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**Federal Appeals Court Strikes Down Provisions of Idaho's Ag-Gag Law in Precedent-Setting Victory for Animals, Workers, Free Speech**

*Ninth Circuit Rules Audio, Visual Recording of Factory Farms is Protected by First Amendment*

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SAN FRANCISCO – Today the United States Court of Appeals for the Ninth Circuit became the first federal appellate court to strike down provisions of an Ag-Gag law, holding that Idaho's ban on recording conditions at factory farms and slaughterhouses violates the First Amendment. This victory for free speech comes in a lawsuit filed in 2014 by a coalition of public interest groups and journalists led by the Animal Legal Defense Fund.

Today's decision states that Idaho's law is "staggeringly overbroad, and that the purpose of the statute [is], in large part, targeted at speech and investigative journalists." The court concluded that "Idaho is singling out for suppression one mode of speech—audio and video recordings of agricultural operations—to keep controversy and suspect practices out of the public eye."

In addition to striking down the recording ban, the court also upheld other provisions in the law only after construing them narrowly.

The Idaho legislature enacted its Ag-Gag law after an undercover investigation by Mercy for Animals revealed rampant cruelty at an Idaho dairy farm. Drafted by the Idaho Dairyman's Association, the law would have criminalized investigative public interest journalism.

"The Ninth Circuit's decision sends a strong message to Idaho and other states with Ag-Gag laws that they cannot trample civil liberties for the benefit of an industry," says Animal Legal Defense Fund Executive Director Stephen Wells.

The Animal Legal Defense Fund is the nation's preeminent legal advocacy organization for animals and successfully led a coalition to strike down Utah's Ag-Gag law in 2017 and has litigation pending against Ag-Gag laws in Iowa and North Carolina.

The coalition in the Idaho case includes the Animal Legal Defense Fund, the American Civil Liberties Union (ACLU) of Idaho, Center for Food Safety (co-counsel), People for the Ethical Treatment of Animals (PETA), Public Justice, Farm Sanctuary, River's Wish Animal Sanctuary, Western Watersheds Project, Sandpoint Vegetarians, Idaho Concerned Area Residents for the Environment (ICARE), the political journal CounterPunch, Farm Forward, journalist Will Potter, Professor James McWilliams, investigator Monte Hickman, investigative journalist Blair Koch, and undercover investigations consultant Daniel Hauff.

For more information, visit [aldf.org](http://aldf.org).

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### **About the Animal Legal Defense Fund**

The Animal Legal Defense Fund was founded in 1979 to protect the lives and advance the interests of animals through the legal system. To accomplish this mission, the Animal Legal Defense Fund files high-impact lawsuits to protect animals from harm; provides free legal assistance and training to prosecutors to assure that animal abusers are punished for their crimes; supports tough animal protection legislation and fights harmful legislation; and provides resources and opportunities to law students and professionals to advance the emerging field of animal law. For more information, please visit [aldf.org](http://aldf.org).

### **About PETA**

Founded in 1980, PETA is the largest animal rights organization in the world, with more than five million members and supporters worldwide. PETA uses public education, cruelty investigations, celebrity involvement, protest campaigns, and other innovative tactics to spread the message that animals are not ours to eat, wear, experiment on, use for entertainment, or to abuse in any other way. For more information, please visit [PETA.org](http://PETA.org).

### **About the ACLU of Idaho**

The ACLU of Idaho is a non-partisan organization dedicated to the preservation and enhancement of civil liberties and civil rights. We believe that the freedom of press, speech, assembly, and religion, and the rights to due process, equal protection and privacy, are fundamental to a free people. The ACLU of Idaho strives to advance civil liberties and civil rights by activities that include litigation, education, and lobbying. For more information, please visit [acluidaho.org](http://acluidaho.org).

### **About Farm Sanctuary**

Founded in 1986, Farm Sanctuary works to change how our society views and treats farm animals through rescue, education and advocacy. The organization provides lifelong care for animals rescued from abuse at four sanctuary locations in New York, California and New Jersey; promotes compassionate vegan living; and advocates legal and policy reforms. To learn more about Farm Sanctuary, visit [farmsanctuary.org](http://farmsanctuary.org).

### **About Center for Food Safety**

Center for Food Safety's mission is to empower people, support farmers, and protect the earth from the harmful impacts of industrial agriculture. Through groundbreaking legal, scientific, and grassroots action, we protect and promote your right to safe food and the environment. Please join our more than 750,000 consumer and farmer advocates across the country at [centerforfoodsafety.org](http://centerforfoodsafety.org). Twitter: [@CFSTrueFood](https://twitter.com/CFSTrueFood), [@CFS\\_Press](https://twitter.com/CFS_Press)

### **About Public Justice**

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Public Justice pursues high impact lawsuits to combat social and economic injustice, protect the Earth's sustainability, and challenge predatory corporate conduct and government abuses.

Public Justice's Food Project seeks a more sustainable, honest, humane and safe food system. In our lawsuits, we represent farmers, rural communities, consumers, and workers who share our vision. In our advocacy, we spread awareness of the systemic inequities that have allowed this corporate takeover of our food system and show policymakers and the public how they can support a return to farming focused on sustaining communities rather than extracting profit. Learn more at <https://www.publicjustice.net/what-we-do/food-safety-health/>

### **About Western Watersheds Project**

Idaho-based Western Watersheds Project seeks to protect and restore western watersheds for wildlife. [www.westernwatersheds.org](http://www.westernwatersheds.org) or Twitter @wildadvocate