



# Our Hen House Podcast: Transcript for Episode 693, Interview with Alexandra Paul & Alicia Santurio

**Mariann Sullivan:** Welcome to Our Hen House, Alicia, and Alexandra. I'm so excited!

**Alicia Santurio:** Yes. Thank you for having us.

**Alexandra Paul:** Thank you so much. We're happy to be here.

**Mariann:** I'm thrilled to have you. You are the heroines of the moment, and I have so many questions for you. I imagine most of our listeners are somewhat familiar with it, but I want to get into some detail just by going through the events of the day of the rescue kind of step by step. Can you just take us through it?

**Alicia:** Sure. There's not too much that happened earlier in the day. I knew that there was gonna be a protest at the slaughterhouse, so I assumed there might be an opportunity to rescue chickens from a truck. And we got to the slaughterhouse; it was pretty early in the morning, I believe. So really, it was just getting in the car, and we parked on a side street where we could see if trucks were coming in and that they were gonna stop. A truck finally arrived, and then a police car drove up, and I was like, "Oh no, the cops are here. We won't be able to rescue anyone." But then I was like, "Oh wait, no, they're gonna go to the protest! They're gonna go to that big U-haul, and the people locking down, so they're gonna be distracted. They're not even gonna see us." And so we just pulled up behind the transport truck, opened the cage, and immediately saw Jax and Ethan in really bad shape.

And so we pulled them from the cage and ran back to the car, and rushed back to the Airbnb as quickly as we could to give them a health check and some meds.

**Mariann:** So you mentioned that they were in really bad shape, and that's what you were looking for, right? I mean, all of these chickens were headed for certain death, so all of them, in our minds, were certainly eligible for rescue.

But you were really looking for chickens who were ill. Is that right? And how would you know?

**Alexandra:** This is Alexandra. This is an open rescue, and in open rescue, we rescue the animals who need us most, who are those who are sick. And, of course, I agree with you, Mariann. They all need us, but the policy of open rescue is to rescue sick animals.

And Alicia has a lot of experience with chickens. And so she helped me know the signs of a sick chicken, and she can explain a little bit more about that.

**Alicia:** Yeah, I think to most people, it would've been pretty obvious, even if you don't know chickens that well, that they were in bad shape. Ethan, for example, his legs were splayed out to the sides, which isn't a natural position.

It's very obvious that there's something wrong. Their combs were much paler than the others. And even Jax too, when Alexandra went into the cage, he didn't move away from her. He was completely immobile, so you could tell there was something wrong with them, and they definitely needed us.

**Mariann:** It wasn't that hard to find chickens who were sick, was it?

**Alexandra:** No. In fact, Alicia, I think you said this in your testimony, but I quote you anyway because one of the criticisms, if you watch the video, is how quickly Alicia opens the cage and we both pull out chickens. So that was one of the prosecution's arguments- how could we possibly know these chickens are sick?

And Alicia made a very excellent point. The better question is, why was it so easy to pick out a sick chicken on a trailer like that? And that should be the question that the courts are looking at, but it's not, unfortunately not yet, but it will be, we feel, with enough cases like ours. So that's the real question.

Because there were 5,000 chickens on that truck, we suspect that the huge majority, if not all, were sick.

**Mariann:** Wow. It's just so awful. So how much planning went into this rescue? Was it meticulously planned, or did you just get up in the morning and say, "Okay, let's do this?!" \*chuckling\*

**Alicia:** It was planned. Everything we do, we likely plan and think out what we're doing. I've spent a lot of time at slaughterhouses and a lot of time around transport trucks. So, it's a basic action plan.

**Alexandra:** We always have to plan because we're rescuing two chickens, and we need to have a place for them to live.

And unfortunately, there are so many animals in need but not very many sanctuaries. So we had to know where they were gonna be going afterward. We had to know the vets to whom we would take them afterward. We had to have a plan, but this was a very simple rescue, and it was just very ironic that it went to court at all.

