

File No. 200126

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services

Date: May 28, 2020

Board of Supervisors Meeting:

Date: _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

- _____
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- _____

Prepared by: John Carroll

Date: May 22, 2020

Prepared by: _____

Date: _____

1 [Supporting Activists Facing Prosecution in Sonoma County - Conditions of Animals in Factory
2 Farms]

3 **Resolution supporting the non-violent activists facing prosecution in Sonoma County**
4 **over their attempt to expose the conditions of animals in factory farms.**

5
6 WHEREAS, California Penal Code, Section 597(b) makes it a crime to torture,
7 torment, deprive of necessary sustenance, drink, or shelter any animal, or cause any animal
8 to be so tortured, tormented, deprived of necessary sustenance, drink, or shelter, where the
9 words "torment" and "torture" include "every act, omission, or neglect whereby unnecessary
10 or unjustifiable physical pain or suffering is caused or permitted"; and

11 WHEREAS, California Penal Code, Section 597(e) makes it a crime to hold a domestic
12 animal in confinement without providing the animal with sufficient food and water, and also
13 provides a legal defense against the claim of trespass to anyone who enters the area where
14 the domestic animal is confined for the purpose of providing food and water; and

15 WHEREAS, California's animal cruelty statute, California Penal Code, Section 597 et
16 seq., does not contain an animal husbandry exemption and thus covers cruelty inflicted on
17 animals raised in commercial operations; and

18 WHEREAS, The public in California cares deeply about animals raised in commercial
19 operations, as evidenced by, among other things, the passage by 62.66% of voters of
20 Proposition 12 in 2018, which established new standards for confinement of farm animals and
21 banned noncomplying products; and

22 WHEREAS, The increasingly massive scale of industrialization of modern commercial
23 animal operations leads to increasing numbers of animals suffering from starvation or
24 dehydration; and

1 WHEREAS, Notwithstanding the fact that leaving animals to starve to death violates
2 industry standards and California law, commercial animal operations routinely allow animals
3 to die of thirst or hunger when they are too sick or injured to reach food or water; and

4 WHEREAS, Many San Francisco consumers care deeply about animals and are willing
5 to pay a significant premium to purchase animal products from suppliers they believe have
6 treated animals humanely; and

7 WHEREAS, Companies that supply animal products have been known to portray their
8 treatment of animals in a substantially more favorable light than the reality; and

9 WHEREAS, Little or no enforcement of California's animal cruelty statute occurs with
10 respect to animals raised in commercial operations; and

11 WHEREAS, Peaceful activists have attempted to bring violations by commercial animal
12 operations of California's animal cruelty statute to the attention of the public as well as law
13 and regulatory enforcement agencies, including video and photographic evidence of animals
14 caught in wire cages and left with large, untreated sores, and animals who had died of thirst,
15 starvation, injury, or illness whose bodies were lying among the living; and

16 WHEREAS, 148 activists, some of whom are San Francisco residents, were arrested in
17 Sonoma County while trying to document the conditions of commercial animal operations and
18 rescue animals therein from thirst, starvation, injury, and illness; and

19 WHEREAS, Six of those activists currently face felony charges in Sonoma County in
20 connection with those investigations and rescues, and an additional seven activists face
21 misdemeanor charges for the same; and

22 WHEREAS, The act of investigating the conditions of commercial animal operations
23 and exposing abuses to the public and to law enforcement, and providing relief to animals
24 who are thirsty, starving, injured, or sick, is in the interests of both those individual animals
25 and the public that cares about them; now, therefore, be it

1 RESOLVED, That the San Francisco Board of Supervisors hereby declare that the 13
2 individuals being prosecuted in Sonoma County are non-violent activists who were
3 investigating and attempting to expose the abuses of animals in commercial animal
4 operations; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors encourage the Sonoma County
6 District Attorney to dismiss such prosecution; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors encourage the Sonoma County
8 District Attorney to devote the resources that could be saved from these actions to instead
9 investigate and prosecute potential violations of the law in commercial animal operations in
10 Sonoma County; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors encourage law and regulatory
12 enforcement agencies in California, including the California Attorney General and the
13 California Department of Food and Agriculture, to investigate and prosecute potential
14 violations of the law in commercial animal operations throughout California; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors urge the California State
16 Legislature to pass laws expanding the protection of animals raised in commercial animal
17 operations; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors affirm the commitment of the
19 Board of Supervisors to the protection of all animals; and, be it

20 FURTHER RESOLVED, That a copy of this Resolution shall be sent to Sonoma
21 County District Attorney Jill Ravitch, Sonoma County Deputy District Attorney Robert Waner,
22 Assembly Member David Chiu, Assembly Member Phil Ting, State Senator Scott Weiner,
23 Congresswoman Nancy Pelosi, Senator Dianne Feinstein, Senator Kamala Harris, and
24 California Attorney General Xavier Becerra.

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

board of Supervisors
2020 FEB -4 P 4:01
received by 98
Time stamp or hearing date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Supervisor Matt Haney

Subject:

Supporting Non-Violent Activists Facing Prosecution In Sonoma County Over Attempt To Expose The Conditions Of Animals In Factory Farms

The text is listed:

Resolution in Relation to the Prosecution of Non-Violent Activists Who Attempt to Expose the Conditions of Animals in Factory Farms

Signature of Sponsoring Supervisor: []



For Clerk's Use Only