

California aims to crack down on animal rights extremists

After a series of high-profile attacks against researchers by animal rights extremists, California lawmakers have crafted new legislation to shield scientists from such threats. On 29 August, the state assembly unanimously approved the Researcher Protection Act of 2008, which would make it a criminal offense in California to enter a researcher's home property with the intent of "chilling, preventing the exercise of or interfering with the researcher's academic freedom." The legislation would also make it a misdemeanor to publish personal information about researchers or their immediate family members to facilitate violent crimes.

The bill now goes to the desk of California Governor Arnold Schwarzenegger, who is expected to make a decision before November 30. As *Nature Medicine* went to press, Schwarzenegger had not yet signed it into law.

In 2006, US President George W. Bush signed the Animal Enterprise Terrorism Act, which made it a crime to deliberately cause economic damage to an institution engaged in animal research. The law also set penalties as severe as life imprisonment for physically harming researchers.

But state and local law enforcement need their own tools to track down perpetrators, according to California State Senator Joe Simitian. "There are real limits to the ability to use federal statutes to address local problems," he says. "When we have laws on the books that can be enforced locally, we are more effective in protecting researchers." If, for example, local police have the authority to arrest activists for trespassing on private property, they can collect fingerprints and DNA that might help with investigations of more serious crimes. Although California already has a suite of trespassing laws, most do not cover an activist's entry onto a researcher's property. One law, for example, makes it illegal to enter someone else's property if there is protective fencing or signs against trespassing, but many neighborhoods do not allow fencing and signs.

The new legislation in California is sponsored by the University of California (UC) system, where "there seems to be an escalation of violent attacks [by animal rights extremists] in recent years," says UC spokesman Paul Schwartz. In the last year at UC Berkeley alone there have been 70 reported incidents—20 of them criminal—in which animal rights extremists have harassed



Confrontations hit home: Legislation aims to better protect researchers from extremists

or terrorized researchers. At other UC campuses, activists have issued death threats, planted firebombs in cars and appeared at scientists' homes in the middle of the night shouting threats through megaphones. The aggression seemed to reach a new level in August, when two UC Santa Cruz researchers were targeted in firebomb attacks—one of which drove a molecular biologist, his wife and two young children to flee their home through a second-story fire escape.

Fringe movement

Jerry Vlasak, a spokesman for the North American Animal Liberation Press office, compares the animal rights movement to the effort to end apartheid in South Africa. Vlasak argues that animal rights advocates have no choice but to go to extreme measures when "peaceful means have been used and rebuffed."

But Michael Markarian, executive vice president of the Humane Society of the United States, the nation's largest animal protection organization, characterizes terror tactics as a renegade activity by a handful of extremists on the fringe of the movement. "This conduct is reviled by mainstream advocates of animal protection," says Markarian, noting that the activists' behavior is at odds with the humane and merciful principles they claim to defend. The Humane Society is offering a \$2,500 reward for information leading to the identification,

arrest and conviction of whoever is responsible for the recent firebomb attacks in Santa Cruz.

Historically, extremists have targeted researchers who study larger species, such as monkeys and chimps. But now they are going after scientists who work on mice and fruit flies, explains Frankie Trull, president of the Washington, DC-based National Association for Biomedical Research, which advocates the humane and responsible use of laboratory animals. "What's particularly unnerving to researchers [is that] the trend is shifting from doing destruction to a research facility, smashing equipment and stealing animals to these very personal attacks on researchers in their homes."

According to US Federal Bureau of Investigation (FBI) spokesman Brian Hale, "the FBI considers animal rights extremists one of the top domestic terrorist threats."

Critics argue that the new California legislation will infringe upon constitutional rights, because distributing pamphlets with information about researchers is a form of free expression. But this is one of the reasons the bill has undergone so many revisions since April, when Assemblyman Gene Mullin first proposed it. "There can and should be a vigorous debate about the boundaries of appropriate resistance," Simitian says. "But when that debate degenerates to violence, it's clearly out of bounds."

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