Alicia and I did not expect to even get a notice from the company about this rescue, even though it was online within an hour of the rescue. We documented it, as we do all our open rescues. It's part of the open part of open rescue, but usually, the factory farms and the animal ag companies don't want to bring attention to what goes on behind closed doors.

So they don't bring charges, usually, and if they do bring charges, they will often drop them if there's any pushback at all.

**Mariann:** That's really interesting. I hadn't realized that.

Obviously, there have been DXE cases coming to trial, like boom, boom, boom, and there will be more coming to trial, boom, boom, boom, in the future.

Is that partially a result of a switch in strategy by the industry that they did start responding in a different way? They said, "We've gotta do something about this, so we're gonna start calling on these DAs and bringing charges."

**Alicia:** It's all speculative, but I think so. I think they feel like they have to do something about us. But the thing that I think they're not counting on is that when you get in front of your peers, and you tell regular people these stories and these horrors about what's going on to animals in these places like Foster Farms, like Smithfield, most people are going to side with the activists.

People don't want to see animals hurt. Even if people eat animals, most people don't like animal cruelty. So I think (they're) trying to fight back, but they don't realize we're in the right, and most people are going to side with us, just like in Smithfield and in the Foster Farms case.

Not to say that we're gonna win all of our cases. But I think they just aren't counting on how much people love animals and when we shine a light on just how horrible it is, how most people do side with you.

**Mariann:** Yeah, I think it's possible they're starting to wake up to the fact that their strategy is not a good one, but I hadn't realized that it really was a switch on the part of the industry.

Before we get to trial, and obviously I wanna go into that in detail, just tell me about the (chickens). I know that one of them didn't make it, but tell us about that part of that day. Where did you bring the chickens and what happened to them, and when were you arrested? Well, that wasn't that day, but when did you find out that there were going to be charges laid and respond to that?

**Alexandra:** Well, so after the rescue, which was on the morning of September 28th, 2021, we took them, Ethan and Jax, to where we were staying near the slaughterhouse in Livingston, California. And immediately, Alicia and another DXE activist who also has a sanctuary and has a lot of chicken knowledge like Alicia does, gave them meds.

And I photographed that part to document because we are very open about every step of the way in terms of our rescues. And then, Alicia, you carry on because I actually left the next morning, and Alicia had more of a hand in what happened with the chickens.

**Alicia:** So the next morning, they went to a safe house where Celeste was their caregiver.

I think they stayed there for a week or so, and then Jax went to his forever home. And in that period of time, Ethan, unfortunately, passed away. So I went, and I took Ethan's body to UC Davis to get a necropsy done so we could learn why did he die and what exactly happened that caused his death.

**Alexandra:** And that was a really smart move legally on Alicia's part, even though we had no idea we were going to be charged. We got the notice in the mail, was it a year later, or was it nine months later?

**Alicia:** I thought it was in April.

**Alexandra:** Okay, so it was about what, six months later, we got a notice in the mail saying that we were gonna be charged with petty theft.

And I just looked at it and went, “Okay.” And I put it away because I figured they're going to drop the charges. And that was that. And then they didn't. And just to say that now activists, when they do something that is considered extra-legal, outside what typically would be considered legal by the average person, they really have to think ahead and think, “Okay, if I'm going to court, what do I need to do?”

And a lot of the strategies that really helped us were...the necropsy was very damning because it showed how sick Ethan was, and by extension, probably all those birds in that truck since they were all from the same flock and had lived together their entire six weeks.

And the fact that he was so sick after being just six weeks old, I think, also appalled the jury, and there's no veterinary care anything. And so that was a very important part, and I thank Alicia very much. Even though Alicia and I both knew that the outcome of the trial was less important than actually going to trial, it still does help that we did win the trial. And that was a lot to do with Alicia.

**Mariann:** Absolutely. Everybody loves a winner. But it's really true. Winning was so much better than losing. It really was.

