



## Animals In Court

We have often written about the importance of the legal system to the fight for animal rights ([ISAR's Amicus Curiae Brief Has Been Filed In The Supreme Court](#), [ISAR Amicus Curiae Brief in U.S. v. Stevens](#), [ISAR In The Supreme Court Of The United States](#), [Free Speech and Cruelty to Animals](#)), and most recently about the case of *United States v. Stevens* now pending in the Supreme Court of the United States and scheduled for argument on October 6, 2009.

As ISAR supporters know, we have submitted an *amicus curiae* ("friend-of-the-court") [brief](#) in that case on behalf of the government, in an effort to save the federal statute which makes it a crime to create, possess or sell videos of animal cruelty.

In our various essays about the importance of the *Stevens* case to the cause of animal rights, we have expressly and by implication stressed even the greater importance of using the courts in the name of animal protection, and doing so by taking advantage of court rules which allow the submission of *amicus curiae* briefs.

In the *Stevens* case, the "Petitioner" is the United States government, represented by the Solicitor General of the United States, which lost in the United States Court of Appeals for the Third Circuit when it declared the "crush video" statute to be an unconstitutional abridgement of the First Amendment.

The "Respondent" is Robert J. Stevens, who was convicted in the federal trial court of trafficking in the illegal videos.

Below you will find a list of individuals and organizations who have filed *amicus curiae* briefs, and on whose behalf-and live links to their actual briefs.

ISAR encourages you to open each brief to its Table of Contents. There you will find an outline of each argument. Apart from the constitutional and other arguments, we want you to focus on a separate, but extremely important, question: *who has supported the animals, and who has supported the complicit animal abuser?*

Supporting the government are a few "criminal justice" interests. They understand the importance of the statute for law enforcement. Another brief focuses on technical constitutional analysis, and argues that the statute is constitutional and applies to Stevens.

That leaves only *five* briefs from animal protection organizations-- NWARN, HSUS, ALDF, ISAR, ASPCA-in support of constitutionality, and thus for the animals. Putting aside the obvious differences in approach among the briefs, the fact is that these five organizations have stood up for the animals. ISAR's question is: *where is everyone else?*

Our answer is that they're either indifferent or asleep at the switch, and we don't know which is worse.

That's not true of the other side, supporting the monstrous Mr. Stevens. Weighing in are the hunters, booksellers, entertainers, reporters, media, photographers, hikers-you name them (and you can read not only their arguments, but their stated interests in this case, which include everything from "freedom of expression" to "enjoying the outdoors").

You will note from the covers of these briefs that the *amici* are represented by some of the brand names of the First Amendment bar, lawyers and professors alike, and some of America's largest law firms.

The *Stevens* case is thus both an example and a microcosm of what the animal protection movement is up against in the courts of America.

Unless many more participants in this movement understand the importance of using the courts to help animals, and begin to act accordingly, we will continue to fight on an unequal playing field and the real losers will be the animals.

## **Amicus briefs**

### **For the Petitioner, and the statute**

[Brief for The Center on the Administration of Criminal Law in Support of Petitioner](#)

[Brief for The Northwest Animal Rights Network in Support of Petitioner](#)

[Brief for The Humane Society of the United States in Support of Petitioner](#)

[Brief for The Animal Legal Defense Fund in Support of Petitioner](#)

[Brief for Florida, Alabama, Arkansas, Arizona, California, Colorado, Connecticut, Hawaii, Illinois, Indiana, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Montana, New Hampshire, New Mexico, North Carolina, Ohio, Rhode Island, South Carolina, Texas, Utah, Virginia and West Virginia, in Support of Petitioner](#)

[Brief for International Society for Animal Rights in Support of Petitioner](#)

[Brief for American Society for the Prevention of Cruelty to Animals in Support of Petitioner](#)

[Brief for Washington Legal Foundation and the Allied Education Foundation in Support of Petitioner](#)

### **For the Respondent, and against the statute**

[Brief for the National Shooting Sports Foundation, Inc., in Support of Respondent](#)

[Brief for the Association of American Publishers, Inc., the American Booksellers Foundation for Free Expression, the Association of American University Presses, the Comic Book Legal Defense Fund, Entertainment Consumers Association, Entertainment Merchants Association, Film Independent, Freedom to Read Foundation, Independent Book Publishers Association, Independent Filmmakers Project, Independent Film & Television Alliance, The International Documentary Association, the National Association of Recording Merchandisers, the National Association of Theater Owners, Inc., and Pen American Center, in Support of Respondent](#)

[Brief for the Reporters Committee for Freedom of the Press and Thirteen News Media Organizations in Support of Respondent](#)

[Brief for The Professional Outdoor Media Association, the American Society of Media Photographers, the North American Nature Photography Association, the Pennsylvania Outdoor Writers Association, the Southeastern Outdoor Press Association, and the Texas Outdoor Writers Association in Support of Respondent](#)

[Brief for the National Rifle Association of America, Inc., in Support of Respondent](#)

[Brief for the 1st Amendment Lawyers in Support of Respondent](#)

[Brief for the the DKT Liberty Project, the American Civil Liberties Union, and the Center for Democracy and Technology in Support of Respondent](#)

[Brief for the Thomas Jefferson Center for the Protection of Free Expression in Support of Respondent](#)

[Brief for the Safari Club International and the Congressional Sportsmen Foundation in Support of Respondent](#)

[Brief for the National Coalition Against Censorship and the College Art Association in Support of Respondent](#)

[Brief for the CATO Institute in Support of Respondent](#)

[Brief for A Group of American Law Professors in Support of Neither Party](#)