

Testimony of Jeffrey Dupee, Senior Community Liaison Mayor's Community Affairs Unit New York City Council Committee on Health <u>Intro. 1233 - Prohibiting the Display of Wild or Exotic Animals for Public Entertainment</u> <u>or Amusement.</u> 10:00 am, Thursday, October 20, 2016

Good morning, Chairman Johnson and members of the Committee. My name is Jeff Dupee and I am a Senior Community Liaison in the Mayor's Office—working primarily on animal welfare issues. I am joined by colleagues from the Departments of Health and Mental Hygiene, Cultural Affairs and Parks and Recreation. On behalf of the Administration, thank you for the opportunity to testify.

We are pleased to be here today to discuss the issue of animal welfare, which is a priority of this Administration—one that, like Council, we are committed to addressing. I want to specifically thank you – Chairman Johnson and Councilmember Mendez – for your personal commitment to addressing animal issues over the last several years.

The Mayor has a long record of supporting progressive animal welfare reforms, including when he sponsored a version of this bill, a decade ago as a City Councilmember. During the Mayor's first term, the Administration has implemented an innovative, non-lethal approach to managing the impacts of deer on Staten Island, increased the operating budget for the City's open-admission animal shelters and committed to having shelters in all five boroughs. In addition we have worked closely with Council to regulate pet shops so that they only sell spayed or neutered dogs and cats, and no longer sell rabbits, or dogs and cats from puppy or kitten mills. We have also ensured that animal crimes are appropriately addressed by implementing the animal abuse registry and creating the NYPD's Animal Cruelty Investigation Squad. Finally, I'm also happy to report that for the first time since the law was established in 1947, the humane treatment of animals is now a part of the Department of Education's curriculum.

It is in the spirit of our shared commitment to animal welfare that the Administration supports Introduction 1233 to promote the humane treatment of wild and exotic animals by prohibiting their inclusion in public entertainment. It is inappropriate for the wild and exotic animals covered by this bill to be forced to perform for entertainment purposes. Further, we agree with bill's intent to provide reasonable and fair exemptions where warranted, rather than a blanket ban on specific animals.

We look forward to working with the Council to ensure that the scope of the bill matches its intent and captures the right performances and animals to allow certain educational, cultural, and religious programs to continue. For example, as currently written, the Parks Department would not be allowed to continue some of its educational work with rehabilitated wild animals, including foxes, which are used to teach our young New Yorkers about the various animals coexisting in our habitat. This is why we believe that an exception should be made for educational and conservation programs or exhibitions supported by governmental agencies.

As you know, enforcement of this bill will involve a number of agencies including the NYPD and the Department of Health, which currently issues permits to exhibit animals who are otherwise prohibited under the New York City Health Code, including the animals covered by this bill. Additionally, we will continue to work with our partners at NYC & Company and the Mayor's Office of Media and Entertainment to ensure that New York City remains a place where all sorts of entertainment will continue to thrive. The Mayor and this Administration strongly believe that it is inappropriate for wild and exotic animals to be forced to perform for the entertainment of live audiences. Our work to ensure animal welfare is ongoing and our goal is to make sure that all animals in the City of New York are treated with dignity.

Thank you again for the opportunity to testify. I look forward to discussing with the Council ways to continue to work for the betterment of the animals in New York City. My colleagues and I would be happy to take questions.



Michelle Villagomez NYC Legislative Senior Director AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Hearing before the New York City Council's Committee on Health, In Support of Int.1233

October 20, 2016

Good morning. I am Michelle Villagomez, New York City Senior Legislative Director for the American Society for the Prevention of Cruelty to Animals (ASPCA). On behalf of the ASPCA and its nearly 70,000 New York City supporters I would like to thank Chairman Johnson, Councilmember Mendez, and the Health Committee for the opportunity to testify today in support of Int. 1233, which would amend the administrative code to prohibit the display or exhibition of many wild or exotic animals, with exceptions for accredited zoos, research facilities, religious ceremonies, and educational or conservation related programs or presentations.

The ASPCA has long been opposed to using wild or exotic animals – whether taken from the wild or captive-bred – in circuses, carnivals and other travelling shows. Training wild or exotic animals to perform on command is done through physical force, other abusive practices and intimidation. In the case of training elephants, this includes the use of a bullhook, or ankus, a sharp metal device which pierces the skin of the animal, and has been banned by the states of California and Rhode Island this year as well as in a wave of prohibitions passed in Los Angeles, CA, Oakland, CA, Miami Beach, FL, Austin, TX, Richmond, VA, and Fulton County, GA. All of these jurisdictions have recognized the inherent cruelty of using this device, and it is unacceptable for New York City to allow such abuse.

In addition to these cruel practices, life on the road for performing wild and exotic animals is replete with inhumanities. It is not unusual for performing animals to travel in fetid railroad cars for up to 50 weeks out of the year, confined in small cages or by short chains for 20 or more hours a day when not performing, forced to exist, in unhealthy environments that bear no semblance to their natural habitats.

Further, we reject claims of educational value in wild animals performing unnatural or dangerous behaviors, as well as the industry's overarching assertion that large, wild animals such as elephants, bears, lions, and tigers can be trained without cruelty to perform them. Ultimately, there is no meaningful or humane way to provide for these animals that are wild by nature. The only lesson learned at these shows is that beating and intimidating these majestic animals is acceptable and entertaining.

We applaud your close examination of this important policy question and we believe that passage of this legislation would be a positive and proud step in ensuring that New York City embodies humane values.

For these reasons, we urge you to support this sensible and humane legislation.

Thank you.

The Nation's First Elephant Sanctuary



Testimony of Catherine Doyle, Director of Science, Research & Advocacy Performing Animal Welfare Society (PAWS) Before the New York City Council Committee on Health Regarding Intro 1233 October 20, 2016

Good morning Chairperson Johnson and members of the committee. My name is Catherine Doyle. I am the Director of Science, Research & Advocacy for the Performing Animal Welfare Society, or PAWS. We urge your support of Intro 1233.

PAWS operates three sanctuaries in California for rescued or retired exotic and wild animals, including a 2300-acre natural habitat refuge where we care for elephants, big cats, and bears, some from the entertainment industry.

PAWS co-sponsored the bullhook ban passed this year in California, and passed bans in Los Angeles and Oakland. We also worked on the Rhode Island bullhook ban.

Opponents of Intro 1233 are presenting the very same arguments they used against the bullhook bans. We heard the same numbers on circus revenues for the cities – which were identical, regardless of population size. And circuses threatened not to return if bullhook use was prohibited. When encouraged to retool their shows so they could comply with the bans, circuses argued they could not do so. Yet, once the bans passed, circuses adapted. Ringling Bros. stopped using elephant acts altogether.

The fact is Americans are concerned about wild animals used for entertainment – 69% of us according to a Gallup poll – and for good reason.

At the PAWS sanctuary, some of our animals have come from circuses. The fear of punishment was clearly evident in the elephants, who had been trained with the cruel bullhook. When they first arrived, they would flinch or cower if you so much as moved your arm too quickly, expecting to be reprimanded with a swift jab or hit.

The circus lions were extremely aggressive, compared to our other lions. We attributed their behavior to the long-term effects of travel, training and performing.

Tigers, lions and elephants may be tamed and trained to perform, but they remain wild animals with distinctive needs. And there is simply no scientific evidence to suggest that their needs can be met by traveling shows.

Common sense alone tells us that wild animals who have evolved through millennia for very specific conditions, such as roaming expansive ranges or living in large social networks, would be unable to cope with such drastically unnatural conditions as intense confinement, chaining, and near constant travel and performing.





P. O. Box 849 Galt, CA 95632 Phone: 209/745-2606 Fax: 209/745-1809 E-mail: info@pawsweb.org The animals' inability to cope is manifested in physical ailments and psychological disorders such as abnormal repetitive pacing in big cats, and elephants swaying and rocking.

Even the tricks that elephants perform are harmful. They degenerate joints that are not designed by nature for repeatedly sitting or standing upright, and often end elephants' lives painfully and prematurely.

Wild animal shows do not educate children or help conservation. They distort the public's understanding of these animals and their endangered status in the wild, and mislead people into believing the animals are living an acceptable life when evidence for the opposite is overwhelming. Research has found that seeing a wild animal like the chimpanzee in an entertainment context can actually hamper conservation efforts. This is especially concerning since circuses often feature endangered species such as Asian elephants and tigers.

Abandoning animal acts would not be the end of the circus. In fact, circuses are already changing.

A circus ringmaster, discussing the retirement of the elephants and its new high tech show, recently stated, "by nature, [the circus] is evolutionary. So the fact that we will do something dramatically different really shouldn't be a surprise."¹

Today, the most exciting circus performances involve human feats of agility, courage and strength.

Intro 1233 is a way to lift our sights – and ourselves – by establishing a new, ethical normal when it comes to the treatment of captive wildlife in New York City.

Please support Intro 1233.

¹ Gordon, Ken. How the circus moves on without the elephants in the room. *The Columbus Dispatch*. October 13, 2016.



STATEMENT FOR THE RECORD DR. ASHLEY SETTLES, DVM, DIRECTOR OF VETERINARY CARE, *RINGLING BROS. AND BARNUM & BAILEY* NEW YORK CITY COUNCIL COMMITTEE ON HEALTH OPPOSITION TO INT. NO. 1233 OCTOBER 20, 2016

My name is Dr. Ashley Settles and I am the Director of Veterinary Care at *Ringling Bros. and Barnum & Bailey*. As a veterinarian, I would like to express my opposition to this legislation.

At *Ringling Bros.*, our primary concern is the health and well-being of our animals. Our veterinary department consists of 7 veterinarians many of whom are board certified in multiple disciplines. We also have veterinary technicians who travel with each of the Ringling Bros. touring units. In addition, we have on-call veterinarians in every city that we visit, and many of these are zoo vets with years of exotic animal medicine experience. Our animals are monitored 24 hours, seven days a week to ensure around-the-clock care.

My team and I are in charge of the veterinary care for all of our travelling animals, our herd of Asian elephants at the CEC, as well as our retired animals. We are responsible for designing and implementing the feeding and herd health programs for each of the species in our care, which includes annual physical exams and bloodwork, as well as providing veterinary care, as needed, throughout the year.

In addition to the big cats, some of the species in our care include: kangaroos, camels, llamas, alpacas, goats, pigs, horses, and dogs; many of which would be affected by the proposed bill. The bill takes a very broad stance on what is considered a "wild or exotic animal" and includes llamas and ferrets among the prohibited taxa. In veterinary medicine, llamas are grouped in with other camelids as food and fiber producing animals, and ferrets are grouped with dogs and cats as common household pets.

All of our animals are born and raised in captivity, and, in most cases, the trainers have worked with them from the time they were very young. Therefore, our trainers have a very trusting, intimate relationship with their animal charges. They become part of the family. It is because of this unique bond between human and animal that my team and I are able to provide superior veterinary care to our animals. Due to the time and effort our trainers and handlers put into the animals, they know each animal's particular habits and behaviors and are able to pick up on subtle changes and bring them to my attention. I rely heavily on their description and interpretation of an animal's behavior to develop my diagnostic and treatment plan. There have been many occasions when we have caught medical conditions early enough to head them off before they become a real issue.

In regards to the travel and housing of our animals, let me reiterate that we are highly regulated. We are licensed and inspected by USDA. We are also routinely inspected by local and state authorities in each city we visit. All of our enclosures and animal haulers meet or exceed state and federal guidelines and are designed with the comfort and well-being of our animals in mind. Studies have shown that circus animals experience no rise in cortisol during travel, which indicates that they do not become stressed or distressed as a result of being transported.

All of our animal haulers are customized for the type of animal that will be travelling in them. The animals are monitored regularly during travel, and they have a team of handlers and grooms that travel with them. The haulers are well ventilated, and we have equipment such as swamp coolers and insulated bedding to help with temperature regulation and ensure animal comfort during travel.

In addition to outstanding animal care, *Ringling Bros.* is committed to conservation. Although the circus's primary function is to entertain families, I strongly believe in the old adage "out of sight, out of mind." If people are not able to see these animals up close and in person, they are less likely to be moved to action and to take part in conservation efforts. Part of the language in the proposed legislation states that, "wild or exotic animal performances are prohibited unless conducted as part of an educational or conservation program." That is the main function of our Animal Open Houses, which we hold in many cities. Children and adults are able to see the animals outside of the performance arena and ask questions of our knowledgeable animal care staff before the show. Then, they get to see the animals' natural abilities showcased during the performance. During each and every performance of "Out of this World" by our Blue Unit, there is a collective gasp and "oohs" and "aaahs" by the audience when our kangaroo comes out during the mixed animal act. To me, that is the most telling sign that being able to see these animals up close and witness their natural talents has a profound effect on people. This legislation would deny audiences the opportunity to see these animals in person and learn more about the need to conserve these species for future generations.

Appendix A



The Ringling Bros. and Barnum & Bailey[®] Circus debuted in New York City in 1919. Then, as now, it combined the glamour of a Broadway performance with acrobatics, performing animals, and clowns. It bridges the gap between the human and animal experience, and demonstrates the wonders of the world's amazing creatures. It's culturally significant and unique—it's truly a show like no other.

Training: *Ringling Bros.* has over 146 years of experience working with and caring for exotic and domestic animals. With two traveling circus units, the *Ringling Bros.* menagerie typically includes tigers, horses, zebras, camels, llamas, and kangaroos among others. The relationship between animals and humans that perform with *Ringling Bros.* is built on mutual respect, trust and affection.

Our training methods are based on positive reinforcement in the form of food rewards and words of praise. Trainers teach animals routines that showcase their physical abilities and beauty, as well as their distinctive behaviors. None of the activities or techniques seen in *Ringling Bros*. shows or used during training and exercise are stressful or physically harmful to the animals, and they are only conducted by experienced professionals. Verbal or physical abuse and the withholding of food or water are strictly prohibited, and drugs or sedatives are not administered unless prescribed by our *Ringling Bros*. veterinarian for medical reasons.

Industry Regulations: *Ringling Bros.* is subject to comprehensive animal welfare regulations at the federal, state and local levels. Under the federal Animal Welfare Act (AWA), the U.S. Department of Agriculture (USDA) conducts regular unannounced inspections of our animals and the animal compound. In the over 35 years of current ownership, *Ringling Bros.* has never been found in violation of the AWA for abuse, neglect or mistreatment of its animals. In fact, in all aspects of animal care and safety, *Ringling Bros.* meets or exceeds all federal animal welfare standards.

Ringling Bros. and other traveling animal exhibitors are also subject to existing state and local animal cruelty laws. Such regulations provide protection to all performing animals and allow for the prosecution of those who neglect or mistreat the animals in their care. *Ringling Bros.* is also subject to inspections conducted by state and local animal control authorities.

Animal Health: *Ringling Bros.* employs a full-time staff veterinarian who administers veterinary care to all the animals. A local veterinarian is also on call 24 hours a day in each city where the show performs. Each animal receives regular, thorough medical examinations and all needed vaccinations. The animals are fed, watered, groomed and cleaned daily. The entire stable area, as well as individual animal stalls, is cleaned regularly, manure removed and fresh bedding provided.

Transportation and Housing: Our animals are transported in specially designed housing. Appropriate stops are made during travel to feed and water the animals and clean out their cages. At the arena, the animals are safely housed in individual stables or enclosures. All of our animal enclosures were specially designed by our staff to meet the unique needs of each individual species. Tigers are housed in specially designed cages with fold-out verandas that provide ample room for movement and interaction between animals. Each animal is provided with adequate space according to its particular needs and requirements as defined by the Animal Welfare Act, with the advice of the *Ringling Bros.* veterinarians and the animal's individual trainer.

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Feeding: Our animals are fed and watered in prescribed measures on a regular schedule as determined by our veterinarians and the animal's trainer. Fresh food, including hay, protein-enriched grains, fruits, vegetables, meat, vitamin-fortified prepackaged meat, bread and a special vitamin and mineral-enriched granular mix, is shipped directly to the arena from local sources in each city.

Safety and Security: We are the first to acknowledge and respect the natural instincts of our exotic animals. Our animal attendants are familiar with the individual personalities and temperaments of their charges. *Ringling Bros.* provides around-the-clock security for our animals — protection from other animals, natural predators, public harassment, vandalism and trespassers. Only qualified animal attendants, trainers and *Ringling Bros.* personnel are allowed in the stable area. In our 145-year history, *Ringling Bros.* has never experienced an animal-related incident that placed a member of the general public at risk.

<u>Conservation of Endangered Species</u>: In addition to providing a healthy, safe and secure environment where humans and animals live and work together in cooperation, *Ringling Bros.* is committed to and deeply involved in the conservation of exotic species. There are a number of threatened species and endangered species in our animal menagerie. All of the *Ringling Bros.* animals are either captive-bred or were acquired in accordance with the Conference on International Trade in Endangered Species (CITES) or the Endangered Species Act, which prohibits the taking of animals from the wild.

Studies have proven that the public display of animals heightens public awareness of the animals themselves and of humankind's responsibility for their well-being and protection. Children, especially, become aware of the needs and abilities of animals and experience first-hand the importance of caring for and respecting all animals. *Ringling Bros.* has committed substantial resources to protect the present and future well-being of rare and endangered species. To help assure the survival of the Asian elephant, we have created the Ringling Bros. and Barnum & Bailey Center for Elephant Conservation[®] (CEC) in Central Florida. This 200-acre, state-of-the-art facility, is dedicated to the conservation, breeding and understanding of the amazing species.

Life Expectancy: Performing animals often live longer than their wild or zoo counterparts, due in part to their active and enriched lifestyle, which includes regular exercise and interaction with other animals and humans. In fact, the longest living elephant in captivity in the western world is a retired circus animal in North America. Regular veterinary care, grooming and good nutrition also play an important role. Due to superb care and treatment, the longevity of exotic animals in the care of

Ringling Bros. is greater than the general life expectancy of similar species in the wild or on reserves.

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<u>Scientific Evidence Supports Traveling Animal Exhibitions</u>: There is no scientific support for the idea that the act of traveling or performing is adverse to the welfare of animals in circuses, as evidenced by a multitude of scientific studies. In fact, in a 2007 report commissioned by the United Kingdom, independent experts concluded that a review of relevant research confirmed a lack of evidence that the welfare of animals kept in travelling circuses is any different than that of the same animals in zoos.

USDA-funded research on traveling circus animals showed that the welfare of animals in circuses is enhanced because of the added stimuli and sources of variation in routine. Additionally, multiple studies on circus animal transport have found that the health and welfare of circus elephants, lions, tigers and other animals are not negatively affected by the routine travel of the animals and their caretakers, but in fact, the travel is consistent with the nomadic lifestyle of many of the species.

Jobs: *Ringling Bros.* has two touring units with approximately 600 show people living and working on the road. They include performers, animal care staff, floor staff, train crew (*Ringling Bros.* still travels via the two largest privately owned trains in the world), and professional musicians. In every city we visit they also contribute to state and local economies by purchasing food, clothing and other necessities. *Ringling Bros.* also helps support hundreds of local jobs for people who are employed in or around the arenas we play and depend upon the circus for work.

<u>A Positive Economic Force</u>: Each year millions of people attend performances of *Ringling Bros*. In fact, *Ringling Bros*. and other Feld Entertainment shows are frequently among the top attendance draws in the venues where we perform. (Our two touring circus units collectively visit about 80 U.S. cities annually.) In addition to thrills and laughter, *Ringling Bros*. contributes to the local economy in every city we visit. An economic impact study found that a typical one week circus engagement generates more than \$1 million in economic activity. This includes, among other things, rent we pay to arenas (many of which are publically owned and financed) and local taxes related to ticket and concessions sales. The circus also generates arena concession revenues as well as other secondary economic benefits to various area businesses, including restaurants, hotels and parking facilities.

Commitment to Community: At Feld Entertainment, we understand that our responsibility as citizens originates where we live, work and play but also extends to the broader global community. Along with *Ringling Bros.* animal care and conservation initiatives, in each community that Feld Entertainment shows visit, the company works with and supports various community and youth focused organizations that assist underserved individuals. *Ringling Bros.* often brings performers to local hospitals, schools and libraries to help put smiles on the faces of children who do not have the means to attend a performance.

Since 2003, over \$10 million in tickets have been donated to numerous non-profit youth organizations across United States providing thousands of children and their families the opportunity to attend our live entertainment productions and performances of *Ringling Bros. and Barnum & Bailey*, *Monster Jam, Marvel Universe Live!*, *Disney On Ice and Disney Live!*

Feld Entertainment is also proud to support numerous charities including the American Red Cross, the Special Olympics, the Boys & Girls Clubs of America, the Make-A-Wish Foundation, Tracy's Kids, the Leukemia & Lymphoma Society, Juvenile Diabetes Research Foundation, Head Start, St. Jude's Children's Research Hospitals and the YMCA, to name a few. Since 2008, Feld Entertainment has hosted students from the Duke Ellington School of Arts in Washington, D.C. for summer internship programs at Feld's Florida headquarters giving students a hands-on experience in a studio setting. Feld has also and supported the school with financial donations and in-kind

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donations of equipment.

Additionally, the *Ringling Bros. Children's Fund*[™] through the Feld Family Foundation, in partnership with Primary Children's Hospital, and *Ringling Bros.* has donated more than \$1 million to support pediatric cancer research and to care for children throughout the country.

Ringling Bros. 'charitable contributions build on the strengths and values of Feld Entertainment and aim to **Create Lifelong Memories – One Act at a Time.**



ANIMAL CARE DO'S

- Do provide appropriate food and potable, clean water to the animals as instructed by your immediate supervisor and clean the food and water containers daily.
- Do bring to the attention of your immediate supervisor, Department Head, Veterinary Technician, Unit Superintendent of Animals or Unit management any food that appears spoiled or unwholesome before feeding any animals.
- Do make sure the animals have clean bedding at all times.
- Do make sure the animals are properly housed at all times according to their schedules.
- Do use animal husbandry tools only for their intended purpose and only in the appropriate manner.
- Do make sure manure is picked up as soon as possible unless you are directed by the Veterinarian, Veterinary Technician, Unit Superintendent of Animals or the trainer to wait until rest or sleep periods are over.
- Do make sure the animals are groomed before every performance and whenever they become dirty and at least once a day on non show days.
- Do notify your immediate supervisor, Department Head, Veterinarian, Veterinary Technician, Unit Superintendent of Animals or Unit management if you have any animal handling questions or concerns.
- Do notify your immediate supervisor, Department Head, Veterinarian, Veterinary Technician, Unit Superintendent of Animals or Unit management if you see an injury to or abnormal behavior in an animal.
- Do check with the Unit Superintendent of Animals each day for specific instructions regarding animals in your department.
- Do make sure you treat all animals with respect and care as you would the other members of your Circus family.
- The Company does not condone mistreatment of animals. Do report anything you think is animal mistreatment to your immediate supervisor, Unit management or by calling Corporate Headquarters, 1.800.844.3545.

ANIMAL CARE DON'TS

- Don't withhold food or water from an animal unless directed by the Veterinarian, Veterinary Technician, Unit Superintendent of Animals or the trainer.
- Don't use the animal food and water containers for anything other than food or water.
- Don't feed the animals anything outside their assigned diet unless you are permitted to by the Veterinarian, Veterinary Technician, Unit Superintendent of Animals or the trainer.
- Don't train or discipline an animal if you are an animal care groom.
- Don't allow unauthorized people in the animal areas.
- Don't approach animals not assigned to you unless you are with a Veterinarian, Veterinary Technician, Unit Superintendent of Animals, or the trainer.
- Don't use barn equipment, such as a broom or a fork, to direct an animal.
- O Don't misuse any animal husbandry tool.
- Don't startle an animal. Give it notice of your approach.
- Don't smoke in the animal areas.
- Don't leave props or other items in reach of an animal.
- O Don't be distracted or walk away from your assigned position near any animals unless you have the prior permission of your supervisor, Unit Superintendent of Animals or Unit management.

<u>Appendix B</u> SCIENTIFIC EVIDENCE REGARDING ANIMAL WELFARE IN TRAVELING EXHIBITIONS

Title	Abstract	Citation
Stereotypic behavior in circus elephants and the effect of "anticipation" of feeding, watering and performing.	The behavior of 17 mature elephants (14 Asian, 3 African) who performed two shows each day with a circus that travelled to a new location (50 to 200 km from the previous day's lot) daily was studied. When not performing or working, the elephants were picketed in the traditional fashion in two separate groups of 8 and 9 elephants each. While they were picketed, a separate camera and time-lapse recorder videotaped the behavior of four members of each group from approximately 1100 h until darkness over four days (67.25 h of observations). The behavior of each member of the focal groups was recorded at 5 min intervals. Stereotypic weaving comprised 46, 31 (an African), 28, 23, 17 (an African), 5.3, 0.0 and 0.0 percent of the observations. During bouts of weaving, the elephants still performed a wide range of behaviors with their trunks, including eating and throwing feed or soil. Stereotypic head bobbing, the next most frequent stereotypic behavior was performed by the elephants who did not wave and accounted for 16% and 8.2% of the observations for those elephants. Stereotypic behavior greatly increased during the 15-min period immediately prior to feeding, watering and performing (when compared to their frequency during the three preceding 15-min periods) indicating that anticipation of certain events is a major stimulus of stereotypic behavior in these elephants.	Friend, T.H. and Bushong, D. 1996. Abstract. Stereotypic behavior in circus elephants and the effect of "anticipation" of feeding, watering and performing. Proceedings of the 30 th International Congress of the International Society for Applied Ethology 14-17 August 1996, Guelph, Ontario, Canada.
Behavior of picketed circus elephants.	The behavior of 14 female Asian (Elephas maximus) and 3 female African (Loxodonta africana) elephants who performed two shows each day with a circus that traveled to a new location (40 to 250 km from the previous day's lot) daily was studied. When not performing or working, the elephants were picketed in the traditional fashion in two separate groups of 8 and 9 elephants each. While they were picketed, a separate camera and time-lapse recorder videotaped the behavior of members of each group for four ~8-h periods during the 1995 season, and three ~24-h periods during 1996 season. The behavior of each member of the focal groups was recorded at 5-min intervals.	Friend, T.H. 1999. Behavior of picketed circus elephants. Appl. Anim. Behav. Sci. 62:73-88.

	In 1995, stereotypic weaving accounted for 15.9% (range 0.0 to 41.0%), and head bobbing accounted for 2.8% (range: 0.0 to 14.5%) of observations in eight of the elephants. In 1996, stereotypic weaving accounted for 14.3% (range: 0.0 to 33.2%) and head bobbing accounted for 2.9% (range: 0.0 to 33.0%) of observations in 12 of the elephants. The behavior of individual picketed elephants in 1995 was highly correlated (ranging from r=0.78 to 0.83, P<0.001) with their behavior patterns in 1996, despite season and location differences. The elephants spent an average of $33\pm1.2\%$ of observations eating in 1996. Stereotypic behavior increased in the 15-min period immediately prior to water, performances and hay, when compared to their frequency during the three preceding 15-min periods indicating `anticipation' of water and performances, and a lack of substrate to manipulate or eat in regards to hay. Time the elephants spent off the picket line (performing, working, giving rides, etc.) tended to be negatively correlated with weaving (r=-0.48, P=0.12, N=12).	
The effect of penning versus picketing on stereotypic behavior of circus elephants.	The behavior of nine female Asian (Elephas maximus) elephants who performed two shows each day with a circus that traveled to a new location (40 to 250 km from the previous day's lot) daily or every two days was studied during the 1996 and 1998 seasons. When not performing or working, the elephants were picketed during 1996 in the traditional fashion in two separate groups of 8 and 9 elephants each. During the 1998 season, the same elephants were maintained exclusively in small (approximately 52 m2 per elephant) portable electric pens. Camera and time-lapse recorders were used to videotape the behavior of each elephant, while picketed or penned, for three ~24 h periods during the 1996 and 1998 seasons. The behavior of each focal elephant was recorded at 5 min intervals. The amount of time the elephants spent stereotypic weaving was significantly decreased (P=0.009) by keeping the elephants in pens when compared to picketing. The incidence of all stereotypic behavior (weaving, head bobbing and trunk tossing) was also significantly decreased (P=0.019) when the elephants were kept in pens. The total amount of time spent performing all stereotypic behaviors (weaving, head bobbing and trunk tossing) was negatively correlated with age when the elephants were picketed in 1996 (r=-0.71, P=0.031, N=9) and somewhat less correlated with age when penned in 1998 (r=-0.66, P=0.053, N=9). Time spent performing all stereotypic behavior was not correlated with time spent eating (P>0.11) or time spent lying (P>0.24)	Friend, T. H. and M. L. Parker. 1999. The effect of penning versus picketing on stereotypic behavior of circus elephants. Appl. Anim. Behav. Sci. 64:213- 225.

	when the elephants were picketed or penned. Portable electric pens are preferred over picketing because of reduced stereotypic behavior, the elephants are reportedly calmer when out of the pens for work or performances, and the elephants can be kept cleaner.	
Variation in stereotypic behavior related to restraint in circus elephants.	The purpose of this study was to determine the effect of penning and chaining on circus elephants behavior. The behaviors of 10 Asian elephants (Elephas maximus) and three African elephants (Loxodonta africana) were videotaped for at least 24 hours at each of six performance locations. At four of these locations, the elephants were restrained in electric-wire pens on turf and at two locations the elephants were restrained via leg chains on macadam. Instantaneous scan sampling at 5-minute intervals during each observation period was conducted to determine the frequency of occurrence of seven behavior categories: aggression, comfort, ingestion, locomotion, resting, social, and stereotypy. Stereotypies and social interaction (P<0.0008) were more likely with chained restraint; comfort ingestion, and locomotion activities were less likely (P<0.0037) with chained restraint, whereas aggression and resting activities were not affected by type of restraint (P>0.6254). Variation in stereotypic activity was related to age (P = 0.0001), with younger elephants more likely to show stereotypic activity than older elephants.	Gruber, T. M., T. H. Friend, J. M. Gardner, J. M. Packard, B. Beaver, and D. Bushong. 2000. Variation in stereotypic behavior related to restraint in circus elephants. Zoo Biology 19:209- 221.
Environmental conditions and body temperature of circus elephants transported during relatively high and low temperature conditions.	The purpose of this study was to characterize how circus elephants' body temperatures respond to transport during relatively hot and cold conditions. The environment within the trailers and rail cars in which the elephants were transported, as well as the exterior environment, was also studied. A total of 12 trips with 6 different circuses were surveyed during summer conditions with maximum temperatures of 100°F. During cold conditions, a total of 5 trips with 4 different circuses were surveyed with exterior temperatures reaching below freezing. Temperature, relative humidity, and radiation within and exterior to the trailers or rail cars were recorded at five-minute intervals before, during, and after transport. Body temperature of the elephants was also recorded at five-minute intervals using ingested data loggers that were recovered in the feces after transport was completed. Ammonia and carbon monoxide were also measured within the trailers and rail cars. The elephants readily loaded into the transport trailers or rail cars, and there was no evidence of hyper or hypothermia in the elephants even during the most extreme climatic	Toscano, M. J., T. H. Friend and C. H. Nevill. 2001 Environmental conditions and body temperature of circus elephants transported during relatively high and low temperature conditions. J. Elephant Managers Association 12:115- 149.

	conditions. The interior of the transport vehicles were maintained at reasonable temperatures for the age and condition of the elephants within the vehicles despite extreme external conditions. Ammonia and carbon monoxide were always below detectable concentrations. These data indicate that, when proper care is taken, the transport of circus elephants does not compromise the well- being of the animals even during relatively extreme environmental conditions. However, it is very important that transport of elephants during extreme weather conditions be attempted only by experienced handlers and that conditions within transport vehicles be carefully monitored.	
The behavior of circus tigers during transport.	The behavior of two tigers (Panthera tigris) individually caged and transported once for 4.25 h and the behavior of four tigers that were transported twice for 4.2 and 4.5 h while caged as a group was analyzed. The tigers were videotaped during transport and the amount of time spent pacing, lying, and standing and walking was determined. Environmental conditions encountered during the trips, as well as tiger body temperature, were recorded at 5 min intervals during transport. Tigers that had access to an exercise pen and performed previous to transport spent most of their transport session lying down. Only toward the end of the trip did they exhibit pacing behavior. In contrast, those tigers that had not performed within a half day before transport and had no access to an exercise pen exhibited more frequent pacing behavior throughout transport. While slight rises in body temperature did coincide with some instances of pacing, increases in body temperature by one degree or more were most likely attributable to exertion during performances before transport.	Nevil, C. H. & Friend, T.H. (2003) The Behavior of Circus Tigers during transport. Applied Animal Behavior Science. 82: 329-337
Behavior of circus elephants during transport.	Circuses, zoos, sanctuaries, and private owners transport elephants for trips lasting from a few hours to several days. This study used time-lapse video to record the activities of elephants hauled in semi-trailers and in rail cars. Bouts of lying down, weaving, and standing were recorded. Video observations of elephants in semi-trailers lasted from 1.7 to 3.8 hours while observations of elephants in rail cars lasted from 40 minutes to 26.3 hours, with the shorter observation periods the result of video equipment failure. The percentage of observed time spent weaving by elephants hauled in semi-trailers ranged from 4.2% to 93.2%, while elephants hauled in rail cars spent zero to 68.5% of observed time weaving. While weaving, elephants engaged in activities such as eating, throwing feed over their back, and looking out the windows. Only two	Williams, J. L. and T. H. Friend. 2003. Behavior of circus elephants during transport. J. Elephant Managers Association 14:8-11.

	elephants, both of which were transported in rail cars, were observed lying down (2.8 and 4.6% of the observed time). Occurrence of weaving was highly variable between elephants. Because the elephants observed in this study engaged in a range of activities while weaving and were not in a trance-like state, weaving during transport did not appear to be indicative of poor welfare.	
Survey of transport environments of circus tiger (Panthera Tigris) acts.	The type of equipment used to transport circus tigers, environmental factors experienced during transport, and resultant body temperatures of tigers transported were surveyed during hot and cold weather conditions with six different circus tiger acts. Dataloggers recorded interior and exterior temperatures, relative humidity, and radiant heat at 5-min intervals during each trip. Microdataloggers fed to the tigers recorded body temperature and were recovered from eight Bengal (Panthera tigris tigris), Siberian (P. t. altaica), or Bengal-Sumatran (P. t. tigris-P. t. sumatrae) cross tigers from four different circuses. Three basic types of systems were used by circus acts to transport tigers: freestanding cages mounted on wheels that were winched or pushed into a semitrailer for transport, cages built into the trailer itself, and weather- resistant units transported on flatbed railcars or flatbed truck trailers. The highest temperature encountered inside a trailer was 37.3 degrees C in hot weather conditions, but overall, temperatures were usually between 21.1-26.7 degrees C. Temperature inside the trailers did not appear to be affected by movement and did not generally exceed ambient temperatures, indicating adequate insulation and passive ventilation. During cold weather trips, the lowest temperature inside the trailers was -1.1 degrees C, occurring during an overnight stop. Interior temperatures during cold weather transport stayed 2-6 degrees C warmer than ambient temperatures. The body temperatures of the tigers were unaffected by extreme temperatures. The only changes observed in body temperature were increases of 1-2 degrees C caused by activity and excitement associated with loading in several groups of tigers, regardless of whether it was hot or cold weather. Whenever measured, carbon monoxide and ammonia were below the detectable concentrations of 10 and 1 ppm. respectively. Overall, transport did not appear to have any adverse effects on	Nevill, C. H., T. H. Friend and M. J. Toscano. 2004. Survey of transport environments of circus tiger (Panthera Tigris) acts. J. Zoo and Wildlife Medicine 35:167-174.
A preliminary study on the effects of limited access to	the tigers' ability to thermoregulate. The effects of 0, 20, and 40 min of free time in an exercise pen on pacing in circus tigers were investigated using three tigers traveling with two separate	Nevill, C. H. and T. H. Friend. 2006. A preliminary study on the

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an exercise pen on	circuses (six tigers total). Each cat was subjected to each treatment at daily	effects of limited access to an
stereotypic pacing in circus tigers.	intervals following a Latin Square design and, except for practice or performances, held for the remainder of the time in their homecages. The tigers spent an average of $4.9 \pm 1.1\%$ of their time pacing in their homecages, and this was not influenced by treatments (P = 0.18). The cats traveled an average of 124.6 m while in the exercise pen for 20 min and 219.5 m during 40 min of access. There was a negative correlation between the distance traveled in the exercise pen for the 20- and 40-min treatments and the amount of time spent pacing in the homecage (r = -0.79 and -0.63). Performances and rehearsals appear to be important sources of additional exercise and stimulation that could account for why 20 or 40 min of free time in an exercise pen did not influence pacing in the homecage. However, several tigers were active up until the end of the activity period, indicating that exercise pens are an important form of enrichment and that access for periods longer than 40 min should be considered.	exercise pen on stereotypic pacing in circus tigers. Appl. Anim. Behav. Sci.101:355-361.
Stereotypic behavior of circus tigers: Effects of performance.	Little is known about the effects of performances on the behavior of animals used for entertainment in circuses. The objective of the study was to determine how one or three performances per day influenced the frequency of stereotypic behavior performed by circus tigers ($n = 4$) in their home cage, shortly before and after performances and during an extended period of time following performances. Behavior was time-lapse video taped and characterized at 5-min intervals. Pacing increased during each subsequent hour prior to a single performance (37.5% to 47.22% to 54.33% in 2002 and 18.06% to 25.69% to 35.42% in 2003). On days of three performances, pacing occurred most frequently 2 h prior to the first performance of the day (9.38% to 27.78% to 21.88%). Post-performance pacing was limited to a single occurrence following one or three performances. The total number of performances in a day was not significant in influencing the percentage of tigers observed lying ($P = 0.966$) or pacing ($P = 0.796$) during the subsequent 15 h post-performance. The results indicate that pacing increased prior to performances, perhaps as a result of increased external activity or anticipation of the performance, and that the number of performances per day had little influence on pacing overall.	Krawczel, P.D., T.H Friend and A. Windowm. 2006. Stereotypic behavior of circus tigers: Effects of performance. Appl. Anim. Behav. Sci. 95:189-198.

In a 2007 report commissioned by the government of the United Kingdom, independent experts confirmed that a review of scientific evidence regarding animal welfare did not justify a government ban on various exotic species being presented in circuses. The report found that *"that there appears to be little evidence to demonstrate that the welfare of animals kept in travelling circuses is any better or worse than that of animals kept in other captive environments"* - Executive Summary of the DEFRA Circus Working Group 2007.

Appendix C



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Ringling Bros. and Barnum & Bailey[®] and Elephant Conservation

Ringling Bros. and Barnum & Bailey has been a leader in elephant care and management for over 144 years and currently cares for about 40 Asian elephants, the largest herd outside of Asia. However, with less than 35,000 left in the world the Asian elephant is a seriously endangered species. For that reason *Ringling Bros.* has also made a commitment to ensuring the preservation of the Asian elephant species through education, breeding, research and field conservation.

Breeding

Since 1992 we have celebrated an unmatched **26 births** at the **Ringling Bros. Center for Elephant Conservation**, making it home to the Western Hemisphere's most successful breeding program. This unique state-of-the-art facility is dedicated to the research, reproduction and retirement of Asian elephants.

Research

The *Ringling Bros. CEC* has made unparalleled contributions to the knowledge of Asian elephants and their health, including research on diseases and other threats to elephants. Our resident research scientist is conducting groundbreaking research that is vital to establishing sustainable Asian elephant populations.

Ringling Bros. also supports the work of other institutions on research of diseases that affect elephants. For example, *Ringling Bros.* has given more than **\$250,000** to the Smithsonian's National Zoo to fund the National Elephant Herpesvirus Laboratory and to support related research.

Field Conservation

In the last 15 years Ringling Bros. has committed over **\$1,000,000** to support the conservation of elephants in Asia and Africa.

One of our key international conservation partners is the International Elephant Foundation (IEF), which *Ringling Bros.* helped found in conjunction with various U.S. and international zoological facilities. Since 1999, *Ringling Bros.* has contributed more than **\$500,000** to support IEF's elephant conservation programs and projects throughout the world.

Ringling Bros. is actively working with various public and private partners to help save elephants in the island nation of Sri Lanka, home to one of the largest populations of wild Asian elephants. Our partners there include the Biodiversity and Elephant Conservation Trust, the Department of Wildlife and Conservation (DWC) and the Universities of Peradeniya and Rajarata.

Since 2008 Ringling Bros. has invested more than **\$750,000** to support conservation awareness and education, wild population studies, and human elephant conflict prevention in Sri Lanka. *Ringling Bros.* also supports and works with the DWC's Elephant Transit Home which rescues and rehabilitates orphaned elephants so they can be returned to the wild.