**Alexandra:** Although with losing, Mariann, and you probably know this and I've learned this, is that we could have appealed the decision of the judge not to let us use the necessity defense.

**Mariann:** The minute I heard that, I was so shocked. And we're going to get into that for people who don't know what we're talking about yet. But I was so shocked that in California, that defense was not being permitted. And I did think, “Well, I really, really want them to get acquitted, but I'm really, really mad that this can't get appealed. Because now it's out there is precedent.”

All right, so you were arrested and then before trial...

**Alexandra:** Well, we weren't arrested. We were just handed, we were given...

**Mariann:** You were given a summons. Told to come to court. So let's talk about the trial and, yes, the defense.

And you know, we've talked about this a bit before on some episodes, but people may not be that familiar with it. You were planning on bringing what's called a necessity defense or a lesser of two evils defense, as it's sometimes called. Can you just describe what that is and what happened in court when you tried to propose it, and what you were planning on arguing? And you sort of had the rug pulled out from under you when the court said no.

**Alicia:** So the necessity defense is, in real simple terms, when you commit a crime, but the crime you're committing is a lesser charge or less harm than what you're trying to prevent. So a good example of this is the dog in a hot car. You can break someone's window to save that dog because breaking the window is a lesser harm than the dog dying in the hot car.

So we wanted to use that necessity defense and say that these animals...yes, maybe we opened up Foster Farm's property, their truck, and we took their property, but it was to give them emergency medical care because they were in such bad shape that we were preventing a greater harm. But the interesting thing is we were allowed the mistake of law defense, and that's where Alexandra and I have read a legal opinion by a well-respected legal scholar, Hadar Aviram, where she says that the necessity defense should be applied to animals because animals have protections under the law. And so that shows that they're not just things, that they are someone. And so when the necessity defense says you can prevent a greater harm from "someone," animals should be included in that. Alexander and I totally believe that is true and that we were doing the legal and right thing.

So because we were allowed to use this mistake of law defense, which was based on the necessity defense legal opinion, we kind of were able to talk about certain things that we would've talked about if we had the necessity defense.

Hopefully, that all made sense.

**Mariann:** No, it made sense to me. It makes total sense to me. You kind of got it in the back door, so you were able to bring essentially a necessity defense because you were able to say, "We were mistakenly told that we had a necessity defense," and under California law, you were allowed to say, "because a lawyer told us this, we can now argue it."

But it does create a problem for future cases that the judge had made this ruling that a necessity defense...I think, if I understand correctly, I was trying to follow everything that happened at the trial, but the ruling was that it couldn't apply to a crime committed against an animal. Well, what would've been a crime committed against an animal? Like if an animal was the victim.

That's just the silliest...I've never heard anybody say that. It's a crazy rationale! If the house next to me is on fire and their dog is in the window, I would be convicted of trespassing if I ran in to save their dog!?

**Alexandra:** Well, his logic was that was another...or the prosecutor brought it up.

I totally agree with you because if a company can have personhood, if a corporation can have personhood, why can't a sentient being have personhood? A sentient being whom, as Alicia said, we have anti-cruelty laws (about) them.

So they are covered, as she used on the stand, I think you did, Alicia. Sometimes I get mixed up about what we said on the stand and not- but a sweatshirt doesn't have legal protection ever, but a dog or a cat, they do have some, and chickens do have some. Very few, but they do have some. And that should allow them some standing under the law.

And I, too, was shocked that someone did not cover an animal. But the first judge...this was a nine-day trial, which is a long time for a misdemeanor petty theft. \*Mariann and Alexandra both laugh\*

And the jury was pretty darn pissed off when they heard it was about two chickens. They were like, "What are you doing wasting our time?" And it's interesting because they were actually more angry at Foster Farms for bringing the case against these two women, who they had no idea who they were yet or why they'd done it, but they were pretty upset. And the courts for wasting court resources.

