

## **Animal Law Section**

### **Meeting Agenda**

**December 18, 2023**

#### I. Call to Order

II. In Attendance: Sunrise Ayers, Jane McElligott, Tyler Lobdell, Evan Roth, Adam Karp

#### III. Old Business

##### 1. Increase 30-minute CLE's offered at the meetings

a. How many should we shoot for? If we meet every other month and do one at each meeting, that's 6, or if we have 1-2 business only meetings that would be 4-5 CLE's. We could meet monthly from September to May and shoot for 6-8 CLE's so we have a few business only meetings. Today's CLE will be our 3<sup>rd</sup> and we have one more scheduled for April, so we will be at 4 for the year.

i. 6 is good, don't need to add meetings and don't need business only meetings necessarily

b. CLE topic requests? Vet malpractice

##### 2. Hold and record a 2-4 hour CLE

a. Record each of our 30-minute CLE's and pay production costs to have combined into one longer CLE at the end of the year;

i. Have not recorded the last 2 CLE's, could start recording from this point forward?; or

ii. Will record today's and then follow up with ISB regarding getting copies of future recorded CLE's.

b. Legislative/case law update CLE

i. Would need 2-3 volunteers to work on this

c. What month would we shoot for holding or launching our CLE? Next summer possibly.

##### 3. Outreach and education to law students and new lawyers about animal law and the section.

a. Law student lunch or happy hour?

i. Reach out to the SALD co-chairs

b. One CLE per year free for law students to attend?

c. Other ideas?

d. Sunrise did attend the Section Fair at the law school and we did make membership free for students with the recent dues change.

#### IV. New Business

1. Update on Financials from Treasurer
  - a. As of 7/31/23, have a balance of \$4,427
  - b. Carry-over amount is \$1705
    - i. In person event
    - ii. CLE – pay for food and for the speaker’s travel
2. Request for donation from IWL: Sponsorship of 2024 IWL Gala, lowest level is \$1500, smaller amount that they would want to request?
  - a. Vote: No

V. CLE Presentation (30 minutes) – Steffan Seitz, Sturm College of Law’s Animal Activist Legal Defense Project, will be presenting a .5 credit CLE titled *Defending the Voices for the Voiceless: Animal Activist Legal Defense*

1. Steffen Seitz – Litigation Fellow at Sturm College of Law’s Animal Activist Legal Defense Project. Team does work on criminal defense and civil SLAP suits. Includes: Chris Carraway, Carter Dillard, and Justin Marceau (founder and law professor at University of Denver). They do a clinic with law students as well.
2. Social movements require work from the ground up to achieve transformative change. Grassroots organizing, marches, and other mobilization. But that can result in legal system conflict. The racial justice and civil rights movement exemplify that.
3. Activist cases can be a good posture for animal personhood arguments. SHAC (Stop Huntington Animal Cruelty) was trying to stop experimentation on animals. Activists were prosecuted for hosting a website that posted direct action events. This put a damper on activism for a long time.
4. Activist defense can differ from other criminal defense cases. Offense can be as important as defense: FOIA requests, 1<sup>st</sup> Amendment litigation, Talking to the media. Activists can have more complicated goals than other criminal defendants as well, not just the goal of avoiding criminal punishment.
5. They’ve been seeing a rise in oppression by the legal system against animal activists.
6. Four cases:
  - a. Merced foster farm rescue trial – activists took 2 chickens from a truck and were charged with theft. They were able to win an acquittal. They argued that the

activists knew that these chickens were not an asset, but a liability because they had learned through investigations that the chickens were sick and a risk to the food supply, other chickens, and the workers.

b. Ridgland beagle rescue – Experiment on beagles and breed beagles for other research facilities. The activists took video inside the facility and removed 3 beagles. They were charged with felony theft and burglary. They believe it is important to represent activists engaged in non-violent action. And this case has significant opportunities for media and influencing public opinion.

c. Asha Sanctuary – Two cows wandered onto her property. She cared for the cows and notified ASPCA. A farmer showed up and she asked for proof of ownership and he did not provide it. Instead, he went to the police and she was charged with theft. The community is trying to go after her for running a sanctuary in an agricultural area.

d. Sonoma Rescue appeal – Wayne Shun was convicted of trespass for rescue activities in Sonoma. Wayne and several other activists entered a factory farm and several activists removed sick animals and took them to a vet. Wayne represented himself at trial but they are managing his appeal. He was sentenced to 90 days. There were a number of rulings that they think were erroneous, so this is an opportunity to make good law.

7. Also have long-term projects such as guides for whistleblowers; legislative advocacy; etc.

8. Can refer cases to them or they can provide support to attorneys representing activists.

9. Right to Rescue? Can't ask for a right to rescue in a criminal defense case, but it's a cluster of defenses such as necessity.

10. Hard to say if prosecutions are increasing, or if there is just more national salience. Some prosecutions may be increasing because of a feeling that there is more of a threat to the industry.

11. LED truck type/projector type of activism – charges for depicting graphic imager in a public space? Charges for displaying images on private property? Less often criminal prosecution and more in civil cases such as nuisance. One example, is projection onto Whole Foods “entering” or “trespass?”

VI. Upcoming Meeting Dates: Feb 27<sup>th</sup> (CLE on Wildlife Crossings), April 23<sup>rd</sup> (no CLE yet)

VII. Adjourn