Ringling Bros. also supports conservation programs for tigers and other big cat species in the Russian Far East and in India where the few remaining wild tigers are found. *Ringling Bros.* has provided funding to support local conservation organizations in those areas to support anti-poaching, wildlife health and population monitoring and conservation education programs focused on tigers.

Endangered species? Not if we can help it.

Appendix D

PETA Big Cat Report Debunked

This report mischaracterizes and misrepresents the facts about the training and handling of animals in the circus. PETA and other organizations that advocate for circus animal bans do so as part of a larger, animal rights agenda which opposes all or most human interaction with animals.

1. <u>The author of the document is not a veterinarian and not qualified to make medical</u> <u>diagnosis or analysis of any animals.</u>

The author of the "report," Jay Pratte, is not qualified to make medical diagnosis or analysis of any animal. He does not possess a doctorate of veterinary medicine nor is he a certified animal behaviorist. He is not an animal control officer or USDA inspector, nor has he ever been any of these things. He is, however, a PETA consultant.

In The Daily Beast, on September 28, 2016, Pratte admits that he was asked by PETA "to go in and to assess the animal welfare," seemingly contradicting his report in that his "primary reason that [he] chose to write this report was because of how big cats in the circus are treated by their trainers and circus staff." He never discloses if PETA paid him for his report.

If in fact he had been truly concerned about the welfare of animals he would have contacted animal control or federal USDA officials immediately. Instead, PETA released his report to the media three months after his purported observations.

2. The resources and citations provided are inaccurate and misleading.

The "peer reviewed" articles listed on the report include online blog post and publications with no professional qualification requirements. Furthermore, the author is listed as the Animal Training Committee column coordinator for AAZK Animal Keepers' Forum where 12 of the 15 articles listed were published.

Although it's not applicable, the citation listed for AZA, with respect to cage requirements, are in fact the guidelines for National Geographic. Neither AZA nor National Geographic guidelines are legal requirements but rather recommendations to dues paying members of private organizations. The author also cites the Guidelines for Captive Management of Jaguars as a resource for the AZA when in fact, that publication is not yet finalized and is currently in its 30day comment period. In short, the information throughout this report is not accurately portrayed in any respect and the research and citations are poor.

3. <u>A few hours of observation on one day is not enough time to make broad</u> generalization regarding medical, psychological or behavior statements.

The author observed the big cats with the *Ringling Bros. and Barnum & Bailey* Red Unit for two 1-hour periods prior to the show and for the few minutes during two shows on the same day. These minimal observations do not constitute a behavior study and it is unreasonable to even suggest that such observations could be the basis of a professional behavior study or support any meaningful conclusions, particularly given that Mr. Pratte had no prior knowledge of or information about the animals. Normal species and individual behavior would have to be established as a reference before making conclusions regarding any changes in behavior.

4. <u>*Ringling Bros.*</u> meets or exceeds USDA standards in all respects and AZA standards are not applicable to non-member or mobile facilities.

The Federal Animal Welfare Act (AWA) regulates the treatment of animals in research, exhibition, transport, commerce and by dealers. The USDA licenses circuses, zoos and other animal facilities in accordance with the AWA and enforces the standards outlined in the law. This enforcement includes unannounced inspections by USDA. *Ringling Bros.* has **NEVER** been found in violation of the AWA. In all facets of animal care and safety, *Ringling Bros.* meets or exceeds all federal animal-welfare standards.

AZA standards are based on criteria selected by its dues-paying members, not an outside agency. By definition, its members include permanent institutes that own or maintain wildlife at zoos and aquariums – not traveling exhibitors or circuses.

A. Housing

Our animals are transported in specially designed housing. Appropriate stops are made during travel to feed and water the animals and clean out their enclosures. At the arena, the animals are safely housed in individual stables or species-specific enclosures. All of our animal housing was specially designed to meet the unique needs of each individual species. Tigers are housed in specially designed enclosures with fold-out verandas that provide ample room for movement and interaction between animals. Each animal is provided with adequate space according to its particular needs and requirements as defined by the Animal Welfare Act, with the advice of the *Ringling Bros*. veterinarians and the animal's individual trainer.

Big cats, like domestic cats, prefer to sleep for 20+ hours per day if all of their needs are met. During the one-hour Animal Open House the cats are free to roam between the indoor and outdoor areas of their enclosure. And their indoor areas are equipped with ledges in each, despite the fact that this report wrongly implies none are present. Moreover, Bengal tigers are native to India and live in tropical and subtropical climates. The temperature in Lincoln, Nebraska, at the time this report's observations were purportedly made, was not particularly hot. If there is a chance that temperatures rise to levels that would cause overheating or discomfort to the cats, hoses and swamp coolers are used to cool the tigers.

Cats are housed based on social groups. All *Ringling Bros.* cats were born and raised in captivity and generally enjoy being in the company of other cats. Any cats that do not get along with each other are not housed together. The cats are monitored 24/7 and if any interaction would occur, they would be separated accordingly.

B. The cats did not go for "five to six days with no enriching stimuli."

This report falsely claims that the cats went for "five to six days with no enriching stimuli." Setting aside the fact that this conclusion is drawn from observations that took place over a few hours on one day, this statement could not be farther from the truth.

While the big cats typically have various enrichment items within their enclosures including logs, balls and pools, if any of these things is missing on that day, it does not mean that the cats lack enrichment. The cats are exercised daily during practices and shows which provides adequate enrichment along with the constantly changing environment through travel that stimulates the big cats.

5. <u>Ringling Bros. big cats receive regular medical care, annual exams and blood work to</u> <u>ensure that they are healthy. They are healthy and the issues mentioned in the report</u> <u>are not medical issues at all.</u>

Again, the author of the report is <u>not</u> a veterinarian and therefore not qualified to make medical diagnosis of *any* animal. *Ringling Bros.* employs full-time veterinarians who administer regular veterinary care to all our animals. Additionally, a veterinary technician travels with each circus unit to provide 24/7 care of all of the animals. A local veterinarian is also on call 24 hours a day in each city where the show performs. Each animal receives regular, thorough medical examinations and all needed vaccinations. The animals are fed, watered, groomed and cleaned daily.

In fact, performing animals often live longer than their wild or zoo counterparts, due in part to their active and enriched lifestyle, which includes regular exercise and interaction with other animals and humans. Regular veterinary care, grooming and good nutrition also play an important role.

A. <u>Hygroma</u>

The alleged "hygroma" that is identified on one of the tiger's in the report is actually a callus and has been extensively evaluated and monitored by *Ringling Bros*. veterinarians. It should be noted that the author of this report did not review any veterinary medical records for any animal he briefly observed.

B. <u>Footpads</u>

As cats and dogs age, particularly those that are athletes, their pads will become harder and will not be soft and pliable like a kitten or a puppy. This is an adaptation to protect sensitive structures underneath.

There is only one tiger with a true foot pad issue and she has been extensively evaluated by medical professionals. She has been evaluated by an independent veterinary and has been successfully treated.

6. Ringling Bros. animals are all on strict diets.

Our animals are fed and watered in prescribed measures on a regular schedule as determined by our veterinarians and the animal's trainer.

The *Ringling Bros.* employee, Victor, mentioned in the report, is not a big cat trainer and the information he alleged provided to the author with regard to the source of food for the tigers. Victor allegedly reported that "whatever meat products are available at each stop" are fed to the cats, which is false. *Ringling Bros.* purchases choice grade meats from the same supplier, Sysco, throughout the country. The meat is then delivered or carried to each location in a freezer trailer. In fact, *Ringling Bros.* had purchased over \$22,000 worth of meat just before the engagement in Lincoln, Nebraska.

7. The report mischaracterizes the social behavior of the big cats.

Big cats play-fight and wrestle with each other. This is normal big cat behavior. Our big cats are grouped by social groups and any cats that do not get along are grouped together.

The alleged "scars and puncture wounds" are actually areas of alopecia, a skin disorder, that have been worked up and determined benign by a veterinarian. Again, it should be noted that the author of the report is not qualified to make any medical diagnosis of any animal nor did he review any medical records during his brief observations.

The cats do not exhibit signs of severe and chronic stress. Again, making this generalized statement regarding behavior without basis is completely unfounded. The cats do not exhibit stereotypic behaviors (pacing/over-grooming/tail chewing) and the only way to determine a cat's behavior is to evaluate it over a length of time. Broad generalizations regarding behavior cannot be made after two hours of observation on one day.

8. We don't acquire our cubs until they're at least 4-6 months old.

Ringling Bros. cats are not human-reared. They live with conspecifics just like our adult cats. Despite the report, we do not acquire cubs until they're at least 4-6 months old and do not take them from their mothers prior to the points that they are ready.

9. Public Safety

Again, Pratte provides false information in his claims that "any non-trainers or general circus staff would fall into the public category" for the purpose of handling cubs. However, APHIS defines public in the handling regulations to "generally mean customers or visitors, and not an exhibitor's paid employees or unpaid bona fide workers who comprise the exhibitor's regular work force (i.e., personnel with regular hours who work under formal arrangements). Exhibitors themselves are not 'the public' or 'the general viewing public.'"

10. Summary

This PETA 'report' on *Ringling Bros.* big cats is full of incorrect information and unsubstantiated conclusions and reflects the preexisting bias of the author and the organization that hired him to write it. Overall, the statements throughout the 'report' are misleading and disingenuous and pure PETA propaganda.



STATEMENT FOR THE RECORD ALEXANDER LACEY, BIG CAT CIRCUS TRAINER AND PRESENTER, *RINGLING BROS. AND BARNUM & BAILEY* NEW YORK CITY COUNCIL COMMITTEE ON HEALTH OPPOSITION TO INT. NO. 1233 OCTOBER 20, 2016

Good morning. My name is Alexander Lacey. Thank you for the opportunity to speak in opposition to the proposal to ban circus animals in New York City. As someone with years of experience in caring for performing lions and tigers, I am asking you not to support this proposed ordinance.

I present lions and tigers for *Ringling Bros. and Barnum & Bailey*. I have spent my entire life working with and caring for big cats, and after decades of experience I can tell you that the assumptions about animal care, training and transport that are made in support of this proposed ordinance are not correct.

I am originally from England where my family raises and cares for lions and tigers. I have known and cared for the animals that I work with their entire lives. All my cats are bred in captivity and are part of many generations raised and cared for by my parents and me.

The statements made by the supporters of this proposal about performing animals are not based on any actual first-hand knowledge of big cat training, transport or care. The health and well-being of my animals is my top priority, every single day. I spend my days ensuring they are fed, exercised and that all their needs are met. My cats are a part of my family, and I would never tolerate anything less than the best care for them.

My animals live very comfortable lives and are transported in a manner that ensures they have plenty of space, opportunities to socialize with other animals and engage in natural behaviors. Like all cats, their favorite pastime is sleeping, which they do plenty, but they also lead active lives filled with physical and mental stimulation.

I spend hours every day building a positive and trusting relationship with every animal. My training is based on repetition and reward. Anyone who has trained animals recognizes that this is the only effective training method, because abuse and mistreatment results in unpredictable and fearful animals. None of the behaviors my cats are trained to do result in any harm or discomfort to them. They are not forced to perform, and they are not afraid of me or the tools I use. When I meet the families who come to our shows, they tell me how amazed they are at the special bond I have with all of my cats.

I am proud to be a part of *Ringling Bros.* I see every day the commitment this company makes for the care of my lions and tigers - in fact all of the animals with the circus. We employ a team of veterinarians, and in every city we visit, we have an on-call veterinarian. Also, a veterinary technician travels with the circus. I trust all of these people to protect the health of my animals.

Anyone who comes to a performance can see for themselves that my lions and tigers are in the very best of health.

In fact thousands of people come and see that every week, and that is a good thing.

This proposed ordinance would do nothing to advance the welfare of my or any other animal and should not be passed.

Thank you and I am happy to answer any questions.

My name is Shelley Della Rocca and I have been the Chief Mayor and President of the Community Mayors since my Dad's passing in 1998. My father, Dominick Della Rocca, founded the Special Events programs for Children with Special Needs 65 years ago. The Community Mayors is a non-political, not-for-profit, all volunteer organization dedicated to enhancing the lives of children with special needs. I do not receive any remuneration nor is there any paid staff.

I grew up among the Community Mayors along with their children and we were family. We called each other cousin and still do today. I remember long hours, after hours, in my father's restaurant with the Mayors helping make the sandwiches and goodies for the Operation Santa party and other events for the children.

It is not a question of if the Community Mayors and Ringling Bros. and Barnum & Bailey Circus collaborating together to do good work for those less fortunate would happen, but <u>when</u> it would happen. We were a match made in heaven serving children and bringing the utter joy, amazement and excitement of the circus to the

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children, while making millions of <u>big</u> smiles on <u>little</u> faces. My father began this tradition with Irvin Feld, then Kenneth Feld and myself and now Ken's daughters. I always felt the same sense of family among the Circus community and their animals, just like us.

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For 45 years, the generosity of the Feld Family and the RBBB Circus has been unwavering. Private shows just for Community Mayors' and our children with special needs every year were donated free of charge at Madison Square Garden. Close to a Million children have had this opportunity. Even the NYPD were happy to participate by closing 34th street between 7th and 8th Avenues so the hundreds of school buses could drop off and pick up the children safely.

There were hundreds of wheelchairs at every event. I can remember a child in a bed being wheeled up what I called the elephant's ramp, and another with an oxygen tank being wheeled alongside her wheelchair. Many of the clowns and performers would volunteer their time and come out to the street before the show to help and greet the children. We had the whole street to ourselves and the atmosphere outside was just as exciting as inside. The wheelchairs would be placed around the center ring, and the children would have an opportunity to pet some of the smaller animals before the show. When the Ringmaster said good bye to the children, the performers would again attend to helping the children back to their bus.

There are no words to describe the combined element of humanity along with the love for the animals this partnership brings not only for the children but for the adults as well.

As Erma Bombeck once said, "Volunteers are the only human beings on the face of the earth who reflect this Nation's compassion, unselfish caring, patience, and just plain loving one another."

To take this opportunity away for future generations of children to enjoy is just plain criminal.

Thank you.

3

Testimony from Sharon Discorfano, Esq. at Hearing to be held on October 20, 2016 Regarding Intro 1233

My name is Sharon Discorfano. I am a member of the NYS Bar and of the NYC Bar Association's Committee on Animal Law. I'm here testifying in a personal capacity in **support of Intro 1233**. As you will hear from several of my colleagues today, the proposed bill would be the most effective way to ensure the humane treatment of animals and public safety. Furthermore, many cities as well as whole countries already have taken similar steps with bans or substantial restrictions on the display or use of wild and exotic animals in entertainment.

On a more personal note, I'd like to share my experience as a six year-old whose mother brought her to Madison Square Garden to see the circus for the first time. I can still see the Garden from those child's eyes: I was mesmerized by the lights, the music, the crowd, the pink clouds of cotton candy all around me. But I also have a very visceral memory of the the immediate distress I felt when the circus performers brought out the bears. They were wearing muzzles. I looked up to my mother for an explanation, something that would make what I instinctively knew was wrong somehow OK; without going into detail, she tried to assure me it was for our own safety and the bears didn't mind. A hard swallow, and I looked back to the animals in the ring. In about two more heartbeats, I was sure I wanted to go home.

So, while advocating for animals through our legal system is always something I consider a privilege to be able to do, today has added significance for me because, as we discuss the treatment of any animals who will be affected by passing 1233, I am -40 years later - speaking on behalf of those bears who were forced to dance for us that day in Madison Square Garden.

Conclusion & Recommendations

To conclude, I wholly support Intro 1233. Should the Council be willing to consider a few points to make this law even stronger, I offer a few recommendations:

1. In listing species, change the language to "including but not limited to" so that all animals are covered by the law (For example, orangutans are not listed with the

enumerated primates; with this change, they would still be covered.)
2. Delete "live" in front of "live audiences" to close a loophole where anyone could videotape an otherwise prohibited performance and replay it without violating the law
3. Amend the enforcement portion to include injunctive relief and require any license/permit be revoked when a violation has occurred
4. Increase the civil penalty so that it is more effective as a deterrent

Thank you again to the Council members and all those whose efforts have gotten us to this point today.



Good morning Chairman Johnson and fellow members of the Health Committee. Thank you for the opportunity to testify before you today.

My name is Anthony Caifano, Secretary-Treasurer of the Amalgamated Lithographers of America Local One of the Teamsters; proudly representing five thousand active and retired members of the printing trades in New York City and the tri-state area. Today I also represent my Brothers and Sisters from Local 688 in St. Louis that represent the 200 Teamsters who are animal handlers and operate the floor crew for the Ringling Brothers Circus and whose jobs are directly threatened by intro 1233.

As a Lithographer, Teamster and Trade Unionist I stand before you to vehemently oppose any legislation that would eliminate good Union jobs for my members, and arguably for the exotic animals, who share the same working conditions.

We also stand in opposition to Intro 1233 because it is a misguided bill that threatens the elimination of an American institution, the circus, which I as a native New Yorker had the distinct privilege of enjoying throughout my youth. The only opportunity to marvel at the wonders of natures beautiful creatures in the middle of Manhattan Island.

We know there is no animal abuse and these are unfounded and unsubstantiated claims from a small, well-funded group of animal extremists who are using this for their own personal benefit which is by no means in the interest of the workers, or the community surrounding Barclays Arena. Jobs that include the 32bJ ushers, Unite Here concession worker, Painters, Electricians and most importantly local community hiring jobs and opportunities.

We strongly urge you to oppose Intro 1233.

Save Our Circus.

Respectfully Submitted,

Anthony Caifano

STATEMENT FOR THE RECORD FELD ENTERTAINMENT, INC. NEW YORK CITY COUNCIL COMMITTEE ON HEALTH IN OPPOSITION TO INT. NO. 1233 OCTOBER 20, 2016

Feld Entertainment, Inc. (FEI) is the leading producer of live, family entertainment including *Ringling Bros. and Barnum & Bailey*[®], *Disney On Ice*[®], *Disney Live!*[®], Monster Jam[®], Monster Energy[®] Supercross, and AMSOIL Arenacross. We are strongly opposed to Int. No. 1233 and representatives of FEI will be testifying in opposition to the bill at today's hearing.

Ringling Bros. is the oldest and largest traveling exhibitor of live animals in the United States. We currently have two separate circus units that include camels, big cats (lions, tigers, leopards) and a variety of other exotic and domestic animals. Animals are an integral part of our shows and multi-city, multi-year national tours and it is what defines *Ringling Bros.* and the traditional circus. We have over 146 years of experience working with exotic and domestic animals, including extensive practical and scientific knowledge of animal behavior, social structure, and veterinary needs. We are committed to providing each of our animals the highest standards of care in all respects, as demonstrated by the level of resources and time that we devote to proper handling, training and veterinary care. Our team of full-time veterinarians (one of whom is here today) veterinary technicians and animal caregivers oversee all aspects of the animals' care and well- being. Several of our veterinarians are board certified in multiple disciplines and together, they possess over 75 years of exotic animal medicine experience. We also have on-call veterinarians in every city that we visit, and many of these are zoo vets with years of exotic animal medicine experience.

We are strongly opposed to this legislation which would prohibit the exhibition of wild or exotic animals and prevent *Ringling Bros*. from returning to New York City. It is not possible, nor reasonable for us to change the content of our productions for one stop on a 40 city tour. Not to mention make temporary arrangements for the care of our animals somewhere else while the circus performs without them. Banning circus animals simply means our circus could not return to New York.

The arguments in favor of this legislation are steeped in emotion and rife with broad generalizations that misrepresent what is the norm in the care, training and management of wild and exotic animals. There is much misinformation being circulated, and we urge the Committee to take the time to carefully review all the information before you. We also request that before you consider supporting such legislation that come see for yourself how our animals

are cared for by visiting us at the Barclays Center in February. We would welcome the opportunity to bring you behind the scenes to see our animals and talk to the hard working men and women who take of them. We believe that once you know all the facts regarding wild and exotic animals and their care and treatment at *Ringling Bros.* you will agree that Int. No. 1233 is unnecessary, unconstitutional and its overall impact would be detrimental to New York City.

1. <u>RINGLING BROS. AND NEW YORK CITY</u>

Ringling Bros. and Barnum & Bailey has a long and storied history with the City of New York extending back nearly 150 years. Even before that P.T. Barnum built (twice) and operated the original Madison Square Garden. Barnum even walked a herd of circus elephants across the Brooklyn Bridge to demonstrate its safety.

Today *Ringling Bros.* continues to be one of the most-attended shows in New York City, with more than 500,000 attendees in the past four years, and 20 shows each year over a 2-week run at the Barclays Center in Brooklyn. The circus is, outside of the professional sports teams, the largest single occupier of the Barclays Center. It also adds millions to the NYC economy every year and supports hundreds of local jobs. A 2014 economic impact study found that the circus provides more than 3,600 days of employment for local workers, enabling these people to work year-around and continue to put food on the table for their families.

Each year we also work to make the circus accessible to underserved youth who might not otherwise get to attend by partnering with community and non-profit groups as well as members of the City Council to offer free and reduced tickets so as to ensure that all New Yorkers can experience the wonder and imagination of our shows. In just the last three years, FEI has distributed close to 5,000 free tickets to non-profit organizations in all five boroughs, including youth groups, faith groups, NYC Public Schools, athletic clubs, daycare centers, The Ronald McDonald House, Boys and Girls Club, NYCHA Tenant Associations, and the Girl Scouts. If passed, Int. No. 1233 would put an immediate end to all of this by preventing the circus' return.

2. <u>ALL ANIMAL EXHIBITORS, INCLUDING *RINGLING BROS.*, ARE SUBJECT TO COMPREHENSIVE ANIMAL WELFARE REGULATIONS AT THE FEDERAL, STATE AND LOCAL LEVELS.</u>

The two traveling circus units of *Ringling Bros*. collectively visit approximately 80 cities each year and are subject to every local, county, state and federal law and regulation in each destination as well as those we pass through. An outright ban on wild or exotic animal performances and circuses is unnecessary and unreasonably restrictive and would prevent

lawful, state and federally regulated exhibitors like *Ringling Bros.* from being able to conduct business in New York City.

a. Federal Laws & Regulations

The federal Animal Welfare Act (AWA) was passed by Congress with the purpose of ensuring that animals intended for use in exhibition are provided humane care and treatment and to ensure the humane treatment of animals during transportation. The U.S. Department of Agriculture (USDA) enforces the AWA through its Animal and Plant Health Inspection Service (APHIS). It regulates the housing, ventilation, lighting, interior surfaces, primary enclosures, sanitation, pest control, feeding and watering, outdoor shelter, compatibility, record-keeping, adequate veterinary care, handling and transportation of animals by persons engaged in any exhibition whether the animals are traveling or not. Zoos and circuses as well as other traveling exhibitions are required to be licensed by the USDA. Before APHIS will issue a license the applicant must be in compliance with all standards and regulations. Highly-trained USDA representatives, who are veterinarians or animal health technicians, conduct regular, unannounced inspections of our animals and animal compounds.

When USDA inspectors inspect an AWA licensed facility, they prepare a report of inspection and, if the inspector believes that there is a non-compliance with any AWA standard or requirement, it will be noted on the report. This is not a finding of violation of the law or regulations or even conclusive evidence that a noncompliance existed. Rather, it is the subjective opinion of the inspector that a non-compliance exists and all licensed exhibitors occasionally have non-compliances. Noteworthy is that in many cases these non-compliances are relatively minor and are corrected on the spot. In the vast majority of other instances, the licensee is given a period of time to correct the perceived non-compliance. In addition, the licensee has the right to appeal the alleged non-compliance administratively and the USDA may in fact withdraw it if there is a determination that the inspector was in error.

Those that involve allegations of serious or repeated non-compliances lead to further action by USDA, which means a formal administrative complaint is issued and the matter is set for adjudication before one of USDA's administrative law judges. When such complaints are actually adjudicated they may be dismissed or the licensee may be found in violation. It is only upon formal adjudication by a USDA Administrative Law Judge that a licensee is considered to have violated the AWA. Even in those cases the licensee would have the right to appeal such a finding to a federal court. Thus a mere non-compliance noted on a report of inspection is not the same as being "found in violation" of the AWA and the terms are not interchangeable.

Ringling Bros. has never been found in violation of the AWA. In fact, in all aspects of animal care and safety, Ringling Bros. meets or exceeds all federal animal welfare standards.

b. State and Local Laws and Regulations

Ringling Bros. and other circuses are also often required to apply for state and local permits through state and local agencies and are subject to inspections conducted by these agencies, as well. In New York, *Ringling Bros.* and other circuses with exotic animals are required to obtain permits from the Department of Environmental Conservation before entering the state. Furthermore, *Ringling Bros.* and other exhibitors must obtain a permit and are subject to inspection from the New York City Health Department. The requirements for this permit are extensive and require us to provide detailed information about our animals' health, housing and care while in New York.

Circuses and other traveling animal exhibitors are also subject to state and local laws which provide protection to all animals including animal in exhibitions. These laws prohibit any person from *any* cruel or inhumane treatment of any animal, again, including animals in exhibitions. In fact, the New York Police Department investigates reports of animal abuse or neglect. In short, there is a statutory and regulatory system in place to ensure that circuses and other animal exhibitors have the appropriate qualifications and facilities to safely and properly care for all animals.

We recognize that the city has a legitimate interest in whether the wild and exotic animals covered by this ordinance are being held and cared for in a manner that adequately ensures both public safety and the well-being of the animals. We have never objected to reasonable regulations that ensure animal welfare. However, banning federally licensed circuses that are operating lawfully and responsibly, while arbitrarily exempting other kinds of animal shows, would do nothing to address either of those concerns.

3. A BAN ON TRAVELING ANIMAL EXHIBITIONS IS UNCONSTITUTIONAL.

Int. No. 1233 is not only bad policy it is also problematic for constitutional and legal reasons due to the fact that it arbitrarily prohibits some performance activities with wild and exotic animals while prohibiting others without any justification. In doing so unconstitutionally infringes on Freedom of Speech by imposing a content-based restriction of entertainment. Restrictions that apply to certain viewpoints, but not others face the highest level of strict scrutiny, which must be narrowly tailored to achieve a compelling state interest¹. The government must have a very strong interest at stake and its restrictions must be drawn in a way that is seen as the least drastic alternative to pass constitutional muster under this analysis. Here, these distinctions do not pass that high bar as there is no evidence to support that the care and welfare of animals performing in circuses is different than when those same

¹ Legal Services Corp. v. Velazquez, 531 U.S. 533 (2001).

animals are involved in some other form of entertainment. A trained camel standing on stage is no different than one in a circus ring.

Furthermore, creating distinctions between non-mobile, permanent housing such as local zoos and circuses or other traveling animal exhibitors potentially violates the commerce clause under the Constitution. The dormant or "negative" aspect of the Commerce Clause essentially forbids state and local governments from acting to inhibit interstate commerce.² In other words, they may not enact "regulatory measures designed to benefit in-state economic interests by burdening out-of-state competitors.³" Here, allowing permanently housed facilities such as zoos to display or exhibit animals, but prohibiting temporary ones favors in-state interests by burdening out-of-state interests. Relying upon voluntary standards of a single trade association cannot reasonably serve as the basis for such a distinction. Based on the foregoing, we do not see how any ordinance which permits some animals to be exhibited by certain facilities or for certain uses, but prohibited for circuses or other entertainment purposes could withstand a legal challenge and we strongly urge the Committee to seek a thorough legal analysis of the legislation as it is currently drafted.

4. OUR TRAINING IS BASED ON REWARD AND REPETITION.

The training and handling of all of our animals is based on constant contact, daily routines and nurturing which builds a rapport between the animals and the handlers based on trust. Our trainers use voice recognition and rewards to encourage the animals to learn a set routine. The relationship between animals and humans that perform with *Ringling Bros.* is built on mutual respect, trust and affection. Our training methods are based on positive reinforcement in the form of food rewards and words of praise. Trainers teach animals routines that showcase their physical abilities and beauty, as well as their distinctive behaviors. Verbal or physical abuse and the withholding of food or water are strictly prohibited, and drugs or sedatives are not administered unless prescribed by our *Ringling Bros.* veterinarian for medical reasons.

To say that animals are trained for exhibition through extreme physical coercion techniques, including the restriction of food and physical punishment is unequivocally false. It would also be in violation of federal, state and local laws. The USDA's regulations under the AWA specifically prohibit physical abuse or deprivation to train or handle animals. 9 CFR § 2.131. Thus the kinds of abuse that are alleged to justify this legislation are already prohibited by federal laws. As discussed, there are also many other animal welfare statues and animal

² See Fort Gradiot Sanitary Landfill, Inc. v. Michigan Dept. of Nat. Resources, 512 U.S. 353 (1992).

³ New Energy Co. v. Limbach, 486 U.S. 269, 273 (1988).

cruelty laws⁴ in place to provide protection to performing animals and allow for the prosecuting of those who neglect or mistreat the animals in their care. As previously note the Police Department investigates reports of animal abuse or neglect in New York.

We welcome this type of oversight, as we believe it helps protect the health and well-being of all animals. Because animals are an integral part of what we present to our audiences, *Ringling Bros.* provides the highest standards of care to our animals and fully complies with all federal, state and local regulations, in addition to our own stringent internal animal care guidelines. Furthermore, professional organizations such as the American Veterinary Medical Association support the use of animals in exhibitions in accord with existing federal, state and local animal protection laws.

5. <u>THE ANIMAL WELFARE ACT ALSO PROVIDES FOR COMPREHENSIVE AND STRICT</u> <u>TRAVELING ANIMAL HOUSING STANDARDS.</u>

All of our animals have custom-made traveling units which are easily accessed by the designated animal handlers and animal trainers. While traveling, our animals are under constant supervision and are required by federal regulation to be visually inspected at least every 4 hours during transit

The 1976 amendment to the AWA established standards for shipping containers, feed, water, rest, ventilation, temperature, and handling in order to promote enhanced care for animals during their transport.⁵ Federal Regulations require that the housing facilities in which traveling animals are kept meet certain criteria⁶ both during times of travel and while stationary. The USDA has clarified those housing requirements through a recent policy manual⁷. The federal requirements include structural strength appropriate for the animals involved and ability to withstand normal transportation, proper ventilation and certain air circulation requirements, as well as space specifications that are appropriate for the animal species movement. Our housing facilities are routinely inspected by the USDA and exceed all federal guidelines. More information about *Ringling Bros.*' animal care practices and policies is found in Appendix A.

⁴ National Agricultural Law Center Research Publication, States' Animal Cruelty Statutes, available at <u>http://nationalaglawcenter.org/state-compilations/animal-cruelty/</u>

⁵ USDA, Animal Welfare Information Center, Legislative History of the Animal Welfare Act: Introduction, available at <u>https://www.nal.usda.gov/awic/legislative-history-animal-welfare-act-introduction</u>

⁶ AWA Section 2143; 9 CFR, Part 3 Sections 3.6, 3.8, 3.28, 3.53, 3.80, 3.104, 3.128

⁷ USDA, Animal Care Policy Manual, October 16, 2015, available at

https://www.aphis.usda.gov/animal_welfare/downloads/Animal%20Care%20Policy%20Manual.pdf

6. <u>CIRCUS ANIMALS DO NOT PRESENT AN INCREASED RISK TO PUBLIC SAFETY OVER</u> <u>OTHER ANIMAL EXHIBITIONS.</u>

We are the first to acknowledge and respect the natural instincts of our exotic animals. Our animal attendants are familiar with the individual personalities and temperaments of their charges. *Ringling Bros.* provides around-the-clock security for our animals — protection from other animals, natural predators, public harassment, vandalism and trespassers. Only qualified animal attendants, trainers and *Ringling Bros.* personnel are allowed in the stable area.

Operant conditioning and socialization help build a lasting relationship between the animals and their handlers that makes the animals easier, safer, and more predictable to work with. Despite what other may have misled to believe, no member of the public has been killed while attending a circus performance in the past 75 years Nor is there any evidence at all that captive animals are any more prone to aggressive or erratic behavior than those in the wild.

According to USDA regulations, *Ringling Bros.* and other regulated exhibitors "must minimize possible harmful risks to the public and to the animals during public exhibition by providing sufficient distance or barriers between the animals and the public. Exhibitors must ensure responsible attendants are present when animals are in direct contact with the public and potentially dangerous animals such as tigers and elephants must be under the direct control of an experienced trainer." Again, *Ringling Bros.* consistently meets or exceeds these regulations.

7. RESEARCH SHOWS THAT ANIMAL WELFARE IS ENHANCED BY TRAVEL.

Independent experts confirmed in a report published in the UK in 2007 that a review of scientific evidence regarding animal welfare did not justify a government ban on animals presented in circuses (at the time, U.K. circuses included camels, crocodiles, elephants, kangaroo, llamas, lions, reindeer, snakes, tigers and zebras). The report stated, "there appears to be little evidence to demonstrate that the welfare of animals kept in travelling circuses is any better or worse than that of animals in other captive environments."

USDA-funded research on traveling circus animals showed that the welfare of animals in circuses is enhanced because of the added stimuli and sources of variation in routine. The consortium of researchers led by Dr. Ted Friend, a professor of Animal Science at Texas A&M University and a Diplomate of the American College of Applied Behavior Sciences, concluded that "circuses are not inherently detrimental to the welfare of elephants and large cats. In fact, when we apply the traditional measures of animal welfare (health, reproduction, physical condition, longevity) to circus elephants and big cats, circuses are superior to zoos and sanctuaries."

Additionally, multiple studies on circus animal transport have found that the health and welfare of circus elephants, lions, tigers and other animals are not negatively affected by the routine travel of the animals and their caretakers, but in fact, the travel is consistent with the nomadic lifestyle of many of the species. For a list of pertinent scientific studies related to circus animals please see attached Appendix B.

8. ANIMALS IN CAPTIVITY LIVE LONGER THAN THEIR COUNTERPARTS IN THE WILD.

Performing animals in fact live healthier, safer, and longer lives than their counterparts in the wild or in zoos. In the wild, elephants are threatened by predators, hunters, and face starvation due to a dwindling natural habitat. By contrast, the animals under the care of *Ringling Bros.* are assured a lifetime of veterinary care, nutritious meals, a clean and safe home. Circus elephants live between 62-70 years, which is longer than elephants in most zoos or in the wild. Some speculate this is because of their active and enriched lifestyle, which includes regular exercise and interaction with other animals and humans, regular veterinary care, grooming and good nutrition. In fact, the longest living elephant in captivity in the western world is a retired circus animal in North America. The so-called Wild is rapidly disappearing as people and animals are forced to compete for the same land and resources. Circuses also contribute to public awareness of these animals and the challenges they face and the need to support conservation. At the same time FEI is also directly supporting conservation of endangered tigers and elephants in their native lands. This work is funded completely by revenues derived from our performances, not donations from others. More information about *Ringling Bros.* and our commitment to species conservation can found in Appendix C.

9. ANIMAL RIGHTS GROUPS PAID RINGLING BROS. \$25 MILLION IN COURT.

In 2014, the Humane Society of the United States (HSUS), along with their co-defendants, paid FEI \$15.75 million to settle cases stemming from a lawsuit they brought against *Ringling Bros.*[®] over the care of our Asian elephants. Prior to that, in December 2012, the American Society for the Prevention of Cruelty to Animals (ASPCA), settled its share of the same lawsuits by paying FEI \$9.3 million. These two settlements brought the total recovered by FEI to more than \$25 million in legal fees and expenses, which is what the company actually spent in defending the "frivolous" litigation. The reason these groups paid us to settle litigation that they instituted is simple. HSUS and ASPCA along with the Fund for Animals, Animal Welfare Institute, Born Free USA (formerly the Animal Protection Institute), the Wildlife Advocacy Project, and several of their attorneys, paid to end a lawsuit that the U.S. District Court ruled was "frivolous," "vexatious," and "groundless and unreasonable from its inception." The settlement also covered the related Racketeer Influenced and Corrupt Organizations Act (RICO) case that FEI filed against the groups after discovering they had paid a plaintiff for his

participation in the original lawsuit and then attempted to conceal those payments. The case was a colossal abuse of the justice system in which the animal rights groups and their lawyers paid the witness, covered it up and lied under oath. In the original lawsuit, FEI discovered the animal rights groups and their lawyers had paid over \$190,000 to a former circus employee, Tom Rider, to be a "paid plaintiff." The Court also found that the animal rights groups and their attorneys "sought to conceal the nature, extent and purpose of the payments" during the litigation. Their abuse of the judicial system included the issuance of a false statement under oath by Rider, assisted by his counsel, who the Court found was "the same attorney who was paying him" to participate in the litigation.

Now that the elephants are no longer touring on our circus units, we have seen these same groups devote their considerable resources (all thanks to tax deductible donations) to attacking the care of our big cats and other animals. We urge you to consider their record when weighing the credibility of their claims

10. THE BIG CAT REPORT IS MORE PETA PROPAGANDA.

The recent PETA 'report' on *Ringling Bros.* big cats is full of incorrect information and unsubstantiated conclusions and reflects the preexisting bias of the author and the organization that hired him to write it. The author, Jay Pratte, is not qualified to make a medical diagnosis or analysis of any animals. He is not a doctor of veterinary medicine nor is he a certified animal behaviorist. He is not an animal control officer or USDA inspector nor has he ever been any of these things. He is, however, a paid PETA consultant.

Moreover, the author observed some of the big cats at *Ringling Bros*. for portions of two 1 hour periods prior to the show and for the few minutes during two shows on the same day. These minimal observations do not constitute a behavior study and it is unreasonable to even suggest that such observations could be the basis of a professional behavior study or support any meaningful conclusions particularly given that Mr. Pratte had no prior knowledge of or information about the animals. Overall, the statements throughout the 'report' are misleading and disingenuous and pure PETA propaganda. For a full discussion of the issues with the PETA report please see the attached Appendix D.

11. IN 2011 RINGLING BROS. PAID USDA TO RESOLVE REGULATORY DISPUTES.

Much misinformation is often disseminated regarding the 2011 Settlement Agreement entered into between FEI and USDA to resolve regulatory disputes related to *Ringling Bros.* The Agreement resolved certain regulatory matters and *Ringling Bros.* specifically denied and was not charged with any violations of the AWA. Nevertheless, the Settlement illustrates the highly regulated environment within which *Ringling Bros.* and other exhibitors operate. The

Settlement Agreement covered a 5 year period during which *Ringling Bros.* had about 50 USDA inspections and more than half those inspections resulted in no non-compliances - meaning a clean report from the USDA. Of the non-compliances noted, many were not directly related to animal care, but concerned issues such paperwork, perimeter fencing and enclosure repairs, most of which were cured immediately. The Agreement was reached by both parties to resolve all outstanding issues with no further action based on the disputed matters a common practice in many closely regulated industries. Moreover, *Ringling Bros.'* AWA license has been renewed every year since the Settlement Agreement.

12. <u>RINGLING BROS. DECISION TO RETIRE THE ELEPHANTS WAS NOT A CONCESSION TO</u> ANIMAL ACTIVISTS.

The decision to retire our Asian elephants from our traveling shows was not easy, and it was made with great thought and care and was not was a rejection of performing elephants or a concession to the animal rights groups that have targeted our company for years. In the end, Feld Entertainment is a producer of live family entertainment and we determined that retiring the elephants made the most business sense for the company. We do not object to the use of performing elephants by any other circus or exhibitor.

13. NO ANIMAL EXHIBITIONS MEANS NO CIRCUS.

Proponents of such legislation mischaracterize and misrepresent the facts about the training and handling of animals in the circus. Most of the organizations that advocate such bans do so as part of a larger, animal rights agenda which opposes all or most human interaction with animals. Any town that passes such legislation is taking away a treasured part of the circus experience that our patrons tell us every year that they support and love. Circuses with animal performances provide traditional family entertainment while exposing generations of American families to animals they might not otherwise experience. As a result, they are also among the most effective forms of conservation education about endangered species. The City Council should not take away the right to choose whether or not to view animals in entertainment. We respectfully urge you to **OPPOSE** Int. No. 1233.



UNIVERSOUL CIRCUS NEW YORK CITY STATEMENT REGARDING INTRODUCTION NUMBER 1233

The UniverSoul Circus recognizes the enormous responsibility of protecting the public health and welfare that has been entrusted to the New York City Council Health Committee. However, we believe that the banning of circus animals does not meet that criteria. While there is a great philosophical divide on animals in circuses, there is no disagreement, on either side of that ongoing debate, about protecting animals or humans from physical harm and abuse. We submit that the New York Health Department meets and exceeds their mission to protect the welfare of New York residents and animals.

We believe that to make such a profound and life changing decision for citizens in the media, arts, and cultural capital of the world, that you must also consider the rights of the millions of New York City residents that support animals in circuses. Those residents are entitled to the same level of consideration that supporters of this bill have enjoyed.