So the first judge did say, "Yes, I do think your argument is valid, and please come back on Friday to argue it more." But he basically allowed it in, which we were just over the moon about that. Unfortunately, what happened was that that judge then miraculously was moved to another...got busy the next week, and we were assigned a second judge who got COVID. So we were assigned a third judge. A judge whom we actually were happy to be assigned to, but were disappointed that he did not see animals as someone. And the thought is that it



just opens a whole can...May I? \*trepidatiously\* If I were to use a metaphor... can of worms... \*Mariann laughs\*

**Mariann:** I've been known to that metaphor myself.

I don't know whether those worms are unhappy to be in that can. It's hard to tell. \*both chuckling\*

**Alexandra:** Yes. So we were unable to use the necessity defense. And I hope that one, I think it makes it harder for us, Alicia and I, we won't be able to use mistake of law again, because maybe...who knows? We have such brilliant lawyers, I'm sure they can get us off.

**Mariann:** Well, you can always go to another state, come to New York. We have a statute laying out the necessity defense, so it's very clear.

**Alexandra:** Okay.

**Mariann:** It's very clear.

**Alexandra:** And has it been tested?

**Mariann:** Not in this context. No.

**Alexandra:** Oh my God, what's going on, New York activists? Where the hell are you? Get out there!

Okay, well, Alicia and I will be happy to come out and test it, that's for sure.

**Mariann:** You mentioned that in the beginning of the trial, some of the jurors were frustrated, and I had thought it was with you, but I'm glad to hear it was with Foster Farms, that all this time was going to be spent on two chickens.

Did you find that that kind of attitude shifted as the trial went on? Can you talk a little bit about what happened with the jury as...was it nine days? That you said passed? Did they become more engaged in the issues?

**Alicia:** I think most certainly they did. They all seemed very intrigued too, or most of them did when they heard it was about two chickens, and then when... oh gosh, I'm gonna pronounce it wrong.



How do you pronounce it? The jury selection? You pronounce it.

**Alexandra:** Voir dire?

**Alicia:** Okay, so when our attorney started asking them questions during that process, they seemed to be getting really interested in like, “Oh wait, there's a video of this? Oh, they shot the video, and they published the video?”

I thought from that moment, their mind started changing a little bit, and they started thinking like, “Hmm, this might be an interesting case. I kind of wanna find out what this is all about now.”

**Mariann:** Interesting.

**Alicia:** Yeah, that's just my opinion. I don't know, Alexandra, if you agree or not.

**Alexandra:** I agree completely, Alicia. And I also think that the judge who, in the beginning, a lot of the judges and the prosecutor, everyone started saying, “This is just a petty theft case.”

They tried to keep saying like they were trying to convince us, and we're knowing, “Nope, it's not a petty theft case. Sorry. It's bigger than that for us.” But by the end of the trial, Judge Paul Lowe, who was our judge, when he thanked the jurors and let them go, he said, “I hope that...” He acknowledged their frustration in the beginning, and he said, “I hope you see that this was not just a petty theft case. It was about important principles.”

And Alicia and I were really happy to have him say that because he was definitely, in the beginning, saying, “This is just a misdemeanor petty theft case. Let's not get complicated.”

**Mariann:** Yeah, I can imagine that that would be a judge's...you know, would not want to get caught up in somebody else's cause.

And it's very exciting to hear that he kind of did, and I guess the jurors did as well. What were your plans? I mean, as this was going on, you didn't know that the outcome was going to be so positive, so when did you find out that you might be imprisoned, and what were your plans for managing that?

**Alexandra:** With the summons, the summons in April of 2022. It's easy to look up and see that a petty theft charge has up to six months in jail. We didn't know

if we were sentenced...because there's a new district attorney in Merced County, which is the heart of Animal Ag in California. She has a new policy to- What is it? Crackdown on...

