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EDWARD A. BOKS  
General Manager

## **Report to the Board of Animal Services Commissioners**

**Edward A. Boks, General Manager**

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**COMMISSION MEETING DATE:** April 14, 2008      **PREPARED BY:** Linda Barth

**REPORT DATE:** April 10, 2008      **TITLE:** Assistant General  
Manager

**SUBJECT:** Endorsement of California Assembly Bill (AB) 2296

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### **BOARD ACTION RECOMMENDED:**

That the Board request the Chief Legislative Analyst's office to formulate a position for consideration by the Mayor and the City Council to formally endorse California Assembly Bill 2296, which makes it illegal to post home address, photographs, or the like about employees on the Internet.

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### **SUMMARY:**

As discussed in connection with a recommendation on March 24, 2008, that the Board support AB 1958, the employees of the Department of Animal Services have risked for years being targets of radical animal rights groups, namely the Animal Defense League (ADL-LA). In the past, some employees have been terrorized at their home and their place of business.

The California Animal Enterprise Protection Act, AB 2296, was introduced in February 2008 by Assemblymember Gene Mullin of South San Francisco. It would provide that no person, business, or association could knowingly publicly post or publicly display on the Internet a home address, home telephone number, or image of any employee of an animal enterprise or other individuals residing at the same home address of the employee of an animal enterprise. The term "animal enterprise" is defined as:

1) A commercial or academic enterprise that uses or sells animals or animal products for profit, food or fiber production, agriculture, education, research, or testing;

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2) A zoo, aquarium, animal shelter, pet store, breeder, furrier, circus, or rodeo, or other lawful competitive animal event;

3) Any fair or similar event intended to advance agricultural art and sciences.

AB 2296 would authorize a victim of a violation of those prohibitions to maintain an action for damages and for injunctive relief, as specified. This bill would provide that every person who commits any of certain acts for the purpose of injuring, intimidating, or interfering with the operations of an animal enterprise, as defined, or with a person connected, as specified, to an animal enterprise, or who damages or destroys property because of its connection to an animal enterprise, as specified, is guilty of a misdemeanor. The bill would provide alternate punishments depending on the elements of the offense of up to 6 months imprisonment in a county jail and a fine of up to \$2,000, or up to one year in a county jail and a fine of up to \$25,000. Fines would be increased for subsequent offenses and other circumstances, as specified. The bill would also authorize actions for damages and civil penalties, and for restraining orders in connection with violations of the prohibitions, as specified.

This bill would also exempt from disclosure information relating to persons involved in animal research activities when there is a reasonable basis to conclude that public disclosure of the records would result in harassment of individuals involved with the research.

Staff recommends that the City further recommend an expansion of the definition categories in supporting the bill, specifically, to add a category for:

ADD 4) Employees (and their family members) of medical, academic, governmental or private entities that own or operate the other listed animal-related enterprises and whose duties include oversight of or liaison to those animal-related enterprises.

This will appropriately expand protection to members of the City's administration that have been targeted in the past on account of their oversight role.

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**FISCAL IMPACT:**

There is no fiscal impact associated with this legislation.

Approved:

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**BOARD ACTION:**

\_\_\_\_\_ Passed

Disapproved \_\_\_\_\_

\_\_\_\_\_ Passed with noted modifications

Continued \_\_\_\_\_

\_\_\_\_\_ Tabled

New Date \_\_\_\_\_