The UniverSoul Circus impact on New York City reaches well beyond the excitement experienced by UniverSoul Circus patrons and the goodwill extended to the community through our outreach programs. In 2016 UniverSoul Circus provided over 4,000 tickets to youth, senior, and church programs, as well as agencies and organizations working with the disadvantaged to provide people with an uplifting experience at the circus that they recollect and share for months and years.

UniverSoul Circus has warmed the hearts and minds of families across the country for more the 23 years with a host of phenomenal international acts and traditional circus animal performances. UniverSoul Circus has provided that same unique experience for New York

families to witness firsthand the beauty and majesty of these beautiful, valued and respected treasures.

UniverSoul Circus and the animal exhibitors have worked for many years with federal, state and local authorities on animal welfare and safety, as well as the welfare and safety of the public. Furthermore, UniverSoul Circus continues to support efforts to protect animals that are part of the UniverSoul Circus family.

In conclusion, the UniverSoul Circus opposes Introduction Number 1233 a bill that would essentially ban exotic and wild animals in circus.

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FOR THE RECORD

Dawn Animal Agency, Inc. 413 West 47th Street, Suite B New York, New York 10036

October 18, 2016

<u>BY E-MAIL</u> tadams@feldinc.com

City Council Health Committee c/o Trista Adams, Esq. Feld Entertainment, Inc. 8607 Westwood Center Drive Vienna, VA 22182

Re: Proposed Animal Ban Ordinance

Gentlemen and Ladies:

My name is Barbara Austin, a director of Dawn Animal Agency, Inc. We supply animals to the media and for theatrical productions and have been in business for over 50 years.

As you will see, the proper care and humane treatment of animals is and always has been our top priority. No one present at this hearing is in favor of cruelty to animals.

The proposed Animal Ban Ordinance could, in effect, put us out of business. With all due respect, we oppose any measure that would ban the use of wild animals for traveling shows or for theatrical purposes.

We comply with all existing federal regulations that outline safety requirements for the display of animals. In addition, we have complied with and support all reasonable regulations that protect the welfare of all animals and we are dedicated to the needs and safety of animals.

There are also presently existing regulations and inspections mandated by the New York State Department of Environmental Conservation and New York City Department of Health which already accomplishes much needed enforcement for the protection of animals. If a problem with a particular situation exists, there are already measures in place to address it. To an entire industry and, in our particular case, possibly causing us to go out of business after more than 50 years, does not seem the outcome you are seeking. Those few that violate existing laws should be held accountable but not those of us dedicated to proper and humane treatment of animals.

As stated, we have supplied animals for theatrical use for over 50 years. We have gained a

reputation of excellence for what we do. Please do not enact this ordinance which seems very unfair to those of us in the industry who "do the right thing."

Of course, if you need to contact me or need more information, I would be happy to assist.

Thank you for your consideration.

Dawn Animal Agency, Inc.

By: _

Barbara Austin, Director

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reputation of excellence for what we do. Please do not enact this ordinance which seems very unfair to those of us in the industry who "do the right thing."

Of course, if you need to contact me or need more information. I would be happy to assist,

Thank you for your consideration.

Dawn Animal Agency, Inc.

By: R. 4- A Barbara Austin, Director



Policy Briefing on Wild Animals in Traveling Circuses

Animal Defenders International (ADI) applauds the City of New York for considering restrictions on the use of performing wild animals in traveling circuses.

There is extensive evidence that due to the very nature of a *traveling* circus, deficits in welfare of animals and therefore suffering is almost inevitable. The need for facilities to be small, collapsible and mobile, the long, arduous journeys and extended periods inside vehicles contribute to welfare problems. The chronic stress that this causes has been observed and recorded in the abnormal behaviors of these animals.

Large cats such as lions and tigers spend between 75-99% of their time in cages on the backs of vehicles in severely restricted space, with cages barely larger than the animals themselves. Elephants spend 58-98% of their time chained by at least one leg, and more commonly both a front and a hind leg, only able to take one step forward or back.

These welfare deficits are then compounded by the need to control these large and potentially dangerous animals when they are brought in close proximity to the public, creating a serious threat to public safety.

For these reasons, we believe it is important to separate the issue of animals used in *traveling* shows from that of animals that are normally kept in a permanent facility, and are brought to a specific location to perform tricks.

We strongly recommend an ordinance that bans the exhibition of wild and exotic animals in traveling circuses on the basis of the evidence summarized below, which has prompted cities and counties in the US and abroad to restrict the use of all wild animals in traveling shows.

Introduction and Background

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ADI has provided evidence to city and county authorities in the US and other countries to support the case for a ban on the use of animals in traveling circuses, on grounds of protection of the welfare of the animals and public health and safety.

The scientific evidence is clear – if an animal has no control over its environment, and cannot exercise its body and mind this can result in repetitive, abnormal behaviors. This indicates compromised welfare, and suffering.

In response to this evidence, action is being taken in the US and all over the world:

Local restrictions: Currently, more than 60 cities and counties in the US have restricted the use of animals in traveling shows including Southampton, NY, Green Bay, WI, Richmond, MO, and most recently Pittsfield, MA and Jersey City, NJ. These restrictions vary between full prohibition on performing animals, or wild animals, or specific species (see separate list).

City and local government bans have been instituted on performing animals in traveling circuses in many countries around the world, including the UK (over 200), Australia Brazil, Chile, Argentina, Ireland, Spain, Canada, and others.

National restrictions on performing animals in travelling circuses, either wild or all animals, have been enacted in 33 countries – Austria, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, Greece, Hungary, India, Iran, Israel, Malta, Mexico, Norway, Panama, Paraguay, Peru, Poland, Portugal, Singapore, Slovenia, Sweden, and Taiwan, The Netherlands. Similar laws are under discussion in the UK, USA, Brazil and Chile.

Effects of Travel and Confinement

ADI's studies of the use of animals in traveling circuses over the past twenty years has used long-term observations and undercover footage of animal care practices, combined with research and examination of the scientific evidence of suffering during transport and captivity (both behavior and biochemical changes).

This evidence has shown that animals suffer deprived and restricted environments in traveling circuses:

Extended periods of time in vehicles and temporary facilities causes chronic stress. Studies have shown that during transport, animals suffer increased heart rate, raised hormone levels, lowered immunity to disease, weight loss, aggression and stereotypic behaviors. We have found no evidence that familiarity with transport can necessarily ease stress; in fact the opposite may be true.

In addition to the long and arduous journeys, animals remain in vehicles for excessive periods of time before and after travel. The animals are typically loaded before the circus is dismantled, and then afterwards remain in vehicles until the circus is set up at the next location, which can be the next morning or even afternoon. For example, observations found elephants in a trailer for 19½ hours for a 5-hour journey and a sick elephant in her trailer for nearly 18 hours for a 45-minute journey.

Inappropriate social groupings have a negative effect on animals. This includes solitary animals forced to live alongside other animals; herding or family-living animals forced to live alone; and prey animals kept in close proximity to predators:

• Isolation or separation from companions leads to complex changes in behavior, including a decreased interest in surroundings, apathy, stereotypies, increased heart rate, vocalizations and higher levels of physiological stress.

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- Animals forced to live in close proximity with one another show a greater frequency of fighting and competitive behaviors and a greater incidence of stereotypies.
- Different species mixed or forced to live in close proximity to one another exhibit avoidance behaviors, increases in heart rate, greater expenditure of time in a state of alertness and other indicators of physiological stress.
- In the presence of predators, prey species show anxiety behaviors, changes in nervous systems, suppression of feeding and grooming behaviors.

Deprived environments: Bare boards and bars, empty or poor temporary enclosures and tents; lightweight, portable facilities with little to no environmental enrichment, results in the abnormal behaviors which indicate that the animal is not coping with its environment.

Violence in the Circus

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The tricks that these animals are forced to perform require extreme physical coercion and violence. Investigations and undercover footage reveal that training is by use of bullhooks, (a heavy bar with a sharpened point and hook), stun guns, metal bars, whips, deprivation of food and water and intimidation. Wild animals are large and potentially dangerous. Unlike domesticated species such as horses and dogs, their behavior has not been modified for compliance over thousands of years, they remain wild. Their wild nature is in conflict with their captive environment and their captors and this contributes to the escalation of the levels of force and violence. It also means that these animals are less predictable and more dangerous in public.

Excessive force and abuse commonly occurs at flashpoints during the day. These animals do not want to perform. Violence occurs most frequently when workers are stressed, such as when moving animals quickly across open ground or moving unwilling animals into the ring to get to performance on time. Often, poorly paid circus workers who lack expertise about the species they are handling resort to screaming, punching, kicking and beating animals. Sometimes this occurs when they simply don't understand what the animal is feeling.

The training sessions frequently shown to the media when the circus is on the road are simply reinforcement and rehearsals; the animals are plodding through well-worn movements. The real training goes on behind the scenes out of the public eye, and has only been exposed by undercover investigations by ADI and other groups.

Primates are taken away from their mothers at an early age to ensure emotional and physical dependence upon humans – as they get older and more dangerous, punishments can be severe; lions, tigers and other large cats are clubbed, whipped, jabbed with metal poles (including tent poles) and screamed at to ensure compliance. Elephant calves begin training at an early age, when they are taken away from their mothers and subjected to a regimen that includes being bound with ropes, chained, and jabbed and struck with a bullhook.

ADI's studies have revealed that the culture of violence in traveling circuses is related to the need for direct and very close control over the animals, because they are held in lightweight, temporary facilities in public areas. It has been noted that the level of violence appears to correlate with

perceived danger, with the level of aggression vastly increased for lions, tigers and other large cats, elephants and stubborn exotics like camels.

Given the relatively small number of animal circuses in the US, and indeed worldwide (as compared to zoos or other wild animal exhibits), the number of incidents of violent abuse to animal numbers that has been caught on film is staggering. Such prevalence cannot be dismissed as being related to just certain individuals; it is inevitable due to the nature of the husbandry, casual, low-paid workers with no understanding of the animals, requirements for close control, training, and the type of tricks taught.

Safety, Health and Oversight

Traveling circuses pose a serious threat to public safety.

Keeping wild animals confined under duress in dangerously close proximity to the public in lightweight, temporary enclosures has proven disastrous. Circus workers, and members of the public, including children, have been killed and maimed by circus animals, and lions, tigers and elephants have all escaped.

Diseased animals pose public health risk at traveling circuses.

An estimated twelve percent of captive elephants in North America are infected with tuberculosis (TB), a contagious disease that can be passed from elephants to humans. Documented cases have confirmed transmission of TB from elephants to humans.

Difficulties for animal welfare inspections:

The transient nature of traveling circuses, where both animals and their handlers constantly change, combined with continuous travel across the country, makes law enforcement difficult. Local animal control officers are frequently faced with attempting to protect the welfare of species with which they are unfamiliar. Standards are difficult to enforce in these circumstances. Gathering evidence of compliance with local restrictions can be difficult and often a circus has moved on before action can be taken. Costly oversight arrangements cannot prevent accidents and physical abuse, or protect wild animals traveling for months on end in small, temporary facilities.

Economic impacts of a prohibition within the City of New York

Local oversight costs:

The City issues permits for "performance related activities" involving wild animals with associated fees to cover the costs of issuing and enforcing the permits. Even if the fees recover all the fiscal costs, a ban on exotic animals in traveling circuses would provide a benefit in terms of human resources, in that Animal Control officers' time would be freed up for other responsibilities.

Constituents want to see wild animals protected:

Circuses, like all American businesses, have to change with the times to stay relevant and profitable. An educated public prefers to see humane entertainment and human only circuses are thriving. Take for example *Cirque du Soleil*, which has grown from one show in 1990 to 19 shows performing now in 271 cities, with eight separate shows on stages right now in Las Vegas alone, and generating an estimated

annual revenue exceeding \$810 million. In sharp contrast, Piccadilly Circus, a traveling circus that still uses wild animals, recently canceled shows across Southern California due to poor ticket sales.

There is a growing public concern about the treatment of wild and exotic animals abused in traveling circuses:

This is evidenced by the thousands of letters generated to the USDA, Congress, and the President, requesting urgent action be taken to ban these traveling shows. New York City is arguably at the epicenter of this national public outcry, with hundreds of citizens joining protests recently in Brooklyn when Ringling Bros. Circus was in town.

The show, and jobs, will go on:

Research into working practices at circuses show that most circus workers have multiple roles, and staff could be retrained as the circus evolves away from exotic animal acts so jobs are not lost. Circus Vargas removed their animal acts and the business continues, as it can for any circuses traveling in the U.S. that wants to keep pace with their patrons' growing preference for cruelty free entertainment.

ADI observations of the Ringlings show in Los Angeles in 2012 revealed that wild animals formed just 13 minutes of the two hour show.

There is also the option of a phase out of, say, 2-3 years, giving businesses a chance to change.

Summary

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Keeping elephants in chains, confining wild animals like lions and tigers in small cages and forcing them to perform unnatural tricks for the sole purpose of human entertainment are increasingly difficult to justify in our advanced society.

Allowing performing wild animals to be in close proximity to the public in the New York City presents an unnecessary risk to public safety, on the grounds that circuses have inadequate control of animals that are by nature, wild and unpredictable and are kept in insecure and temporary facilities. The chronic stress and violent subjugation of the natural desires and behaviors of these animals make an attack or escape inevitable – as evidenced by the many incidents seen around the country.

ADI respectfully requests that New York City Council bans performing wild animals in traveling circuses from the city's jurisdiction.

We would be pleased to provide further evidence to assist the City Council in making this decision.

We have included suggestions for suitable language, overleaf.

Animal Defenders International 6100 Wilshire Blvd., #1150 Los Angeles CA 90048. Tel: 323 935 2234

Language

It is respectfully suggested that the following language could form the basis of a local policy or ordinance, on the use of wild animals in traveling circuses:

"Exotic or wild (non-domestic) animals may not be used in a performing animal act if the animal is part of a traveling exhibition or show living in a mobile housing facility. An animal is deemed to be part of a traveling exhibition or show if, during the 15-day period* preceding such participation, such animal was traveling in a mobile housing facility.

This restriction shall not apply to the use of an exotic or wild animal used-

- (a) In an exhibition at a non-mobile, permanent institution or facility, including an accredited zoo or aquarium;
- (b) As part of an outreach program for educational or conservation purposes by an accredited zoo or aquarium, if the animal used for such purposes is not kept in a mobile housing facility for more than 12 hours a day;
- (c) By a university, college, laboratory, or other research facility registered under the Animal Welfare Act
- (d) In film, television or advertising if such use does not involve a live public exhibition; or
- (e) In a rodeo"

*15-day period:

A 15-day period is recommended as it provides a reasonable limitation to ensure that the policy restriction covers only those shows that are constantly traveling, and not other performing animal suppliers. It also ensures a reasonable rest period for animals with traveling shows.

Wild Animals in Traveling Circuses

Background Briefing for Local Elected Representatives and Officials



Animal Welfare in U.S. Traveling Circuses

The welfare of an animal can be assessed by whether it has control over its environment and can move about to exercise its body and mind. The 'Five Freedoms'¹ defines good animal welfare as: freedom from hunger and thirst; freedom from discomfort; freedom from pain, injury or disease; freedom to express normal behaviors; freedom from fear and distress.

Many wild/exotic (non-domestic) animals studied in U.S. traveling circuses by ADI endure restrictions on most, and sometimes all, of these basic freedoms. A worldwide study of traveling circus practices shows²:

- Tigers and lions spend between 75% and 99% of their time in severely cramped cages on the backs of trailers.
- Elephants spend 58% to 98% of their time chained by at least one leg, and generally, both a front and hind leg.

In the U.S., wild animals in traveling circuses endure confinement, physical and social deprivation, long, arduous journeys, brutal control methods and physical violence. Studies have shown²:

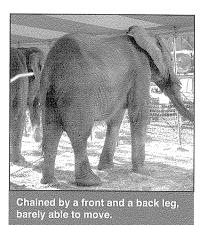
- Severe confinement, lack of free exercise and restriction of natural behaviors causes suffering among all species observed including elephants, tigers, monkeys and ponies.
- It is known that restriction of ability to move around and existing in deprived and barren environments causes mental suffering to animals; this oftentimes results in abnormal, stereotypic behaviors that indicate that the animal is unable to cope with its environment.



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- Studies of animals in traveling circuses have shown these abnormal behaviors to be present in all species.
- Animals that would normally live in a herd or family group live alone, for example zebras.
- Chaining of elephants for most of the day, restricting their movements to a few steps backwards or forwards and worse, lack of free access to water.
- Long, arduous journeys and excessive periods in trailers, before, during and after the journey. For example, lions and tigers remained in their cages and elephants in their trailer for 19 hours for a 5½ hour



journey. One circus started a tour in Mexico before heading into the U.S. and did not return to their permanent quarters for almost eleven months.

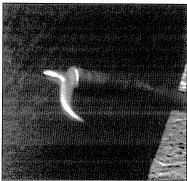
- Large animals spending their lives in small 5'x7' cages on trailers barely larger than the animal itself.
- Elephant hooks (also known as a bull hook or ankus, which are heavy bars with a sharp hook) were used to punish elephants.
- Electric shocks were used on elephants during training sessions and while being walked to the performances.
- Elephants were beaten with a hosepipe and broom handle.
- A tiger cub was smashed in the face to make him "behave."
- An elephant was dragged down and kicked in the face as she lay on the ground; the worker had got into a temper.
- Often, casual workers who do not understand the species they are handling use screaming, punching, kicking and beatings to move the animals around if they perceive a difficulty.

When not chained, circus elephants generally have small enclosures, frequently on hard standing (which can harm feet).

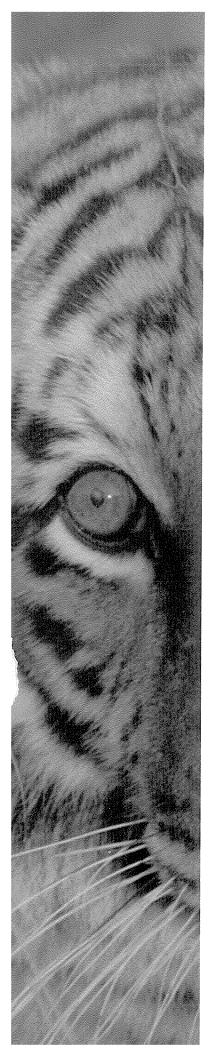
These examples show restrictions of all the basic freedoms of wild and exotic animals in traveling circuses in the U.S. and are indicators of poor animal welfare overall.

There has been growing public concern and outrage at the treatment of wild and exotic animals. They suffer particularly badly from the severe confinement and brutality of the traveling circus life.

Thousands of letters are generated to the USDA, Congress, the President and to local councils and governing authorities in cities around the country, pleading for urgent action to control these traveling shows.



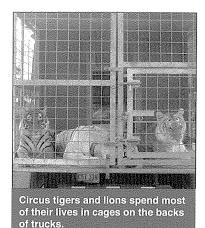
A sharp elephant hook is the common way of controlling circus elephants.



Despite the best intentions, given the circumstances of constant travel with most of the year spent in temporary, collapsible accommodation, animal welfare in traveling circuses and the public's safety in the U.S. will inevitably be compromised.

All too frequently, the extreme stress to which these animals are subjected, can cause them to react in ways that can present a danger to the public.

Such incidents contravene the intent of the Animal Welfare Act on humane care and treatment of animals used for traveling circus and exhibition purposes.



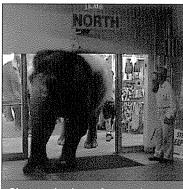
Public Safety

Around the world, circus workers and members of the public, including children, have been killed and maimed by circus animals.

U.S. traveling circuses bring people into dangerously close proximity to wild (non-domestic) animals by displaying animals in areas that are inappropriate, unnatural and unsuitable for the exhibition of these animals.

Incidents in the U.S. demonstrate that traveling circuses pose a serious threat to public safety:

- April 2013, a tiger escaped during a performance at Isis Shrine Circus in Salina, Kansas. Staff were unable to immediately recapture the tiger. Press reported a circus patron came face to face with the tiger, less than two feet away, in an arena bathroom.
- February 2010, a zebra escaped from Ringling Brothers Circus in Atlanta and ran into the city. Police chased it for 40 minutes; it was recaptured on a busy interstate.



Circus animals are frequently moved through inappropriate public areas.

- Two weeks earlier, during a pre-show at the same circus in South Carolina, an elephant broke through a main door and ran into the arena. It was reported that about 100 people were on the floor.
- November 2009, an elephant escaped from the Family Fun Circus in Enid, Oklahoma and struck by an SUV on US Interstate 81.
- March 2008, three zebras with Ringling Brothers Circus in Baltimore escaped from their temporary enclosure and ran onto the traffic lanes. According to press reports, the same three animals had previously escaped in June 2007 in Colorado Springs.
- A lifelong animal trainer was clawed by a tiger during a performance at Hadi Shrine Circus in Evansville, Indiana, in November 2006. The trainer suffered injuries to his hand and leg.



A three month old tiger cub is hit in the face to teach him to obey.



Action Request

- Please restrict the use of exotic and non-domesticated animals in traveling circuses in your jurisdiction.
- This ordinance will protect the safety of workers and the public.
- A wild animal circus ordinance is the only and best way to protect animal welfare.
- The use of domesticated animals in traveling circuses will not be affected.
- An educated public prefers humane entertainment without wild animal acts.
- A restriction on use of wild animals in traveling circuses lowers costs and animal-related accidents.

Cities around the world have recognized the importance of protecting both wild animals, and the public:

In the United States, 45 cities/counties in 21 states have taken action to restrict wild animals from traveling circuses (see separate list).

Prohibitions have been instituted on performing animals in traveling circuses in many cities and districts around the world, including in the UK (over 200), Australia, Brazil (8 districts, 4 states), Chile, Argentina (20 cities), Ireland, Spain, Canada, and elsewhere.

National measures to prohibit the use of wild animals, or selected species/uses, have been adopted in 27 countries around the world, including: Austria, Belgium, Bolivia, Colombia, Costa Rica, Czech Republic, Denmark, India, Israel, Malta, Peru, Portugal, Singapore, Slovakia, Sweden and Taiwan. Similar laws are being discussed in: Brazil, Chile, Mexico, Netherlands, Norway, Uruguay, UK and US. (see separate list).

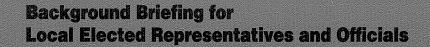
Animal Defenders International

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Hers 1, FAWC Five Freedoms. Farm Animal Welfare Council, press statement, 1979, http://www.fawc.org.uk/pdl/fivefreedoms1979.pdl. 2. Animal Delenders International. Animals in Traveling Circuses: The Science on Suffering(2008).



Wild Animals in Traveling Circuses





Effects of Captivity & Transport on Wild Animals

When animals need to adapt to both accommodation and husbandry practices for the traveling environment a number of issues and challenges arise. While attempts may be made to manage these challenges, we would submit that the practical difficulties they present are an integral part of the traveling circus environment and, therefore, cannot be completely eradicated. Wild and exotic (non-domestic) animals suffer serious problems.

Limited periods in the same location

The nature of the traveling circus is such that most of the year is spent on tour; this is the primary source of income. The Bailey Brothers Circus started one tour in Mexico before heading into the U.S. and did not return to their permanent quarters for almost eleven months. They took a six-week break before departing again. Generally, a circus will spend between a few days and two weeks at a particular location, sometimes longer.

Portable accommodation

A circus needs to be able to set up and dismantle accommodation on a weekly basis – caging and fencing therefore, needs to be collapsible, small and lightweight. Thus, the very nature of the business sets restrictions on the animal facilities that can be provided.

Even if large transporters and complex enclosures were available, there would still be a cost to animal welfare; the animals would need to spend even longer waiting to be unloaded while more extensive and complex enclosures and caging are erected.

The character of a site (e.g., parking lots or industrial areas) can also have an impact on animal welfare. Animals tied on concrete or asphalt will suffer a poor environment, unnatural hard standing, lack of interest and stimulation. Busy downtown activity adds to the circus noise, lights, visitors and vehicles that can disturb animals attempting to rest.



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Frequent transportation

On a regular, often weekly, basis animals must be loaded onto transporters and taken to a new location. The common routine is for animals to be loaded in the late afternoon on a Sunday, remaining in their transporters until the rest of the circus is loaded and then traveling to the new location. The animals are not unloaded until the next morning or even afternoon¹.

Inevitably, some animals will become sick or injured or even give birth on tour. At best, sick or injured animals would face a long journey back to the circus' permanent quarters to recover, but it is more common for the animal to continue the tour. The distances involved in traveling across the the U.S. means that once animals leave their permanent facility, they are soon well beyond the point of no return.

Extended periods in transporters

As mentioned earlier, animals suffer extended periods in vehicles due to the need to dismantle and pack up the circus for travel and then, on arrival at the new location, erect the facilities before finally unloading the animals. Thus, they must remain in their trailers for far longer than the journey has taken.

Even a short journey can entail several hours in vehicles. This extended confinement represents poor animal welfare and causes suffering. For example, observations found elephants in a trailer for 19½ hours for a 5-hour journey and a sick elephant in her trailer for nearly 18 hours for a 45-minute journey².

When animals are moving to and from the circus to fulfil additional commitments – for example elephants giving rides at fairs – it can significantly increase the time they spend in transporters. Elephants with Bailey Brothers Circus spent a whole day inside the trailer, traveling to a Hindu festival to provide rides. Two days later, they traveled from Austin to Kansas and did not leave the trailer for the entire day. As a result, in a 72-hour period the elephants left their transporter for only six hours, in order to give rides at the festival. Following this, they were driven to Butler, Missouri, and were not let out of their trailer until noon. One elephant was immediately chained up outside and only released for the afternoon show.

Such distances and schedules are unavoidable in a traveling circus or exhibition, and therefore, by their very nature, these shows present a welfare cost to the animals they use.

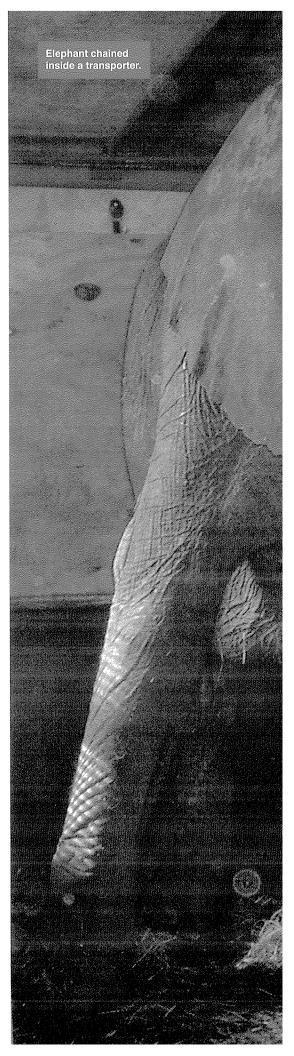
The scientific evidence on suffering

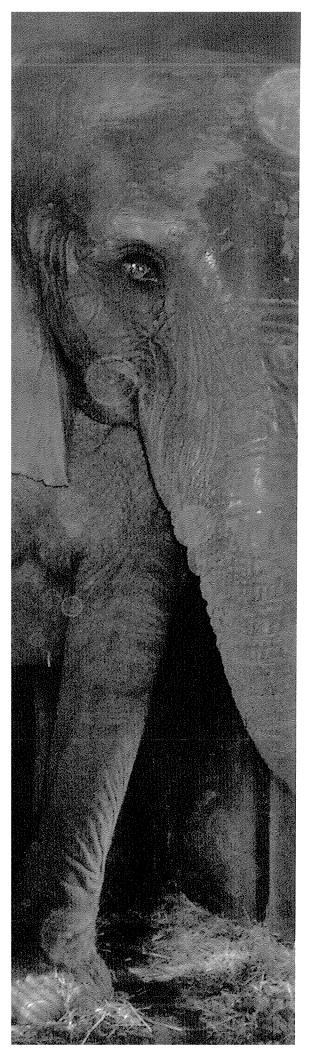
A review of the scientific literature on studies of the effects on animals of transport, captivity and confinement elucidates the biological indicators of stress, as well as the behavioral and psychological effects. Three widely used groups of wild animals are considered here:

Elephants

It has previously been found that *"species that were naturally wide-ranging were more vulnerable to welfare problems in captivity, including psychological dysfunction and stress as exemplified by stereotypy"*³.

A stereotypy is a repeated, relatively invariate sequence of movements, which has no obvious function⁴. Stereotypies are indicators that the animal is having problems coping with the environment which, *"While commonly observed in elephants in captivity, stereotypic behavior has*"





*never been reported in over 34,000 sightings of wild elephant groups containing 1 to 550 individuals*⁷⁶. This is a good indication that captivity has extremely detrimental effects.

The unavoidable mobile nature of the circus means that below standard animal care is inevitable. For example, *"It is obvious that the need to bathe and dust is an important mental and physical requisite in the life of an elephant. Elephants who travel with circuses and shows are not provided with necessary daily mud and water baths"*⁶.

Additionally, improper foot, leg and spine posture, due to the smooth concrete surfaces, in captivity lead to painful arthritis as well as other joint problems⁷. Clearly, elephants suffer both physically and mentally from the conditions imposed by the traveling circus.

Big cats

Carnivores frequently show stereotypic behaviors such as pacing when in captivity. A study revealed that carnivore stereotypy levels and captive infant mortality rates are significantly predicted by natural ranging behavior (e.g. home-range size and typical daily travel distances)⁸.

Lions have diets and feeding patterns that are difficult to duplicate in captivity where they lack the opportunity for brief, but intense periods of exertion related to hunting. It is therefore perhaps not surprising that lions in captivity tend to become obese and suffer the associated problems⁹.

Tigers are solitary hunters in the wild, with limited social contact. Their solitary way of life makes them unsuitable for housing in groups, as both sexes are territorial and fights are likely to occur¹⁰. A study of the circus industry described how circuses often transport tigers in groups and that severe fights can break out¹¹. Circus tigers have shown a wide range of abnormal behaviors, including stereotypies such as pacing, which has been shown to increase as the duration of transport increases¹².

Non-human primates

Non-human primates are our closest relatives. They are highly intelligent, have emotional and social lives and many live in close family groups. They suffer in captivity, just as we would. Most non-human primate species share more than 90% of their DNA with humans¹³, with the chimpanzee DNA sequence differing from ours by only 1-1.5%¹⁴.

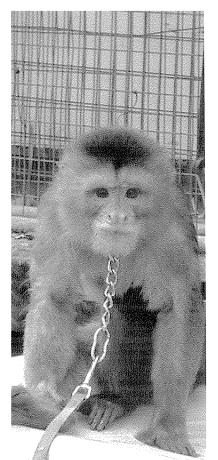
Captivity affects different animal species in very different ways. There is, however, consensus among researchers regarding the higher risks of suffering for the species with more intelligence and cognitive abilities¹⁵. Clearly, the impoverished environment and lack of stimulation in the traveling circus seriously compromises the welfare of the non-human primates.

Chimpanzees display a range of postures and gestures both similar to and in the same context, as humans¹⁶. For these highly intelligent animals stress may be psychological as well as physical¹⁷. For chimpanzees, socially deprived individuals show reduced levels of normal behaviors and a higher level of abnormal behavior, as well as a wider range of abnormal behaviors¹⁸.

The demands of continual transport and re-adjustment appear to be directly related to abnormal primate behavior, which itself usually indicates that the animal's psychological welfare is at a suboptimal level¹⁹.

This brief outline of scientific findings related to animals subjected to captivity and transportation highlights just some of the concerns for the health and well being of wild animals in traveling circuses.

Traveling shows are no place for wild animals.



Action Request

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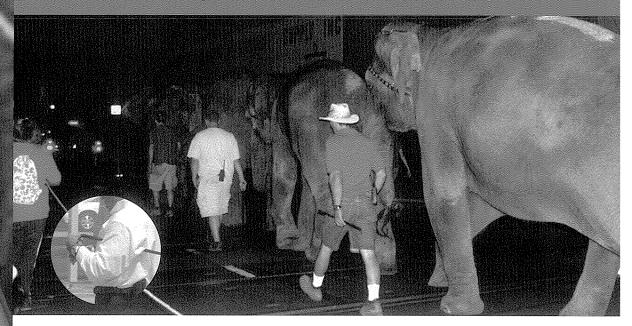
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Animal Defenders International 6100 Wilshire Blvd, #1150 Los Angeles, CA 90048 Tel: (323) 935-2234 Fax: (323) 935-9234 www.ad-international.org

Wild Animals in Traveling Circuses

Background Briefing for Local Elected Representatives and Officials



Animal Control and Violence Flashpoints

During an average performing week, usually twice a day, performing animals with traveling circuses will be moved from their living quarters or temporary enclosures to the circus ring to perform. This often entails moving large and potentially dangerous animals across open ground. They are often unwilling or distracted.

The transfer from the cage to the circus ring creates two factors that can result in animal suffering: Firstly, workers are under pressure to get the animals into the ring on time, and secondly, they need to keep the animals moving to prevent them identifying opportunities for escape. As a result, these workers (who are often untrained general hands, not animal presenters or trainers) may abuse the animals due to irritation, anxiety, stress and sometimes simply because they don't understand the species that they are handling¹.

Thus, large cats are usually chased down temporary cage tunneling using screaming and bars to bang on the tunneling; they are moved as quickly as possible in order to focus their attention. Groups of elephants are led (or chased) through the circus to get to the big top quickly, in order to minimize the risk of them being out in the open for too long and therefore given time to think. If there is a delay before going into the ring, they are often made to go over their tricks to keep their attention.

Although some animals that are well versed in their routine may appear calm, without close control and discipline, a minor event or the sight of something unusual can cause panic. Wild, non-domesticated animals traveling with circuses have not been bred over thousands of years for compliance and familiarity with humans; their wild nature can make them unpredictable. Thus, handlers shouting, banging bars, threatening, hitting and whipping the animals commonly accompanies animal movement around the circus.

The close proximity of large and dangerous animals to the public, and the temporary nature of the facilities holding them, means that these shows can never be entirely safe.



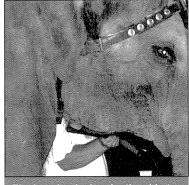
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While traveling with the Bailey Brothers Circus, Krissy the elephant escaped frequently, even dismantling the electric fence. She threw hay, grass and stones at people and had a reputation for cornering and pushing circus workers. Despite this behavior, the circus allowed her to be fed by the public, separated by just a small, temporary, metal barrier. Around the world, circus workers and members of the public, including children, have been killed or maimed by circus animals. Lions, tigers and elephants have all escaped.

Circus Animal Control Methods

In the circus, intelligent and social creatures with acknowledged cultural habits such as elephants are commonly shackled to the ground by one front and one rear leg in order to control them. They can barely take a step forward and backward, and cannot exhibit most of their natural behaviors. Social interaction is restricted as contact is limited to the elephant shackled next to them². Many circuses now claim to give their elephants regular access to a pen or outdoor enclosure, but the elephants' free time is limited; the circus is constantly on the move, and the elephants have to be prepared for their performances each day. At night, elephants are commonly chained from the time the workers finish



Elephant hooked under the chin to keep the animal moving forward.



An elephant hook being used on the lip of an elephant.



Non-domesticated animals are forced to perform unnatural acts.

their day to when they arrive the next day. Therefore, over half the elephants' time (up to 12 hours) may be spent chained to a stake in the ground or inside a truck¹.

It is a myth that circus animals are trained using kindness and reward. ADI's undercover investigations of circus animal training over the past 15 years has shown that the tools of the trade are whips, goads, iron bars, elephant hooks and electric shock devices.

The following cruel and archaic methods are used on elephants, for example:

The bullhook/elephant hook (ankus): A heavy bar with a sharp metal hook at the end is jabbed into the elephant's sensitive areas (behind the ears; near the eye; between the legs; on bony areas; under the stomach), in order to discourage undesired behavior.

Martingales: These are restraints. One end is fastened onto the elephant's tusks, the other end attached to chains around their front feet. These restrict head movement, the severity of which depends upon the length of the chain.

Chaining to the ground: Frequently used in the circus, the animal's movement is restricted for protracted lengths of time, usually from the evening until the next morning. Typically one front and one back leg will be chained, sometimes the neck, leaving the animal only able to walk one step forward and backward. Some scientists believe that these long periods of forced inactivity contribute to the development of abnormal behaviors such as rocking and weaving; possibly an attempt to relieve the pressure on joints and muscles.

Electric shock: Elephants may be punished with electric prods, jolted by the electric current, to discourage "undesirable behavior".

Whips: Whipping is "especially brutal" as the "sting of a whip is excruciatingly painful to an elephant"³.

The concept of punishment is not something that is seen in natural elephant society. The claim that punishment is 'natural' for elephants is incorrect. A world authority on elephants commented, "African elephants do not "discipline their young" nor is discipline "natural in elephant society [and] therefore something that an elephant can understand". And, "I have never seen calves "disciplined"...Elephants are raised in an incredibly positive and loving environment". This makes the treatment of elephants in traveling circuses even more brutal. The animal will not understand what is happening and why.

Zoos manage their elephants utilizing one of three key management systems: free contact, protected contact and passive control. Free contact (where the handler is in constant contact with the animal) is the method used in most circuses. Directing and moving the animal depends upon the use of the bullhook or ankus – the elephant must comply. The human is in the same physical space as the elephant and establishes and maintains a position of social dominance. The handler becomes part of the social structure of the elephants, usually dominating the animals. As this makes the handler vulnerable, the elephants may be restrained and manipulated with harsh discipline.

It could be argued that the physical circus environment even prohibits the use of other methods. Protected contact or passive control is not feasible in the traveling circus

situation because it is not possible to create areas where the animals are permanently separated from the handlers. Protected contact and passive control systems require permanent facilities. Whereas in the traveling circus, domination over the animal is gained by using methods involving violence; physical punishment is used as a tool which, in turn, can lead to increased aggression⁷. Such training has been criticized by renowned elephant experts⁸.

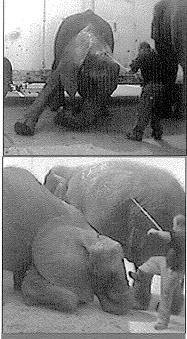
Recognizing the dangers of workers sharing the same space with elephants and in free contact with them, the Association of Zoos and Aquariums (AZA) has instituted a protected contact policy for all AZA accredited facilities.

Training, human interaction, the impact on the animal

Elephants in captivity do not have the space or the ability to expend the vast amounts of energy that they have, or to fill their day with cognitive tasks and food processing, as they would in the wild. This pent up energy and frustration can lead to the elephant keeper being injured³.

Actual training of the animals takes place in secret. 'Training sessions' seen by public and media when on the road are simply rehearsals; the animals are being put through well-worn paces. Circus animals are reminded during these rehearsals that disobedience will be punished. Even huge, powerful animals can be beaten into submission. Young animals, so inquisitive and playful, learn from an early age that disobedience is not tolerated; a lesson repeated throughout their lives.

In order to be useful for entertainment, highly intelligent and emotional animals such as primates are removed from their family group to create a relationship of dependency. Handlers and trainers require regular one-to-one contact with young primates to maintain control over the animal, which makes them dependent and more likely to be obedient. The handler becomes the only source of food, water, and



An elephant hook is used to beat and drag an elephant to her knees then she is kicked in the face.

approval. Trainers deprive performing primates of normal social contact with their own kind, locking them into a lonely world where food, water, and affection are the prizes for compliance. The chimpanzee's "smile" that we see so often in performances is, in reality, a grimace of fear.

It is these emotionally and socially deprived conditions, combined with beatings, which have often given rise to attacks by abused and mentally disturbed animals.

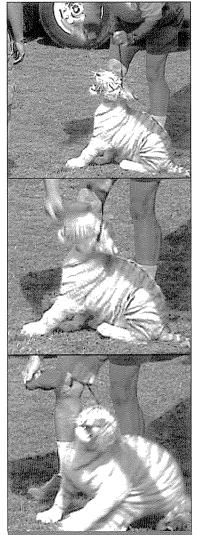
Aggression by handlers towards animals can be physical and verbal – either can intimidate and cause fear. Such fear and stress makes these animals more dangerous. ADI has filmed:

- A full-grown lioness urinated in fear, when she was screamed at
- Lions and tigers shouted at, poked, prodded, stones thrown at them and struck with metal bars
- A tigress being beaten with a tent pole
- A lioness rammed in the mouth with a tent pole
- Camels, llamas and other animals being beaten, kicked and punched
- Electric shocks applied to elephants' stomachs as they walked to the big top
- An elephant hacked in the leg with a golf club so that she fell to her knees
- A tiger cub smashed in the face to make him "behave"
- An elephant dragged down with vicious blows and then kicked in the face as she lay on the ground

The use of punishment on elephants is acknowledged and accepted amongst some who work with elephants. *"Punishment may also be used to establish social or physical dominance. The traditional method of initial training of elephants uses physical punishment first to establish dominance and then shifts to reinforcement training to establish desired behavior patterns'*⁶.

