

California Needs Local Enforcement Tools Against Rampant Cockfighting in the States, Supplementing State and Federal Prohibitions Against the Activity

Proposal: Pass a law in California to impose a limit on the number of roosters anyone can have, with appropriate exemptions for legitimate agricultural operations.

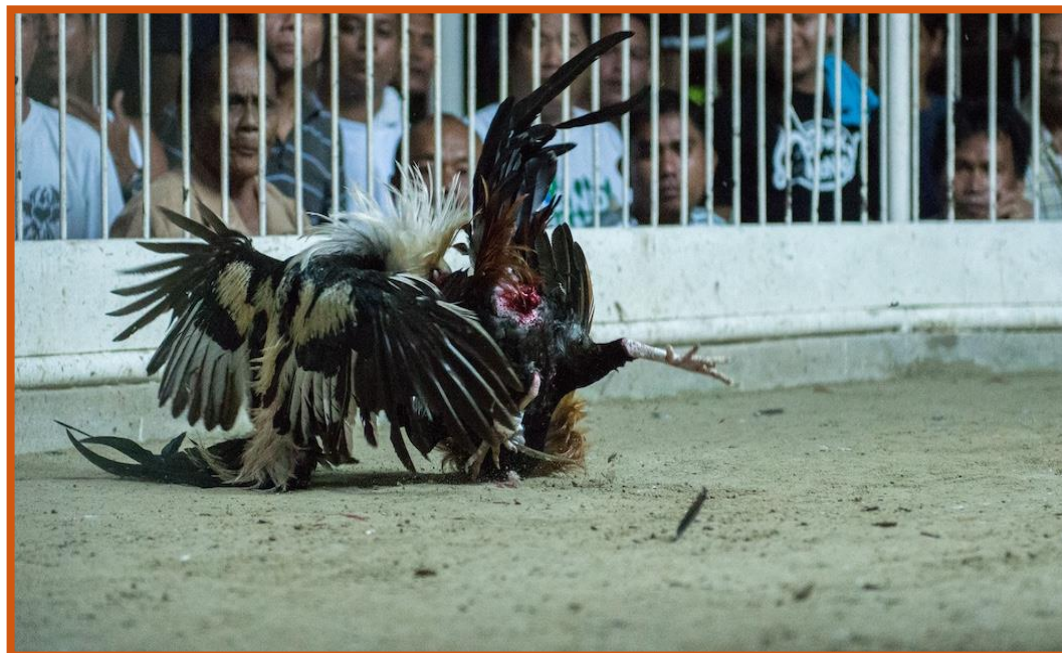
Background: California banned cockfighting in 1905, but it's persisted as the state's most widespread form of illegal animal cruelty. There are fights throughout California, but there is also a disturbingly widespread cockfighting breeding industry, where cockfighters maintain roosters on tethers or in cages and "farm" the birds for cockfights in the state or for transport to other states, territories, and nations.

Why a strengthened statewide law is needed: 1) Cockfighting is barbaric, 2) It is bound up with other criminal behavior, such as drug trafficking, illegal gambling, and money laundering, 3) It threatens to spread avian disease to commercial flocks of laying hens and broiler birds (multi-billion dollar industries in California) and to bird hobbyists, and 4) It costs taxpayers hundreds of millions when disease outbreaks occur, with **cockfighters themselves reaping millions** in compensation payments.

The plan: Pass statewide legislation to place a cap on numbers of owned roosters (no more than five roosters on a parcel) to prevent commercial breeding for fights and for sales of fighting birds to other players in the enterprise domestically or internationally. This policy will protect the animals from cruelty and enhance biosecurity for our farms.

The law would provide necessary exemptions for legal agricultural operations and other legitimate purposes granted by county authorities. This policy addresses the problem of cockfighters masquerading as breeders of "brood fowl" or "game fowl."

Nearly 20 California counties have these limitations in place, and county law enforcement, including Animal Services, will have a tool if they choose to use it to drive cockfighters out of their jurisdictions, address the crime, disease, cruelty, and noise disturbances that are a feature of cockfighting.



Cockfighting is barbaric and it is illegal

In staged fights, roosters have knives or gaffs (curved ice-pick-like implements) strapped to their legs and they slash each other to death. The birds suffer gouged eyes, punctured lungs, and other grievous wounds for human entertainment and illegal gambling — not unlike the human and animal battles staged during Roman times at the Colosseum. Federal law bans it everywhere in the U.S., and most states themselves banned it in the 19th century.

Cockfighting is tied to the spread of avian diseases, with no state experiencing more adverse effects than California, including the state's major poultry industries

Gamefowl are high-risk disease vectors and reservoirs because they are widely sold and traded, deliberately mixed under stressful conditions at fighting derbies, reared under poor biosecurity, and employ husbandry or fighting practices that spread disease.