**Alicia:** Tough on ag crime or something...

**Alexandra:** Yeah, that's right. Tough on ag crimes.

Which means us, of course, not the factory farms and slaughterhouses.  
\*laughing\*

**Mariann:** What other ag crime is there?!

**Alexandra:** Yeah. So we thought that they might use us as an example.

**Mariann:** Yeah, I think that's very possible.

**Alexandra:** But at the same time, it was clear that they didn't take us seriously, and the prosecutor to whom they assigned the case did not do a lot of work.

Only had a couple of witnesses to bring up, while we had seven that we wanted to bring up. All women, by the way, because women are badass.

Then on the second day of trial, in came a second prosecutor who only does felonies. So obviously, the county saw, the DA's office saw, "Huh? Alicia and Alexandria are represented by three lawyers, four assistant lawyers, and about 50 people in the courtroom; we better up our game."

And so they did, but not enough because our lawyers, Wayne Hsiung, Chris Caraway, and Kevin Little, were passionate. And when you add passion and a real belief in a moral belief, then you really can't beat that when it comes to just run-of-the-mill prosecutions.

**Mariann:** Yeah, that's for sure. But what were your thoughts? Well, if this does go wrong because obviously, it could have. This was not a slam dunk kind of case. You didn't go in there thinking, "Well, we're gonna be fine." You couldn't have, so what did you think about the prospect of going to jail?

**Alicia:** For me, it's, I've said this many times, it's always my senior dog. He's always been very clingy, so I try not to be away from him that much. So I was really nervous about getting six months in jail just because it's just too long to be away from him, especially at this stage of his life.

But I figured, you know, we're gonna give it a try. Hopefully, we don't get the maximum. And then, as far as preparing for jail, I knew DXE would put money on our books. Wayne said he would write us a letter every day. And so we'd have support on that end. But I don't know, Alexandra, did you? How did you prepare for the prospect of going to jail?

**Alexandra:** I've had experience with the court systems, and I know they always tell you the worst, and 60 days would've been bad optics for them, and I didn't expect to get 60 days. I didn't expect to win either. And even our lawyer, in the end, Chris Caraway, what does he have us at? 10% winning or something?  
\*laughing\*

**Alicia:** Yeah, I think he went up to 30, and he said for him, that's like major!  
\*both laughing\*

**Alexandra:** But to me, the outcome was never an issue. It was not. Alicia and I were always clear that we were just human proxies for these two chickens who had no rights in court. So what happened to us was not nearly as important as the fact that at least their story was being heard, and that was the most important thing.

And if we were sent to jail, then I know there would've been a positive outcome for the movement, or there would've been something positive. And all in all, we turned down five plea deals, Alicia and I. They offered us plea deals, which involved no jail time, and small sums under \$45, I think. There were very small sums and under 50 hours of community service, something like that.

But we turned those down, and I, for one, knew that whatever happened to me was a lot better than what happens to the chickens every day. So it was really...I didn't even think about it. Didn't have any plans for jail.

I expected to be...I guess I just thought it was really bad optics if they did send us to jail, even if we lost, and that, at most, it might be five days is what I expected.

**Mariann:** Yeah. I just think back, I don't know whether you know of this, but there was a case many years ago in New York, right around where I live, with a defendant, Adam Durand, and he was kind of the first. They went into a Wegman's battery farm, took out some chickens, filmed the whole thing, and he got sentenced to a year with no record whatsoever.

So, yeah, it's a little scary. I think I was more scared for you than you were.

**Alexandra:** Oh, you know, I didn't know about Adam until Wayne told us during the trial, but I think things have changed about animals since then. And there's so much more...because of open rescues and the documentation of animal rescuers, like Alicia and I and Adam, people know what's going on behind these slaughterhouse doors, so there's less empathy for slaughterhouses.

They know they're not small family farms, so it's a different situation. I really think...I can't imagine this, but even if it had been six, it would've been okay with me. We would've figured it out.

