

STATE OF NEW YORK  
SUPREME COURT COUNTY OF NEW YORK

---

In the Matter of a Proceeding under Article 70 of the CPLR  
for a Writ of Habeas Corpus,

THE NONHUMAN RIGHTS PROJECT, INC., on  
behalf of HERCULES and LEO,

Petitioner,

-against-

SAMUEL L. STANLEY JR., M.D. as President of  
State University of New York at Stony Brook a/k/a  
Stony Brook University and STATE UNIVERSITY  
OF NEW YORK AT STONY BROOK a/k/a STONY  
BROOK UNIVERSITY,

Respondents.

---

**AFFIDAVIT OF  
MOLLY POLIDOROFF**

Index No.

STATE OF FLORIDA        )  
                                  ) ss:  
COUNTY OF St. Lucie )

Molly Polidoroff being duly sworn, deposes and says:

**Introduction**

1. My name is Molly Polidoroff and I am Executive Director of Save the Chimps (“STC”), a primate sanctuary in Fort Pierce, Florida.

2. STC’s Board of Directors has agreed to provide a permanent sanctuary to any and all of the chimpanzees released by court order in any and all of the habeas corpus cases filed by the Nonhuman Rights Project, Inc. (“NhRP”) in the State of New York.

3. Steven M. Wise, president of the NhRP was given a tour of STC in the spring of 2013.

## **History and Background of STC**

4. STC is a 501(c)(3) non-profit organization incorporated in Washington DC. It is the largest chimpanzee sanctuary in the world, sitting on 190 acres in Fort Pierce, Florida and currently providing a home to 257 chimpanzee residents.

5. The mission of STC is to provide and build support for permanent sanctuary for the lifelong care of chimpanzees rescued from research laboratories, entertainment, and the pet trade.

6. STC was founded in 1997 by Carole Noon, Ph.D. in response to the U.S. Air Force's announcement that it was stopping its chimpanzee research. Most of the Air Force chimpanzees were survivors or the descendants of chimpanzee survivors who had been captured for use in the United States space program. They had been forced to live sometimes for decades in terrible conditions at The Coulston Foundation in Alamogordo, New Mexico, which was then operating as a biomedical research laboratory.

7. By 2002, STC had purchased 190 acres of land in Fort Pierce, Florida and there commenced an enormous \$14,000,000 construction project. Today this includes twelve three-acre islands that contain hills and climbing structures, as well as a hurricane-proof chimpanzee house. Chimpanzees who previously lived alone or in very small groups for decades now have the opportunity to become part of large and natural chimpanzee families. STC also constructed a custom trailer able to transport ten chimpanzees at a time from New Mexico to Florida. By 2011, the final group of Coulston chimpanzees could be released onto their new island homes. (A true and correct copy of photographs that depict STC are attached as "**Exhibit A**").

## **STC's Organizational Values**

8. STC's organizational values include:

- a. Providing safety, privacy, lifetime care, freedom from exploitation, and the best captive care possible to the chimpanzees who live at the sanctuary. The cornerstone of STC's philosophy is that chimpanzees are allowed to experience such natural emotions as joy, grief, anger, sorrow, pleasure, boredom, and depression.
- b. Viewing chimpanzees as persons, not commodities. STC will not buy, sell, trade, loan or conduct any commercial commerce in chimpanzees.
- c. Recognizing that each chimpanzee has equal value.
- d. Refusing to endorse captive breeding. STC, to the best of its ability, prevents reproduction among the resident chimpanzees through vasectomies and female birth control.
- e. Limiting access to the sanctuary to the board of directors, employees, consultants, volunteers and vendors, and allowing visits or tours of other members of the public by invitation only.
- f. Accepting chimpanzees only in circumstances where STC is certain that the organization or individual giving over guardianship may not assert a future legal claim of ownership.
- g. If it is in the best interest of an individual chimpanzee, placement of that chimpanzee at another sanctuary able to provide equally high quality care for life.
- h. Permitting only observational and non-invasive research that can be demonstrated to be of direct benefit to chimpanzees.

- i. Observing animal friendly practices that demonstrate our commitment to the environment, including efficient use of resources, reuse and/or recycling of products, and preferential use of nontoxic substances.

### **Facilities at STC in Ft. Pierce, Florida**

9. STC has over 50 paid employees.
10. STC has twelve 3-5 acre open-air islands. The islands provide space and opportunity for the chimps to make choices about their daily activities. Grass, palm trees, hills, and climbing structures allow the chimpanzees places to run and roam, visit with friends, bask in the sun, or curl up in the shade, or whatever else they may wish to do.
11. STC is located in South Florida because the warm weather and humid climate are ideal for chimpanzees and is similar to the climate they would experience in Africa.
12. The chimpanzees' indoor living areas are built to withstand hurricanes. If a hurricane threatens, the chimpanzees are all moved into climate-controlled indoor housing. Food, water, and other supplies are stocked. Staff members remain in each "chimp house" with the chimpanzees for the duration of the storm.
13. Each island and housing combination is designed to house a social group of up to 25 chimpanzees.
14. In the wild, chimpanzee communities may range in size from 15 to 120 chimps of both sexes and all ages. In their former lives as research subjects, pets, and entertainers, most of these chimpanzees lived alone. They now live in family groups of up to 26 members where they can learn how to play, love, laugh and groom, all natural behaviors for chimpanzees.

