

The Honorable Robert E. Cooper, Jr.
Office of the Attorney General and Reporter
P.O. Box 20207
Nashville, TN 37202-0207

June 20, 2011

Dear Attorney General:

I write a pet related blog in South Carolina. In recent months, the primary focus of my blog has been on the mistreatment and needless killing of pets at Memphis Animal Services (MAS) in Tennessee. Despite being raided by sheriff's deputies in 2009 and promises to clean up its act, MAS is still killing 77% of the pets in its care and webcams within the facility have captured the mistreatment of pets by staff on numerous occasions. Most of the dogs that come to the shelter are kept behind closed doors and never offered for adoption. I have initiated letter writing campaigns to the Mayor's Office which oversees MAS in an attempt to effect change. These blogs have received significant local and national attention.

In an effort to try and help more pets make it out of MAS alive, I also started collection donations from my blog readers to be used to pay for veterinary care and related expenses for pets rescued from MAS. At no time did I misrepresent the purpose of it or suggest I was affiliated with MAS. Nonetheless, on June 17, I received a letter from the City Attorney, Herman Morris, threatening legal action against me (see letter from the Memphis City Attorney's Office, dated June 3, 2011, attached). According to his letter, a South Carolina law prevents the unauthorized solicitation of charitable funds *on behalf of* MAS. To repeat, I never solicited funds *on behalf of* MAS.

Since I very much doubt that the City Attorney reads my blog, I believe the Mayor's Office may have directed the City Attorney in this regard. Moreover, the Memphis City Attorney has no jurisdiction to enforce a South Carolina statute. In addition, even the most cursory reading of that statute by a layman, let alone an attorney, would indicate it does not apply.

I believe the threat from the City Attorney was designed to intimidate me, in violation of my First Amendment rights. I've also since learned that the Memphis City Attorney and Mayor's Office have allegedly intimidated other bloggers who have spoken out against city policies (see letter from the ACLU to the City of Memphis, dated June 14, 2011, attached).

I ask that you investigate whether the City Attorney's actions violate the TN Anti-SLAPP statute and whether his actions constitute a breach of 42 U.S.C. Section 1983. I further request you investigate whether the Mayor's Office directed Mr. Morris to send me this letter, since that person (or persons) may be complicit in these possible violations of law.

For additional background on how I have used my blog to expose the mistreatment and killing of pets at

MAS, please visit the following links:

<http://yesbiscuit.wordpress.com/2011/04/01/memphis-youre-breaking-my-heart/>

<http://yesbiscuit.wordpress.com/2011/06/17/circular-problems-and-solutions/>

<http://yesbiscuit.wordpress.com/2011/06/16/new-letter-writing-campaign-for-mas/>

<http://yesbiscuit.wordpress.com/2011/06/15/do-these-puppies-look-medically-hopeless-or-vicious-to-you/>

<http://yesbiscuit.wordpress.com/2011/06/11/rage-rage-against-the-dying-of-the-light/>

<http://yesbiscuit.wordpress.com/2011/06/02/how-much-sadder-can-sad-get/>

<http://yesbiscuit.wordpress.com/2011/05/27/a-tale-of-two-pets/>

<http://yesbiscuit.wordpress.com/2011/04/28/you-have-got-to-be-kidding-me/>

<http://yesbiscuit.wordpress.com/2011/05/04/no-no-seriously/>

Respectfully Submitted,

Shirley Thistlethwaite

Enclosures