It would be easier on our consciences to suppose that only a few "rogue" handlers abuse the animals in their care. However, the *San Francisco Chronicle* reported *"Elephant handlers all over the country concede that they regularly discipline the animals with electric shocks, beating them with axe handles*"³.

Between 2000 and 2005 there were three fatalities in the U.S., two in circuses, and five injuries involving elephants. Internationally, over the same period, there were thirteen fatalities and six injuries. This data is only for captive elephants in non-endemic countries⁶.



four month old white tiger cub being walked on a leash is struck hard in the face and reels back.

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Wild Animals in Traveling Circuses

Background Briefing for Local Elected Representatives and Officials

Children being given rides on the back of an African elephant next to closely confined tigers, whilst the waiting crowd is held back by a piece of string. A public safety hazard.

Public Health and Safety

Disease

The spread of diseases between animals and people has been documented in scientific literature. A paper describes the transmission of Tuberculosis (TB) from elephants to humans: three elephants from an exotic animal farm in Illinois who were being used in a circus, died between 1994 and 1996, and were found to have TB. Of twenty-two handlers tested, eleven tested positive for TB, although the risk from human-to-human was thought to be unlikely due to the lack of a cough in the handler with active disease. However the three elephants that died *"had evidence of widespread pulmonary disease and, therefore, represented a greater risk for dissemination."* The paper also discussed the problem that the real risk for transmission to the general public is poorly understood¹.

As one study showed, it is not always apparent when an elephant has TB. The authors said, *"most elephants with active TB have no clinical signs of disease"*. The study pointed out that the only officially recognized test for TB in elephants, trunk wash culture, has serious limitations².

Bearing this in mind, there is a clear case for concern about public health. It has been reported that there were 34 confirmed cases of tuberculosis in elephants in the U.S. population between 1994 and June 2005³.

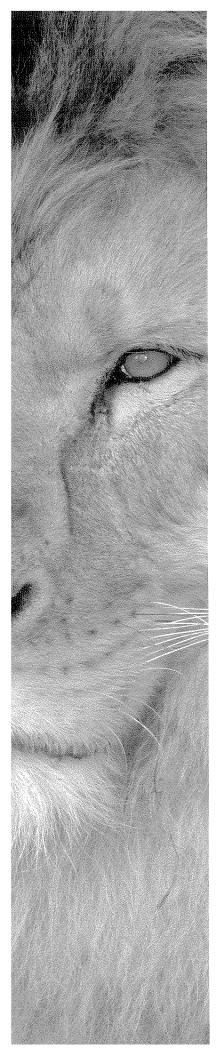
Accidents and escapes

Circus workers and members of the public, including children, have been killed and maimed by circus animals. Lions, tigers and elephants have all escaped.

Common circus working practices increase the likelihood of such incidents by bringing

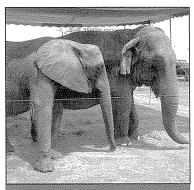


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people into dangerously close proximity to wild animals. Any animal can be unpredictable, especially when stressed or if it sees an opportunity to escape its confinement. The 2007 San Francisco Zoo tragedy illustrated how agile big cats can escape even a purpose-built facility⁴. It is easy to see that the risks are much greater in the portable facilities found in traveling circuses.

- In March 2014, three circus elephants escaped from a Moolah Shrine Circus performance in St. Charles, Missouri where they were being used for elephant rides, and rampaged through the parking lot, damaging a loading dock door and vehicles; they were recaptured 45 minutes later.
- In April 2013, a tiger escaped during a crowded performance of the Isis Shrine Circus in Salina, Kansas. Circus staff were unable to immediately recapture the tiger. The *Salina Journal* reported a circus patron came face to face with the tiger, less than two feet away, upon entering an arena bathroom.
- February 2013, three elephants from Hanneford Circus were left out in the cold after their trailer slid off the road and onto the snow covered median on Interstate 70 in Indiana. The elephants stood huddled on the Interstate while their trailer was moved back onto the road.
- February 2013, a circus tiger attacked its trainer during a performance at Circo Hermanos Suárez in the city of Etchojoa, Sonora in Mexico. The tiger tamer died while receiving medical care.
- October & November, 2012: a Cole Brothers Circus truck carrying elephants crashed in Mississippi; the Jaws of Life were used to remove llamas, zebras and camels from the wreckage of a Universoul Circus trailer on a highway in Georgia; chaos ensued when a camel escaped Ramos Brothers Circus in Glendale, CA and ran across four lanes of traffic.
- In April 2012, in Cork, Ireland, an elephant trainer was crushed and later hospitalized for injuries incurred while trying to break up a fight between two elephants at the Courtney Brothers Circus. This was just days after an elephant named Baby escaped from the same circus and was videotaped running through a parking lot while circus staff tried to stop her.
- April 2010: a startled elephant stamped its trainer to death at the Irem Shrine (hosting James Hamid Circus). Cause was unknown, but it was reported that the elephant came into contact with electrical wires.



African and Asian elephants in a small electric tape enclosure. The African regularly attempted to escape.



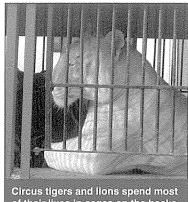
Naturally herding animals like zebras are often isolated and kept severely confined – little wonder they try to escape.



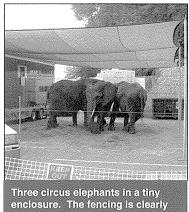
An 'exercise enclosure'. There is little to interest or engage these intelligent animals.



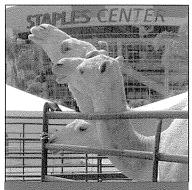
- In April 2010, an elephant belonging to a traveling circus in Vietnam killed a 13-yearold boy. The boy and several friends found the elephant chained to a truck inside a local stadium and teased it, throwing things at it. The distressed elephant grabbed the boy and twice threw him to the ground; he suffered brain injuries and died on the way to hospital. The circus said the guard had been at lunch.
- On at least two occasions, zebras from Ringling Bros. and Barnum & Bailey Circus have escaped. In 2008 three ran out into traffic before being caught; in 2010 one zebra escaped onto a busy interstate and led police and keepers on a 40-minute chase through downtown
- In 2008 a bus killed an elephant after it escaped from a circus in Mexico and wandered onto a busy highway. The bus driver died and at least four passengers were taken to hospital. The elephant apparently knocked down a metal door that led to the street and wandered through two neighborhoods before trying to cross the road. The Circo Union keeper said "..She never did this before, but suddenly she ran at full speed and broke through the gate".
- Ireland in 2006; an elephant lifted an electric wire over her head and then charged at a member of the public who had taken his granddaughter to see the animals. The elephant hit him in the back knocking him to the ground; hit him in the chest and then stamped on him.
- A 16-year-old on holiday in China in 2006 was attacked by a tiger. At a circus the victim had her photo taken on stage and was then attacked from behind by the animal. The tiger broke her ankle, causing a 5-inch wound on her leg, down to the bone.
- 2004; at the Bailey Brother Circus, Penny the zebra escaped from her pen twice in four days. She would put her head through the metal railings and lift the hinges; would barge the railings; tried to escape when moved her to her trailer, pulling and kicking; she would bite circus workers and public.
- 2004: Krissy an elephant with Bailey Brothers Circus in Oklahoma and Kansas, repeatedly escaped; she could dismantle the electric fence. She threw hay, grass and stones at people and had a reputation for cornering and pushing circus workers. Despite this behavior, she was allowed to be fed by the public from behind a temporary metal barrier. Krissy is still used in public.



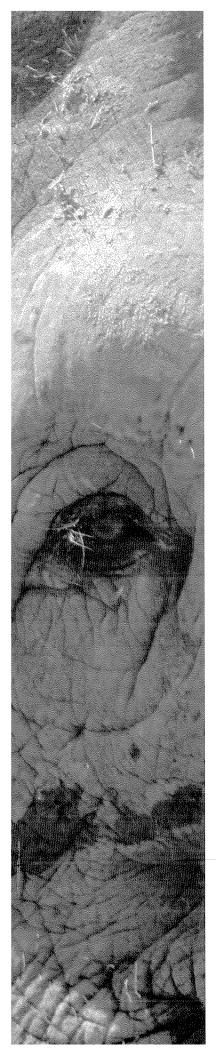
Circus tigers and ilons spend most of their lives in cages on the backs of trucks.







Animals which do not appear to be dangerous in themselves can cause havoc if they escape in city centers or on busy roads.



These incidents highlight the danger to the public of using wild and exotic (non-domestic) animals in traveling circuses.

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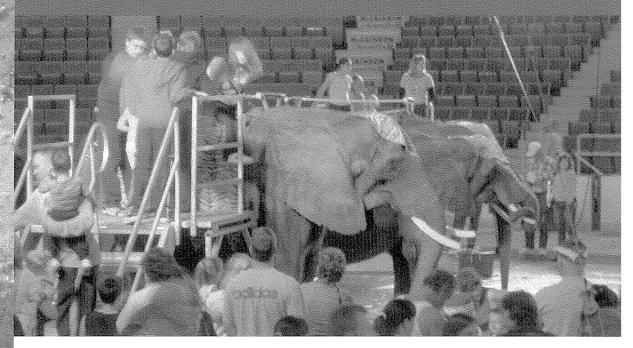
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The Section 2.1 Michaels, K et al (1998) "Myobacterium tuberculosis Infaction as a Zoonotic Disease: Transmission between Humans and Elephants" Emerging Infectious Diseases, vol. 4, no. 2. 2. Lyashchenio, K. P (2006) Tuberculosis in Elephants: Antibody responses to defined antigens of Mycobacterium tuberculosis, potential for early diagnosis, and monitoring of treatment. Clinical and vaccien immunology p: 772-732. 3. http://www.idephantcarc.org/protodoc_files/2005/Elephant%20/Underculosis%20Research%20Workshop%20May%2005.pdl

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Background Briefing for Local Elected Representatives and Officials



Public Health & Safety: Tuberculosis (TB)

The ability for certain diseases to cross the species barrier is determined by a number of factors which include the degree and amount of contact between the human and the infected animal. Although there are no direct confirmed cases of TB from a traveling circus, this does not mean that such transmission is not possible or that it has not occurred. As discussed below, it is possible for TB to be passed from elephants to humans, even without direct physical contact.

A recent Vanderbilt University article estimated that of approximately 500 captive elephants in North America, around 12 percent of Asian and 2 percent of African have a TB infection. The Vanderbilt website was discussing recent research findings that concerned an outbreak of TB in humans. One of the authors of the paper about an outbreak in 2009 said "*Ours is the first study to clearly document TB transmission from an elephant with TB disease to humans*" Another of the co-authors advised "*This study will be of great interest to the captive-elephant community, which includes zoos, circuses and private owners*" ¹.

The paper describes the transmission of TB from elephants to administrative staff with no direct contact with elephants, at an elephant refuge. The problem of TB and its transmission between elephants and humans is complicated by the fact that "*no standard definition exists for latent TB in elephants, and no sound clinical criteria exist for diagnosing TB in elephants*".

The authors suggest that the transmission was aided by the practice of washing the elephant quarantine area with a high pressure washer on a daily basis, which would have resulted in a dense mist of moisture which could then drift to the administration block. The paper reported that "All 3 administrators who worked in these areas had no direct contact with elephants, but their TST [tuberculin skin test] results converted". The team



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explains the difficulties involved in this field of disease study as elephants with negative TB test results may still be infected. The authors highlight how *"Knowledge gaps exist about the timing between elephant exposure, seroconversion, latent infection, active disease and shedding"*, showing how the situation regarding this disease is far from clear-cut².

The authors conclude that "*Captive elephants have emerged as an unanticipated source of* M.tuberculosis *infection among humans and therefore must be integrated in our strategies to control and eliminate TB*"².

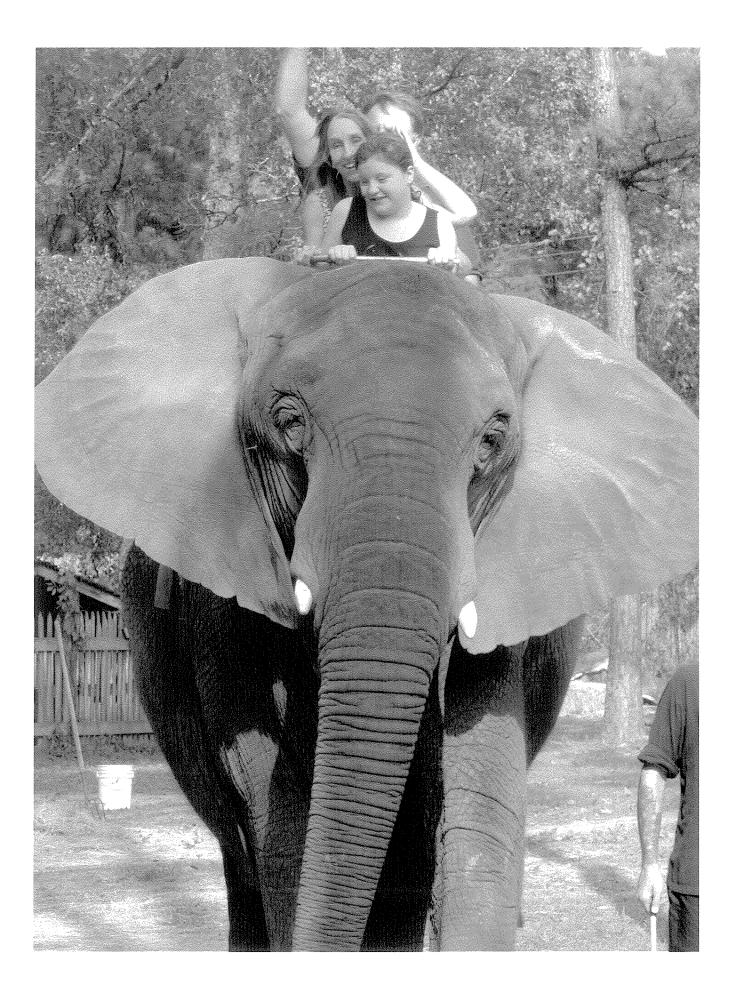
Another paper, this time in the Veterinary Record, described how "*Zoo animals, especially animals such as elephants that can be handled, are in close and frequent contact with people who may be infected, thus enabling the disease to spread to the animals and back again to other people" ³ the paper goes on to describe how the fact that the sources of the infection were not known may mean that "<i>cases of undetected M tuberculosis infection may be more common among captive elephants than has been reported*".

A 1998 paper on the 1996 TB outbreak stated that "*This report describes the first case of zoonotic* M.tuberculosis *transmission*. *The epidemiological investigation strongly suggests* M.tuberculosis *transmission between humans and elephants*". The paper discusses the risks connected with circuses and elephant rides; "*The risk for TB transmission from an animal with a case of active TB is higher for daily handlers than for persons with only brief contact, e.g., members of the public viewing a performance or receiving elephant rides*"⁴. This proposes that there are degrees of risk and that visiting the circus, although it is could be a low risk activity, it is not without risk.

A public health note written by a veterinarian at the Los Angeles County department of health services stated that "*Various species of wild-life are suspectable for M. tuberculosis and it can present a problem when people and wildlife intermingle such as in wild animal compounds. zoos and circuses*" ^{5,6}, another clear indication that being around infected animals, wherever the venue, does involve an element of risk. This is reiterated in a paper entitled "Wildlife, Exotic Pets and Emerging Zoonoses" ⁷, which states that "*Exposure to captive wild animals at circuses or zoos can also be a source of zoonotic infection.*"

APHIS's Policy 21⁸, concerns the control of TB in elephants. It outlines how "*Several elephants owned by licensed exhibitors have either tested culture positive for tuberculosis or have died due to this disease. In addition, elephants with tuberculosis can transmit the disease to other elephants, other animals, and, potentially, to humans*". To this end, APHIS AC (Animal Care) requires periodic testing of all AWA regulated elephants. In addition, an APHIS FAQ advises "*TB in elephants is a zoonotic disease with public health implications*" ⁹. An animal care resource guide pertaining to tuberculosis management states that "*All employees in contact with elephants should be TB skin tested yearly*" and "*New employees should be tested prior to any contact with the elephants*" ¹⁰.

However, as one study showed, it is not always apparent when an elephant has TB. The authors said, *"most elephants with active TB have no clinical signs of disease"*. The study pointed out that the only officially recognized test for TB in elephants, trunk wash culture, has serious limitations¹¹.



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 10. http://www.aphis.usda.gov/animal_vetlared/ownbads/policy/16.gr gf pgf accessed 00/03/2011

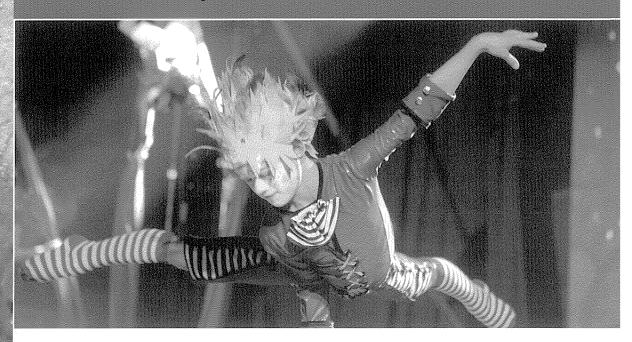
 10. http://www.aphis.usda.gov/animal_vetlared/ownbads/policy/16.gov/gf antigef and singers of Mycoolacterium tuberculosis, potential for early diagnosis, and monitoring of treatment. *Clinicat and vaccine immunology* p: 772-732.
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Wild Animals in Traveling Circuses

Background Briefing for Local Elected Representatives and Officials



Economic Benefits of Modernizing the Circus

The evidence of the animal welfare problems in traveling circuses are well documented. Less well known are the substantial economic and employment benefits, with the evidence mounting that a prohibition of wild animals in traveling circuses (whether local or national level) can:

- Increase employment
- · Stimulate new business and increase revenue and growth in the sector
- Save taxpayers' money

A prohibition of wild/exotic animals in circuses would not end circuses (or even all animals in the show) it is a proportionate, reform measure reflecting modern understanding of the needs of these animals, which are not domesticated and retain their wild characteristics.

Wild/exotic animal acts represent a small part of the animal circuses and they can adapt surprising rapidly – as shown elsewhere. A prohibition of wild/exotic acts removes a negative aspect of the traveling circus and provides opportunities for what is demonstrably the growth sector of the industry – human performance. Consequently the human only circus has been seen to expand, where animal acts have diminished.

Circuses don't need wild animals

Ending the use of wild animals in traveling circuses is a progressive measure that affects only a small part of the show. Circuses can modernize; the largest, and growing, sector of the circus industry is human performance. If there is an appetite for animal acts (and this is clearly diminishing around the world), then the domestic animal performances remain. In a survey of nine major US circuses by ADI with 321 animals between them, the ratio was 42% wild/exotic animals and 58% domesticated species.

Wild animal acts represent a relatively minor part of the show as a whole, for example when the Ringling Brothers Barnum & Bailey Circus visited Los Angeles in 2012, wild/exotic animals represented just 13 minutes of the two-hour show.



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There is also a case that the continued use of wild/exotic animals is steadily tarnishing the image of the circus and alienating potential audiences, especially in light of the now regular exposés of physical abuse. While wild/exotic animal acts remain, the audiences will continue to look elsewhere for more acceptable entertainment.

For example Gerry Cottle was one of the most successful owners of wild animal circus shows in Great Britain for almost 30 years. In 2012 he began touring with a new human only circus saying he had *"reluctantly decided to move on"*, commenting *"The animal issue has given circuses a bad name."* He added *"Sad as it is for me to say, I now support the ban,"* and *"times have changed and this issue has to be decided one way or the other. I believe a ban will, in the end, improve the image of circuses in Britain."*

National and international precedents for prohibitions on traveling circus animals

27 national governments around the world have now prohibited or limited the use of wild animals in circuses (three countries have banned the use of all animals in circuses). These countries represent a wide spread of socio-economic circumstances, and indeed, different political leanings – or example Austria, Belgium, Bosnia Herzegovina, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland Greece, Hungary, Poland, Portugal, Slovenia and Sweden in Europe. In Latin America – Bolivia, Colombia, Costa Rica, Ecuador, El Salvador and Paraguay and other countries across the world include China, India, Israel, Singapore and Taiwan. Economic and employment concerns have been considered and prohibitions have still passed. Similar laws are under discussion in Brazil, Chile, Malta, Mexico, Netherlands, Norway, Uruguay, the UK and the US (see separate list).

This is also a local movement for change. In the United States, 45 cities/counties in 21 states have ended or restricted the use of animals in traveling shows. These restrictions range from full prohibition on performing animals, or wild animals, or specific species. Just 9 jurisdictions have introduced restrictions on the use of bullhooks or other devices or substances capable of causing pain, but these do not address the issue of suffering and they also present difficulties for law enforcement (see separate list). Similarly, at local level, prohibitions have been instituted on performing animals in traveling circuses in many cities and districts across the world, including in the UK (over 200), Australia, Brazil (8 districts, 4 states), Chile, Argentina (20 cities), Ireland, Spain, Canada, and elsewhere.

A simple and clear wild animal ban is both economic and effective and as these changes have taken place, the circus industry has adapted, modernized the shows and moved forward.

In fact, extremely rapid adaptation is possible. ADI released the findings of a long-term investigation of the remarkably large British circus industry, for the size of the country. The public were so shocked that a survey revealed in the six months that followed, the number of animal circuses touring declined from 22 to 11 – but interestingly the number of animal-free circuses rose from 9 to 23.

Human only circuses: the growth sector

ADI's research in the US has found that an adult ticket for an animal circus ranges from \$14 to \$100, with most ticket prices below \$30. Some animal circuses offer incentives such as free or reduced price children's tickets, or will offer 'buy one get one free' deals. In contrast, adult tickets for circuses with only human acts range from \$25 to \$300, with most ticket prices over \$35. For example the average adult ticket price for Carson and Barnes Circus (animal) was \$19, while the average adult ticket price for Circus Vargas (non-animal) was \$42.50. It is worth noting that Circus Vargas converted from a high percentage of wild animal acts to becoming animal free.

Like all American businesses, circuses must change with the times to stay relevant and profitable. Human only circuses are thriving. Cirque du Soleil has grown from one show in 1990 to 19 shows performing in 271 cities including 8 in Las Vegas, generates an estimated \$810+ million annually. In sharp contrast, the Piccadilly Circus traveling wild animal show, recently canceled shows across Southern California due to poor ticket sales. Indeed Cirque du Soleil has swept aside the animal shows that once littered the Las Vegas strip.

Guy Laliberté, founder and director of Cirque du Soleil said, "I'd rather feed three artists than one elephant."

Cirque du Soleil has shown that there is a still an expanding market for the traditional human circus performance. In Los Angeles the company is now opening more shows and staying in venues for longer, offering substantially more revenue and employment to the city than the current, transient, wild animal circus shows offer.

Local employment and economic issues

The number of local people employed when a circus comes to town are relatively low, and for a limited number of days. The majority of personnel arrive with the circus, and with the tenting circuses using non-unionized venues (for example Circus Ramos), local labor is generally not employed for unloading.

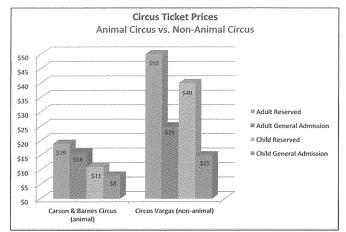
Where circuses visit unionized venues such as the Staples Center in Los Angeles or the Shrine Auditorium (some volunteer work), they will employ IATSE workers for the unloading and set up.

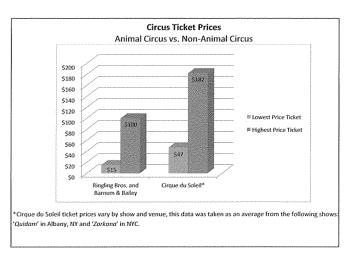
However, it would be a simiplistic approach to consider that if the circuses cannot bring wild animal acts, then these limited employment opportunities will evaporate. The first option is that the circus can return with just domestic species like horses and dogs, or without animal acts. The second option is that the venues can be given time to fill the vacancy with another show. Other shows, like concerts for example, may actually employ more local workers.

It is reasonable for elected officials to consider giving sufficient time for venues to replace what are likely to be regular bookings, while ensuring that a deadline for the change provides an incentive.

In the short term part of any employment impact is down to the reaction of the handful of animal circuses, who could choose to adapt their shows in line with more modern animal welfare practice. Circus claims that they would close if they cannot use wild animals are not credible – nor is this supported by experience elsewhere. There would be no labor, nor animal protection laws, if they were rejected every time an employer said *"If this goes through we will be forced to close"*. Yet, this rarely happens when such measures are passed.

In the long term, the evidence against the suffering of circus animals is rising. That is reflected in scientific studies and legislation around the world. The animal circus is also a declining industry as tastes change, awareness about how animals should be treated grows, and older forms of entertainment are challenged by new ones. We do not





believe that resisting gradualist measures to restrict animal use in circuses on grounds of welfare, is necessarily in the best interests of those employed in the entertainment industry.

For employees traveling with the circus, ADI's investigations of working practices in circuses have found that the majority of circus workers fulfil more than one role. Those involved in animal care are generally also involved in selling concessions, unloading and setting up tents, equipment, promotions, advance posters, etc. This does create an enormous potential to rapidly adapt to a new show – provided the will is there.

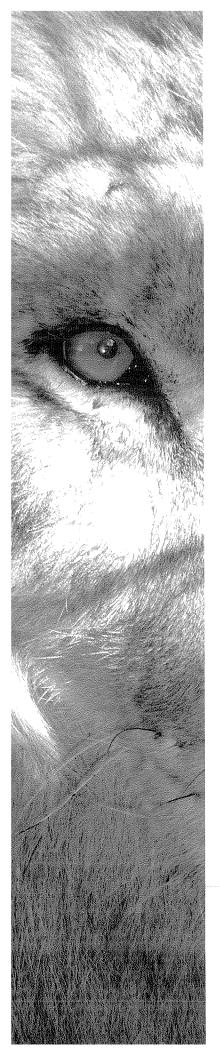
Sustaining an industry that is simply trying to stand still at all costs, in fact creates an obstacle to development of new shows and businesses, and may ultimately do more harm than good. Protecting animal welfare does not mean that workers lose out – a well managed change can benefit workers as well as the animals.

Reducing Federal and local costs by eliminating wild animal acts

The US Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) is responsible for regulation and licensing of circuses and enforcement of the Animal Welfare Act (AWA). Licensed exhibitors are required to comply with AWA standards. APHIS conducts inspections, investigates cruelty complaints and performs an educational and enforcement role.

Local animal welfare officers carry out inspections with a view to both local and national regulations. ADI made a Freedom of Information Act (FOIA) request to the USDA for the costs of APHIS inspections of animal circuses for the years 2007, 2008 and 2009. The USDA was only able to provide general animal inspection data (not specific to circuses). General animal (non-circus) inspection costs for 2010 showed an average cost of "an Animal Welfare inspection" was \$1363 and the average of "issuing licensing and registrations" was \$665.

USDA records show for example, that the animals with Carson & Barnes Circus were inspected 42 times from 2007 to 2010. If the average cost of an animal welfare inspection is in the region of \$1363, the total cost of the 42 inspections is around \$57,246.



This is not recovered through the license fee, which is nominal. The Code of Federal Regulations shows a small to medium-sized circus, with between six and twenty-five animals, could pay as little as \$85 a year for their USDA license. If the average cost of issuing licensing and registrations is \$6652, the US taxpayer effectively pays for 87% of the licensing costs whereas the circus only pays 13%. Less than the cost of a single high-end ticket to a Ringling Circus performance.

The cost of regulatory oversight goes beyond the federal level. Local animal control officers, state wildlife agencies and other local and state authorities are often called upon to investigate animal welfare and human safety concerns when a traveling circus comes to town. Therefore local time and resources are taken up with these inspections, too, which can draw officials away from other work.

Current inspection regimes are unable to address the insurmountable welfare problems that arise from having animals constantly on the move and living in temporary accommodations for most of the year. The nature of the circus means it is almost impossible for inspectors to establish what animals should be with a circus at any given time. For example, an inspection of George Carden Circus showed that on February 25, 2010 there were seven elephants, on March 18, 2010, four, but on June 25, 2010 just two elephants.

Given the circumstances of constant travel, the need for animal accommodations to be small, lightweight, collapsible and capable of fitting onto a truck, semi,trailer or boxcar, it is simply not possible for circuses to provide their animals with the space, environment and companionship they need in order to remain psychologically and physical healthy.

If local elected representatives decide not prohibit the use of wild animals, then in terms of animal protection, consideration would need to be given to what resources can continue to be committed to inspections and where the escalating costs will be raised. The question is, how much should the taxpayer pay for 13 minutes of entertainment?

A restriction on the use of wild animals in traveling circuses is the most effective and economic way to address the welfare issues. Inspectors would still need to visit circuses with domestic species, however reducing the animal component by around 42% and reducing the species to those most commonly found in the US, would have a major positive impact on workload and effectiveness.

Conclusion

Most people accept that there may be economic costs if society works to protect people, animals and our environment. However, in this case there are benefits for all – animal protection can be advanced without damage to the local economy or jobs and indeed, traveling circus shows can flourish.

Animal Defenders International

With offices in Los Angeles, London and Bogota, ADI is an international campaign and animal rescue organization with a commitment to securing progressive animal protection legislation around the globe. ADI has a worldwide reputation for providing video and photographic evidence exposing the behind-the-scenes suffering in the circus industry and supporting this evidence with scientific research on captive wildlife and transport.

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A keeper beats Krissy to her knees; shocks her during training; and hacks into Queenie with a golf club.

Difficulties for Enforcement: local and federal

The case of Krissy and Queenie

Krissy and Queenie (aka Boo) are two female Asian elephants who have toured with traveling circuses throughout the U.S. During an ADI investigation the elephants were filmed being abused by their handler. Incidents included Krissy being beaten with a bullhook, then dragged to the ground and kicked in the face as the handler screamed at her. Queenie cowered next to her. The same handler was also filmed hitting the elephants with a golf club and giving them electric shocks during rehearsals and on the way to the performance. The elephants are owned by separate individuals; neither of them is the person filmed beating Krissy. The USDA has recently removed Queenie to San Antonio Zoo. Krissy remains with her owner traveling around to give elephant rides).

The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) is responsible for enforcing the Animal Welfare Act (AWA), which includes regulating and inspecting exhibitors of wild and exotic animals.

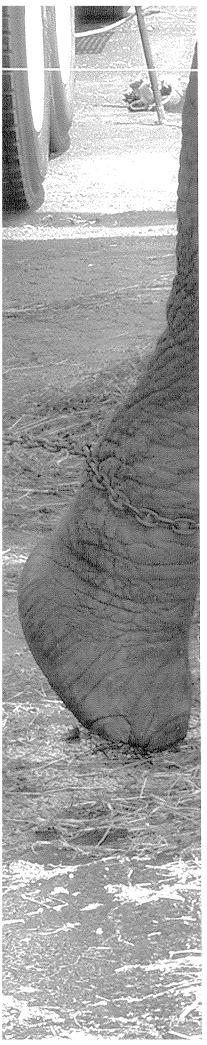
Local animal welfare inspectors enforce local regulations as well as looking at AWA enforcement issues.

The case of Krissy and Queenie highlights the problems faced by USDA officials when pursuing enforcement the AWA and their own policies and guidelines when it comes to wild and exotic animals used in traveling circuses and exhibitions.

Local animal welfare officers can also face similar obstacles, especially related to following up on enforcement when it comes to traveling shows.



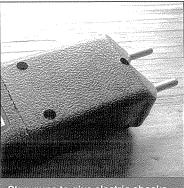
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Wild animals handled by untrained or casual workers

The APHIS Animal Care Program acknowledges that wild and exotic animals are dangerous and as such "only qualified, trained professionals should keep these animals (...) Care and handling of these wild and exotic cats should be left to trained professionals who have the knowledge and means to maintain them properly".

Despite this policy, ADI's studies have shown that animal handlers in traveling circuses in the U.S. fail to meet these criteria. A report published in 2008 noted: *"For most of their time, animals are being cared for by untrained minimum-wage workers who are under pressure to move the animals fast and do not understand the species they are dealing with; this alone can lead to violence⁷².*



Stun guns to give electric shocks have been filmed being used on elephants in training and while walking to the performance.

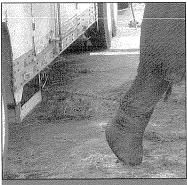
APHIS has reported that there have been instances "where wild and exotic cats kept by untrained people have not only harmed people but suffered themselves due to poor

care" and in addition that this lack of expertise "[...] result in the unnecessary suffering and premature death of animals".

The traveling nature of the circus presents difficulties for setting standards and law enforcement

In the case of Krissy and Queenie, it is evident that the keeper lacked the training and skills to handle elephants and he frequently lost his temper. His actions were a violation of section 2.131(2) (i) of the AWA, which stipulates that physical abuse shall not be used to train, work, or otherwise handle animals.

However, due to the circumstances of the traveling circus and exhibition industry where both animals and handlers constantly change as well as move location,



Krissy immobilized with a bare chain on her leg, attached to her transporter, with Bailey Brothers Circus

law enforcement officials face practical difficulties. The process of inspection, gathering and assembling evidence and then locating animals and individuals in order to follow up with enforcement action can be extremely difficult.

In the case of Krissy, the USDA was unable to take any further action because the

handler stated that he neither owned, nor was he currently handling, any elephants. Others owned both elephants and gathering evidence of the individual handling them would require a major investment in time and resources. Although ADI has continued to track these elephants and eventually filmed the same handler with the elephants – even posing in a photo with Krissy, this matter remains unresolved.

This case is a clear example of the difficulties presented by the itinerant nature of the traveling circus industry, the constant movement of staff and animals, and employment of casual labor. All of these factors make it extremely difficult to lay down and maintain standards of animal protection and welfare and follow up with enforcement.



Krissy immobilized by a bare chain on the leg again, this time at the Texas Rennaissance Fair.

Although local animal control inspectors also contribute to enforcement of state and local animal welfare laws, they face similar challenges. In addition, their staff may not have the necessary knowledge and training to assess welfare, since many of the animals in traveling circuses are wild species, mostly not native to the U.S. Furthermore, local inspection agencies are often already stretched with local duties. For example, it is easier for animal control inspectors to enforce legislation on local issues, such as the horse carriages in Manhattan or Chicago, rather than to inspect exotic animals with a traveling circus that will only be in their jurisdiction for a couple of weeks.

Thus, despite the best efforts of federal and local enforcement to keep track of animals with traveling circuses it is very difficult to maintain standards while they are on tour, in order to ensure compliance.

The conclusion is that given the circumstances:

- (a) it is not possible for traveling circuses to provide their animals with the facilities they need to maintain optimum physical and psychological health;
- (b) adequate welfare standards cannot be devised and enforced in mobile and temporary facilities;
- (c) it is not feasible to devise an affordable inspection system, which could protect animals from abuse when traveling; any abuse takes place behind the scenes, away from public view, presenting difficulties with evidence and enforcement.

Enforcement of regulations is time consuming and expensive

Law enforcement of animal welfare legislation for owners of animals used in traveling shows and exhibitions, and for elephant rides, has proven to be time consuming and expensive for federal agencies:

For example one owner had been exhibiting three elephants, Queenie, Jewel and Tina. The USDA received complaints from various organizations and individuals on their treatment and tracked his activities over many years. Finally in 2009 the Texas USDA confiscated Tina and Jewel because the animals had been losing substantial amounts of weight; the owner surrendered his exhibitor license. Charges were filed for violations of the AWA, with the USDA commenting, "the gravity of the violations alleged...is great" and the owner had "not shown good faith" in his repeated unwillingness to comply with AWA regulations³. This investigation took a long time to complete before charges could be filed, and such delays can have a negative impact on the

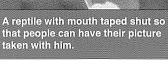
welfare of the animals involved, as they remain with the owner. Queenie remained with the owner until finally removed by the USDA in 2010.

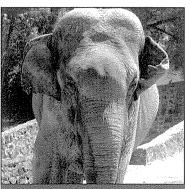
A male Asian elephant called Benny has languished in a Mexican zoo, used as a temporary holding facility for confiscated illegal animals, for ten years. He was taken out of the U.S. and into Mexico illegally, by Circo

Hermanos Vasquez. He was immediately seized by the Mexican authorities. The circus said, "we needed an elephant and they are not precisely easy to get in Mexico." In 2001, the U.S. Fish and Wildlife Service advised the Mexican authorities that Benny had been transported to Mexico illegally and was required as evidence in a case, requesting his return to the United States in accordance with the Convention on International Trade in Endangered Species (CITES) regulations. However, the Mexican authorities have not returned Benny: the circus has made a succesful legal challenge over the procedures (due process) implemented in the original confiscation and the Mexican zoo and authorities have now launched a legal counter-measure. Only pressure from the U.S. for CITES regulations to be complied with, can move this case forward.

The practical difficulties of maintaining standards, inspecting, gathering evidence and ensuring compliance with animal welfare legislation and local regulations justifies a restriction on the use of wild animals in traveling circuses.

Krissy giving rides to children; still chained when not working; still controlled with an elephant hook.



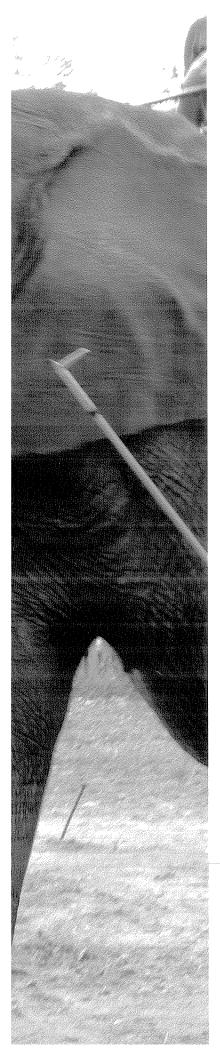


Benny was illegally exported to Mexico and a decade later, remains in limbo in a Mexican zoo.





that people can have their picture



Action Request

- Please restrict the use of exotic and non-domesticated animals in traveling circuses in your jurisdiction.
- This ordinance will protect the safety of workers and the public.
- A wild animal circus ordinance is the only and best way to protect animal welfare.
- The use of domesticated animals in traveling circuses will not be affected.
- An educated public prefers humane entertainment without wild animal acts.
- A restriction on use of wild animals in traveling circuses lowers costs and animal-related accidents.

Cities around the world have recognized the importance of protecting both wild animals, and the public:

In the United States, 45 cities/counties in 21 states have taken action to restrict wild animals from traveling circuses (see separate list).

Prohibitions have been instituted on performing animals in traveling circuses in many cities and districts around the world, including in the UK (over 200), Australia, Brazil (8 districts, 4 states), Chile, Argentina (20 cities), Ireland, Spain, Canada, and elsewhere.

National measures to prohibit the use of wild animals, or selected species/uses, have been adopted in 27 countries around the world, including: Austria, Belgium, Bolivia, Colombia, Costa Rica, Czech Republic, Denmark, India, Israel, Malta, Peru, Portugal, Singapore, Slovakia, Sweden and Taiwan. Similar laws are being discussed in: Brazil, Chile, Mexico, Netherlands, Norway, Uruguay, UK and US. (see separate list).

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Refs

1. http://www.aphis.usda.gov/animal_welfare/downloads/big_cat/position.pdf

2. 2008. Animal Defenders International, Animals in Traveling Circuses: The Science on Suffering, p.4

3. The charges included: defying federal officials, including counts of abusing USDA/APHIS officials; failure to provide minimal veterinary care to the elephants between March 2008 and August 2009; failure to handle elephants safely and humanely: four counts, including an incident in Indianapolis when all three elephants were used to give rides and one elephant Queenie (Boo) and 13 people, many of them children, were injured; failure to abide by welfare standards, including protecting elephants from extreme temperatures and providing sufficient and nutritious food. *Animal Defender*, Winter 2009/2010.



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Memorandum in Support of New York City Council Introduction 1233-2016 (Mendez, Johnson, Palma, Cabrera, Dromm, Koslowitz, Williams, Rodriguez, Rosenthal, Gibson)

In relation to prohibiting the display of wild or exotic animals for public entertainment or amusement

GooseWatch NYC, with thousands of supporters in New York City and beyond, advocates for protection and appreciation of local wildlife, and promotes the humane treatment of animals. We strongly support New York City Council Introduction 1233-2016 which would prohibit the display of wild or exotic animals for public entertainment or amusement and we applaud the sponsors of this forward-thinking legislation.

