

To Sonoma County District Attorney Carla Rodriguez:

We are extremely concerned by your office's felony prosecution of nonviolent animal rescuer Wayne Hsiung and the request of prosecutor Robert Waner to immediately incarcerate Wayne without bail. Your office has attempted to characterize Wayne as a danger to society although you are well aware that he and the organization he co-founded, Direct Action Everywhere (DxE), are committed to the principles of nonviolence; nonviolence is the first of DxE's [core values](#). Wayne's intentions have always been to serve the public's best interest both by providing transparency around the conditions animals are living and dying in at factory farms in Sonoma County and by providing aid to animals that your office has refused to help.

We stand in support of Wayne Hsiung. The actions of May 29, 2018 and June 3, 2019 at Sunrise Farms and Reichardt Duck Farm respectively were last-resort efforts to aid suffering animals after the authorities, including your office, ignored repeated reports showing clear evidence of criminal animal cruelty at [Sunrise](#) and [Reichardt](#).



*Pre-action photos at Sunrise Farms of a hen stuck in a wire cage (above) and a deceased hen covered in feces.*



*Pre-action photos at Reichardt Duck Farm of ducks stuck on their backs (above) and a deceased duck missing feathers.*



If the jury had been allowed to see the full extent of suffering at these factory farms, they likely would have understood that Wayne and the other activists had a clear intention of providing aid to severely neglected animals, not of committing a crime. Deputy District Attorneys Waner and Mills knew this, and that is why they fought so hard to conceal evidence of animal cruelty from the jury, [arguing](#) that it would “play on the sympathies of the jury.” They successfully [motioned](#) to exclude evidence including photographs and [necropsy reports](#) of dead ducks removed from

dumpsters at Reichardt Duck Farm by activists on June 3, 2019 that found E. Coli, Staphylococcus aureus, Enterococcus and Reimerella Anatipestifer; Mercy For Animals' [exposé](#) of animal cruelty at Reichardt Duck Farm in 2014 and resultant police [investigation](#) at the facility; and all evidence from DxE's 2018 rescue effort at McCoy's Poultry Service including the Sonoma County Animal Services [report](#) confirming DxE's findings and referring the farm owner as a suspect of criminal of animal cruelty to the Sheriff's Office, a referral that was never acted on.

Through this prosecution, your office has [shown the public](#) that it is more concerned with penalizing nonviolent activism than stopping rampant violent crimes against animals. You are prioritizing the profits of a few powerful companies over the protection of animals and consumers who are [falling ill](#) from eating unsafe animal products. You are failing the animals and your constituents. You are failing to uphold your stated responsibility.

On your [website](#), you state, "As a representative of the People of the State of California, the District Attorney's Office has the responsibility to prosecute **all criminal matters** in the County of Sonoma." Yet, you have repeatedly refused to act on clear evidence of criminal animal cruelty at factory farms in the County of Sonoma, including at Sunrise Farms, Reichardt Duck Farm, and Petaluma Poultry. You further state, "We consistently apply equal justice under the law to protect our community and ensure that victims of crime are treated with compassion and respect." Please do not ignore the nonhuman victims of crimes. The Sonoma County District Attorney has [previously prosecuted](#) animal cruelty to dogs, and worked with the Sonoma County Animal Shelter to place victims into loving homes. However, when it comes to the systemic animal cruelty perpetuated by companies rather than mere individuals, the tables turn. Instead of holding these companies accountable for their criminal animal cruelty, you have prosecuted the whistleblowers and animal rescuers. You are not applying "equal justice under the law" and you certainly are not ensuring "compassion and respect" for all victims of crime. Please uphold your own commitments and address the rampant animal cruelty at factory farms in your county, including at Sunrise Farms, Reichardt Duck Farm, and Petaluma Poultry.

As set forth in DxE's repeated reports to your office, including their [November 2, 2023 report](#) with footage from this year, the cruel conditions at these farms violate California Penal Code Section 597 and the precepts of California Health and Safety Code Sections 25990, et seq. We are therefore asking that you immediately investigate the conditions at these farms and upon finding violations of the law, prosecute for animal cruelty and endangering public health.

Sincerely,