

March 27, 2019

Captain Todd Draper
 District III
 Alabama Department of Conservation & Natural Resources
 8211 McFarland Blvd.
 P.O. Box 305
 Northport, AL 35476

Re: Request for Investigation

Dear Captain Draper,

On behalf of People for the Ethical Treatment of Animals (PETA) and its more than 6.5 million members and supporters worldwide, I am writing to request that the Alabama Department of Conservation & Natural Resources investigate an apparent violation of state park regulations, Ala. Admin. Code § 220-5-.12, and wildlife regulations, Ala. Admin. Code § 220-2-.92(1)(c), in connection with an alleged decapitation of a snake on Friday March 22, 2019 in Oak Mountain State Park by one or more members of the film crew for Netflix' *The Devil All the Time*.

On March 22, PETA received a report¹ that a member of the crew accidentally encountered a snake with red markings—possibly a species of the nonvenomous king snake—while moving rocks in order to prepare a path for foot traffic. After reporting the presence of the snake to assistant director Brian Bettwy, the snake was decapitated.

According to the report, the snake was not posing a threat to, or otherwise manifesting signs of preparing to strike, any member of the film crew during and after the snake's discovery.

According to the report, no snake handler was present on the set, which is common practice in the industry when filming in areas where snakes might be encountered, nor was any attempt made by anyone with the production company to contact a park ranger, state wildlife officer, or any other person with authority to handle wildlife before the snake was decapitated.

Based on the facts reported to PETA, the decapitation of the snake violates Department regulations pertaining to state parks, which designate each state park as a game and wildlife sanctuary, and make it “unlawful for any person to . . . kill any . . . wild animal” in any state park, unless specifically provided otherwise by regulation. Ala. Admin. Code § 220-5-.12. The alleged decapitation occurred in Oak Mountain State Park, and there does not appear to be any other Department regulation that authorizes or

¹ The whistleblower is available to speak with your office on request.

{00331217 3}

PEOPLE FOR
 THE ETHICAL
 TREATMENT
 OF ANIMALS
 FOUNDATION

Washington, D.C.
 1536 16th St. N.W.
 Washington, DC 20036
 202-483-PETA

Los Angeles
 2154 W. Sunset Blvd.
 Los Angeles, CA 90026
 323-644-PETA

Norfolk
 501 Front St.
 Norfolk, VA 23510
 757-622-PETA

Oakland
 554 Grand Ave.
 Oakland, CA 94610
 510-763-PETA

PETA FOUNDATION IS AN
 OPERATING NAME OF FOUNDATION
 TO SUPPORT ANIMAL PROTECTION.

AFFILIATES:

- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (U.K.)

otherwise condones the alleged action. Further, the snake may have been a member of a protected species of snake. *See* Ala. Admin. Code § 220-2-.92(1)(c).

Notably, the American Veterinary Medical Association does not consider decapitation without the use of an anesthetic prior to decapitation, and without the immediate destruction of the brain after decapitation, an approved method of killing snakes, as these animals have a slow metabolism and high tolerance to hypoxia.² As a result, the brain and other parts of the nervous system can continue to function—and thus the animal remains sensible to pain—for up to one hour after decapitation unless the brain is immediately destroyed.³ Such a procedure requires expertise and dexterity which cannot be acquired or adequately carried out by laypersons.⁴

In light of the extreme animal suffering at issue, it is of the utmost urgency that this conduct is investigated. PETA urges a prompt and thorough investigation and, if appropriate, that the Department pursue all available penalties and enforcement actions. Thank you very much for your time and attention to this important matter.

Very truly yours,



David Schwartz, Esq.
Legal Fellow
PETA Foundation



Lori Kettler, Esq.
Deputy General Counsel
PETA Foundation

² American Veterinary Medical Association, *AVMA Guidelines for the Euthanasia of Animals: 2013 Edition*, <https://www.avma.org/KB/Policies/Documents/euthanasia.pdf>, pp. 76-8 (accessed March 27, 2019).

³ *See, e.g.*, Melissa Kaplan, *Decapitation of Reptiles*, <http://www.anapsid.org/decap.html> (accessed March 27, 2019).

⁴ E-mail from Dr. Clifford Warwick, PGDipMedSci, CBiol, CSci, EurProBiol, FOCAE, FRSB, to Kristen Summers, Section Leader, Exotic Species Coordination, Division of Habitat and Species Conservation, Florida Fish & Wildlife Conservation Commission (Dec. 28, 2012), on file with PETA.