Wild animals used in travelling exhibitions are deprived of their natural lives. For mere amusement, sentient animals, including elephants, lions and tigers, are consigned to a life in captivity, removed from their native habitats, separated from their families, and often beaten and broken so they can be trained to perform. The abusive treatment inflicted upon animals in circuses is well-documented and evidenced by numerous citations by USDA regulators for cruelty and other violations of the Animal Welfare Act. Rather than providing an educational opportunity, exposing children to circuses normalizes the exploitation of others and teaches that it is appropriate to confine, abuse, and gawk at non-humans and to put one's most *trivial* interests ahead of the *fundamental* interests of others.

At the same time, urban wildlife in New York City is in need of appreciation, attention, and protection. Canada geese, wild turkeys, mute swans, and more than 600 species of birds, as well as coyotes, opossum, harbor seals, whales, deer, and many other creatures live within our five boroughs. The presence of these free-living animals provides a meaningful opportunity for New Yorkers to learn about and engage with wildlife in a way that artificial experiences like wild animal exhibitions and performances can never satisfy.

We thank and commend the Council for rejecting the inherent cruelty involved in the display of wild or exotic animals for public entertainment or amusement, and in doing so, promoting the interests of New York City's urban wildlife.

October 19, 2016

GooseWatch NYC PO Box 21147 Brooklyn, NY 11202-1147 info@goosewatchnyc.com

ANIMALS ARE NOT THINGS.

They are sensitive, feeling individuals just like you and I... and, just like you and I, they deserve to be free.

It doesn't take an expert to see that holding animals captive, beating them and forcing them to entertain us is wrong, BUT.... here are some valuable quotes from those in the know:

- Jay Pratte, an animal behaviorist, wrote that big cats used by Ringling endure neglect and physical and psychological trauma, after he saw trainers yell at cats, bang on their cages, and jab them with prods.
- The late Dr. Mel Richardson, a wildlife and zoo veterinarian, wrote that, "there is nothing natural under the Big Top." Instead, kids learn that it's ok to treat an endangered animal as though he or she were "a clown, or an acrobat, a mere curiosity, so to speak."
- The late Dr. Ron Tilson, who served as Conservation Director at the Minnesota Zoo • Foundation, said that forcing tigers to perform in circuses is detrimental to conservation "because it gives the impression that tigers should be trained through brute strength and physical punishment."

What we are teaching children at the circus is that animals are here to amuse us and that it's okay to bully them. That's not a message that we should perpetuate in 2016. Kids should be singing...

(sing) Free these animals, Let them all go Free these animals, Let them all go Free Free Freee Let them all go

Free these animals They deserve to be free from this never-ending abuse Please pass Intro 1233 Because ANIMALS ARE NOT THINGS.

Archaul Dolling 292 Jon St Brocklyn



October 17, 2016

Honorable members of the New York City Council:

I understand that you are considering an ordinance, Int 1233-2016, which would prohibit the use of exotic animals for public entertainment or amusement in the City of New York. The Detroit Zoological Society applauds you for recognizing that entertaining with animals causes significant risks to both animal and human safety.

The Detroit Zoological Society's mission is "celebrating and saving wildlife". For decades many zoos "celebrated" with shows featuring performing chimps, elephants and other animals. We ended these in Detroit more than 30 years ago because we recognized that the amusement visitors experienced came at significant cost to the animals and caused enormous educational damage perpetuating the idea that animals share this world with us as "clowns".

Accredited zoos and aquariums have evolved since then from primarily entertainment venues to leaders committed to conservation, animal care and welfare as well as environmental education. We believe that those holding captive exotic animals have a profound responsibility to ensure that these animals have healthy physical and social environments in which they can thrive. Anything else would be unethical.

By definition, traveling shows cannot provide the space, substrates, climate and social conditions necessary to meet even the basic needs of animals. It is extremely hard for even a modern zoo with great technical expertise and expansive space and resources to meet these needs. In addition to the constant stressful travel, the daily living conditions, often with prolonged restraint, aversive and cruel methods of physical training are very harmful.

We know this firsthand. We have rescued hundreds of animals from inhumane conditions, including animals from circuses. They come to us with the irreversible physical and psychological damage that results from life as a performing animal. Our signage explains to our 1.7 million annual visitors that the stereotypic swaying and pacing that "Polly", a former circus bear, does every day is a result of living in a small cage for months at a time when she was forced to travel and perform in a circus. "Barle", another rescued circus bear, paced in a short forward-and-back pattern that we later understood was the size of her former circus cage. These psychological wounds can never be completely healed. We can only provide the best environments and care for these rescued victims of human exploitation and watch them relive their traumatic pasts every day.

Performing animals also present very serious risks to public safety. I'm sure you are aware that numerous injuries and deaths (both to people and animals) have occurred when animals are forced to travel and perform.

8450 W. 10 MILE ROAD + ROYAL OAK, MI 48067 + (248) 541-5717 + FAX (248) 541-2489 Celebrating & Saving Wildlife There is, simply, no reason to continue these archaic practices that harm animals and put people at risk. We support efforts to enact responsible legislation like that which you are considering. We applaud your consideration of this important public policy for the City of New York.

Sincerely,

Rom L Kape

Ron L. Kagan Executive Director/Chief Executive Officer



An international organization dedicated to conservation through public display, education, and research

October. 18, 2016

Mr. Corey D. Johnson, Chairman New York City Council Committee on Health Attn: Correspondence Services 250 Broadway New York, NY 10007

Dear Chairman Johnson:

I am writing to you on behalf the Alliance of Marine Mammal Parks & Aquariums (AMMPA) to oppose Ordinance Int. No. 1233-2016 that seeks to ban the public display of animals under various circumstances in New York City.

The Alliance is the preeminent trade association and accrediting body for zoos, aquariums, and marine parks throughout the world that exhibit marine mammals. Our mission is to support the highest standards of care for marine mammals and to contribute to their conservation in the wild through public education, and scientific research. Our 61 accredited institutions in the U.S., Canada, Mexico, Europe, Asia, and the Caribbean collectively possess the largest body of marine mammal experience and expertise in the world.

From time to time, many of our members transport sea lions, seals, sea otters and other animals for the purposes of educational exhibits and presentations, including those on news and other television programs in New York and elsewhere. When they do so, transportation of the animals is done in compliance with AMMPA Standards and Guidelines, which are the most comprehensive and stringent standards in the world for marine mammals and are based on decades of professional zoological experience and best practices. Our standards ensure the animals and transport crew are transported in a safe and comfortable manner that meets the unique requirements of the aquatic or semi-aquatic species. Our members' transport safety record is exemplary.

AMMPA transportation standards take into account each individual animal's behavior, freedom for normal postural adjustments, anatomy, nutritional needs, metabolic rate, temperature, and ventillation requirements. Alliance members have specially designed, comfortable "transport containers" that are appropriate for each species. A facility transporting an animal must perform

a health assessment of the animal by the attending veterinarian prior to transport to ensure the animal is in good physical condition and is appropriate for travel. The facility must have a written transport plan that ensures a safe and efficient move of the animal from one location to the next. Zoological professionals accompany and monitor all marine mammal during transports, and the required number of attendants is determined by the number of animals being moved. A veterinarian accompanies cetacean transports. In addition, all transports must clearly meet or exceed government standards for marine mammals.

We respectfully oppose Ordinance Int No. 1233-2016 for several reasons. First, it defines a "performance" in an overly broad manner to include "any exhibition, public showing, presentation, display, exposition, fair, act, circus, ride, trade show, petting zoo, carnival, parade, race, performance, or similar undertaking in which animals are required to perform tricks, give rides, or participate as accompaniments for the entertainment, amusement, or benefit of a live audience." Many of these forums serve as safe ways in which to educate the public about these amazing animals and inspire them to want to conserve them in the wild. By painting with too broad a brush, this ordinance would deprive New York City residents of many legitimate, enriching opportunities to see, experience and learn about these animals.

Second, the ordinance is unnecessary as marine mammal transport is already regulated by the U.S. Dept. of Agriculture's Animal and Plant Health Inspection Service (APHIS). Further, the Marine Mammal Protection Act (MMPA) recognizes that public display facilities have an important role to play in educating the public about marine mammals and their conservation. Educational presentations and exhibits are one of the means by which zoos, marine parks and aquariums support the goals of the MMPA.

Third, the ordinance exempts only the members of one accrediting body, the Association of Zoos and Aquariums (AZA), and does not do so for AMMPA institutions, which include the majority of marine mammals in the U.S. and are governed by stricter and more comprehensive accreditation standards, or for other zoological accrediting bodies. While some of our members are also AZA members, many are not and would be adversely impacted by this ordinance.

In closing, animal rights groups are using their considerable funds to advance various types of restrictions like this one on human-animal encounters. If passed, these restrictions only serve to impede the educational and inspirational work of zoological institutions and further separate humans from animals and nature. We respectfully urge you to reject this bill.

Sincerely,

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Kauthen Pezio

Kathleen Dezio President & CEO

cc: Councilmembers Inez D. Barron, James G. Van Bramer, James Vacca, Mathieu Eugene, Peter A. Koo, Rafael L. Espinal, Jr., Robert E. Cornegy, Jr., and Rosie Mendez, and City Council Speaker Melissa Mark-Viverito



TESTIMONY IN SUPPORT OF INTRO 1233

Sponsored by Mendez, Johnson, Palma, Cabrera, Dromm, Koslowitz, Williams, Rodriguez, Rosenthal, Gibson

Good morning. My name is Julie Cappiello and I am the campaign organizer for NYCLASS. Thank you Council Member Mendez for your perseverance and leadership. Thank you Council Member Johnson for bringing this issue to the committee.

The triple somersault. The iron jaw. One-armed flanges. What do these things all have in common? They were all performed by my great aunts, Antoinette Concello and Mickey King, in Ringling Brothers and Barnum & Bailey Circus.

My father tells stories of his time behind the scenes at Madison Square Garden, watching the circus perform live from backstage. I sat in awe as I watched my Aunt Tony perform her aerialist stunts in "The Greatest Show on Earth," the 1952 movie that celebrated the circus.

My family had a choice to work in the circus. They chose the profession. But the wild animals -ripped from their mothers, beaten into submission and forced to perform humiliating acts for cheap thrills -- did not choose this life. The abuse that goes on behind the scenes when training wild animals is nothing but a stain on the wonderfully talented human aerialists who are willing participants.

Wild and exotic animals are just that -- wild and exotic. Elephants do not naturally wear tutus. Tigers do not instinctively jump through rings of fire. Bears do not ride bikes. Circuses without animals celebrate the amazing feats of human performers without subjecting exotic animals to abuse and harm

The founder of Ringling Brothers, Henry Ringling North, stated in his book "The Circus Kings," that tigers and lions are "chained to their pedestals, and ropes are put around their necks to choke them down. They work from fear."

Big cat behavior expert Jay Pratte observed multiple Ringling Brothers shows, and concluded that big cats performing show body language indicating stress, fear, and psychological duress. When big cats are not performing, they are crammed into cages so small that they can just barely turn around.

We support Intro 1233 and respectfully urge its passing to make New York a more humane city for all.

Thank you.

NYCLASS 31 W 34th St, Suite 8086 212-488-2310 info@nyclass.org



H u m a n e S o c i e t y o f N e w York ANIMAL CLINIC / VLADIMIR HOROWITZ AND WANDA TOSCANINI HOROWITZ ADOPTION CENTER 306 East 59th Street, NYC 10022 / tel: (212) 752-4842 fax: (212) 752-2803

The Humane Society of New York strongly supports Int. No.1233 to protect wild and exotic animals and asks for your support.

Wild and exotic animals used in entertainment suffer psychologically and physically from continuous confinement, living in environments that do not remotely resemble their natural habitats, cruel training, and being forced to perform acts totally unnatural to their species. Imagine a wild animal, like a lion, tiger, or elephant, having to spend their lives jumping through hoops, standing on their heads, and living in intense confinement. Now imagine these same animals being beaten and worked when in pain just to provide entertainment.

Tragically, there have been many documented reports of wild and exotic animals used for so-called entertainment being exposed to horrendous abuse, including elephants being beaten with bats, shocked with electric prods, and poked with sharp bullhooks. In fact, Ringling Brothers Circus paid record fines to settle a case against it for animal welfare violations. Ringling finally retired its elephants, stating: "There's been, on the part of our consumers, a mood shift where they may not want to see elephants transported from city to city."

We believe that this "mood shift" is applicable to other wild and exotic animals who deserve this same consideration and should not be subjected to a life of misery.

Many municipalities in 24 states, including New York State, have recognized that wild animal performances present serious humane and public safety concerns and have passed wild animal display bans. These local laws have been enacted because federal and state laws are inadequate. Not only is there insufficient enforcement of the Federal Animal Welfare Act, but the law itself is antiquated and flawed, containing minimal standards and allowing wild animals to be constantly confined, transported, and exploited just for exhibition purposes.

Taking cruelty out of circuses and other family entertainment should not put companies out of business. There are profitable circuses and shows that provide amusement without exploiting animals.

Perhaps in the past society did not recognize or know enough about the sad plight of wild animals. We can no longer escape what we now do know----that wild animals have inherent needs of their own that cannot be met when they are severely confined, chained, or forced to do tricks. There is nothing amusing or entertaining about the suffering of animals. You have the opportunity to do something about it. We appreciate your humanity and respect for wildlife. We ask that you support Int. No. 1233.

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October 20, 2016

Testimony Presented to the New York City Council Health Committee Re: Int.1233 In relation to prohibiting the display of wild or exotic animals for public entertainment or amusement

Dear Chairman Johnson and honorable city council members,

I am pleased to offer the following comments regarding Int. 1233 on behalf of The Humane Society of the United States, the nation's largest animal protection organization with significant membership in New York City. My name is Brian Shapiro and I am the New York State Director for The HSUS.

We urge you to pass this important legislation.

In addition to animal welfare concerns, the use of wild animals in circuses and other traveling shows poses a threat to public safety by bringing people into dangerously close proximity to incredibly powerful, unpredictable, and stressed wild animals. Animal handlers cannot protect themselves, let alone the general public, in the event that a wild animal rebels.

Escaped tigers have roamed through performance arenas, frightened and injured circus goers, and injured and killed their trainers in front of horrified spectators. In 2004, a 450-pound tiger who bolted from a circus in Queens prowled for a mile through a crowded park and caused a multicar pileup on the Jackie Robinson Parkway.

Elephants used in performance and to give rides have rampaged, causing injuries to members of the public and injuring and killing handlers. Since 1990, more than 90 dangerous incidents involving elephants have occurred in 30 states and one U.S. territory. Seventeen adults have been killed by elephants, more than 100 injured, at least 30 of whom have been children.

Elephants also pose a public health risk. The captive elephant population is infected with a human strain of tuberculosis, yet many captive elephants continue to be in close contact with the public, putting children and adults at risk of contracting this highly contagious disease. In fact, in 2014, the elephants provided for UniverSoul Circus's shows in New York City did not have valid tuberculosis test results.

Celebrating Animals Confronting Cruelty

The proposed law will not have an adverse impact on the local economy. Exotic animal displays do not generate additional economic spending in a region. Families have a fixed amount of entertainment dollars that will be spent locally, whether on movies, museums, ball games, or a circus. Similarly, union jobs will not be affected because venues that previously hosted animal circuses will simply book other entertainment. For example, when Ringling Bros. didn't return to Madison Square Garden following the venue's remodeling, the Garden didn't sit empty. It filled the void with other entertainment options.

Although circuses may threaten not to perform in cities that consider laws prohibiting wild animal acts, it's been shown that many, in fact, modify their shows. Circuses, like any other business, adjust to the market and changes in public attitude.

Thank you for your leadership and the opportunity to present this testimony.

Sincerely, Brian Shapiro

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Brian Shapiro New York State Director The Humane Society of the United States



Eric L. Bernthal, Esq. October 20, 2016

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Testimony Presented to the New York City Council Health Committee

Re: Int. No. 1233 In relation to prohibiting the display of wild or exotic animals for public entertainment or amusement

Dear Chairman Johnson and honorable city council members,

I am pleased to offer the following comments on behalf of The Humane Society of the United States, the largest animal protection organization in the country with significant membership in NYC. My name is Joyce Friedman and I am the New York City Coordinator for The HSUS. I am also a lifetime NYC resident who in the past worked as a clinical social worker with children and families.

We strongly support Int. No. 1233. With all that is now known about the rich and varied lives that elephants, tigers, lions and other wild animals naturally lead, it's become apparent that life in circuses or other traveling shows can be nothing but misery for them. They are denied everything that is natural and important to them, are trained with punishment and pain, bullied to perform unnatural tricks, endure extreme confinement while caged and chained in trailers, and are forced to endure months of grueling travel each year. The bull hooks, electric prods, whips, muzzles, and other implements used during circus acts are clear evidence that the animals are not willing participants.

Animal welfare concerns are well documented. For example, numerous exhibitors that perform with UniverSoul Circus – which appears annually in New York City - have been repeatedly cited for violations of the federal Animal Welfare Act, including failure to provide elephants and big cats with veterinary care, to provide tigers and chimpanzees with sufficient space, and to have sufficient barriers between the public and big cats. In 2014, New York City officials refused to grant UniverSoul Circus a permit to include tigers in its show after determining that the tigers were kept in cages that were too small. Indeed, the exhibitor providing the tigers to Universoul had been repeatedly cited by the U.S. Department of Agriculture for continuously housing tigers in transport cages that

Celebrating Animals | Confronting Cruelty

measured, at most, 71/2 feet long, 41/2 feet wide, and 5 feet high.

Additionally, an animal training, behavior, and welfare expert, who consults for numerous organizations, including the US Department of Agriculture and Association of Zoos and Aquariums, recently observed the big cats at Ringling Bros.' performances in Nebraska and concluded that the tigers were subjected to "environmental and physiological neglect and psychological abuse" and that they were coerced to behave "through dominance and fear-based techniques." I have information from that report attached as well as a Fact Sheet listing many of the violations the three circuses that come to NYC using wild animals have been cited for.

Importantly, the USDA does not have nearly enough inspectors to adequately cover all the venues in which animals are used. Additionally, most of the cases in which circuses are charged with AWA violations don't reach a judge's decision because they are settled by the circuses who pay fines, the cost of doing business, and then they are free to continue keeping these animals in inherently inhumane conditions. Ringling Bros. paid a \$270,000 fine in 2011 the largest exhibitor fine ever assessed by the USDA at the time.

When circuses state the animals they use are already protected by cruelty laws, keep in mind that these weak laws don't go nearly far enough to protect these animals. The federal AWA permits bull hooks – sharp weapons which wildlife and many AZA experts agree are an outdated and cruel handling and training tool to be used on elephants, and permits tigers and lions to be kept in cages that are woefully too small for their welfare needs, just as two examples.

Agency audits confirm that the USDA is unable to effectively enforce the limited and inadequate standards of the AWA. Hence that is why municipalities are passing their own legislation to adequately protect these animals.

Businesses and legislators alike are responding to the public's concern about the use of wild animals in circuses and other traveling shows. In May of this year when Ringling Bros. removed elephants from its shows it acknowledged that the decision was based in part on the mood shift of its consumers. Other circuses are following suit. Garden Bros. Circus announced that 2016 is the final year that it will tour with elephants, numerous Shrine Circuses have eliminated wild animal acts, and Circus Vazquez, which is currently appearing in New York City, has no wild animals in this show. This certainly may be because of the numerous cruelty charges this circus has experienced with their tigers.

To date, more than 60 U.S. cities and counties, as well as the states of Rhode Island and California, have passed legislation that restricts or prohibits the use wild animals in public displays. In fact, nearby Jersey

City and Bergen County just passed prohibitions of wild animals in performances this past summer.

As a former clinical social worker who did seven years of play therapy with children, I noted the loving compassion children naturally have for animals. And then, as an animal advocate who has done over 15 years of public education about the inherently cruel conditions and training which industries who use wild animals do not want children to know about, I have witnessed repeatedly that once the children learn the the truth about these animals' lives, they absolutely do not want this to happen and often do not even want to go into the arena. We do our children a huge disservice when we fool them into believing that these neglected and mistreated animals are actually happy when their lives are one of unending misery. We thank you for considering this important piece of legislation and hope that New York City will join the growing tide of municipalities that are addressing this issue.

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Thank you for this opportunity to present this testimony.

Joyce Friedman Joyce Friedman New York City Coordinator The Humane Society of the United States



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WRITTEN TESTIMONY OF THE ANIMAL LAW COMMITTEE OF THE NEW YORK CITY BAR ASSOCIATION

NEW YORK CITY COUNCIL COMMITTEE ON HEALTH HEARING ON PROPOSED INT. NO. 1233-2016, PROHIBITING THE DISPLAY OF WILD OR EXOTIC ANIMALS FOR PUBLIC ENTERTAINMENT OR AMUSEMENT

October 20, 2016

My name is Martha Golar. I am a New York attorney testifying today on behalf of the New York City Bar Association's Animal Law Committee ("the Committee"). The City Bar is one of the country's oldest and largest bar associations, with more than 24,000 legal professionals. The Committee voices its support of Intro 1233. The proposed legislation stands to benefit both animals and New Yorkers by better aligning our city's laws with our city's values—values that support the humane treatment of animals and that prioritize public safety.

We note that the Committee is a long-standing supporter of similar legislation, and supported two similar animal entertainment bans in New York City in 2009 and 2010, as well as State and Federal bills restricting the use of exotic and wild animals in traveling circuses.

REASONS FOR SUPPORT

We support the proposed legislation because the use of animals in circuses is both inherently harmful to animals and poses a risk to public safety. Current law—including the Federal Animal Welfare Act (AWA)¹ and Article 26 of the N.Y. Agriculture & Markets Law—does not adequately protect circus animals from harm.

Abuses and harmful conditions are inherent in the use of wild and exotic animals in entertainment. Animals in circuses are forced to perform "tricks" and otherwise behave in ways they would never behave in nature.² Coercive and brutal techniques are regularly used to force these unnatural behaviors. Techniques include electric prods, metal bars, whips, and hooked rods known as "bullhooks."³ This is a weapon that resembles a fireplace poker with a sharp steel hook on one end. Some states, including Rhode Island and California, have banned bullhooks outright.⁴ Widespread use of these implements and methods has been reported by animal welfare organizations as well as by former circus employees.⁵

THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK 42 West 44th Street, New York, NY 10036 212.382.6600 | www.nycbar.org Animals in circuses are further harmed because they regularly endure extensive travel and prolonged confinement—tied up, chained, or in cages and standing in their own excrement—which can be detrimental to their physical and psychological health.⁶ In fact, some animals in circuses travel eleven months of the year, spending long periods in transport, without exercise and in inadequate housing.⁷ We note that nationally recognized circuses that regularly perform in New York have been repeatedly cited by the USDA for violations of the AWA.⁸

Elephants are one species that has been mistreated in circuses. From 1994 to 2016, at least 65 circus elephants suffered premature deaths from causes that include being burned to death, shot to death, drowned, collapsed and died, euthanized, and often from reportedly "unknown" reasons.⁹

In addition, using wild and exotic animals in performances puts public safety and the safety of workers at risk. They not only are subjected to coercive training and control techniques, but these animals labor under the additional and chronic stress caused by the conditions and abuses suffered in captivity.¹⁰ They can act instinctively and therefore unpredictably, and may attempt to attack or escape, thereby posing risks to public safety.

Finally, current law does not adequately protect wild and exotic animals used in performances from abuse and mistreatment. Because many of these shows are *traveling*, law enforcement faces special challenges in monitoring them and following up on infractions to ensure problems have been corrected.¹¹ Additionally, it is not possible for NYC police to protect animals from potentially cruel or and inhumane training techniques, because this training occurs before the animals arrive in the city, in other jurisdictions. Further, most local police lack the training and expertise necessary to determine when an exotic or wild animal's welfare has been compromised.¹² This is further exacerbated by the fact that the ASPCA in NYC relinquished its law enforcement duties as of January 2014 to the NYPD to handle animal abuse and neglect cases.¹³ On the federal level, the Federal Animal Welfare Act has been under-enforced and has not been effective in improving practices common in the circus and animal entertainment industry that result in mistreatment and neglect.¹⁴

An increasing number of jurisdictions—such as Greenburgh, Plattsburgh and Southampton in New York State—are enacting laws prohibiting the display and exploitation of wild or exotic animals for entertainment or amusement.¹⁵

A number of municipalities throughout the country have passed similar laws, including (to name a few): San Francisco; West Hollywood; Boulder, Colorado; Burlington, Vermont; and cities in Arkansas, Florida, Massachusetts, Missouri, North Carolina, and Wisconsin.¹⁶

At the international level, the list of countries that have banned or substantially limited the display or entertainment of wild and exotic animals continues to grow. Among them are Austria, Belgium, Bolivia, Costa Rica, Colombia, the Czech Republic, Denmark, Finland, Greece, India, Israel, Malta, Mexico, the Netherlands, Paraguay, Peru, Poland, Portugal, Singapore, Slovenia, Sweden, and, in 2016, both Iran and Scotland.¹⁷ China also issued a ban on animals in circuses in 2011.¹⁸

We note that this bill would *not* end circus entertainment in New York. Rather, it simply makes circuses focus on acts that do not harm animals. The Cirque du Soleil, with one if its productions currently on Broadway and several in Las Vegas, is just one example of a successful, animal-free circus. Bindlestiff Family Cirkus and Russian American Kids Circus, the latter of which is made up of performers age 6-16, are also New York-based animal-free circuses.

CONCLUSION

For these reasons, the Animal Law Committee supports the proposed legislation. Whatever recommendations the Committee would make for the legislation to be even stronger which it would provide in a written report containing some language clarification and recommendations for other civil enforcement mechanisms—would not mitigate our wholehearted support for the bill.

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^{*} Committee Chair Lori Barrett recused herself from the preparation of this testimony.

¹ 7 U.S.C. §§ 2131, et seq.

² New York City Bar Animal Law Committee, Report on Int. No. 0049-2010, at 2-4 *available at* <u>http://www2.nycbar.org/pdf/report/uploads/20072396-Prohibitingdisplayofexoticanimalsforentertainment.pdf</u>. Unless otherwise stated, all websites listed in this testimony were last visited on October 14, 2016.

³ *Id*.

⁴ Rhode Island Becomes First State to Ban Elephant Bullhooks, PROVIDENCE JOURNAL, July 21, 2016, <u>http://www.providencejournal.com/news/20160721/rhode-island-becomes-first-state-to-ban-elephant-bullhooks;</u> Patrick McGreevy, Bullhooks to Control Elephants Banned in California, L.A. TIMES, Aug. 29, 2016, available at <u>http://www.latimes.com/politics/essential/la-pol-sac-essential-politics-updates-gov-brown-outlaws-use-of-bullhooks-to-1472519298-htmlstory.html</u>.

⁵ See Animal Law Committee Report on Int. No. 0049-2010, *supra*, at 2-4.

⁶ G.A. Bradshaw, Animals and Society Institute, *Elephants in Circuses: Analysis of Practice, Policy, and Future* 14 (2007) ("[E]lephants used in circuses are subjected to absolute control, social and physical deprivation, and in many cases, psychological and physical violence. ... The costs of such chronic stress and trauma are evident in elephant biology and behavior. Symptoms of elephants' inability to successfully adapt to captive conditions include decreased longevity, foot ailments, auto-immune disease, unanticipated aggression, depression, aggression toward each other, stereotypy [persistent repetition or sameness of act], and infanticide, all of which are commonly observed in elephants kept in close confinement."), *available at*

https://web.archive.org/web/20121114141006/http://kerulos.org/

projects/elephant_ptsd_assets/Bradshaw_ASI-Elephant_Policy-2007.pdf.

⁷ Born Free USA, Ten Fast Facts About Animals in the Circus, https://web.archive.org/web/20130131100418/http://www.bornfreeuee.org/fact

https://web.archive.org/web/20130131100418/http://www.bornfreeusa.org/facts.php?p=431&more=1.

⁸ PETA's website, for instance, lists hundreds of citations against circuses for violating the Animal Welfare Act. *See* PETA, Citations and Other Problems, <u>http://www.peta.org/issues/animals-in-entertainment/circuses/circuses-usda-citations-problems/</u>.

⁹ Born Free USA, Circus Elephant Death List, <u>http://www.bornfreeusa.org/facts.php?more=1&p=422</u>.

¹⁰ See Animal Law Committee Report on Int. No. 0049-2010, supra, at 4-5.

¹¹ Id.

¹² Id.

¹³ David B. Caruso, *NYPD Takes Over After ASPCA Closes Enforcement Unit*, PoliceOne.com, Jan. 7, 2014, <u>https://www.policeone.com/police-jobs-and-careers/articles/6719145-NYPD-takes-over-after-ASPCA-closes-enforcement-unit/</u>.

¹⁴ For a discussion of the under-enforcement of existing laws relating to animals, see Animal Law Committee Report on Int. No. 0049-2010, *supra*, at 6-7.

¹⁵ Code of Town of Greenburgh, New York, § 345-2.A; Code of Town of Southhampton, New York § 150-8; Joe LoTemplio, PRESS REPUBLICAN, June 23, 2016, <u>http://www.pressrepublican.com/news/</u>

local_news/city-bans-shows-with-captive-animals/article_af0f225c-5cd2-5c22-b612-7e5d0523b765.html.

¹⁷ Scott MacNab, Scotland Leads the Way with Wild Animal Ban at Circuses, THE SCOTSMAN, June 10, 2016, http://www.scotsman.com/news/politics/scotland-leads-the-way-with-wild-animal-ban-at-circuses-1-4151878; Animal Defenders International, Iran Says No to Wild Animal Circuses!, March 29, 2016, http://www.ad-international.org/animals in entertainment/

go.php?id=4155&ssi=10.

¹⁸ Zoe Triska, *China Bans Animal Circuses, Issues New Warning to Zoos About Abuse*, HUFFINGTON POST, May 25, 2011, <u>http://www.huffingtonpost.com/2011/01/20/china-bans-animal-circuses n 811664.html</u>.



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Testimony of Junior Santana - 32BJ SEIU Member

Committee on Health

Int. No. 1233 of 2016

October 20 2016

Good morning Committee Chair Johnson and Committee Members. Thank you for the opportunity to testify today. My name is Junior Santana and I am a building service worker and member of 32BJ SEIU.

32BJ represents over 155,000 property service workers along the East Coast, 70,000 of which work here in the New York Metropolitan Area. Our members include cleaners, janitors, security officers and other building service workers. We work in the city's residential and commercial buildings plus many of its iconic arenas such as Madison Square Garden and the Barclays Center.

I am here today to register the concerns of 32BJ regarding the untended consequences bill 1233 may have on the jobs and earnings of our members employed in the city's arenas.

Event workers do not have guaranteed weekly hours but are instead dependent on being rostered only when venues are booked. Touring productions such as circuses that target family audiences enable arenas to make large block bookings that can cover multiple shows a day over a number of weeks. These bookings are an important contributor to the earnings of event workers. They provide a booking source in addition to seasonal sporting events and shorter run concert performances, and unlike other sources, provide the opportunity for day shifts.

The loss of these bookings – due to a ban on wild and exotic animals, as proposed by bill 1233 – could mean fewer shifts and a loss on income for our members. Compounding this risk is the potential loss of health care benefits if event workers do not reach a minimum number of shifts in a year. The substantial block bookings of circuses would make this a real possibility if they were to be lost.

The loss of circus performances would also affect workers outside of our own membership. Fewer shows or cancelled bookings would hurt workers directly employed by productions in catering, transport and trades, as well as those who benefit from associated spending in hospitality and tourism.

We ask that the Committee carefully consider the impact this bill will have on jobs in the city and to not make any decisions that would jeopardize the income, benefits and livelihoods of workers and their families.



Testimony before the New York City Council October 20, 2016

Members of the Committee:

Thank you for the opportunity to speak to you today regarding proposed legislation 1233.

By way of some background, my name is Keith Sheldon and I am the Senior Vice President of Programming at Brooklyn Sports & Entertainment, the company that oversees booking, marketing, sales, and operations for Barclays Center and Long Island's Nassau Veterans Memorial Coliseum.

As many of you know, Barclays Center opened in September 2012. Over the last four years, we've hosted a wide variety of events, from professional sports to concerts to family entertainment, like Ringling Bros. and Barnum & Bailey.

In fact, and not at all surprisingly, Ringling Bros. is among the most popular shows at Barclays Center. Every year, we host Ringling Bros. for two weeks and feature about 20 shows during that time! There is so much interest in Ringling Bros. that our venue supports an additional week of shows compared to many other venues. In sum, over the last four years, a half million people have attended this event alone at Barclays Center.

Of course, attendance alone is not a sufficient argument in opposition to the legislation as drafted.

Rather, we strongly believe that any organization that is trusted with the well-being of animals must comply to the highest standards, whether a circus, an aquarium or a zoo.

To be clear, our promoters are required to ensure that any show at Barclays Center complies with all laws regarding the treatment of animals.

Further, beyond strict compliance with laws and regulations, the promoter of Ringling Bros., Feld Entertainment, has published significant documentation surrounding its commitment to animal welfare and working with the most qualified animal experts in the world. Given those assurances, we are confident the safety and well-being of the animals is of the highest priority for the FELD organization.

We applaud the City and the Council for its interest in animal welfare. We share this concern and it is something we would expect from the people of New York and its leaders.

However, we disagree greatly with the suggestion that the animals in the circus are treated poorly. And we are adamant in our disagreement as to legislation that exempts so many establishments – aquariums, zoos and others – and effectively singles out circus

performances. We are concerned that the net effect is not greater protections for animals, but rather, the greatest impact will be the end of a rich family-oriented tradition in Brooklyn.

Certainly, we believe regulation regarding the treatment of animals is of critical importance – and something Feld has addressed more directly – but we'd also like to provide you with some facts regarding Ringling Bros. at Barclays Center and its irreplaceable positive impact within the New York community.

As I mentioned, in the last four years, a half million people have attended the circus in Brooklyn over an average of 20 shows during a two week period, annually. That translates into employing nearly 400 people per show.

Since 2012, Feld has also provided 20,000 complimentary tickets to local 501(c)(3) organizations. Feld works with a wide-range of community organizations to share the magic of the circus, including an annual visit to the pediatric wing of Brooklyn Hospital Center. The performers participate in events that impact a variety of groups, including children with special and medical needs, NYPD patrolmen and their families, the underserved, and many, many others.

The circus has a long tradition in New York City. Ringling Bros. is, as you all know, the Greatest Show on Earth, with a rich history of providing quality family-based entertainment.

Feld has been a terrific partner to Barclays Center and I have seen first-hand how much the organization cares for all of the animals involved. We're hopeful that you will appreciate the testimony that you hear today.

Thank you,

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Keith Sheldon

FOR THE RECORD

Samuel S. Coe, Esq. 254 South Main Street, Suite 500 New City, NY 10956 email: sam@samcoelaw.com phone: (845) 393-4263

October 20, 2016

Testimony Presented to the New York City Council, Health Committee

Re: Int. 1233-2016: Prohibiting the display of wild or exotic animals for public entertainment or amusement

Dear Members of the Health Committee, New York City Council:

My name is Sam Coe. I am a former prosecutor at the Manhattan DA's Office where I spearheaded the Office's animal cruelty prosecution efforts, as well as investigating and prosecuting countless other criminal cases.

I am in favor of Introduction 1233-2016 sponsored by Council Members Rosie Mendez and Corey D. Johnson - Prohibiting the display of wild or exotic animals for public entertainment or amusement.

During my time prosecuting animal cruelty cases here in Manhattan, what was most shocking was not overt acts of abuse, such as striking a misbehaving pet, but rather the pervasive and intense suffering and cruelty caused by the improper care, confinement and housing of animals.

One dog owner, for example, had allowed her pet's health and hygiene to deteriorate to an extreme point at which the dog's coat and skin were infested with maggots. The dog was in such pain and discomfort that it stopped eating for some time, and when the dog was finally seized and treated, and the doctors attempted to provide food and nutrition, the shock and strain on the dog's digestive system was too great and she passed away a few days later. It's all to easy for simple neglect to have serious consequences.

Most pet owners have strong incentives to prevent their pet's health from reaching this kind of low, both selfinterested and altruistic. However, these kinds of considerations immediately fall away in contexts where the animal is merely an economic tool for the owner. This is exactly the situation for wild and exotic animals used for entertainment or public amusement. It is obvious to everyone that the owner of a tiger who uses that animal for a public performance is not engaging in this business for the benefit of the tiger. He is driven by an economic incentive – to spend as little on the well-being of the tiger as is necessary to attract the maximum number of paying customers. This inevitably leads to the kinds of negligence and suffering I have already described, to say nothing of the psychological and emotional condition of the wild animals being unnecessarily held in captivity.

In situations like this, regulation is often tasked with counter-balancing these undesirable economic incentives. While there are city agencies assigned to enforce rules and regulations previously promulgated by the City Council to address problems associated with the use of animals in commercial enterprise, there was never any indication during the course of any of my investigations as a prosecutor here in Manhattan that any defendants or suspects had ever been evaluated or even approached by regulators.

While these animals, whether the neglected domesticated dog or the captive wild tiger, may not have the capacity to fully understand the unfortunate conditions they find themselves in, what they all no doubt share with everyone in this room is the capacity to suffer. We cannot ignore it, and we cannot pass the buck to regulatory agencies. It is up to us to take responsibility for preventing the suffering that would take place in our city. I respectfully urge you to give Introduction 1233-2016 all due attention and consideration.

Sincerely, Samuel Coe



525 East Cotati Avenue, Cotati, California 94931 T 707.795.2533 F.707.795.7280

Oral Testimony of the Animal Legal Defense Fund Before the Members of the Health Committee, New York City Council

October 20, 2016

My name is Erika Mathews and I speak on behalf of the Animal Legal Defense Fund in support of Intro 1233. The existing legal scheme has routinely failed animals who are forced to perform. It is up to localities to ensure that cruelty does not happen on their watch.

The major federal law governing the treatment of animals in commercial settings—the Animal Welfare Act—sets forth only the barest minimum standards. It is not an anti-cruelty law and does not protect these animals from the worst conditions that are intrinsic to the industry.

For example, Ringling travels 50 weeks out of the year. Their own records indicate that animals spend literally days at a time in transit, without access to habitat or exercise. And USDA inspection reports from Chicago, Sacramento, and Washington, D.C. indicate that apart from performance time, Ringling routinely denies its big cats exercise, confining them in transport cages barely bigger than their bodies.

The USDA lacks the resources and the political will to enforce the Act meaningfully. For example, the Act requires only annual inspections of licensees, and these inspections never occur during training, which is when most of the worst abuses occur. Moreover, Kenneth Vail was once the USDA's chief legal counsel on animal welfare matters, where he repeatedly declined to seek penalties against Ringling. Eventually he left the agency to accept a job as the Animal Welfare Act compliance officer at Ringling. Beyond that, the USDA's own Office of the Inspector General has repeatedly indicated during numerous internal audits the agency's failure to enforce the Act has rendered it effectively meaningless.

State and local law enforcement agencies are similarly ineffective at preventing cruel treatment. For example, a federal judge in Iowa recently found that operators of a roadside zoo had actually killed and injured big cats through neglect. Despite the court's determination, the USDA renewed the operators' license, the state agency gave glowing reviews, and the local sheriff's office—cozy with the licensees—found nothing wrong with a facility where more than half a dozen big cats died over the course of just three years.

Here in New York City, I will add that shortcomings in enforcement are basically guaranteed since the ACPCA—after nearly 150 years—surrendered its enforcement role to the NYPD, meaning there are now even fewer agents with less expertise to determine if an animal's welfare is compromised.

In short, the only truly effective way to protect wild and exotic animals from the harms intrinsic to this industry is to prohibit the use of these animals in public entertainment.

FROM THE DESK OF BOB BARKER

October 17, 2016

Members of the New York City Council City Hall 250 Broadway New York, New York 10001

RE: Support for Int. No. 1233: Ban on use of wild animals in exhibitions and performances

Dear Council Members:

I have long been an advocate for elephants, big cats and other wild animals forced to perform in circuses and traveling shows, and worked to bring much needed attention to their great suffering. So I am grateful that Int. No. 1233 has been introduced, which would prohibit the use of wild or exotic animals in circuses and other exhibitions.

Performing wild animals are subject to the most extreme conditions of captivity: Elephants are shackled in chains for 17 or more hours a day, barely able to take more than a few steps. Lions and tigers are often restricted to cages so small they can barely stand up and turn around. Travel is near constant and grueling, with circus tours lasting 48-50 weeks a year. Training is violent and cruel, designed to control animals through fear and pain. Elephants who miss a cue or step out of line are struck, hooked or forcefully jabbed with the bullhook, a vicious weapon resembling a sharpened fireplace poker. Big cats are whipped, and prodded and struck with rods and poles to ensure they remain fearful and perform consistently and on cue.

Fortunately, public opinion is rapidly changing as people become more aware of and concerned about the treatment of wild animals in entertainment. This shift led the Ringling Bros. Circus to end its elephant acts, based on public sentiment and the growing number of laws restricting the use of wild animals for performances. More than 60 municipalities in the U.S. now have some type of restriction in place; last year San Francisco, California, became the largest U.S. city to ban the use of wild animals for entertainment.