**Mariann:** Yeah. Well, I guess you would've had to. \*all laugh\*

So speaking of the attention and the way things have changed, what about the press? Were you pleased with the attention from the press that you got? Did you think it deserved more? Were you both pleased and thought it deserved more? How did you feel about the press that you got?

**Alicia:** Well, luckily, because Alexandra has been in Baywatch and then she's been an actress...

**Mariann:** It helps to go in being famous.

**Alicia:** Yeah. It really helped us so much because I don't think either one of us was expecting this much press. Also, going into the trial, we're like, "It's just a misdemeanor trial. Is it going to be good for the movement?"

Neither one of us wanted to take too many resources from the organization or the movement if the trial wasn't worthwhile.

So the press we got, at least for me, I was blown away by it. And I think we did really, really well on that end. Even that *New York Times* opinion piece that came out before the trial...

**Mariann:** That was amazing! Farhad Manjoo, was that the piece?

**Alicia:** Yeah. I told Alexandra regardless of what happens with the trial; we've already won.

We got this amazing *New York Times* opinion piece. That's always the goal of these trials to raise awareness, and so I think guilty, not guilty, we did our job, and then there was just so much more press after that, and then we won, which was great for the movement too.

**Mariann:** Yeah, yeah. Really, really perfect.

Although I do think it's time for somebody at a big news outlet, the *New York Times* or whatever, to start doing a deep dive into what's going on here. Why are people being acquitted of things that the industry seems to think are obvious crimes? I mean, what's going on here, and what is happening? I think it's a perfect opportunity for that kind of coverage. But yeah, I thought the press was substantial.

Did anything happen at trial that really surprised you, or did it kind of go according to the way you thought it would?

**Alicia:** Being found not guilty. \*all laugh\*

**Alexandra:** Yeah, exactly. I'd never been on trial before. I'd been to other people's trials, but it's a fascinating process, and I think I really appreciated our lawyers always checking in with us to find out, "Okay, this is their strategy, is it okay with Alicia and me that they move forward in that vein?"

I thought we also had the value defense, so we put forth, I think it was four defenses, Alicia?

I didn't realize this; everything is discussed. Everything is divulged, and Mariann, you know this, but everything, whomever we're gonna put on the stand, we tell them, there are no surprises so everyone can do their homework and may the best arguments win. And so we had value, which is one of the arguments, was that the chickens were of no value to Foster Farms because they were so sick.

And Alicia's necropsy proved that as well as the video that we had of the birds after we rescued them. It was interesting that we thought that was gonna be probably our best argument, and it actually didn't really factor nearly as much into the jury's decision. We have spoken to three jurors since then, and it seemed that it was mostly the fact that we were so open. We admitted that we did it.

When asked if we would've returned the chickens, we said no. We were extremely open with everything, and that really helped our case, and that's something I would definitely advise animal rights activists going forward. Is that you're open even if you think it's like, "Oh no, they're not gonna like that." If you're open upfront with it and honest, and you explain why, they understand.

**Mariann:** Yeah. Or they learn. I mean, some people have probably never heard people talk about animals in that way before. I mean, we're so used to hearing them disdained and just treated as nothing, especially chickens. That just to experience someone talking seriously about them and feeling seriously about them, I'm sure, had a huge impact on the jury.

**Alexandra:** We made sure to name them, and we used their names, whereas the prosecution had a document where they said "the chicken labeled as Ethan" because they were so trying not to fall into our language. \*Mariann and Alexandra laugh\* But, yeah, we insisted on (naming) them; we called them by their gender, not it. We told personal stories of our relationship with chickens and why they have personalities.

Alicia told a beautiful story. She's had so much experience with them, and I told a story of a rescue that I did of chickens several years ago so that they understood that we really did believe what we were doing. It was not what the prosecution tried to paint and repeated about 10 times "an activist stunt."

That was not what we were doing. We were trying to save lives.

