

# Animal Outlook

Cruelty at Live Animal Markets (LAMs) in San Francisco

Scott David, Director of Investigations  
Jareb Gleckel, Legal Counsel

Presentation for SF ACWC, August 2023

# Animal Outlook

- Formerly Compassion Over Killing
- 501(c)(3) national nonprofit for animal protection
- Focus is protecting farmed animals



"THINGS HAVE REALLY BEEN LOOKING UP SINCE WE CHANGED OUR NAME."

# Work in CA

- *NPPC v. Ross* (Prop 12)
- Berkeley ALP
- Superior Farms
- Dick Van Dam Dairy

## Animal Rights Group Says Video Shows Abuse of Sheep



Scott David, an animal rights activist, covertly shot video at a slaughterhouse while employed at a sheep farm. Andrew Cullen for The New York Times

By **Stephanie Strom**

# What We Do

1. Investigations
2. Outreach
3. Legal
4. Farm Transitions



# Investigations

- Reveal what the industry is actually like for animals
- Counter misrepresentations



*"There you go."*

# Legal

CS417846

- Litigation heavy:
  - Criminal
    - Prosecute corporations for animal cruelty
  - Civil
    - False Advertising
    - Administrative Law
    - Unfair Competition
    - False Claims Act
    - Antitrust



"Oh, you misunderstood. The cars aren't half priced...the balloons are!"

# Farm Transitions

- Supply side work
- Help farmers switch away from animal exploitation to plant-based farming
  - Active program
  - Run by farmers



"I have to quit for health reasons.  
I'm sick of working here."

# Questions?



*“Sir, I have a question that’s lunch-related.”*



# SF Live Markets



# First Visits

- Visits 1 & 2
  - February and March 2022
  - Visited 18 shops around the Bay Area
- Sent evidence to SF ACC



# Frogs

- Piled on top of each other
- Very little water
- Some killed w/o stunning



# Fish

- Visible wounds
- Dead left in tanks
- Bludgeoned multiple times before death
- Left out of water to suffocate



# Turtles

- Kept in little to no water
- Little room to move around
  - Spotted one in a mesh bag
- Heads cut off
  - No anesthetic



# Final Visit

- Called while witnessing frog stuck in plastic bag
- No ACC officer available
- Language barrier



# Live Markets: Our Letter to ACWC

- Big Picture Asks:
  - Enforce cruelty laws the same way they're enforced throughout SF and CA
  - Give animals in LMs the same protections as other animals

# 3 Sets of Cruelty Laws Applicable in LAMs

- **(1) State Cruelty Laws (Cal. Pen. Code 597(b))**

- California's cruelty laws are broad compared to many other states'
- Apply to "all animals except human beings"

Penalizes anyone who "tortures, torments, deprives of necessary sustenance, drink, or shelter, cruelly beats, mutilates, or cruelly kills any animal . . . subjects any animal to needless suffering, or inflicts unnecessary cruelty upon the animal, or in any manner abuses any animal, or fails to provide the animal with proper food, drink, or shelter."



# 3 Sets of Cruelty Laws Applicable in LAMs

- **(2) Special protections for the most common/vulnerable animals in LAMs**
  - Turtles, frogs, birds
    - (1) “[p]rovide that no animal will be dismembered, flayed, cut open, or have its skin, scales, feathers, or shell removed while the animal is still alive;”
    - (2) “[p]rovide that no live animals will be confined, held, or displayed in a manner that results, or is likely to result, in injury, starvation, dehydration, or suffocation.”
      - Cal. Pen. Code § 597.3(a)(1),(2).
- **(3) Local Laws**
  - Mirrors state law

# What ACC Can Do (Resource Dependent)

- **(1) Police the markets more regularly**

- Provide officers with regular inspection schedules and protocols
- Post signage and regularly deliver pamphlets to proprietors with clear explanations of the cruelty standards

- **(2) Prioritize Response to Cruelty Reports**

- Needs to come from top-down because ACC officers are clearly concerned and willing to help.
- We were told to call when witnessing a violation.
- But it takes 2-3 Weeks for ACC to Investigate based on a call.

# What ACC Can Do

- **(3) Enforce the law based on evidence presented**
  - Save your resources, and let orgs like ours do the heavy lifting for you.
  - Dozens of videos with raw, unedited footage of legal violations.
  - This is enough to issue citations, warnings, even bring charges in some instances.
  - Our legal team is always available to help
    - We help in a lot of places where prosecutors are unfamiliar with animal law. We'd love to do more in SF.

# Questions (Or Comments)?



*“No, Mike, we’re NOT. And it only makes this meeting seem longer with you asking ‘are we there yet?’ every 5 minutes!”*

## Contact us anytime:

- Animal Outlook
- [www.animaloutlook.org](http://www.animaloutlook.org)
- Jareb Gleckel, Legal  
[jgleckel@animaloutlook.org](mailto:jgleckel@animaloutlook.org)
- Scott David, Investigations  
[sdavid@animaloutlook.org](mailto:sdavid@animaloutlook.org)