It is unbelievable that in this day and age majestic wild animals, including endangered species, are made to perform unnatural tricks and endure incredible suffering for the sake of "entertainment." I urge every New York City council member to do the right thing and support this important legislation.

Sincerely,

m furker

Bob Barker

Parental Testimony in Support of Intro. 1233

I'm honored to be able to testify today as a longtime NYC resident and as a parent of two children, a one-year-old at home and my son, Gabriel, who just had a birthday this week. How old are you now, Gabriel?

Ever since Gabriel was a baby he has loved animals, and he's learned a lot about animals from watching shows like Go Diego Go. At night when he's in bed he rattles off fun facts about animals. He also likes to snuggle with this guy.

Gabriel, who is this? Is this Tiny Tiger? Do you love tigers? Yeah, me too. That's why we're here today. We've been in the hallway for all the testimonies so far because I want to preserve Gabriel's innocence a while longer. I don't want him to hear how tigers are treated in circuses or how their natural behaviors are frustrated in circuses.

Now I want to take a moment and let that sink in. I can buy a ticket for my 4-yearold to go see animals in the circus, but I can't let him sit in here and hear what actually goes on in circuses for fear of traumatizing him.

One day he will know all that because with the internet kids get exposed to this stuff way more than we were, and every generation cares more about animals. He will want to know: did his family and his community stand on the right side or history with regard to this issue? Did they lead the way or did they protect the status quo, not wild animals?

In the meantime, I won't be taking my children to any circuses with animals. We will go to Cirque du Soleil, to farm animal sanctuaries, wildlife preserves and national parks. We will watch amazing high-definition footage of animals in their natural habitats doing what they were made to do: be wild and be free.

Thanks for listening. Tiny Tiger thanks you too.

Marisa Miller Wolfson and Gabriel Wolfson 119 W. 82nd St. Apt. 1 New York, NY 10024

October 20, 2016

Testimony on Int. 1233 to ban the use of wild and exotic animals for entertainment or amusement

Hi my name is Marc Stafford Wood and I am proud 20 year resident of NYC. I am here today to say that I 100% support this bill. I believe a great city like NYC should not be seen to support what is an archaic and cruel form of entertainment. I am now going to read this statement from Big Cats Rescue, a wonderful animal sanctuary in Florida devoted to rescuing and housing exotic felines, rehabilitating injured or orphaned big cats.



October 17, 2016

Memo of support of Intro 1233

Representing our supporters in New York City, Big Cat Rescue strongly supports the proposed ordinance to prohibit the display of wild or exotic animals for public entertainment or amusement.

Big Cat Rescue is one of the world's largest accredited sanctuaries for exotic cats. Our sanctuary has been the final stop for 21 tigers and leopards that previously performed in the circus. We have observed these retired circus cats since the year 2000 and note that they always arrive fearful of people, especially those carrying anything that looks like a weapon.

As part of our daily operations use long poles to pull waste to the side of the cages and have to be very careful to never raise the poles near these particular cats as they flinch, wince, lay back their ears, run, roar, or hide at the sight. We do not see that reaction in cats that were not forced to perform.

We use operant conditioning, also known as reward based training, to urge our cats to do natural behaviors for medical or management issues. We train consistently every day never telling a cat "no", never withholding food, or punishing a cat for failing to do the requested action. As a result, the cats only do the requested action when they are in the mood. Such positive training techniques will not make them perform on cue.

We know from 16 years of daily observations of ex circus cats that they could never have been made to perform reliably in the ring if they had not been beaten, shocked, whipped, intimidated, or deprived of food. You know it is the case when you see the cats in the ring with ears laid back in distress. Circuses know that people today do not want to see the abuse, so it can only happen behind closed gates and doors.

Please do not reward this abuse by continuing to allow circus acts to exploit wild or exotic animals, such as lions and tigers, within your city limits.

Carole Baskin CEO of Big Cat Rescue 813.493.4564 Carole.Baskin@BigCatRescue.org



www.BigCatRescue.org . 12802 Easy Street, Tampa, FL 233625-3702 . 813-920-4130

COMMITTEE ON HEALTH PUBLIC HEARING ON INTRO 1233 OCTOBER 20, 2016

GOOD MORNING, MY NAME is CRISTINA ABREU-SUZUKI. I AM A VOLUNTEER WITH GOOSE WATCHNYC.

ANIMALS DO NOT BELONG IN CIRCUSES.

NOULD LIKE TO THANK THE COMMITTE FOR THE OPPORTUNITY TO SPEAK. My name is Jessica Hollander and I'm a board member of the Animal Cruelty Exposure Fund. I am a resident of Brooklyn and I strongly urge the Council to support Bill 1233.

Our society is slowly awakening to the responsibility we have to treat other species with respect. This respect is profoundly violated when an animal is held captive and forced to entertain us.

Here is a bit of information about what goes into training a baby elephant to be in a circus:

Circus training begins when a baby elephant is still nursing. She is torn from her mother and chained until her will is broken—a process that can take months. After that, she will be poked, prodded, gouged, and beaten with a bullhook until she submits and learns the tricks that she will be forced to perform for the rest of her life.

Without the constant threat of physical punishment, elephants would not perform the unnatural, uncomfortable tricks that the circus forces them to. "Power moves," such as standing on two legs, are extremely strenuous. Elephants are trained to perform these tricks under the threat and delivery of painful punishment with the bullhook.

We can't change the past for the elephants, lions, tigers and other animals who have endured this trauma, but we can refuse to perpetuate it in New York by passing this legislation. I truly hope our City Council will join the enlightened movement to improve our laws so that animals are in the future protected from the abuse and exploitation humans have inflicted on them for far too long.

Jessica Hollander 91 McGuinness Boulevard Brooklyn

STATEMENT BY LEWIS GOLDSTEIN ON INTRO 1233 OCTOBER 20, 2016

Good morning Chairman and members of the New York City Council. I am Lewis Goldstein. I appear before you as Vice Chair of the **Bronx Democratic County Committee and its liaison to the animal protection community** and as a person very concerned with human and humane rights. Please keep in mind that the Bronx Democratic Party has always been very supportive of humane legislation going back to when Speaker Carl Heastie was Bronx County Leader. In fact it was Speaker Heastie who cochaired with John Phillips a forum on animal rights a few years back and about seeing an abandoned pit bull and nursed it back to health and adopted it.

Each of us has several identities. I am asking each of you for now to put aside your identity as a member of the class Mammal subclass or species human being. Think of yourself as a lioness, tigress, female elephant or female bear. You are in the jungle, your natural environment, nursing your pride, nursing your whelps (tigers), nursing you baby calves (elephants). Suddenly a human being appears. You are tranquilized. When you awaken you are in the hold of a ship. You are shackled, in a dark room, no food. Your babies are gone. You are all alone. You cry out but nobody cares. You cry. You want your family, your pride, your herd, your streak (tigers). You stay in the hold of the ship for days or weeks. Finally you are let out. You remain shackled. People with whips and chains come to you. You are placed in a truck. You are taken to a place where you are whipped, beaten and forced to perform acts. You have no more contact with your natural environment. You are open to all abuse and deprived of your family. Possibly you are forced to breed. Your litter is born. These cubs are taken away as soon as you have finished nursing. They too are forced to entertain. They never get to see the natural environment you grew up in. You again cry as there is no herd, pride or streak. As you age your owners abuse you and often send you to be killed. Please, I hope

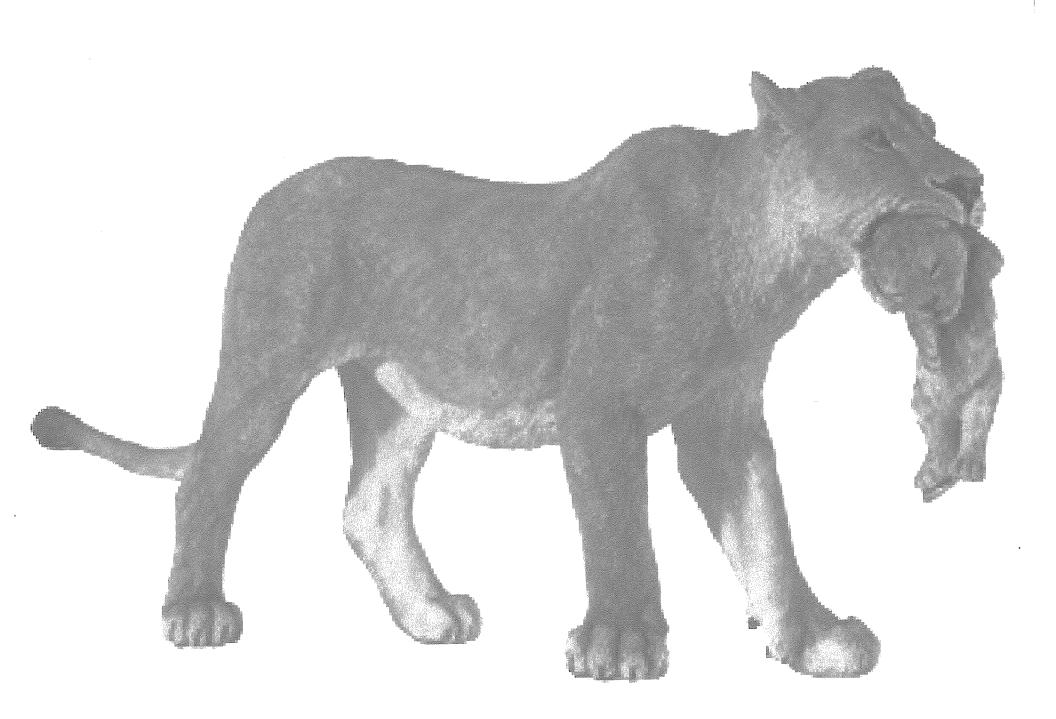
each of you is identifying with the abuse these animals are suffering as they are forced out of their natural environment, away from their families and forced to entertain.

All mammals are known to have emotions. All know that they have feelings for their young. Most mammals stay together as a family for many years. To allow circuses to continue to have wild and exotic animals for the sole purpose of entertainment is wrong. It is abuse. The bible prohibits the misuse of animals. Using them for entertainment is misuse. Animals are not supposed to be hunted for a sport or for entertainment. In the Talmud the laws of tza'ar ba'alei chaim are treated in detail, and our Sages often emphasize how considerate and kind human beings must be towards animals, in keeping with the ways of G-d, of whom it is written, "His mercies extend to all His creatures" In fact the bible clearly states that ALL living creatures need to rest on the Sabbath. Please look at the pictures of the baby lions, bears, tigers and elephants. Continue to think as their parents. Would you want to be taken away from them? Would you want them taken away from you and forced to entertain in an environment completely alien to what has been ordained to them? I think not. I urge each of you as you return to your role as a Human being and a member of the NYC City Council to support Intro. 1233.













10/19/16

FOR THE RECORD

SUPPORT FOR INTRO 1233 IN THE BAN ON USING ANIMALS FOR ENTERTAINMENT.

Circuses should be fun, entertaining, and a platform for artists to showcase their skills. Acrobats, musicians, and dancers are just some of the performers who can find a home in the circus. Circuses should display the talents of these artists instead of focusing on cruel animal acts. Animals used in circuses are taken away from their mothers at a young age, bound by chains and caged in unlivable conditions. Children then watch them perform unnatural acts, such as standing on their hind legs or jumping through rings of fire while being guided by whips and bull hooks. We are teaching our children that it is acceptable to use force against animals to get them to perform. We should be teaching our children to respect wildlife, not abuse it.

There are numerous successful and animal-free circus acts throughout the country: Circus Finelli based out of California who utilize music, comedy, and performance arts; Wise Fool, based out of New Mexico who are part of an emerging form of circus performance called Social Circus (a movement that seeks to apply art and culture into their acts along with building self-esteem, confidence, character, and bringing a community of acts together as one). There's also New Shanghai Circus, based out of Missouri, who excel in acrobatic performances and utilize Chinese tradition in their acts.

The possibilities are nearly endless for a cruelty-free circus that can showcase the arts and thrill from the local community without harming a single animal. I encourage the committee to support Intro 1233 to show the country that NYC is a leader in promoting the humane treatment of animals.

Big-Cat Report: Ringling Bros. Circus (Red Unit) by Jay Pratte, B.S., M.A.

Background

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I willingly submit the following statement and supporting information in regard to the physiological and psychological welfare of big cats in a circus environment—in particular, the tigers in the Red Unit of the Ringling Bros. Circus. My report is based on over 25 years of experience with animal behavior and welfare, of which much personal focus has been given to the felid family.

I am an animal training, behavior, and welfare consultant for the Association of Zoos and Aquariums (AZA), Bear Care Group (BCG), the U.S. Department of Agriculture (USDA), the Global Federation of Animal Sanctuaries (GFAS), the Humane Society of the United States (HSUS), and People for the Ethical Treatment of Animals (PETA). I received a Bachelor of Science degree in zoology and behavioral psychology from the University of Alberta and a Masters of Interdisciplinary Studies in zoo and aquarium leadership from George Mason University. I have 25 years of experience training both domestic and exotic species, and my personal experience has included every member of the big cat family. This training includes (but is not limited to) daily husbandry and management, public demonstrations, and advanced medical training.

For more than two decades, I have worked with organizations across North America on improving animal welfare, including private sanctuaries, rehabilitation agencies, traveling circuses, government institutions, and both accredited and non-accredited zoos. I teach comprehensive behavior and welfare assessment techniques and strive to develop a better understanding of behavior-based care for animals with keepers and caregivers. This entails analyzing the environment that the animals live in, assessing their current (and past) physical, psychological, and medical condition(s) and then observing behavioral patterns. This information is then combined into a comprehensive plan to improve the responsiveness to the animals' needs and provide improved care for each individual. I have spent time in China, Kenya, Romania, and Vietnam working directly with animal caregivers from these (and surrounding) regions to assess very specific needs for animals in captive situations in those areas. I work regularly with international rescue and welfare agencies Animals Asia and Wildlife SOS on consulting with regard to improving behavior-based husbandry practices, particularly in reference to animals they have rescued from illegal trafficking or other human activities.

Training, behavior, and animal welfare are all inextricably linked to an animal's overall wellbeing. Much of my experience with behavioral management is rooted in understanding natural behaviors for animals and how captive facilities can better manage the housing and exhibition of animals to meet their genetic behavioral predispositions. Failing to meet animals' needs in captive institutions results in physiological, medical, and behavioral issues. Assessing behavior and welfare and subsequently advising on alternate, progressive approaches to animal care is an intrinsic part of this skill set. I have published numerous papers on exotic animal care, welfare, behavior, and training, and a reference list is attached as **Appendix I**. I am also an adjunct professor at the University of Nebraska at Omaha, where I teach courses and labs in Animal Behavior, as well as the Special Topics course of my own design, "Human-Animal Interactions." I regularly attend and host workshops, symposia, and conferences dedicated to improving animal care and welfare. The papers, presentations, and workshops presented are attached as **Appendix II**.

The statements presented here are the result of five years of research into the welfare of animals in circuses around the world (for Human-Animal Interactions), including attending various circus performances throughout my life and, specifically, direct personal observations at two separate performances by the Ringling Bros. Red Unit in Lincoln, Nebraska, on June 4, 2016. The information presented is based on observation of the environment, the animals' behaviors, physical appearance, and movement, both during each show and before at the scheduled "Animal Encounters," as well as direct conversation with three staff members: big cat trainer Tabayara Maluenda (Taba), Victor (a trainer working for Taba), and one woman supervising the encounter area before the 3 p.m. show. Photos are included where appropriate, and full-sized versions can be seen in **Appendix III**.

Visitors to the circus are excited to view the animals up close and to see them "perform." The announcers, trainers, and staff state that the animals are managed with rewards and through trust. However, what is actually occurring is environmental and physiological neglect, psychological abuse, and coercing the tigers to behave through dominance and fear-based techniques. What may appear benign to the public or to inexperienced inspectors is readily apparent to individuals with significant animal experience as diminished welfare:

- Housing: While the tiger's "enclosures" appeared clean, the living environments were overly sterile. Cats were forced to share space with other animals and had no means of avoiding other cats' presence or conflict. The tigers had minimal to no shade or pools and were housed on concrete. Animals were not regularly provided with respite from high temperatures or environmental conditions. These conditions do not meet AZA or USDA standards and guidelines.
- **Physiological/medical:** While to the untrained public guest, the tigers appear "healthy," I observed several issues of concern, including obesity, hygromas, cracked foot pads, cuts, punctures, and scarring. These issues are easily treated and/or avoided, but the appropriate level of care is not apparent.
- **Psychological:** The big cats exhibit several signs of severe and chronic stress, including (but not limited to) fear and displacement behaviors resulting from inability to avoid other animals, stereotypic behaviors (pacing, over-grooming, and tail-chewing), and aggression to other animals and to trainers.
- **Behavioral:** The tigers I observed are coerced and forced into exhibiting desired behaviors and performing for the public using dominance and fear-based techniques. The cats routinely exhibited fear, aggression, and stress-related behaviors in outside holding areas as well as during performances. This method of controlling the animals and the subsequent physiological and hormonal changes will permanently impair learning as well as appropriate behavior expression for the species and result in irreversible neurological changes.

While the conditions that the animals endure could be improved to meet industry standards, there is no evidence of this in the observable husbandry and conditions. These conditions are representative of my observations of other circus environments over the past several years.

Housing

Tigers are generally solitary animals and have expansive territories in the wild. Their natural habitat is exceptionally complex, with trees, undergrowth, water sources, and a constantly changing environment. The cats would constantly have behavioral choices available to them, whether those would be to sleep, forage, hunt, search for mates, mark their territory, swim or immerse themselves, etc.

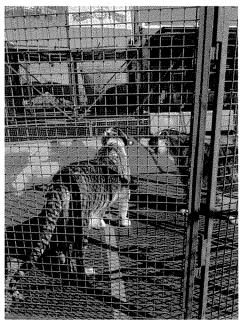
The tigers housed by the Red Unit for the Lincoln shows were in the parking lot/staging area behind the Pinnacle Bank Arena. The "indoor" houses were at the rear of each temporary enclosure, which was enclosed by temporary metal interlocked fence panels. A secondary wired fence was erected as a barrier between the public and the cat enclosures, which were in full sun

exposure. The only narrow areas of shade available to the animals were immediately next to the houses, and in the morning (the temperature was over 80 degrees at 10:30 a.m., and the heat index was over 90) there was virtually no usable area to escape from the sun. Access was provided to the cats to non-cooled indoor housing in the afternoon, but not in the morning. The enclosures were set up on concrete, and the animals had no respite from the elements. There was access to drinking water, but no pools (see photo to the right). The concrete areas were relatively free of waste or food, having clearly been cleaned before public viewing.



Cats were housed in groups, usually a minimum of three per area. They were unable to avoid one another when space or social conflicts occurred. As naturally solitary animals, tigers do not inherently possess the genetic programming allowing for constant social interactions. For *any* animal, the inability to avoid potential conflict or injury with another animal runs absolutely counter to all instinctive responses to the sympathetic nervous system's "fight or flight" reaction. The inability to remove oneself from a conflict (or display and cause the intruder to leave) will result in significant increases in stress, potential injury, and long-term psychological issues (see Psychological section).

In the hour preceding each show, I witnessed multiple altercations between cats (see photo on right). There was also significant physiological evidence (see Medical section) that



this is not an uncommon occurrence. When the cats do have inside access, there is only one visible shift door in each area, so they are forced to pass one another. Animals may potentially be trapped by another individual with no safe escape route. There was little to no air movement to cool the animals, and in the afternoon, in particular, most of them were panting heavily and unwilling to move. At 2:30 p.m., the temperature was reported to be 86 degrees and the heat index was well over 90. I had no means of recording the temperature of the concrete, but it was exceptionally hot to the touch. In the wild and in more appropriate, complex enclosures, tigers will move to cooler, shaded locations when they are available, or immerse themselves in water to cool down as required. Trees, undergrowth, caves, pools, and streams would all be places a solitary individual would retreat to in order both to feel safe and thermoregulate appropriately. Conversely, in winter conditions, the opposite issues with temperature extremes would exist.

USDA

9 C.F.R. § 3.127 - Facilities, outdoor.

(a) Shelter from sunlight. When sunlight is likely to cause overheating or discomfort of the animals, sufficient shade by natural or artificial means shall be provided to allow all animals kept outdoors to protect themselves from direct sunlight.

(b) Shelter from inclement weather. Natural or artificial shelter appropriate to the local climatic conditions for the species concerned shall be provided for all animals kept outdoors to afford them protection and to prevent discomfort to such animals. Individual animals shall be acclimated before they are exposed to the extremes of the individual climate.

Along with the absence of pools, fans, or other environmental control devices, there was a noticeable lack of enrichment. Again, tigers require an immensely complex natural environment. Their physical surroundings would have tremendous variation and provide innumerable behavioral options. Captive tigers have access only to what their human caregivers provide them with. Enrichment should include pools, toys (that are kept novel by changing them regularly), bones or whole prey items, different substrates to investigate and lie on, etc. There are no limits to how the animals' enclosures could be enriched to provide stimulating physical and mental activities. There is simply no evidence of this standard of care by Ringling. A couple of small logs were placed in each area. I inquired about the lack or enrichment for the cats, and both Victor and Taba informed me that they "had not had time" to provide enrichment. They also said that they normally provided pools and balls but that they had not been in Lincoln long enoughand were not going to be there long enough-to put everything out for the animals. I was told that the circus had arrived on Wednesday and was packing up and leaving Monday or Tuesday. This is a period of five to six days with no enriching stimuli. It is reasonable to suspect that the animals are not provided enrichment during transport. If this pattern holds whenever there is "no time," then these animals are living nearly constantly in a sterile environment, which could easily be improved with a small amount of planning and little cost or effort. (See Psychological section.)

The big cats are also missing a number of items that are considered to be minimum standards in big-cat husbandry in captivity. According to AZA management guidelines (see References):

AZA

A cage for a *single* animal should measure at least 20 ft (6.1 m) wide x 15 ft (4.6 m) deep (300 sq.ft/27.9 sq.m); *cages should be 50% larger per additional animal*. Outdoor cages should have vertical jumpwalls at least 16 ft (4.88 m) high or be provided with tops at least 10 ft (3.1 m) high. Shift cages should measure at least 8 ft by 8 ft (2.44 m x 2.44 m).

The enclosures erected on the concrete for the cats were significantly smaller than the minimum industry guidelines for one individual animal. Multiple animals were housed together with no accompanying increase in area. The travel enclosures are visible behind the outdoor pens and are clearly even smaller than these recommendations outline.

AZA

Although both lions and tigers are terrestrial in nature, they benefit from raised shelves or ledges for sleeping and resting. Multiple resting spaces at various elevations should be included with at least one resting location per individual.

Natural behavior for a big cat is to lie down or rest in an area that is raised off the ground. This is a genetic response for animals who survey their territories for intruders or prey. Raised shelves also provide options beyond concrete or other types of hard, inflexible flooring and give cats the opportunity to avoid lying on wet or soiled surfaces.

AZA

All enclosures should allow each animal the ability to retreat from conspecifics through the use of visual barriers ... without limiting an animal's access to food, water, heat, or shade. Sufficient numbers of holding spaces should be available to separate cats individually when the need arises, and these should be interconnected to allow maximum flexibility.

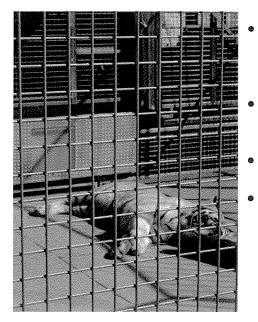
Both exhibit and holding spaces should be designed with a means of egress to avoid being trapped [by other animals] in corners. Holding cages and exhibits with at least two doors will help prevent trapping and/or one animal excluding another from access.

These guidelines are generalized for multiple cat species by the AZA and should be considered at the very least minimum guidelines or standards for any captive felid. Based on my personal observations, the housing environments for the Red Unit big cats are well below any acceptable standards and negatively impact their welfare.

Physiological/Medical

The cats appear, at first glance, to be generally healthy. The first and most immediate observation regarding the Red Unit cats is the chronic obesity of a significant percentage of them (see photos on right and below). Most, if not all, of them are overweight to some degree, and several of the cats would be rated as a "5" on the AZA's Felid Taxon Advisory Group's body condition chart, or an "8–9" on the Purina chart (**Appendix II**, Figures 1 and 2). Obesity in mammals results in short- and long-term medical complications, including (but not limited to):

- Liver, kidney, and other internal organ failures
- Arthritis and other painful joint and spine conditions
- Respiratory distress



- Heart disease and reduced circulatory efficiency
- Hygromas at joints, the result of repeated joint trauma on hard surfaces that regularly swell with fluid (see below)
- Possible hyperkeratosis—thickening of the skin at joints increasing the risk of infection
- Reduced ability to thermoregulate effectively—this is a particularly significant issue in regard to the housing concerns described above (see Housing section)

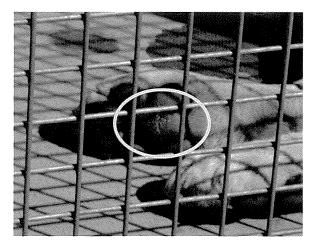
I observed several cats limping, walking gingerly and carefully to avoid painful jolts, and struggling actually to stand up or to perform cued behaviors during a show. The heavier cats were panting constantly throughout the day and clearly enduring increased physical distress. A few of them had hygromas at their joints, some of which were severe (see photo on right). These are caused by repeated trauma from lying on hard surfaces. Severe inflammation may develop, and ulceration, infection, abscesses, granulomas, and fistulas may occur. They can be easily managed by providing softer substrates and raised sleeping surfaces, and existing hygromas should be drained and treated appropriately (Merck). There is no evidence of any attention to this issue with these tigers. The obesity concerns are further compounded by an inconsistent diet. When I inquired as to where the circus staff acquired food—specifically,



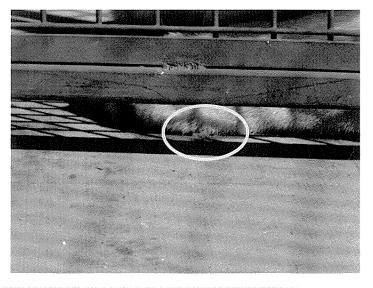


in regard to traveling between multiple locales around the country—Victor told me that they find whatever meat products are available at each stop. This fluctuation in diet quality will impact the animals' desire to eat, metabolism, and weight. For example, Dallas Crown ground meat was sold within certain specific ranges of fat percentage. Even a five percent change in fat content would significantly alter individual animal weights within a period of days. Lack of consistency in quality control regularly results in contamination of meat (often via spoilage, salmonella, etc.), resulting in sick or immunologically compromised animals. Obesity concerns cannot be appropriately addressed with an inconsistent diet.

Of the cats who were observable at closer range from the guest viewing area, more than half had cracked pads on their paws (see photo on right). This, historically, is a result of constantly living on concrete or metal floors, which are hosed clean and remain wet for long periods of time. These cracks will also dry out and are extremely painful to the animals when they move—and even when they're at rest. Severe cracks can also become infected, causing further skin and tissue damage. Big cats will often groom and lick cracked pads, which over time can develop into a stereotypic behavior, particularly in such a sterile, non-enriched environment. (See Housing and Psychological sections.)



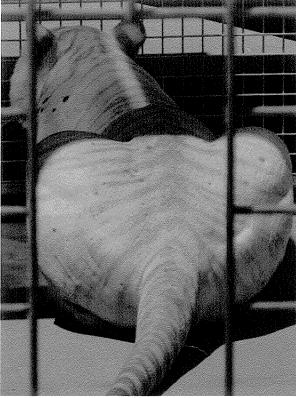
I observed at least three aggressive interactions between the cats (see Psychological and Behavioral sections) during two hour-long observation periods outside before the shows. One resulted in a cut on one cat's front leg/shoulder that I was unable to photograph, and all the altercations caused punctures and pulled tufts of fur from the cats (see photo on right). There are also small scars covering the bodies of several cats (see photo on top of next page). Many are healed, and some had formed scabs. These are likely from improperly housing these cats in groups, resulting in increased frequency of aggressive interactions.



Per USDA, 9 C.F.R. § 3.128.: Enclosures shall be constructed and maintained so as to provide sufficient space to allow each animal to make *normal* postural and *social adjustments* with adequate freedom of movement.

Some of the wounds and scars are likely from exposure to pests, as ulcerated or infected insect bites or stings could result in small lesions and scars. Biting flies and mosquitoes were visible throughout the day, and at no time did I observe any type of preventive treatment administered to the animals, nor was any environmental prevention visible.

The animals should be housed appropriately to minimize inappropriate social interactions and receive immediate medical attention to any skin injuries in order to prevent and treat infections as well as abscesses. The AZA big-cat guidelines also outline that areas where the cats are housed and exhibited should be treated for pests and maintained as free of such. While this is likely a challenge, with the transitory nature of animal housing in a circus environment, the animals all endure ongoing physical distress and medical issues as a result.



Many of the issues with housing could be addressed with improved space, separation, and attention to industry guidelines.

Psychological

The transport cages, temporary housing, and temporary enclosures do not adequately meet any of the AZA guidelines for big-cat husbandry and clearly do not meet several USDA guidelines. For this section, I will specifically address the issues resulting in psychological distress.

The inadequate and inappropriate social housing prevents individuals from being able to evade one another, resulting in repeated conflicts and adverse interactions (see photo on right). This inability to avoid conflict, or even the presence of other animals (including humans), will result in psychological distress for the animal. The blood cortisol levels that result from stress can trigger aggression toward other animals or trainers, displacement behavior, apathy, learned helplessness, and even severe capture myopathy (see below).



The sterile environment does not meet any of the cats' genetic expectations. The animals are unable to express normal behaviors (see Housing section) and therefore experience long periods of inactivity or mindless activity, which results in permanent long-term changes to the body, brain, neural, and endocrine systems. Even if provided with "a pool and a ball," enrichment

needs to be novel in order to stimulate investigation and solicit normal feline behaviors. The results of such sterility and lack of environmental change are often stereotypic behaviors, inappropriate social interactions, lethargy or apathy, and learned helplessness at being unable to alter their own environments.

I observed two cats exhibiting a stereotypic motor behavior, one in the morning and another in the afternoon, where they would pace along one section of the fence (see photo on right). Stereotypies are identified by the lack of function for the behavior. From years of experience, I can identify when a cat has "blanked out" and is engaging in stereotypic behaviors to shut out the world, allowing the brain to produce endorphins from a repetitive activity. Over time, these actions become habitual and increase the animal's stress levels and accompanying physical problems. I also observed cats licking their paws continuously, exacerbating cracking, and one was



stereotypically over-grooming his or her tail. These are well-documented big-cat stereotyped behaviors, and they are indicative of poor welfare and a lack of psychological stimulation.

Per USDA 9 C.F.R. § 3.128: Space requirements; Enclosures shall be constructed and maintained so as to provide sufficient space to allow each **animal** to make normal postural and social adjustments with adequate freedom of movement. *Inadequate space may be indicated by evidence of malnutrition, poor condition, debility, stress, or abnormal behavior patterns.*

During my discussion with the female supervisor in the afternoon, she happily relayed that when the circus acquires new tigers as cubs, general circus staff are allowed and encouraged to play with and handle the cubs. The trainers explained to me that their reasoning is to get the cats used to being around people. This would indeed habituate them to the unnatural contact with humans. However, big cats are not domesticated. Their genetic programming is the same as a wild counterpart. To force cubs to interact with another species interferes with normal neural development. This results in cats developing a behavioral repertoire that is in constant conflict with their natural instincts. These conflicts are overridden by the circus trainers using fear and punishment (see Behavioral section), creating further distress and other permanent neural problems (see below).

The USDA recently changed its guidelines for the handling of cubs. Public interactions with cubs under four weeks of ages are not permitted, as the cubs cannot thermoregulate on their own and rely on their mother's milk for disease immunity. These guidelines recommend that cubs stay with their mothers and healthy siblings as long as possible after birth, which would naturally

be until between one and two years of age. This is also when the cubs would learn appropriate genetic behavioral patterns and social interaction skills (see below). The AZA does not recommend unprotected contact with big cats, either by staff or the public (any non-trainers or general circus staff would fall into the public category).

Removal of cubs from their mothers to be hand-reared for public entertainment immediately compromises both the short-term and long-term welfare of the infants pulled. Carnivore cubs under one or two years of age are at a critical learning juncture, when they would be learning necessary life skills from their mothers and species-appropriate social skills from mother, siblings, and conspecifics. Human-reared cubs who suffer from improper (or a lack of) maternal rearing and socialization:

- a. Regularly develop extreme aggression to cage-mates and human caretakers, are less likely to reproduce, and demonstrate a significant increase in solitary or socially inappropriate behaviors (Mellen, 2005; Meder, 1989).
- b. Suffer from neglect (i.e., through maternal deprivation), which leads to long-term depressive traits and impaired coping skills—specifically in long-term potentiation, or LTP, which compromises an animal's ability to learn new skills over the course of his or her life and adapt appropriately to new situations (Pryce *et al.*, 2005).

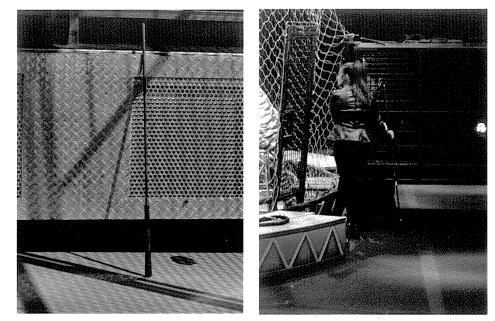
The tiger cubs at Ringling Bros. have been removed from maternal care as cubs. Human care of tiger cubs, unless medically necessary, cannot appropriately replace species-appropriate maternal care.

These observations are not an exhaustive list of the psychological neglect and trauma that these cats endure daily. They do indicate poor animal welfare and neglect on the part of Ringling Bros. and the animal caregivers. These psychological issues are compounded by the behavioral environment and treatment by humans. Changes in management to meet industry minimum standards, psychological well-being, and long-term health would not be impossible but would require a different approach than is currently applied.

Behavioral

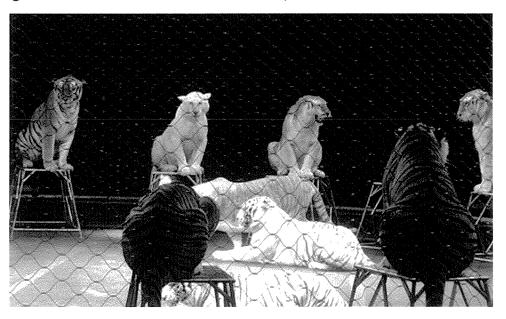
All the issues listed above with housing, sterile environments, medical issues, and neglect in general cause acute and chronic trauma. Yet the primary reason that I chose to write this report was because of how big cats in the circus are treated by their trainers and circus staff. Circuses are unable to meet the genetic behavioral expectations that these animals have evolved, and the animals endure compromised welfare as a result. Specifically, I observed that the big cats in Ringling Bros.' Red Unit were treated with aversive stimuli that they were unable to avoid and are managed through fear, coercion, and punishment.

The primary means that I observed at Ringling Bros. to coerce the cats to respond in a desired manner is to yell at them, bang on the cages, and use long goads, prods, or whips to force them to move in a specific direction or to back off when approaching another animal or human too closely. These prods are ubiquitous. They are in the trainers' hands, the assistants carry them, and they are left strategically near the cats to remain readily available (see photos on right).

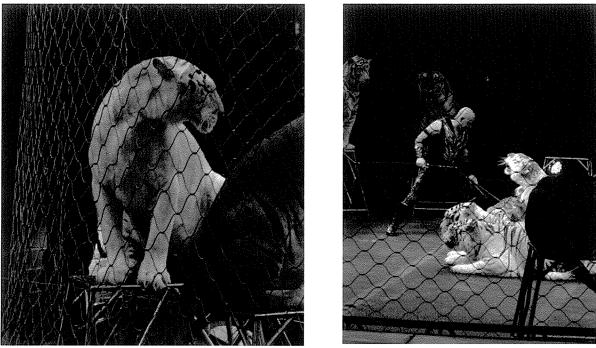


The application of all these punitive stimuli causes the cats to react in fear, with aggression, and with displaced behavior (redirecting an adverse reaction to another individual). I observed these

responses exhibited both in the outdoor holding enclosures and in the ring while Taba was performing. As you can see in this photo, the cats' postures while in the ring with the trainer(s) are indicative of a fear of consequences if they do not perform as coerced. The hunched shoulders, ears-back position is anticipatory of conflict or tension. Subtle changes then indicate fear or potential aggression, but this body language was consistent throughout both shows, indicating stress, fear, and psychological duress.



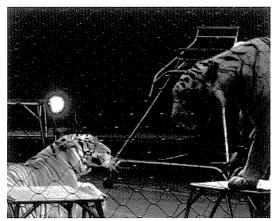
When the goads or whips are raised, the cats flinch and shy back every time. When animals move forward as if to strike or react, they are yelled at and either quickly struck or startled back with whip cracks in the air or on the ground nearby. I observed multiple situations in which the tigers displayed definite aggression toward Taba (see photos top of next page). These animals do not have a trusting relationship with staff and endure this punitive, adverse environment daily.



The use of punishment and aversive techniques lead to permanent physiological and psychological changes in learning ability, behavior, and coping mechanisms in animals.

- A. Punishment will eventually inhibit the punished act. The refusal to work or other resultant conflicts (such as avoidance, escape, and displaced aggression) will increase with continued repetitions of the punishment (Gwinn).
- B. Only performance-contingent reward behavior was found to affect subordinate performance significantly (i.e., positive reinforcement). Contingent punishment had no effects on improving performance (Podsakoff *et al.*).
- C. Prior exposure to punishment and aversion methods actually *reduce* extinction of an acquired fear response, increase disruptive effects during an approach-avoidance conflict, and suppress response of both conditioned and unconditioned activity (Boe *et al.*). Essentially, the cats will not learn *not* to be afraid and cannot react to situations appropriately for the species.
- D. Short-term and long-term psychological trauma results in permanent changes to the brain, nervous and endocrine systems. Animals are incapable of learning in circumstances in which they are stressed or traumatized, as the more primitive amygdala in the brain (responsible for fight, flight, etc.), which change permanently as a result of stress, will override learning or conditioning (Dr. Bacon).

The tigers I observed are under constant psychological duress, which results in acute and chronic medical concerns for these animals. Staff members manage the cats using aversive stimuli, fear, and dominance tactics. The cats cannot remove themselves from these situations, nor can they remove the aversive stimuli, which leads to the types of behavioral problems mentioned previously. The cats redirect aggression and fear to the trainers and other animals (see photo on right). The cumulative effects of distress will likely shorten these animals' lives and, in severe cases, lead to myopathy, injury, or even death.



Ironically, during announcements before the circus shows, the Ringling MC announces that animals are all trained using "reward and repetition." I observed only two or three separate instances of a food reward being offered to one of the tigers. Each time, it was to lure the animal to leave the ring and into the transfer cages or else to lure one specific animal back out for a solo performance. The cats know only fear, dominance, and punishment.

Conversely, the dogs I observed were coached by two of the ringmasters through performances using *only* praise and food rewards. The dog show was energetic, and the animals were clearly engaged and willing to work for their trainers. There was clear evidence of a trusting relationship, and while dogs are truly a domesticated species, the mechanics of learning remain the same. The historical means of breaking and forcing big cats to work is the direct opposite of the dog trainers' example and further evidence of the trauma that the cats regularly endure in the circus environment.

The other aspect that is not immediately evident to the general public but that you see in this type of dominance-based situation is that the animals develop a fear of the "alpha" or primary trainer/handler. This relationship is very specific to that individual, and even when it exists, the more skilled handlers suffer injuries. Victor has several scars and informed me that "we get a lot of bites and scratches." While the tigers demonstrated a complete mistrust of all the people I observed interacting with them and reacted adversely to the equipment, no other person likely instills the same learned fear and helplessness as the primary. Someone with less experience forcing the cats to his will while attempting to watch for any potential aggressive responses is at a distinct risk of the animals taking advantage of the situation, most likely injuring or killing that person. I have observed such behavior firsthand with numerous species, including lions, bears, elephants, and even domesticated dogs. When the animals suffer chronic levels of stress and mistreatment, at some point, they will react when they believe they finally have an opportunity to change their environment. There is no doubt in my mind what would happen to the big cat that attacked a person in a circus environment, as evidenced by the incident in Florida for which the USDA issued a warning to Ringling Bros. when a staff member shot a tiger to death after the animal injured another person who had been in an enclosure with the tiger.

