

# The Center For Consumer Freedom®

January 17, 2019

Michael O. Twigg  
State's Attorney  
59 Prospect Square  
Suite 111  
Cumberland, MD 21502

## **RE: Request for Investigation – Felony Wiretapping**

Dear Mr. Twigg:

I wanted to bring to your attention an unlawful investigative technique used in Cumberland by the radical animal liberation group People for the Ethical Treatment of Animals (PETA). We ask that you investigate the matter and take appropriate action.

In the federal lawsuit *PETA v. Tri-State Zoological Park of W. Maryland*, 2018 WL 5761689, No. 1:17-cv-02148, the presiding judge has indicated that PETA surreptitiously recorded audio, without all parties' consent, at the Tri-State Zoo in Cumberland as part of a vigilante "investigation" of the facility.

As you are aware, Md. Code, Cts. & Jud. Proc. § 10-402 (the Maryland Wiretap Act) requires that a person must obtain all parties' consent before recording oral communications. PETA's undercover investigation of the Tri-State Zoo resulted in more than 300 photographs and 70 video recordings. PETA admitted in a deposition that the operatives "would not have asked [for] permission' to record audio."

Judge Paula Xinis' opinion states: "PETA's own internal memorandum and deposition testimony strongly suggest that certain of its video recordings also include audio." The judge concludes: "PETA appears to have unlawfully recorded audio without first obtaining consent of those who were recorded."

While the judge has declared she will not allow unlawfully obtained evidence to be admitted, PETA and its agents should also face criminal sanctions if they violated Maryland wiretapping laws.

In fact, it would not be the first time the animal rights group has demonstrated it is willing to put criminals ahead of the law.

## **PETA's History of Supporting Criminals**

In 1995, Rodney Coronado, a radical animal rights arsonist, was sentenced to 57 months in jail for torching a Michigan State University research lab. In a 2002 speech, Coronado openly confessed to at least six other arsons he committed in a crime spree in the name of animal rights. As the FBI was investigating Coronado, PETA contributed more than \$70,000 in "grants" to his legal defense fund. Coronado's actions were part of "Operation Bite Back," a series of crimes against universities and private businesses associated with the fur industry. The criminal operation was carried out at the behest of the Animal Liberation Front (ALF), which the FBI has designated a domestic terrorist group.

According to Coronado's sentencing memo, "PETA announced that it was acting as the media conduit for the ALF" and issued a press release in support of Coronado. The memo additionally notes that immediately before and after the MSU arson, Coronado sent packages to the founder of PETA, Ingrid Newkirk. The second package was intercepted and was found to contain documents stolen from an MSU researcher. Additionally, this package addressed to Newkirk contained a video of a "perpetrator of the MSU crime, disguised in a ski mask."

A search warrant recovered the contents of the first package and revealed that Coronado, Alex Pacheco (another of PETA's founders), and others had planned a raid at Tulane University years prior, assembling burglary tools, code names, surveillance logs, phony identification and more.

In 2001, PETA made a \$1,500 donation to the Earth Liberation Front, a sister outfit of the Animal Liberation Front. The ELF is also considered a terrorist organization by the FBI and is responsible for a number of arsons.

Tellingly, current PETA president Ingrid Newkirk has stated, "I will be the last person to condemn" the Animal Liberation Front. She has also stated, "More power to SHAC if they can get someone's attention." Leaders of SHAC, which refers to Stop Huntingdon Animal Cruelty, were successfully prosecuted under the Animal Enterprise Terrorism Act for waging criminal campaigns.

More recently, PETA has been affiliating with Direct Action Everywhere (DxE). The founder of DxE, Wayne Hsiung, is speaking this month at Stanford on the topic of "changing the law by breaking it."

Breaking the law is something Hsiung and his associates are familiar with. DxE recommends its activists get arrested to make a point. Following a demonstration and the removal of 15 chickens at a poultry farm in California, six DxE activists are now facing felony burglary, theft, and trespassing charges. Whole Foods received a restraining order against DxE after activists harassed shoppers.

## **Conclusion**

The methods used by PETA in *PETA v. Tri-State Zoological Park of W. Maryland* appear to violate the Maryland Wiretap Act. We urge your office to take appropriate action to hold this organization accountable.

Sincerely,

Will Coggin  
Managing Director