dog fighting.

In 2002, PEACE joined the group, which consisted of him, TAYLOR, and PHILLIPS. PEACE brought his dogs from his [REDACTED] property to the [REDACTED] location.

Also in 2002, it was TAYLOR's idea to name the group BAD NEWZ KENNELS. TAYLOR purchased T shirts and headbands, with the logo "BAD NEWZ KENNELS", which they wore to organized dog fights.

In 2002, their group had approximately 30 dogs on the property. They rolled/tested some of these dogs. The dogs that were not good fighters were killed. He observed TAYLOR shoot and electrocute dogs and PEACE hang dogs. He never actually killed a dog.

In the spring of 2003, he paid to have the sheds built on the [REDACTED] property by a person named [REDACTED]. These sheds were used for storage, testing of the dogs, and dog fighting. They stored the slat/tread mills, round table, and other dog training equipment in the sheds. TAYLOR had the sheds painted black and referred to the sheds as "the black hole." In 2005, PHILLIPS made the decision to add the second floor to the big shed. After the completion of the second floor, the dog fights were moved upstairs. A pull down staircase was installed to gain access to the second floor. He (VICK) believed that PHILLIPS felt that this would help hide the operation from law enforcement. In 2004, he had the double wide trailer removed and the white brick house built.

In 2002 or 2003, TAYLOR introduced him to [REDACTED] a well known dog fighter and trainer in Surry County. [REDACTED] built the turn table and slat mill and also did the electrical wiring of the shed. [REDACTED] also attended some of the fights on [REDACTED]. He had a falling out with [REDACTED] when [REDACTED] threatened to burn his house down.

He gave money to PHILLIPS and TAYLOR, some of which was used for the purses in pre-arranged dog fights. On other occasions he would directly supply the money for the purses. When BAD NEWZ KENNELS won the purse, it was split with TAYLOR, PHILLIPS, and PEACE. He could also recall PEACE making side bets during these dog fights.

He had a falling out with TAYLOR in the spring of 2004. The problems started when TAYLOR wanted \$14,000 from him to power wash the house on [REDACTED]. He believes that TAYLOR wanted the money, but had no plans to do the work. TAYLOR was going to split the money with PEACE. There was also a problem that TAYLOR had with PHILLIPS when TAYLOR broke a gold chain belonging to him.

He recounted the details of several dog fights involving dogs belonging to BAD NEWZ KENNELS, and the gambling which took place during the fights. Some of the fights required the members of BAD NEWZ KENNELS to travel from Virginia to other States for the purpose of attending and participating in pre-arranged dog fights.



On or about April 19, 2007, he traveled to the [REDACTED] address to meet his cousin, [REDACTED] to discuss [REDACTED] most recent drug arrest. At this time he observed PHILLIPS, PEACE, and ALLEN in the back of the property testing dogs. They were testing the dogs on the second floor of the big shed. The dogs that did not test well were killed, and he, PEACE, and PHILLIPS decided which dogs would be killed. He helped carry the dogs that were to be killed down from the second floor of the shed. PHILLIPS hung three to four dogs from a 2x4 board, nailed to two trees and PEACE drowned three to four dogs in a 5 gallon bucket of water. While he assisted PHILLIPS and PEACE in the killing of the dogs, he did not actually kill the dogs. He helped PHILLIPS toss several dogs to the side.

[REDACTED] was in the front of the property cutting grass and was paid to dig two graves for the eight dogs, with four dogs being placed in each grave. Based on past circumstances PHILLIPS and PEACE did not like him to do any type of work that could injure him and jeopardize his NFL contract.

Agent's Note: On October 12, 2007, VICK was administered a polygraph examination by the FBI. VICK failed the examination as it related to the killing of the dogs in April 2007. Ultimately, VICK recanted his previous statement wherein he said he was not actually involved in the killing of six to eight dogs on or about April 19, 2007. VICK admitted taking part in the actual hanging of the dogs.

He does not know of any NFL players, besides himself, or any other professional athletes involved with dog fighting.

#### ASPCA'S EVALUATION OF THE 53 PIT BULLS

In September 2007, a behavioral assessment of the 53 pit bulls seized by the U.S. Government was conducted by a team of experts assembled by the ASPCA. Based on the outcome of the testing as it related to each dog, decisions were made regarding the ultimate placement of the dogs in sanctuaries and foster homes. Based on the results of the behavioral assessment, one dog was ordered to be euthanized.

#### SENTENCING OF PHILLIPS, PEACE, VICK, TAYLOR, AND ALLEN

On November 30, 2007, in U.S. District Court for the Eastern District of Virginia, Richmond, PHILLIPS was sentenced to 21 months imprisonment to be followed by 3 years supervised release. He was also ordered to pay a \$250 fine and a \$100 special assessment (Exhibit 31).

On November 30, 2007, in U.S. District Court for the Eastern District of Virginia, Richmond, PEACE was sentenced to 18 months imprisonment to be followed by 3 years supervised release. He was also ordered to pay a \$250 fine and \$100 special assessment (Exhibit 32).

On December 10, 2007 in U.S. District Court for the Eastern District of Virginia, Richmond, VICK was sentenced to 23 months imprisonment to be followed by 3 years supervised release. He was also ordered to pay a \$5,000 fine, a special assessment in the amount of \$100, and was ordered to pay restitution in the amount of \$928,073.04 for the long term care of 53 pit bulls (Exhibit 33).

On December 14, 2007, in U.S. District Court for the Eastern District of Virginia, Richmond, TAYLOR was sentenced to 2 months imprisonment to be followed by 3 years supervised release. He was also ordered to pay a \$100 special assessment (Exhibit 34).

On January 25, 2008, in U.S. District Court for the Eastern District of Virginia, Richmond, ALLEN was sentenced to 3 years supervised probation and ordered to pay a \$500 fine and a \$100 special assessment (Exhibit 35).

**STATE COURT CASES**

In September 2007, VICK, PHILLIPS, PEACE and TAYLOR were charged by a Surry County grand jury with dog fighting and animal cruelty (Exhibit 36). Trial in this case has been continued until such time as the defendants are released from Federal prison.

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