**Mariann:** Right. They always seem to miss the fact that...and in any context, whenever the industry is talking about animal activists, they seem to miss the fact that we're actually motivated by the fact that we actually care about animals. They're always looking for some other reason we're doing this.

What other possible reason could there be to do any of this? Like you'd have to be crazy! \*all laugh\* If you didn't actually care...

**Alicia:** And actually, the prosecution and the whole case, like, that was more of a publicity stunt. You know, we got so much more publicity off of the case that they're charging us with than even the rescue, you know?

It's so silly. It's like, "You all are giving us a lot of press opportunities here."

**Alexandra:** You know, that's a dilemma that these corporations are going to have to deal with going forward.

**Mariann:** Yeah. I don't know what their next step is.

**Alexandra:** Mariann, I think I do know what their next step is, and it's not pretty. I think it's restitution.

I think they're going to start demanding lots of restitution money from activists for the quote-unquote loss of money from trade or whatever. That's my assumption for their next step.

**Mariann:** Well, we'll have to see, and we'll just have to be ready. What about this DA? You had mentioned her, and she's made some statements after the trial.

What's going on with her? Do you think that this is a real cause for her?

**Alicia:** I think she's in an animal ag county. I mean, maybe she has a background. Who knows? I don't know who her parents are if she grew up on a dairy farm or was in 4H, but it is like big business in Merced County.

There are farms everywhere. Factory farms. So I think to get elected DA, you want to run on a platform of, "Oh, I'm gonna be tough on ag crime because most of your constituents are farmers. They work at farms or are ranchers, things like that. But I don't know much about her. It's just slightly frustrating, though, because we've reported the animal cruelty to the DA and Sheriff, animal control, all in Merced County, and we've re-reported it after trial now that it's like, "you all know about this animal cruelty," and then still nothing's happening. So it is just so disappointing.

**Mariann:** I mean, I don't see how something could happen, you know. If they were going to address animal cruelty, they'd have to shut down the industry. We've gone so far into this dark hole that they don't know how to get out of it, I think.

All right. So you talked a little bit about what the next steps of the industry is. What about next steps for DXE? Whether it was planned or it sort of happened organically, this really all came together; all these trials are happening very close together, and the whole theory of open rescue and the whole use of the necessity defense, clearly a thought-out theory of change, which Wayne is always talking in those kinds of terms.

Either you personally or for DXE, what do you see next as the next steps? More of these open rescues, or new ideas, or what for you personally?

**Alicia:** Well, coming up soon, we have the Animal Liberation Conference. It's June 9th through the 14th, so that'll be a good opportunity to hear from people and trainings. There'll be actions and where these ideas will probably be discussed, but I think we're always going to be doing open rescue because telling the stories of these individuals, it's so powerful.



It's such a powerful tool in really showing what's happening behind closed doors is very important. But I think as an organization, Direct Action Everywhere, we always want to grow and get better. One of our values is doing our homework. We just really pride ourselves in doing a lot of research and really thinking things out and trying to be as strategic as we can.

So, I don't know. I'm sure there will be new things, but I'm not sure...

**Alexandra:** I'm gonna keep doing investigations and open rescues.

My sister-in-law is a paralegal. She works with animal nonprofits, but she's a paralegal, so she does a lot of research, and she does the political lobbying and things like that.

And she told me she watched the trial from beginning to end because she's a legal nerd. And she said, "Do you know, Alexandra, I didn't really think much of open rescue before, and I didn't really understand why you were so involved in it. But after seeing the trial, I do understand the power of it, and I think it's huge."

I was really moved by the fact that she said that and heartened that our trial had an impact on her like that. I do think we need to continue doing these kinds of grassroots open rescues all over the world and shedding light on what goes on behind closed doors in a really open, transparent way and challenging these systems in courts. And yes, there will be people who will have to pay the price, but we need to continue to fight in the courts as well as in the courts of public opinion and politically- all sorts.

