



Contact: Cassie King, cassie@directactioneverywhere.com 510.507.8075

Berkeley Resident Arrested on Felonies for Filming Safeway Protest, Following Findings of Cruelty and Disease at the Store's Turkey Supplier

*Investigation found E. coli infected turkey chick, buckets of dead chicks and litter
beetle infestation at Foster Farms*

[PHOTOS/VIDEO](#)

Credit: Direct Action Everywhere (DxE)



Berkeley resident Almira Tanner, 35, handcuffed and detained near Safeway on Sunday (Credit: Direct Action Everywhere)

NOVEMBER 17, BERKELEY, CA - - Berkeley resident Almira Tanner was arrested on felony charges Sunday for filming a protest inside of Safeway on Shattuck Place where another person poured washable fake blood on the floor around a case containing frozen turkeys. Tanner was taken to Berkeley City Jail and [booked](#) on felony conspiracy and felony vandalism charges, with her bail set at \$40,000. The other activist was not arrested. On Thursday, Tanner was arraigned on misdemeanor vandalism only and her bail was exonerated.

Tanner is the lead organizer of [Direct Action Everywhere \(DxE\)](#), an international animal rights network based in Berkeley, California. Last week, DxE released an investigation at a Foster Farms turkey farm in California showing sick and collapsed turkey chicks, a litter beetle infestation, and dead chicks whose brains and eyes had been eaten out by insect larvae. In the midst of a nationwide turkey [shortage](#) caused by the avian influenza, DxE says its [footage](#) shows the unsanitary conditions that help facilitate the spread of pandemics in modern poultry farms.

[Footage](#) from the farm shows large numbers of [litter beetles](#), also known as the lesser mealworm (*Alphitobius diaperinus*) which can be a vector for [avian influenza as well as E. coli, Newcastle disease, turkey coronavirus, and Marek's disease among others](#). It can also be a reservoir for [salmonella](#). This year, more than [50 million commercial and backyard birds](#) have been killed due to the avian influenza outbreak, which may soon become [the largest bird flu outbreak in history](#).

Foster Farms is the largest poultry producer in California and a supplier to stores including Safeway, Walmart, and Target. The protest at Safeway was calling on the grocery chain to cut ties with Foster Farms. Instead, Safeway responded by pushing for charges against a videographer. Safeway representatives estimated that the damages from the fake blood would be over the \$399 threshold for vandalism to be charged as a felony rather than a misdemeanor, and Berkeley PD relied on the store's statement in their charging.

"Fortunately, in this country, it is not a crime to film a protest, which makes the arrest in this case unjustifiable and perhaps even unlawful," said former US prosecutor Bonnie Klapper. "This is an absurd action on the part of the Berkeley police and one which serves only to protect corporations engaged in animal cruelty from being held accountable by consumers."

In recent months, disruptive [stunts](#) have sparked worldwide debate about how far protestors should go to elevate their message and specifically, whether a just cause warrants tampering with property. In October, two climate activists with Just Stop Oil [threw tomato soup](#) onto van Gogh's "Sunflowers," eliciting outrage from some for targeting a famous painting, but also widespread discussion of the need for direct action in the face of the climate crisis. "Sunflowers," like the floor at Safeway, was not damaged by the protest.

DxE contends that the real crime is happening at Foster Farms. DxE's investigation found many chicks who were collapsed on their backs and unable to right themselves, including one chick whose neck was bent so that her head was underneath her back. Investigators took this chick out of the farm to get veterinary care, but she continued to struggle to stand and passed away a few days after her rescue.

A [necropsy report](#) from UC Davis found that the rescued chick had a deadly yolk sac infection called omphalitis. The infection was caused by E. coli bacteria in the yolk sac, likely due to fecal contamination. E. coli infections cause approximately 265,000 illnesses and 100 deaths every year in the United States.

This latest investigation comes on the heels of a historic court victory in which two Bay Area-based DxE activists were [acquitted](#) of felony charges for an investigation and rescue at Smithfield Foods, the world's largest pork producer.

Paul Darwin Picklesimer, one of the acquitted activists, said, “I’m grateful to see more open rescues and investigations happening even as repression from the state and industry continues. The public has a right to know what’s happening in the animal exploitation industry and the animals have a right to be rescued.”

Investigators with [Direct Action Everywhere \(DxE\)](#) enter farms, slaughterhouses, and other facilities to document abuses, and to rescue sick and injured animals. DxE’s investigatory work has been featured in [The New York Times](#), [WIRED](#), and a [brutal mass pig killing exposé](#). DxE activists have been [subjected to FBI raids](#) and [felony prosecutions](#) for their investigative work. In 2022, DxE activists won the first [acquittal](#) in an open rescue case. DxE led the 2019 grassroots effort to [ban fur products in California](#) and the 2021 effort to transition Berkeley city purchases to [100% plant based foods](#). Visit DxE on [Facebook](#), [Twitter](#) and at [directactioneverywhere.com](#).

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