### **Veterinary Care**

15. The chimpanzees at STC receive high quality medical care. STC has two full time veterinarians that provide 24-hour coverage with a support staff of technicians and assistants.

16. STC believes strongly in preventative health and screens for diseases using echocardiograms, ultrasounds, radiographs and blood work. The veterinarians are proficient in treating both chronic and acute conditions. The STC veterinarians, consulting specialists, technicians and a community of volunteer medical doctors guarantee that the chimpanzees' health issues are addressed with the latest diagnostics and best medicine available.

17. STC veterinarians provide full medical coverage including:

- a. Dental and surgical procedures
- b. Screening for cardiac disease: 40% of male great apes in captivity are eventually diagnosed with heart disease. Baseline cardiac echocardiograms are important to diagnose and treat any heart problems early.
- c. Taking care of geriatric chimpanzees: 20% of STC's population is over 35-years-old. These chimpanzees have different health problems than younger chimpanzees. The older chimpanzees develop such ailments as arthritis, hypertension, digestive problems and strokes. The veterinarians also take into account the impact of an illness on the ability to live in a social group to ensure the chimpanzees remain happy and safe.
- d. Treating psychological problems common in captive chimpanzees

#### **Accreditation by the Global Federation of Animal Sanctuaries**

18. STC is accredited by the Global Federation of Animal Sanctuaries ("GFAS").

19. All GFAS organizations must adhere to policies set out in their standards, including but not limited to: (1) no commercial trade in animals or animal parts; (2) no animals may be

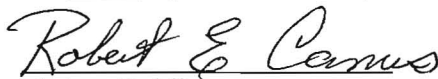
removed from enclosures for exhibition; (3) no direct contact between the public and animals (with some allowable exceptions, such as for some equines, and under carefully supervised circumstances); (4) measures in place to prevent breeding, either through segregation of sex or through a program of contraception, unless the animals are part of a bona fide release program; (5) open to the public only by way of a structured visitor program in which tours are guided and where there is a bona fide educational component to the visiting program.

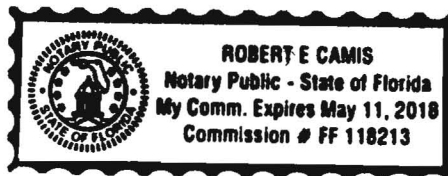
20. GFAS defines a “sanctuary” as “an establishment that provides lifetime care for animals that have been abused, injured, abandoned, or are otherwise in need. The animals may come from sources including, but not limited to, private owners, research laboratories, government authorities, the entertainment industry, and zoos.”

21. GFAS’s set of standards for great apes, which are listed in a 70-page document, detail: housing; physical facilities and administration; nutritional requirements; veterinary care; well-being and handling; general staffing; safety policies, protocols and training; governing authority; financial records and stability; education and outreach; policies: acquisition and disposition; policies: public contact and restriction on use and handling release into the wild (where applicable). A copy of GFAS’s set of standards for great apes is annexed here to as **“Exhibit B.”**

  
Molly Polidoroff

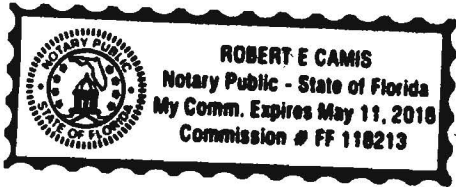
Sworn to before me  
this 5<sup>th</sup> day of December, 2014

  
Notary Public



STATE OF FLORIDA            )  
  ) ss:  
COUNTY OF \_\_\_\_\_)

On the 5<sup>th</sup> day of December in the year 2014 before me, the undersigned, a notary public in and for said state, personally appeared Molly Polidoroff, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before me the undersigned in the County of St. Lucie and the State of Florida.



Robert E Camis  
Notary Public

My Commission Expires: 5/11/2018

STATE OF NEW YORK  
SUPREME COURT COUNTY OF NEW YORK

---

In the Matter of a Proceeding under Article 70 of the CPLR  
for a Writ of Habeas Corpus,

THE NONHUMAN RIGHTS PROJECT, INC., on  
behalf of HERCULES and LEO,

Petitioner,  
-against-

SAMUEL L. STANLEY JR., M.D. as President of  
State University of New York at Stony Brook a/k/a  
Stony Brook University and STATE UNIVERSITY  
OF NEW YORK AT STONY BROOK a/k/a STONY  
BROOK UNIVERSITY,

Respondents.

---

STATE OF FLORIDA            )  
  ) ss:  
COUNTY OF St. Lucie )

1. This Certificate of Conformity is submitted pursuant to New York CPLR 2309(c)  
and New York Real Property Law § 299-a.

2. I am an attorney duly licensed to practice law in the State of Florida.

3. I certify that the Affidavit of Molly Polidoroff, signed and dated on Dec.  
5<sup>th</sup>, 2014 was taken in the manner prescribed by laws of the State of Florida.

Dated: December 5<sup>th</sup>, 2014

St. Lucie, Florida



---

Brian P. Vassallo, Esq.  
1655 Palm Beach Lakes Blvd.,  
Suite 1000  
West Palm Beach, FL 33401

**CERTIFICATE OF  
CONFORMITY**

Index No.