



New Jury Analysis of the Smithfield Piglet Rescue Trial

With new analysis from this farmed animal rescue case, advocates can now examine which legal arguments juries find most persuasive.

Olympia, Wash. (August 30th, 2023) — Nonprofit research organization [Faunalytics](#) analyzed transcripts from interviews with jurors of the Smithfield Foods criminal trial—in which two animal rights activists were found not guilty of “stealing” two piglets from a factory farm in Utah. This qualitative analysis will help advocates understand why jurors sided with the defense, how to potentially apply these findings to future trials, and what forms of animal activism are most convincing.

Key Findings:

1. **The “not guilty” verdict hinged, in part, on the monetary value of the piglets to Smithfield, which was argued to be less than zero.** The piglets required veterinary care that exceeded their value to Smithfield. The jury was initially hesitant to say the piglets had no worth because they saw them as having inherent worth as living beings, however they ultimately decided the theft charges hinged on *monetary* value only.
2. **The jury members believed the defendants, Wayne and Paul, did not have the intent to steal.** Before their investigation of the Smithfield facility, Wayne said on video “if there’s something we’ll take it.” The jury interpreted the “if” as meaning the two activists did not enter the facility knowing they’d have the opportunity to take piglets. However, one juror noted that if the defendants had a pattern of doing this in the past, the jury might have been more likely to find them guilty.
3. **The participants all reported being more receptive to animal advocacy and animal welfare after the trial.** One participant reported that they no longer eat ham. Another reported that while they still believe that pigs are here to be eaten, as a result of the trial they now believe that pig welfare should be improved. Another was even inspired to pursue animal activism.
4. **Despite what media coverage indicates, the “right to rescue” was not a major factor in the jury’s decision.** Some media outlets (such as [The Intercept](#) and [Democracy Now!](#)) have characterized this trial as a test case for the “right to rescue” argument—the idea that one should be able to rescue animals, sometimes farmed animals, from distressing conditions. However, only two jurors mentioned this concept at all, and no jurors mentioned this idea as critical.

As criminal trials against animal activists become more common and gather more mainstream press attention, it is critical for animal advocates to understand how their arguments play out in court. “Not only was this trial a win for the movement,” says lead researcher Fiona Rowles, “but it allows other advocates to learn which tactics we might utilize in courtrooms in the future.” Rowles noted she was particularly surprised by how many of the jurors ended up taking pro-animal actions and beliefs after the trial, including one who offered to help out the movement and another who gave up eating pork.

This [report](#), which contains detailed analysis of the juror’s thoughts and recommendations for animal trial lawyers, is the latest addition to Faunalytics’ original research collection, which primarily focuses on public attitudes, beliefs, and behaviors toward animals. A list of upcoming and previous original studies can be found [here](#).

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Research team members from this study are available for interviews.

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About Faunalytics

Faunalytics is a 501(c)(3) nonprofit organization that empowers animal advocates with access to research, analysis, strategies, and messages that improve their effectiveness to reduce animal suffering. For more than 20 years, Faunalytics has conducted and disseminated original research that delves into essential animal advocacy issues. Faunalytics also houses the world’s largest collection of opinion and behavior research on animals and offers pro-bono support to other animal advocacy organizations looking to increase their impact. Faunalytics has been named a Top Charity by Animal Charity Evaluators since 2021. For more information, visit www.faunalytics.org.