- Cockfighting drives outbreaks of serious poultry and zoonotic diseases especially *virulent Newcastle disease (vND)* and *highly pathogenic avian influenza (HPAI, “bird flu”)* viruses, the **two most important diseases of poultry worldwide**.
- HPAI and vND spread widely and quickly and can kill virtually every **wild bird species** and all poultry. Neither virus is normally present in the U.S. When outbreaks occur, these viruses are controlled by lethal depopulation, sometimes resulting in the killing of millions of birds.
- Ten of the 15 US vND outbreaks originated from illegally smuggled game fowl for cockfighting causing major disease epidemics in southern California in 2002-03 and 2018-20. At least 16 million birds died and close to \$1 billion was spent to control US vND outbreaks in California alone. USDA has also spent an additional \$1 billion on

containment of bird flu since the 2022 outbreak, and a new statewide policy on possession of cockfighting birds would be a hedge against the spread of disease.

- In the 2014-2015 U.S. HPAI H5 epidemic, 50.4 million commercial layers, and turkeys died or were euthanized in 21 states causing economic losses of \$3.3 billion.
- The ongoing U.S. Dec 2021-present bird flu epidemic has killed **58.65 million poultry (as of April 17, 2023) in 323 commercial flocks and 502 backyard flocks**, and countless wildfowl in all states except Hawaii. This will be the most expensive animal disease outbreak in U.S. history, costing billions of dollars to (so far unsuccessfully) extirpate the virus while inflating consumer prices for eggs and poultry.
- HPAI is worse than vND because **the bird flu virus easily mutates and can infect and kill people**. A bird flu outbreak launched or sustained by cockfighting could lead to a zoonotic avian influenza plague more harmful than the COVID-19 pandemic.

An outbreak in southern California that started in mid-2018 resulted in the killing of more than 1.2 million birds and the expenditure of about \$100 million. USDA reported that 470 premises in California have been infected with Newcastle disease, including 262 in Riverside County, 158 in San Bernardino County, 46 in Los Angeles County.

More than 15 years ago, the California public health officials **identified cockfighting operations** as the likely vector for the transmission of the avian influenza, which **spread from California into Arizona and Nevada**. Before it was contained, state and federal authorities killed 3.2 million birds and spent \$170 million. Authorities estimated there were thousands of backyard cockfighting operations in Los Angeles County alone.

In an astonishing circumstance, the state and federal government **paid out tens of millions to cockfighters** in compensation when their fighting birds were killed after disease outbreaks, enriching cockfighters. Whether or not it's warranted to make payments to cockfighters during a disease outbreak, it's best not to have these illegal flocks in the first place. Collectively, they amount to a moral and financial liability for the state.

Many counties are cracking down on the activity, but too many others have not addressed the problem or simply do not yet understand the scale of the problem.

Contra Costa, Los Angeles, Merced, Monterey, Napa, Orange, Riverside, San Bernardino, San Benito, San Diego, San Joaquin, Santa Barbara, Santa Clara, Santa Cruz, Solano, Stanislaus, Sutter, Ventura, and Yuba counties have ordinances restricting numbers of roosters an individual can maintain. Still this leaves about 40 counties without this effective anti-cockfighting and noise-abatement policy.

Case examples:

Los Angeles County: In 2017, law enforcement came upon a “cockfighting stable” in Val Verde, in northern Los Angeles County. There, **officials found** nearly 8,000 birds, many of them ill and in clusters of 100 to 200 birds, being stabled for cockfighters throughout the Southland. This was the largest raid, by number of birds, in U.S. history.

Monterey County: The **Monterey County Civil Grand Jury** investigated complaints and concerns about backyard cockfighting flocks, and released **a stunning report** about the scale of the problem and lack of enforcement. According to the report, “Numerous expert witnesses testified that today there are an estimated 1,000 known illegal rooster-keeping operations housing thousands of roosters” in the County.

Stanislaus County: On December 12, 2019, the U.S. Attorney for the Eastern District of California **arrested** the owner of Joe Sanford Gamefarm for violations of the federal animal fighting law. According to court documents, Sanford operated a 10-acre farm where he bred and sold gamecocks for cockfighting and fights his own roosters. The U.S. Attorney reported 3,000 gamefowl on the farm.

California-to-Guam: Animal Wellness Action obtained avian shipping records to Guam and uncovered more than 11,500 fighting birds from the mainland to this U.S. territory. Only Oklahoma cockfighters sent more birds to Guam for fighting than California, exposing massive contraband originating in California. A major cockfighting broker, who moves thousands of birds to the Philippines and other Pacific Rim destinations, has two gamecock farms — in Alameda and Fresno — with thousands of birds at each location.

Legal status of cockfighting under California and U.S. law:

California law: The state **bans** fighting or possessing animals for fighting, though it is the only state with misdemeanor-only penalties for a first offense (second offense may trigger a felony).

United States law: **Federal law** makes it a felony to sponsor or exhibit an animal in a fighting venture; sell, buy, possess, train, transport, deliver, or receive an animal in an animal venture; traffic in knives or gaffs for fighting; or use the mail service of the U.S. Postal Service, or advertising an animal for use in a fighting venture. It is a misdemeanor to attend a fight. The federal FIGHT Act is now proposed in Congress, and it has strong bipartisan support to enhance enforcement mechanisms to crack down on cockfighting and dogfighting.