Taba and Victor believe that they care for the big cats well and seem unaware that the animals are enduring trauma and neglect. This is not uncommon with people who keep animals in captive situations without proper training on how to manage them. It is also not exclusive to exotic animals, as people often fail to see that they are treating their own pets abusively and neglectfully. The closest example that I can provide to demonstrate objectively how someone can *believe* that they have animals' best interests in mind yet still force them to live in substandard conditions and endure reduced welfare is the research into animal hoarding.

Excerpted from several peer-reviewed psychology journal articles (listed in References):

- Justifications for their behavior included an intense love of animals, the feeling that animals were surrogate children, the belief that no one else would or could take care of them, and the fear that the animals would be euthanized.
- Hoarders also lack awareness of their animals' distress, or make up their own rules for what constitutes distress.
- It is related to how people define themselves, and one of the important things we have to do when confronting individuals is recognize how important their feeling that they are somehow rescuing or helping animals is.
- Caring for animals is part of their identity. There are physiological mechanisms to prevent the awareness that they are causing pain and suffering.
- Considerable physical and psychological animal suffering occurs without professed intent to harm, in conjunction with a strong human-animal bond, and with lack of insight as to the true nature of the situation.
- Denial frequently colors public discourse on the topic, and the lack of intent, coupled with professed good intentions, often mitigates the seriousness of these crimes in the eyes of the law.

I have observed these exact circumstances in animal-hoarding cases, in abhorrent backyard captivity scenarios, and in pet neglect and abuse cases. During my conversations with Taba, Victor, and the female supervisor, it was clear to me that all the above points apply to the Ringling Bros. big-cat staff. The staff members may believe that they care for the cats, but, in reality, the animals live in an environment of suffering, with little chance of change in the future.

Summary

Animals in circuses have historically not been treated well, leading many countries, states, and municipalities around the world to ban circuses with animal acts. Some regions have focused specifically on exotic-animal acts. It is a clear sign of progress when authorities recognize that animals deserve better welfare and care. Circuses do not promote conservation, education, or the advancement of animal welfare or management techniques. They are a cruel relic from human history, and for welfare reasons, big cats should be banned from circus exhibition and placed in more appropriate environments with trained, skilled caregivers.

It is my professional and expert opinion that the tigers I observed before and during the Ringling Bros. Red Unit shows are suffering from neglect as well as ongoing physical and psychological trauma and are not provided with the proper care and welfare necessary for any felid species. If conditions cannot be improved within the structure of the circus, regardless of its transitional nature, then the big cats would be better served by living in a certified or accredited institution dedicated to both the immediate and long-term welfare of the animals.

Jay Pratte, B.S., M.A. August 25, 2016

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Appendix I: Peer-reviewed Publications

It's What They Do. The Shape of Enrichment, Vol.12, No.4, November, 2003.

Options for Training Side Presentation in Large Canids and Felids. Animal Keeper's Forum, Vol. 30, No. 9, September, 2003. P 390-391.

The Four Faces of Operant Conditioning. AAZK Animal Keeper's Forum, Vol. 34, No. 11, November, 2004.

Don't Shoot the Keeper: A Practical Guide to Training Your Co-workers. Pratte and Binney, AAZK Animal Keeper's Forum, January, 2005.

Tools of the Trade: Variety is the Spice of Life. AAZK Animal Keeper's Forum, Vol. 32, No. 6, July, 2005.

Teaching Operant Conditioning Methods and Training Program Management in China. AAZK Animal Keeper's Forum, October, 2006. P 420-426.

Formation of a Critical Incident Stress Management Team at the Dallas Zoo. Fitzgerald et al. Special edition on Crisis Management in Zoos. Animal Keepers' Forum, Vol. 34, No. 11/12, Nov/Dec. 2007. P 502-505.

Making a Connection with Keeper Talks. Pratte and Cavarra, AAZK Animal Keeper's Forum, February, 2007. P 80-84.

Proper Use of Cues. AAZK Animal Keeper's Forum, Vol. 36, No. 9. September, 2009. P 376-379.

Spatial Memory Recall in the Giant Panda (*Ailuropoda melanoleuca*). Perdue, et al. Journal of Comparative Psychology, Vol 123, No.3, 2009. P 275-279.

Training Bears for Voluntary Blood Collection. AAZK Animal Keeper's Forum, Vol. 37, No. 6. June, 2010. P 281-288.

When Maintenance Doesn't Require a Work Order. Pratte and Kezer, AAZK Animal Keeper's Forum, Vol 38, No 1, January 2011. P 18-20.

Basic Bear Training Techniques. Updated 2011. Resources: www.BearCareGroup.org.

Ideas to Help New Training Programs. AAZK Animal Keeper's Forum, Vol 39, No 3, March 2012. P 139-141.

Ideas to Help New Training Programs (Part 2). AAZK Animal Keeper's Forum, Vol 39, No 6, June 2012. P 282-286.

Papers at Professional Conferences

- *Creating Habitats from a Whole Lotta Nothin'*. Proceedings, AAZK National Conference, 1999.
- *Training Three Juvenile Indochinese Tigers from Scratch.* Proceedings, AAZK National Conference, 2001.
- *Free Trip to Africa.* Proceedings, AAZK National Conference 2002.
- *Expanding our Career Horizons: A Panda Department's Journey*. Proceedings, AAZK National Conference, 2004.
- *Teaching Operant Conditioning Methods and Training Program Management in China.* Proceedings, AAZK National Conference, 2006.
- Formation of a Critical Incident Stress Management Team at the Dallas Zoo. Proceedings, AAZK National Conference, 2006.
- *Giant Pandas and Research: Spatial Memory Recall and Training Methods*. Proceedings, AAZK National Conference, 2007.
- *Training Bears for Voluntary Blood Collection*. Advancing Bear Care, San Francisco, CA, 2009.
- Basic Bear Training Techniques. Advancing Bear Care, Banff, Alberta, Canada, 2011.
- Xenoglossy: What are they really hearing? Advancing Bear Care, New Jersey, 2013.

Conference and Symposia Workshops

- National Behavioral Husbandry Committee member since 2001. Worked with committee to present training and husbandry workshops at the national conferences in 2001, 2002, 2004, 2006, 2007.
- Bear "Training 101" workshops at international Advancing Bear Care conferences in 2007, 2009, 2011.
- Advancing Bear Care conference, Pomona, CA, 2007: Goal and training program planning workshop for bear managers in China.
- Advancing Bear Care conference, San Francisco, CA, 2009: Voluntary bear blood collection training workshop.
- Advancing Bear Care conference, Banff, Alberta, 2011: Management of giant pandas; focus group.
- Advancing Bear Care conference, New Jersey, 2013. Advanced operant conditioning techniques and program management.
- USDA "Lions, Tigers and Bears" Symposium, Kansas City, MO, July, 2014. Using Operant Conditioning Techniques for Long-Term Behavioral Management.
- Advancing Bear Care workshop, Brasov, Romania, October, 2014. Training 101; Comprehending Learning; Practicum at Brasov Zoo.
- Advancing Bear Care workshop, Hanoi, Vietnam, October/November, 2015. Training 101; Comprehending Learning; Practicums at Hanoi Zoo & Animals Asia Sanctuary at Tam Dao.

Appendix II:

Big cat [Figure 1] and domestic cat [Figure 2] physical assessment charts (From AZA Felid TAG and Purina)

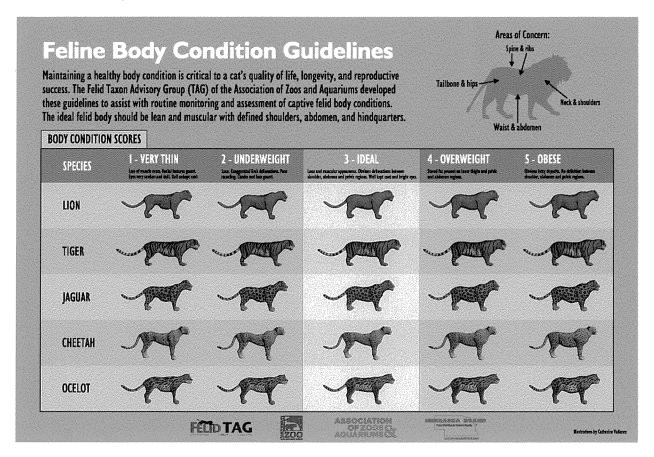


Figure 1

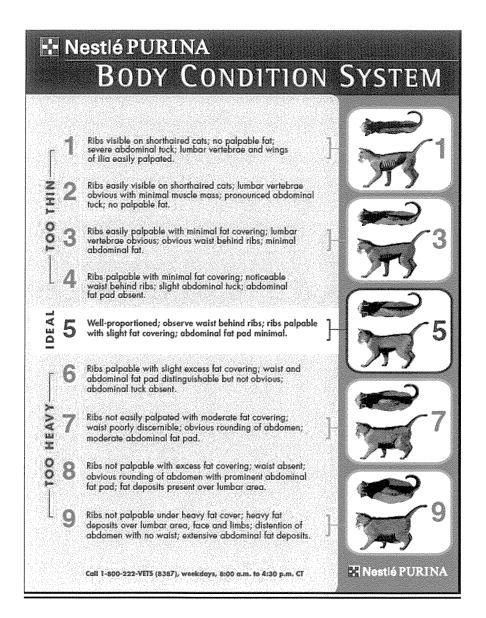


Figure 2

Appendix III: Photographs



Sterile enclosures



Inability to avoid cagemates

	AN IN ST	A BUILDER		

Obesity issues



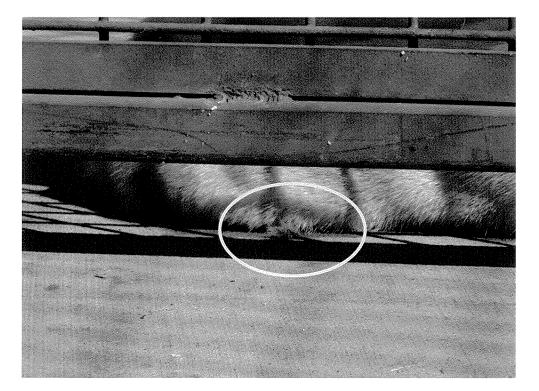
More obesity issues



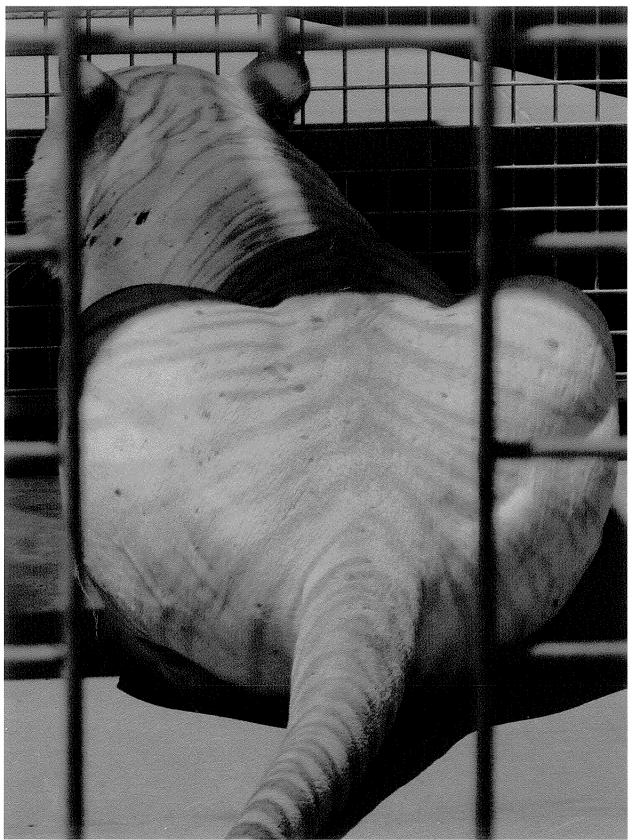
Hygromas



Cracked pads



Hair tufts after altercation



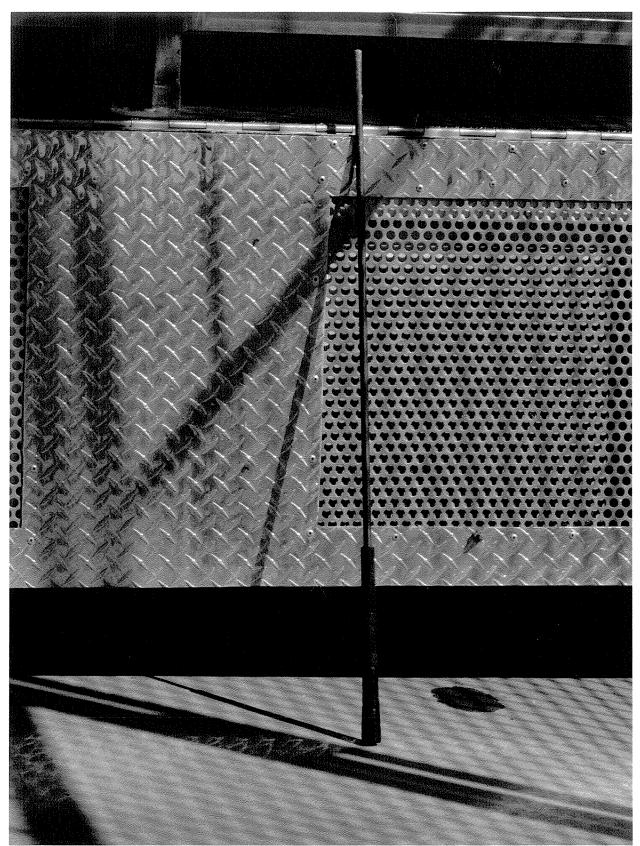
Multiple small abrasions/punctures/scars



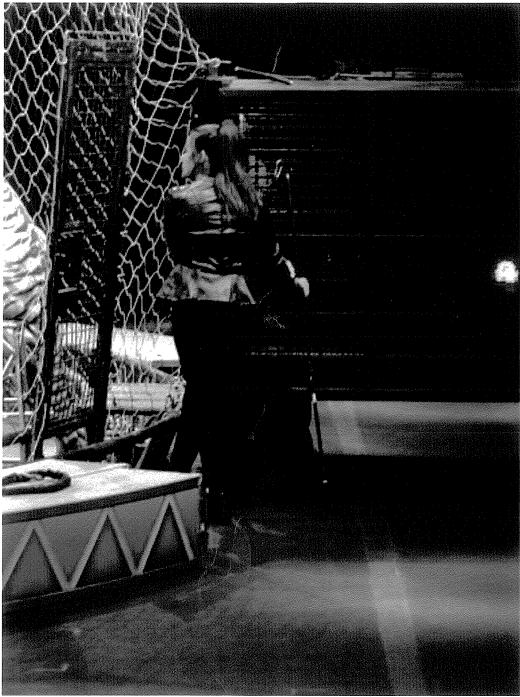
Inability to avoid cagemates



Stereotypic motor behavior (pacing)



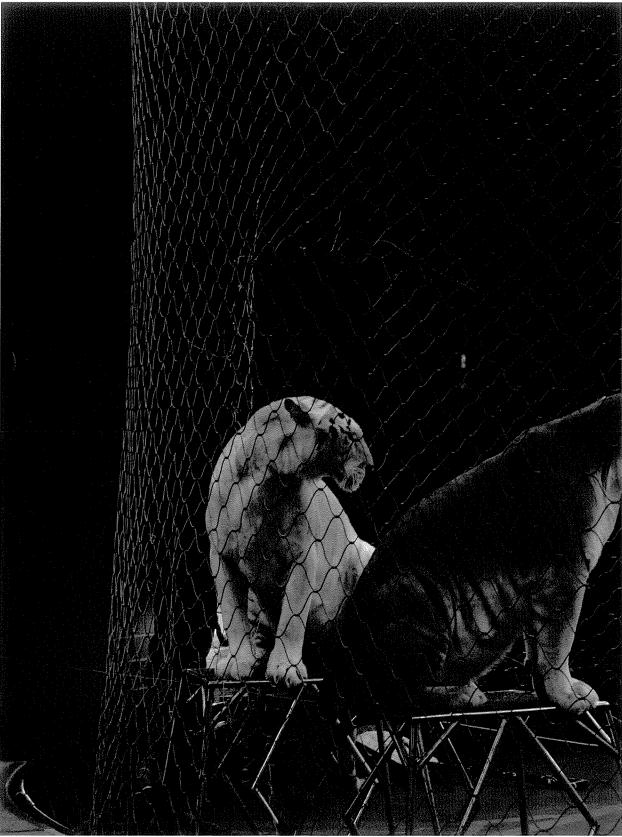
Prod/goad by outdoor enclosures



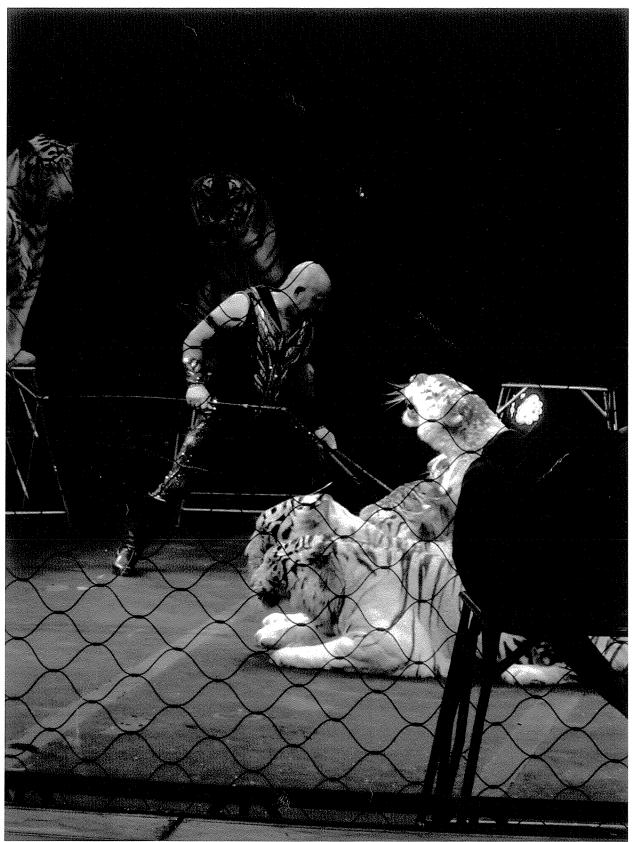
Staff carrying prod/goad



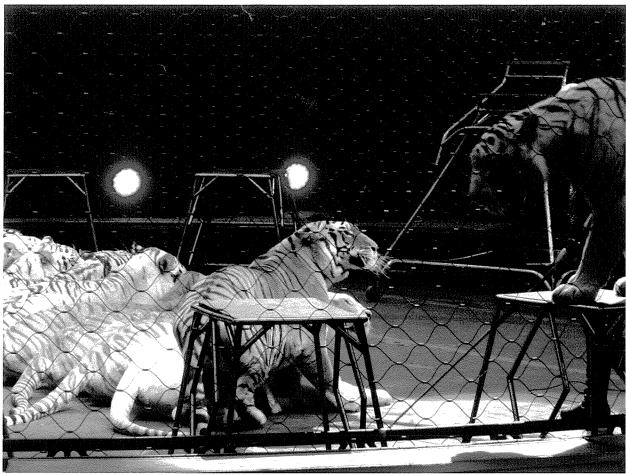
Multiple tigers exhibiting ears-back aggressive/fear postures



Aggressive warning display



Trainer forcing behaviors through dominance, fear, use of goad and whip



Cats exhibiting aggressive responses to trainers and one another in confined space

STATEMENT BY PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS IN SUPPORT OF INTRO 1233

Ringling Bros.' animal welfare record is appalling. In 2011, it was ordered to pay the largest fine in circus history to settle dozens of violations of the federal Animal Welfare Act.

For example, USDA records show that Ringling forced the elephant Banko to perform even though she was suffering from diarrhea and severe abdominal pain.

Ringling also kept the elephant Sarah on the road even though she had what appeared to be necrotic tumors on her reproductive organs and was showing signs of infection, possibly of tuberculosis. Just weeks later, she collapsed outside of a performance venue.

There's also a zebra named Lima who escaped from a Ringling venue and ran into a busy highway. He suffered horrific injuries to his legs, including a fractured foot, tissue death, and hemorrhage. He was euthanized weeks later.

And then there's Clyde, a young lion who baked to death in a Ringling Bros. boxcar traveling through the Mojave Desert. That day, temperatures exceeded 100° , and Clyde had been showing signs of heat exhaustion but Ringling couldn't be bothered to stop the train and help Clyde.

History has shown that federal law is not effective at protecting animals from this kind of abuse. The USDA sat on Clyde's case for so long that the statute of limitations ran out. In another example, a Ringling handler was caught violently beating a young elephant named Angelica while she was chained by two legs at a performance venue. The USDA took no enforcement action. Of course, the person at the USDA who called the shots on both Clyde and Angelica now works for Ringling.

This abuse may not have happened in New York, but that's not the point. It could have happened anywhere. And if we continue to allow circuses like this to bring animals into the city, we are culpable in the abuse. Let's do the right thing for animals and pass this ordinance.

October 20, 2016

Hearing to ban wild animal acts in New York.

Testimony-changing public opinion

Good morning, my name is Jannette Patterson, and I'm a long-time New York city resident.

The time for this legislation is now. There isn't a more powerful sign that the public no longer supports the use of animals in entertainment than the huge changes we've seen in the industry itself.

Ringling ended its elephant acts this year, acknowledging not only that it's better for the elephants to be off the road, but that the change was because of a so-called public "mood shift."

On top of that, Ringling shut down an entire traveling unit last year. And the Cole Bros. Circus, which has brought elephants and big cats to the state for years, shuttered its 2016 tour after just a few shows.

Meanwhile, California and Rhode Island banned the use of the weapons that circuses use to control elephants this year, joining Richmond, Austin, Oakland, and Los Angeles. And Missoula, MT, and Asheville, NC, now bar wild animal performances as well.

From protests in every city to lagging ticket sales, using wild animals in circuses is as bad for business as it is for animals. As caring New Yorkers, we need to do the right thing and ban wild animal acts now.

Thank you,

Jannette Patterson 225 Central Park West #1214 New York, NY 10024 212-564-3429 jpatterson@corcoran.com

October 20, 2016

Remarks by Lori Raphael, Vice President, Brooklyn Chamber of Commerce on Behalf of Carlo A. Scissura, President &CEO at a public hearing held by NYC Council, Committee on Health regarding Intro 1233-2016, a bill to prohibit display of certain animals for public entertainment or amusement

Good Day Council Members:

My name is Lori Raphael and I am a Vice President of the Brooklyn Chamber of Commerce (BCC) speaking on behalf of Carlo A. Scissura, President of the Brooklyn Chamber in opposition to Intro 1233.

The Brooklyn Chamber is a membership-based business assistance organization which represents the interests of its member businesses, as well as other businesses across the borough of Brooklyn. The Brooklyn Alliance is the not-for-profit economic development organization of the Chamber, which works to address the needs of businesses through direct business assistance programs.

This bill would prohibit most animals that are typically part of the circus from participating in programs for public entertainment in New York City. This prohibition negatively impacts the tens of thousands of New Yorkers who have been enjoying the circus for well over 100 years, but more importantly, it will negatively impact the local economy in Brooklyn - Ringling Bros. and Barnum and Bailey's premier northeast venue- through loss of jobs and revenues. When Ringling Bros. comes to the Barclays Center, it generates close to \$4 million in direct economic activity, utilizing suppliers from all five boroughs with over \$2.5 million in indirect benefit as suppliers, performers and staff and crew increase local spending on everything from supplies to hotel rooms. Families and individuals traveling into New York City are spending significant amounts on parking, meals, transit fares and taxes. To again use Feld Entertainment, owners of Ringling Bros. as an example, they spend over \$1 million per year in advertising alone. The economic benefit of supporting traditional traveling circuses that are dependent upon animal acts, like Ringling Bros. and Universoul Circus cannot be overstated.

In terms of the care the animals are given, Ringling Bros. has a long and distinguished history of providing the highest standard of care in all respects. The shows travel with veterinarian technicians, ample space is given for movement during travel and the animals are fed special diets, all of which lead to longer life spans than these animals frequently enjoy in the wild. In addition, we refer to NY Agricultural and Markets Law 353 which prohibits the overdriving, torturing and deprivation of food or drink to any animal. We do not believe any further regulation on the municipal level is required.

In addition to the economic impact, Feld Entertainment has been an excellent community partner to Brooklyn, distributing thousands of community passes and complimentary tickets to non-profits per year ensuring access to quality entertainment of all of our children. We feel strongly that to deprive our families and children of the joys of the circus, and particularly our children in lower income households, to which Feld has been so generous, would be a shame and completely uncalled for.

The circus has been a time-honored American tradition that our economy and our families have enjoyed for 145 years. The Brooklyn Chamber is opposed to Intro. 1233 and we hope to have the circus in town for many years to come.

Friends of Animals' Memorandum in Support, Edita Birnkrant, Campaigns Director

Int. No. 1233 (Mendez, Johnson, Palma, Cabrera, Dromm, Koslowitz, Williams, Rodriguez, Rosenthal, Gibson)

In relation to prohibiting the display of wild or exotic animals for public entertainment or amusement

Friends of Animals was founded in 1957 in New York City, and we still maintain an office at Columbus Circle in Manhattan. We're an international animal advocacy group with hundreds of thousands of members, and we urge passage of Intro 1233, to prohibit the display and exhibition of wild and exotic animals in New York City.

Wild animals used in circuses and displays such as fairs, petting zoos, carnivals, parades, races, rides or expositions lead unnatural lives of misery, deprivation and confinement when they're held for commercial purposes. Clearly, it's in the interests of wild animals to live in nature with their habitats protected, but if they're bred, bought or sold to exist in an animal exploitation industry, humans are to blame, and humane treatment of these animals is the business of Friends of Animals. Friends of Animals has an obligation to offer its opinion on whether this is a moral issue, and we resolve that indeed it is.

If wild animals are removed from nature, they don't belong privatized in homes, or in animal entertainment businesses. They should reside in legitimate sanctuaries where they're neither exploited for profit, nor confined to a life performing stunts. Decent, private sanctuaries provide socialization, and degrees of enjoyable freedom not available to wild cats, primates and other animals trapped in traveling circuses, and other exhibits.

Animals such as elephants, tigers, lions, bears, alligators, monkeys and apes shouldn't suffer to entertain us in the year 2016. The New York City Council should pass Intro 1233 to assure that New York City has a humane standard regarding the treatment of wild animals held for commercial purposes.

Wild animals used in circuses and other performances are often trained by having their spirits broken, forced to perform ridiculous, degrading stunts while otherwise caged and chained in trains and trailers, enduring arduous travel each year in small cages. Captive animals used for entertainment are denied their natural behaviors such as having extended social groups and living and moving freely in large outdoor areas.

Due to immense public pressure from Friends of Animals and the general public, Ringling Bros. Circus decided to end the use of elephants in their shows, acknowledging that public attitudes about using elephants for entertainment had changed. Other performing wild animals used by Ringling Brothers or other commercial venues should also get a reprieve, for similar reasons. Many of these performances are advertised as "family entertainment," yet New York City is a progressive, changing city. Respecting and protecting wildlife from harm and abuse is part of a progressive philosophy.

Friends of Animals operates a wildlife sanctuary named Primarily Primates in San Antonio, Texas. Over 350 monkeys, chimpanzees, big cats, and other primates are cared for there -- some cast-offs from the "entertainment" industry – once used in circuses, films, or TV ads -- discarded when they're no longer easily manipulated. We have first-hand knowledge of the psychological and emotional trauma that results from forcing chimpanzees, monkeys and other animals to become "performers."

Please respect the treatment of wild animals by supporting Intro 1233 and swiftly passing it into law.

Sincerely,

Edita Birnkrant Campaigns Director



1841 Broadway, Suite 350 New York, NY 10023

T 212.247.8120 edita@friendsofanimals.org www.friendsofanimals.org My name is John Di Leonardo.

I am an anthrozoologist, president of Long Island Orchestrating for Nature, and Animals in Entertainment Campaigner for PETA. Previously, I was manager of several day programs for people with developmental disabilities.

Banning wild animal acts will *not* function as a ban on the circus. The circus has existed for centuries, precisely because it is constantly evolving with the times.

Changing attitudes towards human rights, along with legislation banning the exploitation of people with disabilities, led Ringling and other circuses to phase out human freak shows long ago.

These days, circuses simply opt to perform without wild animals in cities where restrictions exist, and some are completely animal free.

UniverSoul's show is about two hours long, and the animals are on stage for just a few minutes. The same goes for Ringling. The rest of the shows are filled with dazzling acrobats, death-defying trick riders, hilarious dance acts, and more.

Are we really willing to ignore the lifetime of abuse that animals face to see them for just a few minutes on stage? The circus's willing human performers are its true stars, and the show will certainly go on without wild animals.

Please support Intro 1233. Your vote will go a long way in supporting the humane treatment of animals in New York City.

My name is Yuki Endo, resident of Jackson Heights, Queens and member of Long Island Bus Riders Union and Citizen Defending Libraries. I am also Animal Rights Activists.

I am calling on honorable New York City Council Members, speaker Melissa Mark-Viverito and Mayor Bill de Blasio to support this bill to ban animal circuses in New York City and it's suburbs like Long Island and upstate New York.

New York City and New Jersey has Ringling Brother Circus while Long Island has Coles Brother Circus.

All these circuses has multiple USDA and Animal Welfact Act violation.

I'm glad Ringling Brother Circus banned elephant act, that's not enough.

I have been going all over NY Metropolitan Area to protest all three circuses because animal circuses never takes cares of animals. Only good sanctuaries or vegan-operating sanctuaries.

In Town of Islip, East Islip Fire Department was denied permit for Coles Brother Circus for 2015 at Brookwood Hall Park because Coles Brother Circus's animals destroy beautiful public park and didn't clean up their feces when they left the park and it cost Town of Islip and lots of taxpayers money to fix and clean up park.

I have testify against Animal Cruelty Circus at Bergen County Freeholder Meeting in New Jersey as well because Animal Circuses should be banned all over the world.

Gateway Center, Barclay Center, Long Island, Westchester County and New Jersey should hire Circus de Quill, which is acrobat circuses and these circuses are much better for New York City. Animals should be release into wild or rescue sanctuaries.

SeaWorld also did the right thing by banning Orca shows.

If SeaWorld and Ringling Brother Circus, why cannot NYC do it? Because Mayor Bill de Blasio, City Council Speaker Melissa Mark-Viverito has not kept promise to ban animal circuses, horse-drawn carriages, and so does Nassau County Executive Executive Edward P. Mangano and Suffolk County Executive Steve Ballone.

Animals circuses need to be banned.

All these animal circuses use same trainer named "Tim Fisco" who beats elephant using bullhook.

On May 27th, 2015, I went to Little Ferry to join New Jersey Activists for Coles Brother Circus and I went shopping at Hmart. After shopping, I end up getting lost and walk through alleyway to fence where Coles Brother Circus truck was loading their circus stuff. After asked circus employee for direction to Bergen Turnpike, they gave me polite direction.

After that, I passed by a caged tiger which I took a picture which is proof I have here.

Also many fire departments like Little Ferry Fire Department in New Jersey, Oceanside Fire Department and Greenport Fire Department in Long Island should not be using any Animal Circuses for fundraiser.

I am asking you to support NYC and Bergen County Freeholder's Bills to ban Animal Cruel Circuses. Thank you for your cooperation.

Testimony in Support of Int. No. 1233 by Lisbet Chiriboga

Good morning Councilmembers, ladies, and gentleman. Thank you for allowing me to testify today.

My name is Lisbet Chiriboga. I currently serve on the Executive Board of the United Federation of Teachers Humane Education Professional Committee. I have been a New York City elementary school teacher in underserved areas of the Bronx for the past 12 years. Today I will explain how bringing children to view wild animals performing tricks is antithetical to the character building and anti-bullying efforts we are so desperately trying to implement in New York City schools.

Whether or not we allow wild animals to be used for entertainment is an ethical issue. And when questions about ethical situations arise, as a teacher, I always look at how it will affect children and what kind of message it will send them.

Elementary teachers have a responsibility, as per NYS Education Law, Article 17, Section 809, to provide instruction in the humane treatment and protection of animals. I take this responsibility very seriously and have seen firsthand the positive impact on disenfranchised children when they not only learn facts about what an animal eats or how they reproduce, but when they learn how to help animals, such as those who are exploited by the circus-this builds character and empowers them to stand up for others.

Circuses who exploit wild animals market heavily to our underserved communities of color in New York City. They take advantage of children's natural affinity for animals and their lack of awareness of the cruelty that wild animals endure when forced to perform. I have seen countless students over the years come to their own determination that forcing wild animals to perform is just misery inflicted on another creature that is more vulnerable. It's a mixed message to teach children about the rich emotional lives of wild animals and then bring them to circuses that present them as creatures whose purpose is to amuse us- where their emotional lives are completely discounted. Watching wild animals perform demeaning tricks shows children exactly the kind of bullying mentality that we want to discourage.

Our children will be exposed to so much cruelty in the world that we cannot control. We have a responsibility to show our children that we can evolve in our thinking and prevent inherent cruelty when we have the opportunity to do so. Please pass Int. No. 1233 to prohibit the use of wild animals for entertainment.



Written Testimony

TO: New York City Council, Committee on Health FROM: John Dunham, President, John Dunham & Associates, Inc. DATE: October 20, 2016

Chairman Johnson and Members of the New York City Council:

My name is John Dunham and I am the Managing Partner of the New York City based consulting firm of John Dunham & Associates. I have been retained by Feld Entertainment to conduct an economic impact analysis of the circus on New York City's economy and to testify here today. I am here today to present the findings of my research to the Council.

Circuses that include animal acts, such as Ringling Bros. and UniverSoul, are an important part of the City's economy and they provide hundreds of workers with thousands of hours of well paid, part- and full- time employment throughout the five boroughs.

In this testimony, I will first present the findings of our economic impact study and outline how circuses with animal acts bring essential economic activity, jobs, tax dollars and tourism to New York City. I will also breakdown and present the impacts the circus has in each of the five boroughs. Then I will offer some key findings related to this proposal derived from my understanding of economic systems and this economic impact study.

Economic Activity:

The circus generates substantial economic activity in New York City. Not only do these traveling shows provide entertainment and joy for tens of thousands of New York City's children and adults, they are an important source of revenues, jobs and economic opportunity.

When a circus comes to any of New York City's five Boroughs, it comes for about a week, which means that including load-in and load-out days, the performance facility is fully occupied for about 8 days. This is huge compared with the itinerant nature of other events like concerts which occupy venues like Brooklyn's Barclays Center for only one or two days at a time. In fact, during the circus's time in New York City, the operations of circuses will directly generate \$3.71 million in economic activity, and its suppliers located in the five boroughs will create \$1.30 million in additional economic output. On top of this, \$1.37 million is created in induced economic impact, the result of performers, staff and crew spending their wages in the City (for a total impact of \$6.4 million).¹ This does not even include the spending that attendees to the circus will make at local establishments. Note that this is economic activity - or production in the city itself. It is not a calculation of ticket sales.

Compare this to concert tours - for example the recent Rihanna or Barbra Streisand shows - that stop in the City for one or two days at a time and employ at most about 50-60 people. Using the same model as we did for our circus impact, such a show creates only about \$159,000 in actual economic activity and about 1 full-time equivalent job. Again, this is not ticket sales but actual economic activity.

The total economic activity created by the circus's longer and larger performances is money fed into the New York City economy, which supports local businesses and industries.²

(http://antiworldtour.info/crew). This is a fairly large staff, with many shows working with about 30 people. Note that ticket sales are not the John Dunham & Associates New York: 2016

Based on a model developed for Feld Entertainment by the economic consulting firm John Dunham & Associates: 2016. 2

Figures based on a concert tour with \$8 employees such as the Anti World Tour performed by Rihanna in 2014.

Borough Jobs:

Circuses or other traveling shows that come to town bring with them dozens of workers and performers and hire hundreds of local people to assist in staging their performance, creating thousands of hours of temporary employment in New York City. In addition, these touring companies spend thousands of dollars on hotel rooms, restaurant meals and catering, animal feed and services, utilities, security, transportation and a wide range of other goods and services.

During this tour year, traveling circuses will provide more than 14,800 days of both part- and full-time employment to hundreds of people in New York City, helping people to put food on the table for their families.³ These are good jobs, and circus workers and those supplying goods and services to the industry receive almost \$3.17 million in wages over just a few days' time. Banning the circus will threaten:

- 26 full-time equivalent jobs, \$1.21 million in wages and \$2.33 million in economic output in Brooklyn;
- 14 FTE jobs, \$631,000 in wages and \$1.22 million in economic output in the Bronx;
- 12 FTE jobs that pay \$562,000 in wages and produce \$1.13 million in economic output in Queens;
- 11 FTE jobs that receive \$720,000 in wages and create \$1.61 million in economic output in Manhattan;
- 1 FTE job, \$43,700 in wages and \$100,000 in economic output in Staten Island.

Today, every job is important. In fact, the unemployment rate in New York City is currently 5.4 percent. This means that there are nearly 461,400 people trying to find jobs in the City, who are collecting unemployment benefits.⁴

Taxes and Tourism:

Performers, concessionaires, and others who depend on the circus also pay the City and the State significant taxes, estimated at more than \$385,000 annually. In addition to this, consumers who visited the circus in the last year have paid more than \$95,000 in city and state sales taxes on concessions sold in Brooklyn alone. Families and individuals that come to the city from the surrounding area to see the circus are not exclusively spending money on tickets and concessions. They are paying for gasoline and parking fees, for lunch, dinner or snacks, and sightseeing activities. Based on data from the US Department of Commerce, for every \$20 spent on circus tickets, an additional \$48 is spent on other tourism related activities throughout the City, such as dining, parking, or transit fares. This adds up to a total of roughly \$288,000 in additional spending from people attending the average Ringling Bros. circus, or nearly \$96,000 in spending from the average UniverSoul event, another significant contribution to New York City businesses.⁵

Other Findings:

Replacing jobs lost by forcing circuses out of New York City is easier said than done, as jobs do not materialize out of thin air. While some activist groups have suggested that banning circuses will benefit New York City, these claims are disingenuous and based on fact-free arguments. Some activists claim that if circuses with

same thing as economic impact. The largest concerts performed at the Barclay center (for example the Jay Z concerts that opened the center in 2012 averaged 15,000 attendees and likely grossed somewhere close to \$1.51 million each. Of this money 75 percent goes to the artist (in this case Jay Z). See *The Price Of A Concert: Breaking Down Where The Money Goes*, <u>The Rock and Roll Guru</u>, Wednesday, March 30, 2011, at: <u>http://rockandrollguru.blogspot.com/2011/03/price-of-concert-breaking-down-where html</u>. Economic impact is generated by productive activities occurring at the venue, such as setting up and breaking down a stage, feeding animals, selling concessions, etc., not the sale value of the products themselves. So ticket sales are not an accurate representation of economic impact, just as gross sales in a grocery store, or a gas station are not a representation of the economic impact of that outlet.

³ Based on a model developed for Feld Entertainment by the economic consulting firm John Dunham & Associates: 2016. This figure is based on tour information provided by only two traveling Performance companies, making it a very conservative figure.

⁴ New York Department of Labor, Bureau of Labor Statistics. August 2016.

³ Note this is retail spending not economic activity as stated in footnote 2. Assumes attendance of 6,000 for a Ringling Bros. circus and 2,000 for a UniverSoul event.

animal acts were banned in New York City, large venues like Barclays Center in Brooklyn would simply replace them with other events. But the elimination of one activity does not imply growth in another.

Others suggest that the only economic activity circuses generate in a given town or venue is in the form of ticket sales and concession sales like popcorn and cotton candy.⁶ This is a complete misinterpretation of how the economy works. Economic activity is not generated by consumer spending but rather by economic production – often not even directly tied to the performance itself. For example, in 2016 Feld Entertainment, spent over \$1 million on advertising in New York City. On top of this, over the last four years, Feld Entertainment paid a total of \$2.87 million renting arenas and performance space in Brooklyn. Large venues and the city itself could be hard pressed to make up for the lost revenue if circuses with animal acts were to be banned. Every time a circus or an orchestra or a sporting team performs it generates productive economic activity in a community by paying for services and space. These productive activities are what lead to the jobs, wages, taxes and the other benefits that cities like New York City and their residents depend on.

Still others claim that because traveling performers and their acts are not native to a particular community it does not generate economic benefits. This is like saying that ships traveling to or from the Port of New York do not generate any economic benefits since they are owned by foreign companies and are not permanently moored to the dock. A company does not have to be based in a neighborhood or city to directly impact and benefit its economy. Moreover, if economic lines were actually drawn as strictly as these activist groups claim, things like importing and exporting, the stock exchange, and internet based commerce would also be said to have no economic impact on New York City.