But the courts- it's so important. I do think these investigations and these open rescues are a really good platform for that, especially if we can use the necessity defense. One thing, I was thrilled, of course, that we were able to go to court and that we got this outcome, but the outcome was very much based on human values...like, okay, value, what is this chicken valued at? Is it worth it to the company? That was one of the defenses that we had.

And then mistake of law was based on Alicia and me and what we thought about the law. Not once was actually Jax and Ethan...

So that's the next step for court cases. I mean, these are great, and they're laying the groundwork, and they're opening the doors. But we need to get rights for chickens, not just for activists. For chickens to have a better life and I would like to see laws protect them instead of us having to try and get in the back door.

**Mariann:** Yeah, absolutely. I mean, it's a brilliant theory of change, and I'm all for it. I think it's just a tragic failure of the law that people have to put themselves at risk of imprisonment just, basically, to get a cruelty case into court.

I mean, we are supposed to have cruelty laws, and they're not protecting any of these animals in any way whatsoever, but they are laws, and the only way people can actually have the courts address what is illegal cruelty is to put themselves at risk. I mean, I think it's a tragic misuse of the law.

**Alexandra:** I mean, a lot of these laws don't cover animals we eat.

**Mariann:** But in California, they do!

**Alexandra:** In Cali... Well, therein lies the...

**Mariann:** In New York, they do. In plenty of states, they do. And nothing is any better in those states than in states...even in states where they don't cover the, don't get me started...

Even in states...

**Alexandra:** No, please go start. \*laughs\*

**Mariann:** You know, it's just they make exemptions for customary farming practices. They don't wanna go into court and argue that what they're doing to these chickens, that they're all diseased, and they don't wanna argue that that's customary. There are definitely holes there. Even though it is customary, you know, they would have a very hard time making that public.

So there are holes in the law, but there's just no way to get them into court other than for passionate people to risk their own freedom. And I just think it's a tragedy.

**Alexandra:** And even then, it's hard to get into court because, you know, we had one of our activists in Iowa who did a brilliant investigation on pigs. And on the morning of his trial, they pulled it, and you know, it was very disappointing.

One of the interesting things in court that Wayne noted about our trial was that normally it's the prosecution trying to get all the information and the defense trying to keep everything out. But for us, it was us trying to get everything in.

And we both testified on our own behalf, which is not common among defendants, and the prosecution trying to get everything out, don't show the videotape. Alicia and I had seen a videotape of extreme cruelty, not killing, not the slaughter, but outside of the normal slaughter at this slaughterhouse.

Animals being boiled alive, buried alive. And we weren't allowed to get that video in. We weren't allowed to get Hadar Aviram's letter in, and all those things made the jury go, "Hmm, what are they hiding?" And so that's why I just want to reiterate- transparency is crucial and setting up all activists out there listening who want to make a change.

You've got to think, "Okay if this goes to court, what do I need to do?" And one of the things you need to do is you need to do what Alicia did, which is get a necropsy. What Alicia did also, which is reach out to all sorts of county and federal, and animal legal agencies beforehand, saying, "This is cruel."

**Mariann:** Absolutely. Before you do your action, I mean, the first advice you will get from any lawyer on any case, anything, not just this, but any case, is document everything. Everything you do, you write it down because you're not gonna remember it. Everything you do, everything that gets said to you, everything that you can possibly document, write it down, and then you are so much more likely to be able to get something into court.

**Alexandra:** Right. So we have to just keep challenging, keep pushing, and there will be a judge. There will be a judge and a jury who allows the necessity defense, and the jury acquits based on the necessity defense.

**Mariann:** Yeah, it's an obviously applicable defense. It's just outrageous. But I can't keep going on and on about it.

I just couldn't be more grateful to you for what you've done and for coming on and telling us about it.

It's just really, I'm so inspired. Thank you so much to both of you.

**Alicia:** Thank you.

**Alexandra:** Thank you so much for having us on, Mariann.