It’s common for factory farming facilities to be surrounded with razor wire and other barriers that make it difficult—bordering on impossible—to find out what goes on there. Beyond those physical barriers, the animal agriculture industry is lobbying, often successfully, for state “Ag-Gag” laws that criminalize photography or video of animal agriculture facilities. With your support, the Animal Legal Defense Fund is fighting back for farmed animals.

In May 2016, the Animal Legal Defense Fund released undercover footage shot at a Nebraska pig breeding facility run by The Maschhoffs, LLC.—the third largest pig producer in the U.S.
The Animal Legal Defense Fund is in its 37th year of protecting the lives and advancing the interests of animals through the legal system. Animal law is still a relatively new field, and progress—especially legal progress—takes time. Each victory, no matter how small it might seem, is a critical step forward, and we are proud to have you standing by our side along the way.

Together we are nurturing a transformation of society and law. This is an exciting time. Your support allows us to pursue more opportunities to secure justice for animals, and so we are seeing more positive change for animals. Recently, a landmark ruling from the Oregon Supreme Court established that animal sentience matters in court. Thirty seven years ago, such a ruling never would have happened.

The Animal Legal Defense Fund filed an amicus (“friend of the court”) brief in the case State v. Newcomb urging the Court to consider that animals are “sentient beings capable of experiencing pain, stress and fear,” according to Oregon legislation we helped enact in 2013. You will read more about the Court’s exciting decision in this newsletter, and you will also learn more about battles we are still fighting.

The case centered on Juno, a dog—but protecting farm animals is just as important and often far more difficult. Recently we filed suit against Hormel Foods, the multibillion dollar manufacturer of meat products, based on misleading advertising about their line of products marketed as “natural.” This lawsuit, coupled with our release of an undercover investigation of a pig farm that sells to Hormel, is another step toward protecting the animals who suffer in factory farms.

On behalf of the Animal Legal Defense Fund, thank you for being a voice for the voiceless and for being a crucial part of our mission to protect animals.

For the animals,

Stephen Wells,
Executive Director
The Animal Legal Defense Fund filed a request under Maryland’s Public Information Act seeking release of veterinary records held by the Maryland Racing Commission concerning the medical condition of two horses who died during Preakness Day racing on May 21, 2016. It’s vital that these horses are not forgotten—and that their deaths are investigated and explained. Horses used for ‘sport,’ such as racing, undergo tremendous stress and hardship—and it’s necessary to rule out any type of abuse that may have contributed to their death.
Animals are sentient beings who feel pain, who suffer, who experience stress and fear. For animal lovers, that’s indisputable and common sense. But does animals’ sentience matter in the courtroom? For the Oregon Supreme Court, the answer is a resounding “yes.”

The Court issued a landmark ruling in the case of State v. Newcomb in June 2016, holding that when law enforcement legally seizes an animal and has probable cause to believe that animal is being cruelly treated, they do not need to obtain a warrant before a veterinarian can administer a routine blood test to determine the cause of that animal’s condition. In short, an animal owner simply does not have a protected privacy interest in the interior of that seized animal under either the Fourth Amendment or the Oregon Constitution, said the Court.

This case began with a dog named Juno. When Officer Austin Wallace of the Oregon Humane Society (OHS) found him, Juno was extremely emaciated, unsuccessfully attempting to eat debris in his owner’s yard. Believing that Juno was suffering from animal neglect, Officer Wallace seized Juno and brought him back to OHS for treatment. As the Animal Legal Defense Fund had argued in our amicus (“friend of the court”) brief, the Oregon Supreme Court recognized the practical realities of the situation: that the acting veterinarian needed to diagnose the cause of Juno’s condition, confirming that the source of his emaciation was neglect due to lack of food, and rule out any other potential issues through routine tests like a blood draw before beginning necessary treatment.

While defendant Amanda Newcomb...
had argued that Juno should be treated just like an object or “closed container,” the Court rejected this ill-fitting analogy. Instead, the Court focused on crucial legislative language that the Animal Legal Defense Fund had successfully helped to draft in Oregon in 2013: that animals are “sentient beings capable of experiencing pain, stress and fear.” The Oregon Supreme Court agreed with the Animal Legal Defense Fund’s amicus brief that animal sentience and Oregon’s comprehensive animal protection legislation are key factors to consider, informing the Court’s decision that an animal owner does not have protected privacy interest in the interior of an animal in Juno’s circumstances.

This decision has enormous practical implications for those working tirelessly on the ground every day to rescue animals in Oregon, like the Oregon Humane Society. Now, investigators who lawfully seize an animal don’t have to go through the often cumbersome and time-consuming process of securing a separate warrant before a veterinarian can perform a simple diagnostic exam to properly treat an abused or neglected animal. This ruling also ensures that animals lawfully seized during criminal investigations will be able to receive necessary, prompt medical attention without evidence suppression issues potentially jeopardizing the criminal cruelty case. While the Oregon Supreme Court’s decision is not technically binding in other states, because the Court’s ruling is based in part on Fourth Amendment principles, other states could look to the Newcomb decision to determine similar cases.

