

Mercury News

Editorial: We must expand protections for animal research

A firebombing this month came frighteningly close to harming a professor at the University of California-Santa Cruz and his family. It must prod legislators into expanding protections for scientists doing research on animals.

Lawmakers will next get their chance Monday, when a revived version of AB 2296 goes before a Senate committee. The Legislature should expedite its passage and take a second look at other safeguards that were stripped from an earlier form of the bill. Current state laws are not up to the threats posed by animal-rights militants.

The explosion that sent UC-Santa Cruz researcher David Feldheim, his wife and young children fleeing from their home and a second firebombing that destroyed another researcher's car reflect an escalation of terror at University of California campuses.

No longer are activists just targeting researchers using monkeys and higher primates but also those, like Feldheim, who experiment with mice. No longer are they just targeting university facilities; now they're vandalizing and assaulting researchers in their homes and neighborhoods.

Their indiscriminate assault on academic inquiry jeopardizes breakthroughs in vaccines, genetic research and treatments of diseases that research on animals have made possible.

In passing the Animal Enterprise Terrorism Act of 2006, Congress raised criminal penalties and demands for restitution against those who assault researchers and disrupt projects. Congress also

expanded the authority of federal agencies to investigate attacks on research. That's why the FBI immediately responded to the Santa Cruz incident.

But complementary state laws are needed to engage county district attorneys. Federal prosecutors are unlikely to pursue a case unless a felony has been committed.

AB 2296 would deal with non-violent campaigns of intimidation, such as activists who confronted a UC-Santa Cruz scientist at home during a birthday party for his daughter in February. The bill would create a misdemeanor of trespass for those who intrude on someone's property or facility with the intent of disrupting academic work.

In an earlier form, which the University of California helped draft, the bill would have banned online posting of addresses, phone numbers and photos of animal researchers and family members with the intention of harassing or harming them. Public officials and workers at reproductive clinics targeted by anti-abortion protesters have similar protections under recent state laws.

The bill also would give animal researchers a pre-emptive right to keep their identities off Internet sites.

The Assembly passed this version without dissent, but the Senate Judiciary Committee stripped these provisions because of First Amendment questions.

The public should have the right to protest animal research, to question how it's being conducted and to encourage scientists to use alternatives when possible. But scientists' rights of privacy and academic freedom must be vigorously protected, too. Not to mention their safety.

The Legislature must balance competing rights. Passing AB 2296 is the first step.