



**ANIMAL ACTIVIST LEGAL
DEFENSE PROJECT**



For immediate release

Contact:

Cassie King, DxE, (510) 507-8075, cassie@directactioneverywhere.com

Lauren Gazzola, AALDP, (646) 397-4081, press@aaldp.com

Prosecutors Concede Evidence Doesn't Support Felony in Animal Rescue Case

Charges to be Dismissed for Third Time in Perdue Chicken Rescue Case

August 20 2024, Santa Rosa, CA – Last night, Sonoma County district attorneys moved to discharge a felony burglary count they had filed against Zoe Rosenberg, 22, an animal rescuer with [Direct Action Everywhere](#) (DxE). Rosenberg is being prosecuted for removing four chickens from Perdue's Petaluma Poultry slaughterhouse in June 2023. Defense attorneys for Ms. Rosenberg filed a [995 motion](#) arguing that the evidence does not support the charges against her, which prosecutors [conceded](#) with respect to the burglary count. The court is expected to dismiss the charge at Ms. Rosenberg's next hearing on September 4th.

"Prosecutors have known the facts of this case for nearly nine months, and they still can't figure out what to charge," said Chris Carraway, Ms. Rosenberg's lawyer and a staff attorney at the [Animal Activist Legal Defense Project](#). "It clearly isn't easy to paint a good samaritan as a criminal."

This will be the *third time* that charges have been dismissed in Ms. Rosenberg's case. She was initially charged with five felonies, but prosecutors dropped one felony earlier this year after defense attorneys alerted the court that it was not a chargeable offense. Then in May, at the conclusion of Ms. Rosenberg's preliminary hearing, Judge Lynnette Brown dismissed three of the remaining four felonies, based on a lack of sufficient evidence presented at the hearing. In

response, the district attorneys filed new charges, including the felony burglary they have now moved to discharge. Ms. Rosenberg now faces 1 felony and 4 misdemeanors, and more than 5 years in prison. She was [arrested](#) in November, while en route to deliver evidence of animal cruelty at Petaluma Poultry to the Sonoma County Sheriff's office.

Petaluma Poultry is a “free range” and partially “organic” subsidiary of Perdue Farms, the fourth largest poultry producer in the United States. It supplies to major grocery chains including Trader Joe's and Safeway. Petaluma Poultry lost its celebrity ambassador, Food Network chef Tyler Florence, this month when Florence decided to [cut ties](#) with the company following repeated protests by DxE.

For years, Ms. Rosenberg and other activists with [Direct Action Everywhere](#) have reported to authorities unlawful animal cruelty at Petaluma Poultry and other county factory farms—as, indeed, Ms. Rosenberg was doing when she was arrested. While authorities have [aggressively prosecuted animal rights activists](#), they have taken no action to address the extensive documentation of animal cruelty. In response, activists have rescued sick and injured animals themselves, rehabilitating them back to health, and finding them permanent homes at sanctuaries.

“At trial, I will be fully transparent about what I've done, and what the authorities have failed to do, to help abused animals,” said Zoe Rosenberg. “Hopefully, a jury of my peers will agree that taking an animal who is sick to get medical care is not a crime.”

Since 2018, DxE investigators have [documented routine violations](#) of California's animal cruelty laws at several Petaluma Poultry factory farms in Northern California and the company's slaughterhouse, including birds collapsed on the floor or stuck on their backs and unable to walk to food or water, left to slowly starve to death; birds with splayed legs; birds with open wounds; and infectious diseases that threaten public health. DxE says the findings demonstrate clear violations of [California Penal Code Section 597](#). In particular, birds who are collapsed and unable to walk cannot access food and water, and it is a crime to deprive animals of “necessary sustenance, drink, or shelter.”

Three veterinarians who reviewed DxE's 2023 findings at the Petaluma Poultry [factory farm on Hunter Lane](#) in Santa Rosa and [the slaughterhouse in Petaluma](#) concluded that there is substantial evidence of criminal animal cruelty, including diseased birds left to starve, dehydrate, and ultimately die; mortality rates over double the industry standard; violations of multiple biosecurity standards; and birds scalded alive at the slaughterhouse.

On November 5th, Sonoma County residents will vote on Measure J, a proposed [ban on factory farms](#), otherwise known as Concentrated Animal Feeding Operations (CAFOs), in the county.

Ms. Rosenberg will appear in Dept. 9 on September 4th for argument on the 995 motion. A rally in support of Measure J is planned at the Petaluma Poultry slaughterhouse that morning before court.

Ms. Rosenberg is the founder of [Happy Hen Animal Sanctuary](#), which she founded at age 11. Since 2014, Happy Hen has saved over 1,000 animals from factory farms, slaughterhouses, cockfighting rings, and other abusive situations.

The [Animal Activist Legal Defense Project](#) at the University of Denver Sturm College of Law works to empower and defend animal advocates through activist defense, affirmative litigation, and training law students to join and transform the field of Animal Law. Learn more at: [AALDP.com](#) and follow us on Twitter/X at [@AALDP_DU](#).

Investigators with [Direct Action Everywhere \(DxE\)](#) enter farms, slaughterhouses, and other facilities to document abuses and rescue sick and injured animals. DxE's investigatory work has been featured in [The New York Times](#), [WIRED](#), and [Vox](#). DxE activists have been [subjected to FBI raids](#) and [felony prosecutions](#) for their investigative work. In 2022, DxE activists won the first-ever [acquittal](#) in an open rescue case. Visit DxE on [Facebook](#), [Instagram](#), [Twitter](#) and at [directactioneverywhere.com](#).

###