The Animal Legal Defense Fund commends the exceptional work of Assistant Attorney General Jamie Contreras who argued for the state, and we are extremely grateful to the Association of Prosecuting Attorneys, the National District Attorneys Association, the Oregon Humane Society, and the Oregon Veterinary Medical Association for joining us on our amicus brief. Learn more at aldf.org/Newcomb.

According to the U.S. Department of Justice, every year police officers shoot and kill more than 10,000 pet dogs in America. The Animal Legal Defense Fund partnered with Ozymandias Entertainment to produce Of Dogs and Men—a documentary film about the dedicated people fighting to change that statistic. From SWAT raids to simple calls and even visits to wrong addresses, there’s a tragic trend of police officers using lethal force against pets, but it can be stopped. The award winning film shows how working together to provide proper training for our law enforcement officers can keep both police officers and dogs safe. For a list of screenings or to view online go to: www.ofdogsandmen.net.
UPCOMING EVENTS: JOIN US!

24th Annual
ANIMAL LAW
CONFERENCE

OCT. 7-9, 2016
NEW YORK, NY

The largest and most popular event of its kind, this year’s Animal Law Conference will feature some of the most respected voices in the field of animal law sharing ideas and practical skills for advancing the interests of animals through the legal system. The Animal Law Conference is a collaboration between the Animal Legal Defense Fund, the Center for Animal Law Studies at Lewis & Clark Law School and the Lewis & Clark Law School SALDF chapter. Register at animallawconference.org.

LIVE with the Animal Legal Defense Fund

THURSDAY, OCT. 27, 2016
11 A.M. PT/2 P.M. ET
LIVE ON FACEBOOK

Follow us on /AnimalLegalDefenseFund

Executive Director Stephen Wells and Chief Legal Counsel Matthew Liebman are taking to Facebook for a live, interactive discussion about Ag-Gag laws. These laws are designed to ‘gag’ would-be whistleblowers and undercover investigators by punishing them for recording footage of what really goes on in animal agriculture. Join us to learn how the Animal Legal Defense Fund is fighting these laws and advocating for animals, and to ask your own questions about Ag-Gag laws.

Be a part of the conversation. Don’t miss your chance to interact live with the Animal Legal Defense Fund.

CRUISE FOR A CAUSE: Making Waves for Animals

SATURDAY, NOV. 5, 2016
MARINA DEL REY, CA

Meet and greet the Animal Legal Defense Fund program directors, board members, founder and CEO while cruising the Los Angeles harbor. The evening will feature live music, auction items, plant-based delicacies, a hosted bar, and more entertainment. Get tickets at aldf.org/cruise-for-a-cause.

We’ve Moved!

On Saturday, July 16, 2016, the Animal Legal Defense Fund unveiled its new eco-friendly office building in Cotati, California. Please take note of the new address for future correspondence:

Animal Legal Defense Fund
525 East Cotati Ave.
Cotati CA 94931
and a supplier of Hormel Foods. Our undercover investigation revealed the disturbing reality for mother pigs and their piglets. It’s hard to watch.

Pigs suffered for days or weeks with extreme injuries. There were times that the pigs went hungry, going three days at a time without food. We also saw the brutality of what are considered “industry standards,” including “thumping” piglets who are deemed sickly or too small, which involves smashing the piglets’ heads against the floor in an effort to kill them. The video shows piglets thumped, then seen moving and conscious, frantically looking around as they die slowly.

We immediately contacted the Attorneys General of Nebraska and Illinois, where the company’s HQs are located, urging them to open investigations. But we didn’t stop there.

In June 2016, we filed a lawsuit against Hormel Foods, alleging they are misleading consumers with the advertising for the Natural Choice® brand of lunch meats and bacon. The slogan “Make the Natural Choice®” and repeated claims that Natural Choice® products are “100% Natural” and “All-Natural,” Hormel Foods is taking advantage of consumers’ mistaken beliefs that “natural” meat comes from animals raised in a specific, sustainable way. According to a 2015 Consumer Reports survey, half of consumers believe the “natural” designation means animals were raised outdoors.

Hormel is capitalizing on these misconceptions even though Natural Choice® products come from the same industrialized factory farms as any of Hormel’s other products.

Because of you, the Animal Legal Defense Fund is able to use every avenue possible to hold factory farms accountable. Learn how you can help at aldf.org/ProtectPigs.

The video shows piglets who are “thumped,” then seen moving, conscious, and frantically looking around as they die slowly.
We Use Your Donations Wisely

The Animal Legal Defense Fund is now a platinum status organization with GuideStar, the premier nonprofit ranking website. Platinum status has only been achieved by an elite tier of nonprofit organizations, making the Animal Legal Defense Fund one of the few recognized for leading the way in social change by demonstrating a commitment to measuring progress and sharing results. To make a donation, visit aldf.org/donate.