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www.farmsanctuary.org

February 28, 2012

Birgit Fladager, District Attorney
Stanislaus County District Attorney's Office

1 page via email: birgit.fladager@standa.org

Dear Ms. Fladager:

As you know, on February 22, an estimated 50,000 hens were found dead or near-dead from starvation in Turlock on the A&L Poultry farm, which is owned by Andy Keung Cheung. On February 23, we wrote to Sgt. Anthony Bejaran and Det. Billy Redding in the Stanislaus County Sheriff's Department and spoke with Mr. Bejaran. We offered emergency care for starving hens and asked that they work with you to prosecute the perpetrators of this crime to the fullest extent of the law. It is our understanding that this case has now been referred to your office for consideration.

On behalf of Farm Sanctuary, a national animal protection organization that provides care for rescued farm animals and advocates on their behalf, I am writing to request that you seek maximum possible penalties against all responsible parties and to offer our assistance in charging the perpetrator or perpetrators with cruelty to animals.

The perpetrators of this horrible crime should be prosecuted to the fullest extent possible. Under Cal. Penal Code § 597(b), it is a crime for any person to deprive or cause any animal to be deprived of necessary sustenance or to cruelly kill any animal. Further, it is a crime for an owner, or other person having charge of an animal, to subject any animal to needless suffering or in any manner abuse an animal, including failing to provide proper food and water. Cal. Penal Code § 597(a) also criminalizes the malicious and intentional torture and killing of an animal. It appears that any of these provisions can apply to the case at hand. The responsible party or parties subjected each bird to unnecessary and unjustifiable physical pain and suffering and tens of thousands of them to an agonizing death.

It has been our experience over our twenty-five years of providing sanctuary for chickens who have been rescued from factory farms and slaughterhouses that they are deeply intelligent and inquisitive animals. Our experience is backed by the work of animal behavior scientists, who have found that chickens have cognitive and behavioral capacities that exceed those shown by dogs and cats; in some areas, they compare favorably to dolphins and primates. For example, they anticipate the future, learn from one another and from television, and form complex societies.

So we urge you to treat this incredible cruelty in the same way you would treat a similar tragedy in which tens of thousands of cats or dogs were starved and dehydrated to death; there is no moral difference, and there is no difference from the perspective of the animals who suffered.

Given the vast number of animals subjected to this cruelty, we urge you to treat the abuse of each bird as a separate offense and to seek the harshest penalties available, including jail time.

We thank you for taking this and all animal cruelty cases seriously, and we would be happy to discuss the matter with you and to assist you in prosecution. As you may know, we are currently caring for hundreds of these birds, and we would be happy to testify regarding their condition. I can be reached at 202.829.0974 or Bruce@FarmSanctuary.org.

Sincerely,

Bruce G. Friedrich, Senior Director for Strategic Initiatives
Farm Sanctuary

p.s. I am attaching the latest dispatch from our National Shelter Director, Susie Coston. It will give you a sense of what the survivors are facing. Their plight would be powerful evidence in your prosecution.