File No. 200126

Committee Item No. <u>3</u> Board Item No. <u>8</u>

COMMITTEE/BOARD OF SUPERVISORS

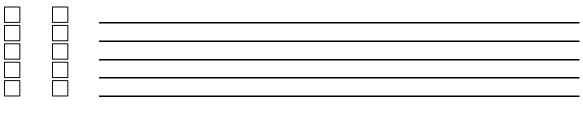
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Comm:Public Safety & Neighborhood ServicesDate:May 28, 2020Board of Supervisors Meeting:Date:June 9, 2020

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		Youth Commission Report
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		Department/Agency Cover Letter and/or Report
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		Public Correspondence

OTHER



Prepared by:	John Carroll	Date:	May 22, 2020
Prepared by:	John Carroll	Date:	June 4, 2020

FILE NO. 200126

RESOLUTION NO.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Print Form
Introduction Form
By a Member of the Board of Supervisors or Mayor
Introduction Form By a Member of the Board of Supervisors or Mayor 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 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