Conclusion:

The circus is an important part of New York City's entertainment mosaic, and provides a significant amount of economic activity and employment opportunities for New York City residents. These economic benefits would be lost if this body decides to ban animal acts. This economic activity will not simply be replaced by magic.

I ask that you take these criteria into consideration when weighing my testimony, as well as the other testimony that you may receive today.

Thank you for your time and consideration.

Fearing, Jennifer, The Show Will Still Go On: An Economic Analysis of Restricting Traveling Shows Utilizing Elephants, The Humane Society of the United States, February 10, 2014.

Good morning, councilmembers of the Committee on Health. My name is Christina Hansen and I am a New York City carriage driver, as you all well know.

You may be wondering why I am here today to testify against a bill that does not apply to horses or carriages, but specifically targets the circus. As an animal welfare advocate, I cannot sit by and let the same extremist animal rights organizations do to the animals and their people in the circus, what they tried – and failed – to do to our carriage horses and to us.

The organizations who just testified in favor of this bill are the same organizations who spearheaded the anticarriage-horse campaign over the course of many years. They are the same people who lied to you and to the public when they told you that the carriage horses were being abused. They were the ones who lied to you when they told you that carriages were unsafe. They were the ones who lied to you about the conditions of our stables. They were the ones who lied to you when they said that the carriage horses were stressed. They were the ones who lied to you when they slandered us as "animal abusers."

In the end, the members of this council took the time to research and consider the facts about the carriage industry. You met the carriage drivers and discovered that we love our horses and care for them. You listened to the equine vets who have examined the horses and found them healthy. You saw the statistics that show that carriages are the safest form of traffic in Midtown. You accepted science, when the scientists presented studies that the horses aren't stressed.

It turned out that virtually everything these animal rights groups had said about the carriage industry in NYC was wrong. So why on earth would you believe anything they have to say about the circus?

Instead, I am urging the council to meet with the animal trainers and handlers. Find out what they do, and how to properly care for circus animals. Listen to the vets and experts here. And then ask yourselves if this bill is really about animal welfare or about a radical ideology.

There are several aspects of this bill that are deeply troubling to those of us who love animals and value their place in our lives. First of all, INT 1233 criminalizes using animals for entertainment in order to make a living for oneself and for one's animal partners. It makes arbitrary exceptions based on ideology, not animal welfare. Why is it "wrong" for Ringling Bros. animals to do tricks that delight children at the Barclays Center, because it's "entertainment," but when the sea lions at the Central Park Zoo do tricks, that's "enrichment" for the animals and "education" for the public? It's wrong for the Teamsters in the circus to transport domesticated camels into the city, but not wrong for Dawn Animal Agency to transport domesticated camels into Rockefeller Center, because the Christmas Spectacular is a "religious display"? It would be illegal, though, for those same camels to accompany the Rockettes on the Today Show, because that would be a public performance for a promotion. Under this bill, Jack Hanna can bring a llama on the Late Show, because the Cleveland Zoo is AZA and it's "educational", but Dawn Animal Agency can't bring a llama on as the punchline to a joke, because it's "entertainment"?

What is the determination here for what is and isn't legal under 1233? It's not animal welfare, but rather the stated ideology or mission of the humans who own the animals. If I say I'm a sanctuary and agree to the GFAS's belief that "wild" animals shouldn't perform for entertainment, and I say I'm educating the public, then that's ok, according to the bill. But let me "entertain" people for "money" with the exact same type of animal, and all of a sudden, that's wrong? Since when was work wrong? It makes no difference to the animal what we call the interaction we allow the public to have with them, provided their welfare is paramount, which it is with the circus animals, just as it is with the carriage horses. And why are "entertainment" and "education" necessarily at odds? People are educated everyday about working horses on Central Park South, even as they enjoy and are entertained by the carriage ride. People likewise are educated about tigers and other circus animals even as they are entertained. Those of us who work with animals for a living provide value to people's lives by allowing them to see and interact with animals, and thus we can make a living for ourselves and our animals. It's a value based on joy and connection, not pity or anger in order to get donations.

In the end, the animal rights organizations pushing for this bill are exploiting the fact that very few people get the privilege of knowing what it's like to work with animals for a living, and even fewer people have the knowledge to do so with wild and/or exotic animals. They believe that any "use" of animals is "abuse," and they are actively working to break the ancient bond between humans and animals. They privilege ideology over the welfare of the animals. They ignore science. They couldn't ban the carriage horses here in New York City, so they are trying to ban something else, to gradually remove animals from our lives. Don't let them.

Dear Council Members,

I implore you to join the right side of history and support Intro 1233, "Prohibiting the display of wild or exotic animals for public entertainment or amusement." Finally, New York City has the opportunity to end circus' torture of animals.

Severely abused and exploited for profit, circus animals do not willingly stand on their heads, jump from high-dive boards or parade around in demeaning choreographed routines. These meaningless acts go against their very nature. The ONLY reason circus animals perform is because they are scared of the painful consequences that come with disobeying their human captors.

Investigations by Last Chance for Animals have revealed the true cruelty behind the scenes, such as trainers using bull hooks, blowtorches and electric shocks to force the animals into submission.

When they're not performing, circus animals are imprisoned in tiny cages, and hauled across the country for days on end in boxcars and trailers.

This is no life for a wild animal, and no so-called enlightened society should treat any living creature with such cruelty and disrespect.

Please vote with your conscience. Pass Intro 1233, and help end the suffering of animals for entertainment.

For the Animals,

Chris DeRose Founder and President Last Chance for Animals <u>derose@LCAnimal.org</u> 310-271-6096 My name is Juliana Cinone.

I've had the pleasure of teaching humane education to children within New York City schools and yoga studios as well as on the streets of New York when animal circuses have reared their ugly heads.

According to the U.S. Department of Health and Human Services, "bullying" is defined as repeated aggressive behavior by someone who uses a position of power to control or harm others. Isn't that exactly what the circus does to elephants and tigers?

Wild animals are not willing participants in circuses, and anyone can see that trainers make them perform tricks under the threat of force. Children who watch these performances learn that domination of other living creatures through the threat of physical punishment is acceptable.

It's also important to remember the link between animal abuse and domestic violence. Children who are violent toward animals, or who witness violence, are much more likely be violent toward humans later on. Allowing a child to witness an adult routinely using violence against animals—let alone celebrating it—normalizes abuse.

In a time when bullying is dangerously prevalent, we owe it to the kids in New York to keep wild animal acts out of the city.

Testimony from Jill Carnegie

Constituent of Hell's Kitchen, NYC, 10019

Jill.Carnegie.1@gmail.com | 646-326-3879

Int. No. 1233 (Mendez, Johnson, Palma, Cabrera, Dromm, Koslowitz, Williams, Rodriguez, Rosenthal, Gibson)

In relation to prohibiting the display of wild or exotic animals for public entertainment or amusement

Dear NYC Council Member:

Local government exists so that a community can determine its own values. New York's values support an end to wild animal acts. The local support for this measure has been overwhelming, and I hope that you will put the voices of New York above all others.

The opposition to this humane ordinance is coming from just a few money-driven groups, none of which are based in the city. Ringling doesn't care about our city, only about the money it can make off of us—it stops by once a year and then heads back out.

The Circus Fans Association of America is a PR group that was founded by Ringling owners and employees in 1926 after a successful but short-lived campaign to get Ringling to stop using animals in 1925.

The Elephant Managers Association is a trade group whose board is primarily composed of representatives of Ringling and other exhibitors who use bullhooks.

The International Elephant Foundation was co-founded by Ringling and routinely opposes legislation that would improve elephant welfare.

The Zoological Association of America caters to exotic animal breeders and dealers, hunting ranches, and the pet trade. The ZAA's "accreditation" program caters to substandard roadside zoos, and is widely regarded as dubious at best.

The American Humane Association has been called an "entrenched industry insider," and is notorious for turning a blind eye on horrific animal deaths on movie sets.

The National Animal Interest Alliance, whose board includes at least one representative of Ringling, caters to industries that profit from animal use and

exploitation, and opposes a wide spectrum of legislation that would improve animal welfare.

These people liken bullhooks to leashes, but only one inflicts pain. Jabbing an elephant with a bullhook or striking a tiger with a whip is abuse, not "guidance."

Wild animal acts don't belong in New York-please listen to your constituents.

Dear City Council Member:

The Ringling Bros. Circus is coming to town and we need your help. We are the wild and exotic circus animals and we have no voice and no choice. We are beaten, whipped, shocked, and bullied into performing tricks. We eat, drink, sleep, defecate, and urinate in cramped, coffin-like cages. We are forced into boxcars and trucks and hauled endlessly around the country in freezing cold and blazing heat.

Our lives are filled with misery and our spirits are broken. Our care is terrible (Ringling Bros. was fined \$270,000 by the USDA for poor treatment). We are kept alive only to make money for the circus.

We cannot speak out and we cannot leave the circus. Some of us go insane and blindly try to run but we are brutally gunned down. Sometimes we accidentally hurt audience members in our desperate attempts to escape the relentless pain and suffering.

Wild animal acts are **<u>BANNED</u>** or **<u>RESTRICTED</u>** in **40** cities and counties across the country - from Pasadena, CA to Stamford, CT.

Circuses can thrive without animals and many do. Wild animal acts will only stop in NYC if you pass Law 1233. Please join with other communities and ban wild animal acts here in NYC. *Thank you.*

Some facts from www.aspca.org - humanesociety.org - peta.org - bornfreeusa.org

- 1. Circus animals have the right to be protected and treated humanely under the Animal Welfare Act.
- 2. Trainers use whips, tight collars, muzzles, electric prods and other painful tools to force performances.
- 3. Since 2000 there have been 35 incidents of elephants running amok into audiences & streets.
- 4. Every major circus has been cited for violating care standards of the US Animal Welfare Act.
- 5. Circuses travel 48 weeks a year Virtually 96% of a circus animals life is in chains or caged.
- 6. Since 1990 there have been over 123 lion attacks.
- 7. Repetitive behaviors like obsessive swaying, bobbing, chewing, weaving, rocking and licking are common in circus animals. These behaviors are manifestations of extreme stress and boredom.

WE ASK THAT YOU:

1. Pass Law 1233 to put an end to the cruelty and suffering endured by the animals.

2. Insure public safety by banning all wild animal entertainment acts.

3. Issue a **statement/proclamation** declaring that NYC does not support or endorse organizations that engage in documented animal neglect and cruelty.

Many members of this community oppose wild animal acts because of the cruelty. We are taxpayers and voters and want our voices to be heard. Hopefully, you our elected officials will hear our voices and the facts and act accordingly.

Thank you for taking our thoughts into consideration.

Riders which would weaken or undo protections for animals sneak into legislation again and again. The threat of regression in humane law, both statute and enforcement, is ominously real.

As long as employers give animal handlers and trainers tools of intimidation such as the bull hook and the whip, and expect ever-more-exciting performances to be coerced from wild animals, there will be a profit motive potentially in conflict with worker safety and animal welfare.

Let the most dangerous thing at a circus in our city be the 2500-calorie souvenir bucket of popcorn, not a wild animal in chains.

As little girl growing up in the upstate of South Carolina, I dreamed of living in NYC. To me, this city was an inspiration, even though I lived 1000 miles way. As I got older, I followed the city's politics. I remember when NYC got Citi Bike and then just a few years later, a city close to me in South Carolina got them. I tell you all this because, as I'm sure you know, what NYC does, the rest of the county is apt to follow suit.

This proposal seeks to ban exotic animals within the city limits. These intelligent animals are cruelly mistreated. They are confined in crammed cages for long amounts of time and only allowed exercise when they are preforming. Their food is tainted with fecal matter and at times, they are deprived of water. Young cubs are ripped away from their mothers, and then they are beaten and tortured in order to perform. After inspections, "trainers" have been recorded gloating about their ability to hide the mistreatment of a lioness. If this isn't bad enough, big cats that are deemed untrainable are killed.

As I mentioned before, NYC has the power to inspire people thousands of mile away in cities they've never heard of. By passing this bill the council will not only protect wild animals within its jurisdiction but will serve as an inspiration to other cities to do the same.

Good Morning! Thank you Council Members for holding this hearing. My name is Jill Lauri and I am here on behalf of the Animals in the Circus and Children & Families in NYC. Like many of you, I enjoyed going to the circus with my family as a child.

As you listen to speakers and consider Bill 1233, I ask that you be willing to look beyond surface appearances to find the Truth. I ask that you remain open and curious to find the answers that lie beneath the "circus glitz" and the popcorn. The scars that Circus Animals suffer from are not always visible. Emotional abuse and the breaking of their Spirit can be far worse than physical wounds. I ask that you explore not only with your Eyes, but with your Heart. Most of all, I ask that you be Courageous enough to do the right thing, even if it means acknowledging that the circus institution that we have supported for so long is in fact cruel and damaging to both Animals and People.

In viewing images of Wild and Exotic Animals in their native environments, we can see that they are Strong, Bold, Brave, Proud, Intelligent, and perhaps above all else Freedom Lovers. We are a nation that professes to value freedom, yet when it comes to Wild and Exotic Animals, we abandon this idea. We trap them, transport them, confine them, and break their spirits using Fear and Intimidation to force them to behave in ways that are completely unnatural to them - All for our own Amusement.

We justify this behavior by pretending that the Animals are well cared for and enjoy "performing". We teach our Children that oppression of Wild and Exotic Animals is fun, that they like being held captive and forced to entertain, and perhaps the most insidious lie of all, that this constitutes an "amazing bond between wild animals and their human performers".

This so called "amazing bond" is in reality Fear and Learned Helplessness - a response that both Humans and Animals exhibit when they are held against their will. Circus Animals Fear the repercussions of refusing to perform and experience hopelessness at the hand of their trainers. Is this the type of "amazing bond" that we want to perpetuate in our Society? As a Clinical Social Worker, I have seen the results of these Messages and the damage that they do to Children, Families and our Community.

Bill 1233 will advance Animal Welfare as well as Human Welfare. Passing this Bill is the Right thing to do. It is time for NYC to evolve to a higher level of Awareness, Compassion and Courage.

I leave you with one last thought - a Question to ponder. Why does a 600 Pound Tiger jump through a Ring of Fire? There is only one True answer: He jumps through a Ring of Fire only because he knows that his Survival depends on it.

Thank You.

Meredith Schriver 775 Columbus Avenue, 11C New York, NY 10025

Re: INT 1233-2016, Prohibiting the display of wild or exotic animals for public entertainment or amusement

Dear Council Members:

Children love the circus. And children love animals. But if children knew what is done to circus animals they would be horrified and distraught. The animals forced to participate in circuses are subjected to cruel training practices that include the use of whips, tight collars, muzzles, electric prods, bullhooks, and other tools. The abuse is daily, it's systematic, and it's rampant.

The suffering that these wild animals endure day in and day out wreaks havoc on their physical and psychological well-being; in their natural habitats, they are majestic and free, but as circus performers their spirits are broken as they spend their lives confined, crowded, and abused in an environment that is completely unnatural to them. Their lives are reduced to tedious, repetitive, and demeaning acts. They are exploited for profit and seen only as commodities.

New York is better than this, and as a New Yorker I am outraged and embarrassed that such irreprehensible acts are condoned – acts that if committed against a cat or dog would be punishable by law. Circuses can go on and continue to thrive without the use of wild animals, without acts of cruelty and abuse, and without compromising the welfare of a living being.

Please understand and respect the plight of these wild animals and support Intro 1233. Then, you can tell your children what you did to save the animals they love. Be a hero to them, to us, and to the animals.

Thank you for your time and consideration.

Very truly yours,

Meredith Schriver

October 20th, 2016

My name is Teresa Russo, and I'm testifying in favor of Intro 1233, legislation that would ban wild and exotic animals in the circus.

Circus animals do not willingly stand on their heads, jump through burning hoops, stand on their hind legs and form a conga line, ride bicycles, or do any other of the other silly tricks that are confusing and unnatural to them. They also do not do these tasks because they are expecting a reward of food, or praise. What the circus business hopes that you won't know, is that the only way to train wild animals to do circus tricks is to take them away from their mothers at a very young age, and then subjected them to cruel training regimens that include severe beatings with sticks or as with baby elephants, bullhooks, and sometimes starving the animal until it becomes more complacent, in other words, terrified of its trainers, and therfore willing do anything to make the beatings stop.

In their natural habitat, these wild animals will roam freely for miles, often with family members. When imprisoned in a circus, they are kept in tiny cages where they can do nothing but pace back and forth to the point of madness. The only time they get out of the cages is when they are in the circus ring, "performing".

Included with my testimony are some photos taken of animals being abused by circus trainers. I hope that you will be able to see them for what they are, animal abuse and cruelty.

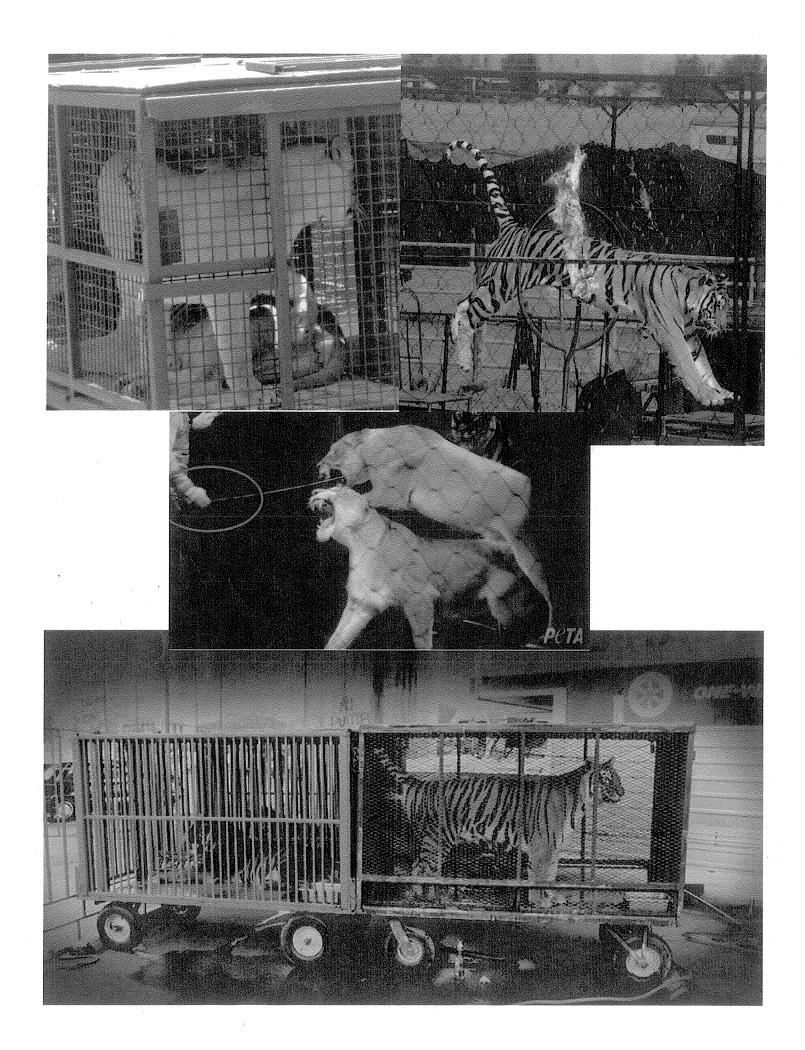
We should not be raising our children by teaching them that cruelty to animals is acceptable, and something that we do to entertain ourselves.

Some people here will say that they will lose their jobs, so the animals should stay in the circus. The point is, when something is wrong, we all know it. It doesn't make a difference that money is being made. That's not an excuse for cruelty.

It's barbaric to hurt and abuse animals, or watch animals being abused. I hope that the human race will strive to reach a higher level of development, where we don't abuse animals in order to entertain ourselves, or to prove that we're smarter or more powerful that other living species, and that we don't excuse the inhumane treatment of animals just because someone is making money from doing that. Other countries around the world, and other cities, have already banned the use of wild animals in circuses. I hope that New York City will be next to take this important and humane step.

Teresa Russo

cindabutton@yahor. Com





Ø Honk you couver members and the speaker for giving me this apportunity to speak to you about bites 1233. I pase the question to you Where do the guines you hanthey get old and their work food age are done tobody even asks or ouguers that question. Do they go off to be soch or auctioned off to the highest bidder for rawed Huito? I suggest you use social media and look up the whistle blowers who risk their life tofilm what really goes on and potest to public does the ord the make up you mind But please do you howework, be racese were notalking about food, water and regulations, never talking about training these querals hat pering them tools for stuped pet tricks but about whippipother into submission We know about the plight of the elephant which Jowky Kingling Brothers are phasingother orbi

 \bigcirc feto not fool ourselves into then tight the way they treat elephants is not the same aby they treat the lion and tigets, They may be trainable but at inpat cost They go bock to a terevento pircus resides and the big cato live maboxcar or a netal cage they don't stretch out their pauso limbs on grassor soil which is not und for them they are stressed out and perhaps on drugs so they can perform their stript pet tricks to a naire public as long as rustomers pay the morey to that what the aumobonere bied for there they born to alle existing of coge and drugs These wild arinals have the own life in the own world, who are we to think or say otherwise The world is chargingo and the people are payingerough with your hards on then lives for money what would and paciety are we fining in a kere we troop aringle

Ø their way argue public pepresents and even plify what one condowith the human body, But more importantly, the people perform by cloice, Reaund does thave that cloice, of the avina bod ru human language, londo you think they world want to be treated power the time to give bock there life, Surge you to look at the film footage on the training and go to the Fin ark documentary which well be seen on hon 10, atthough sworld have it be shown before this hearing and see for yourself. you wont see or hearthat from the circus people because it is well kept secret in how they are trained well the secretoout, P.S. I rotice there are & dulto with children in the room Please took you children what is really the truth because if not poriol media JOAN SILACO will do it for yon.





Ringling Brothers on Trial: ASPCA, et al v. Feld Entertainment, Inc.

Background:

After 9 long years, closing arguments were heard in a lawsuit brought by four animal protection groups, including Born Free USA, American Society for the Prevention of Cruelty to Animals; Animal Welfare Institute; and the Fund for Animals as well as an ex-Ringling Brothers employee against Ringling Bros. on charges of mistreatment of its Asian elephants. The lawsuit alleges that the use of the bullhook and the constant chaining of elephants wounds, harasses, and harms the elephants which amount to a take under the Endangered Species Act. The judge is not expected to render a decision until the summer. (Please note that we are uncertain to the exact date.)

As a result of the lengthy litigation process, we have amassed a wealth of evidence to support our charges that Ringling mistreats the Asian elephants.

Bullhooks

Evidence presented at trial revealed that Ringling elephants are routinely hit with bullhooks.

- Kenneth Feld, CEO of Feld Entertainment, the parent company that owns Ringling Brothers, admitted under oath that <u>all</u> of his handlers strike the elephants with bullhooks.
- Feld went on to testify that to him, "touch," "tap," "strike," and "hit" all mean the same thing when a bullhook is being used.
- Former Ringling employees (Tom Rider, Archele Hundley, Margaret Tom, Robert Tom, and Frank Hagan) all testified that while working for Ringling they saw handlers routinely abuse elephants with bullhooks every day. Each of these employees quit because of the mistreatment they witnessed.
- Internal written documents from Ringling Bros. Circus discuss the mistreatment of its elephants in regards to the bullhook -
 - Ringling's animal behaviorist reported "<u>an elephant dripping blood all over the arena floor</u> <u>during the show from being hooked</u>."
 - Ringling veterinary assistant reported that "[a]fter this morning's baths, at least 4 of the elephants came in with multiple abrasions and lacerations from the hooks." "The lacerations were very visible... (a handler) applied wonder dust just before the show." Wonder dust is used to stop the bleeding of a wound and it is charcoal in color which covers up the spot from public view.
 - Another report saw Troy Metzler, one of Ringling's elephant trainers, "hitting Angelica (an elephant) 3 to five times in the stocks before unloading her and then using an electric prod...after unloading" the elephants.

Chaining

Chains severely restrict elephants' movements, so they cannot lie down, walk, or socialize with other elephants. Evidence presented during the trial showed that Ringling keeps its elephants chained most of their lives.

- When the elephants travel by train in boxcars from location to location, they are chained for an average of more than 26 hours at a time, and sometimes for as much as 60–100 hours.
- At the arenas, the elephants are chained for at least 8-9 hours and typically for larger amounts of time depending on how many performances there are each day.
- Dr. Philip Ensley, a retired exotic animal veterinarian and expert witness for the plaintiffs, reviewed thousands of pages of Ringling medical records and found:
 - All the adult elephants are suffering from foot-related problems -- lameness, nail cracks, and toe abscesses -- and many have arthritis, as a result of being restrained by chains and standing on hard surfaces for most of their lives.
 - 14 of Ringling's 16 baby elephants suffer from similar foot and joint problems, again as a result of being restrained by chains on hard surfaces.

For more information please contact Born Free USA @ 916-447-3085, ext. 214 or at legislation@bornfreeusa.org

Elephant Training - Video Description

Tim Frisco, the Carson & Barnes Circus animal care director, instructs a would-be elephant trainer how to use the bullhook, "Tear that foot off! Sink it in the foot! Tear it off! Make 'em scream!"

Frisco screams at an elephant, "Becky! Becky!! You mother fucker!"

Frisco attacks Becky. Becky recoils and screams four times.

Frisco aggressively hooks elephants while elephants are walking in a circle.

Frisco explains training methods, "Don't touch 'em. Hurt 'em, Hurt 'em, Don't touch 'em. Make 'em scream. If you're scared to hurt 'em, don't come in the barn. When I say rip his head off, rip his fucking foot off ... it's very important that you do it. When he starts squirming too fucking much, both fucking hands-BOOM!right under that chin!" Frisco swings the bullhook like a baseball bat to illustrate.

Frisco continues, "When he fucks around too much ... you fucking sink that hook and give it everything you got." Frisco demonstrates by twisting the hook back and forth.

Frisco instructs the trainer, "Sink that hook into 'em ... when you hear that screaming then you know you got their attention. Right here in the barn. You can't do it on the road. I'm not gonna touch her in front of a thousand people. She's gonna fucking do what I want and that's just fucking the way it is. Make 'em holler, let 'em run from ya'."

Referring to the elephant, Frisco says, "I am the boss, I will kick your fucking ass."

Frisco jabs elephants in the hind end with the electric prod to make them move faster during practice. A trainer forcefully whacks an elephant on the leg. Frisco again jabs elephants in the hind end with the electric prod.

Trainer warns elephant, "I'll kick the shit out of you little prick"

Frisco hollers while making the elephants practice their routines, "I'm alive! I'm not a dead man!"

Frisco attacks elephant Becky. Becky screams.

Frisco scolds trainers for not working the elephants hard enough, "Why do they have to go through that because you mother fuckers don't want to listen?"

Frisco aggressively hooks an elephant and continues scolding the trainers, "If you've got a pussy ass fucking attitude, that's just what they got!"

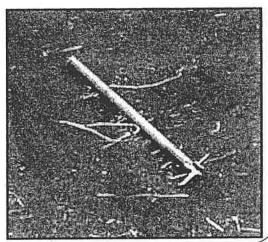
Frisco grabs his crotch and says, "You guys standing back there ... bitch blowed me yesterday and I smoked a fucking joint."

About the Trainer

Tim Frisco, the Carson & Barnes Circus' animal care director and long-time elephant trainer, was caught on tape by a PETA investigator yelling at, cursing, viciously attacking, and using an electric prod to shock endangered Asian elephants.

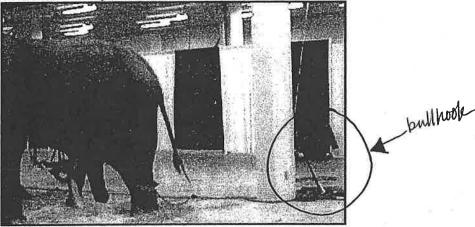
Tim Frisco and his two brothers, Joe Jr. and Terry, learned the trade from their father and former Ringling elephant trainer, Joe Frisco Sr.

Frisco's elephant training methods, which are standard practice in the circus industry, likely contributed to the death of a 27-year-old Asian elephant named Janet. While performing with the Great American Circus in Palm Bay, Fla., on February 1, 1992, Janet ran amok with five children on her back. She injured 12 people, threw a police officer to the ground, knocked over bleachers, and attacked several vehicles before being shot and killed by police in a hail of gunfire. Tim Frisco was Janet's trainer.



Look for the Hook

These pictures were taken at last year's Shrine Circus in Omaha.



2001

The bullhook is a tool used to punish and control elephants. It is also called an ankus, elephant goad, or elephant hook. The handle is made of wood, metal, plastic, or fiberglass, and there is a sharp steel hook at one end. Both ends inflict damage. The trainer uses the hook to apply varying degrees of pressure to sensitive spots on the elephant's body causing the elephant to move away from the source of discomfort. Holding the hooked end, the handle is swung like a baseball bat and induces substantial pain when the elephant is struck on the wrist, ankle, and other areas where there is little tissue between skin and bone. Within hours of being punctured by a bullhook a welt or boil may erupt and may become infected.

The thickness of an elephant's skin ranges from one inch across the back and hindquarters to paper-thin around the mouth and eyes, inside the ears, and at the anus. Their skin appears deceptively tough, but in reality it is so delicate that an elephant can feel the pain of an insect bite. A bullhook can easily inflict upon an elephant's sensitive skin.

Look for scars. Any scarring can usually be attributed to the use of a bullhook or other instrument used for training purposes. If bleeding is caused by a bullhook before a performance, many trainers use a special powder, often called "Wonder Dust", to conceal the wound and curb bleeding.

While performing in the ring, an elephant responds to verbal commands from a trainer carrying a bullhook, using only moderate pressure from the hook because the elephant has been conditioned through violent training sessions that refusal to obey in the ring will result in severe punishment later. Moments before entering the ring, while out of view of the public, trainers may give the elephants a few painful reminder whacks to show them who's the boss.

The elephants you are seeing today have endured countless beatings and are suffering unimaginable cruelty on a daily basis. I suspected this as a child when I would cry when the animals would enter the arena. I didn't understand then, but unfortunately I understand now. I grew up in Omaha and I understand that Omaha is a conservative town, but I also know that we are all capable of seeing the need for compassion and enlightenment. $\sim \int_{-\infty}^{-\infty} A_{-} F_{OSTER}$

WILD ANIMAL CIRCUS BANS AROUND THE WORLD

The following is a list from Animal Defenders International of 31 countries that ban wild animal circuses nationwide, and 10 additional countries with local bans on wild animal circuses (including major cities and capital cities), all due to the cruelty, inhumanity, and animal suffering inherent and institutionalized in animal circuses. See

http://www.stopcircussuffering.com/circus-bans/

Circus bans

An expanding list of worldwide circus bans

EUROPE

Austria: Nationwide ban on the use of wild animals in circuses.

Belgium: Nationwide ban on the use of most wild animals in circuses (Parrots and camel are classed as domestic)

Bosnia and Herzegovina: Nationwide ban on all animals in circuses

Bulgaria: Nationwide ban on certain wild animal species in circuses, variety shows and other entertainment facilities

Croatia: Nationwide ban on the use of wild animals in circuses

Czech Republic: Nationwide ban on the use of certain species in circuses

Cyprus: Nationwide ban on all animals in circuses

Denmark: Nationwide ban on the use of certain species in circuses

Estonia: Nationwide ban on the use of wild-born animals in circuses

Finland: Nationwide ban on the use of certain species in circuses

Greece: Nationwide ban on all animals in circuses

Hungary: Nationwide ban on the use of wild caught animals in circuses, the purchase and training of elephants and primates for circus performances and the purchase,

training and use of CITES (Appendix 1) listed species in circuses

Ireland: Local bans on the use of animals in circuses in Drogheda, Fingal, Galway City, Kildare, Monaghan, Moyle, South Dublin and Waterford

Malta: Nationwide ban on all animals for performances, exhibitions, shows or training for the circus

The Netherlands: Nationwide ban on the use and transport of animals in circuses, with exemptions for certain, mostly domestic, species

Norway Local ban on wild or exotic animal shows in Tromsø municipality

Poland: Nationwide ban on the use of wild-born animals in circuses

Portugal: Nationwide ban restricting the use of great apes in circuses and the acquisition and breeding of CITES listed species

Slovenia: Nationwide ban on the use of wild animals in circuses

Spain: Local bans on the use of wild animals in circuses in several towns including Barcelona

Sweden: Nationwide ban on the use of certain species in circuses

UK: Over 200 local authorities have bans on animal circuses (more than two thirds of

these ban all performing animals, the remainder ban just wild animals). A Government commitment to ban the use of wild animals in circuses – this is yet to be enacted

NORTH AMERICA

USA: 50 partial or full bans on circus animals in municipalities in the US, in 22 states [Update: the current number is now 63 partial or full bans on circus animals in municipalities in the US in 22 states, including California, Ohio, Rhode Island, Los Angeles, San Francisco, Miami Beach, Minneapolis, Jersey City, Richmond, Austin, etc.]

Canada: Local bans on the use of animals in circuses in 28 municipal jurisdictions

CENTRAL AND SOUTH AMERICA

Argentina: Local bans on the use of wild animals in circuses in over 20 cities including a ban in the city of Buenos Aires

Bolivia: Nationwide ban on the use of wild and domestic animals in circuses **Brazil:** Local bans on the use of wild and domestic animals in circuses in the districts of Rio de Janeiro, São Paulo, Pernambuco, Paraiba, Rio Grande do Sul, Espiritu Santo, Mato Grosso do Sul, Alagoas and a number of bans in cities within another four Brazilian states

Chile: Local bans on the use of wild and domestic animals in circuses in the city of Santiago

Colombia: Nationwide ban on the use of wild animals in circuses; Local ban on the use of animals in circuses in the capital, Bogota

Costa Rica: Nationwide ban on the use of wild animals in circuses.

Ecuador: Nationwide ban on the use of native wild animals; restrictions on the use of exotic animals; ban on the import of both native and exotic wild animals with circuses **El Salvador:** Nationwide ban on the "Income, use or abuse of wildlife species in all kinds of entertainment"

Mexico:Nationwide ban on the use of wild animals in circuses

Panama:Nationwide ban prohibiting "entry of wild animals for use in static and travelling circuses and similar shows"

Paraguay: Nationwide ban on the use of wild animals in circuses.

Peru: Nationwide ban on the use of wild animals in circuses as well as a local ban on all animals in Magdalena del Mar

OCEANIA

Australia: Local bans on the use of animals in circuses in several towns including Hobsons Bay, Surf Coast Shire, Parramata and Lismore

ASIA

India: Nationwide ban on the use of certain species in circuses
Israel: Nationwide ban on the use of wild animals in circuses
Singapore: Nationwide ban on the use of wild animals in circuses
Taiwan: Nationwide prohibition on the import or export of protected wildlife for circuses

STOP CIRCUS SUFFERING | © Animal Defenders International |

ELEPHANT TRAINING VIDEO: CARSON & BARNES CIRCUS TRAINER TIM FRISCO

Elephant trainer Tim Frisco and his two brothers Joe Jr. and Terry learned their trade from their father, Ringling trainer Joe Sr. Their work represents the ethos of circus elephant training and care. An undercover investigator captured a training session by Tim Frisco, instructing an apprentice elephant trainer. You can watch the video here: https://www.youtube.com/watch?v=D8BFP0WWeLE

Below is a description and transcript of the video of this horrific training session, with endangered Asian elephants. Similar scenes have been observed and documented by investigators in a number of circuses. This sort of "training" is the industry standard, and the only way to compel intelligent, sensitive, and social animals like elephants to perform unnatural and painful "tricks," by intimidation and breaking their spirits. The presence of the bullhook in circus performances, reminds the elephant of the pain inflicted by the bullhook and electric prods in "training" sessions such as these, and serves as a threat and intimidation to compel the elephant to perform. After the release of this video, trainer Tim Frisco received a nominal fine – and kept his job.

You can see other inhumane circus videos at

<u>https://www.youtube.com/watch?v=WjpxREf7nHw</u> Tim Frisco causes baby elephant to scream.

<u>https://www.youtube.com/watch?v=tHwXkP-RhcU</u> Young elephant hooked by Tim Frisco during performance.

<u>http://www.peta.org/features/circus-video-undercover-abuse/</u>"Seven videos the circus doesn't want you to see."

Google "PETA Circus Elephant Training Video" for more videos, including how baby elephants are abused and broken, etc.

Google "Tyke the elephant rampage" for videos of that tragedy, resulting in the elephant's death.

There are, tragically, many more to be seen.

Please scroll down for written description and transcript of the horrific Tim Frisco training video, <u>https://www.youtube.com/watch?v=D8BFP0WWeLE</u>

ELEPHANT TRAINING VIDEO -- DESCRIPTION https://www.youtube.com/watch?v=D8BFP0WWeLE (courtesy of PETA)

Tim Frisco, the Carson & Barnes Circus animal care director, instructs a would-be elephant trainer how to use the bullhook, **"Tear that foot off! Sink it in the foot! Tear it off! Make 'em scream!"**

Frisco screams at an elephant, "Becky! Becky!! You mother fucker!"

Frisco attacks Becky. Becky recoils and screams four times.

Frisco aggressively hooks elephants while elephants are walking in a circle.

Frisco explains training methods, "Don't touch 'em. Hurt 'em. Hurt 'em. Don't touch 'em. Make 'em scream. If you're scared to hurt 'em, don't come in the barn. When I say rip his head off, rip his fucking foot off...it's very important that you do it. When he starts squirming too fucking much, both fucking hands—BOOM!—right under that chin!" Frisco swings the bull hook like a baseball bat to illustrate.

Frisco continues, **"When he fucks around too much...you fucking sink that hook and give it everything you got."** Frisco demonstrates by twisting the hook back and forth.

Frisco instructs the trainer, "Sink that hook into 'em...when you hear that screaming then you know you got their attention. Right here in the barn. You can't do it on the road. I'm not gonna touch her in front of a thousand people. She's gonna fucking do what I want and that's just fucking the way it is. Make 'em holler, let 'em run from ya'."

Referring to the elephants, Frisco says, "I am the boss, I will kick your fucking ass."

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About the Trainer

Tim Frisco, the Carson & Barnes Circus' animal care director and long-time elephant trainer, was caught on tape by a PETA investigator yelling at, cursing, viciously attacking, and using an electric prod to shock endangered Asian elephants.

Tim Frisco and his two brothers, Joe Jr. and Terry, learned the trade from their father and former Ringling elephant trainer, Joe Frisco Sr.

Frisco's elephant training methods, which are standard practice in the circus industry, likely contributed to the death of a 27-year-old Asian elephant named Janet. While performing with the Great American Circus in Palm Bay, Florida, on February 1, 1992, Janet ran amok with five children on her back. She injured 12 people, threw a police officer to the ground, knocked over bleachers, and attacked several vehicles before being shot and killed by police in a hail of gunfire. Time Frisco was Janet's trainer.



6100 Wilshire Blvd., Suite 1150, LOS ANGELES, CA 90048. Tel: +1 323 935 2234 Fax: +1 323 935 9234 www.adiusa.org usa@ad-international.org

Local Bans and Restrictions on Performing Animals in the US – October 2016

- There are 63 partial or full bans on circus animals in municipalities in the US, in 27 states.
- Partial bans or restrictions apply to specific species, uses of animals, tools and weapons or possession.
- At the last count ADI estimated (conservatively) around 300 exotic/wild animals with US circuses.
- There are currently around 18 non-animal circuses (human-only performances).

City/County Ordinance	Species Covered	Type of Prohibition, Restriction or Use of Animals
AR, Eureka Springs	Wild, exotic	Traveling exhibition and performances
AR, Sherwood	Wild, exotic	Restriction on possession
California State	Elephants	Restriction on use of bullhooks and similar devices
CA, Corona	Wild, exotic	Display
CA, Encinitas	Wild, exotic	Entertainment, amusement
CA, Huntington Beach	Wild, exotic	Performance
CA, Irvine	Wild, exotic	Entertainment, amusement
CA, Los Angeles	Elephants	Restriction on use of bullhooks and similar devices
CA, Marin County	Wild, undomesticated	Keeping
CA, Oakland	Elephants	Restriction on use of bullhooks and similar devices
CA, Pasadena	Wild, exotic	Display
CA, Rohnert Park	Wild, exotic	Display
CA, San Francisco	Wild, exotic	Performance
CA, Santa Ana	Wild, exotic	Display
CA, West Hollywood	Wild, exotic	Display
CO, Boulder	Exotic	Display
CT, Stamford	All	All
FL, Clearwater	Wild	Restriction on keeping
FL, Hallandale Beach	All	Restriction on use of bullhooks and similar devices
FL, Hollywood	Exotic, vertebrates	Restriction on display for entertainment or amusement
FL, Margate	All	Restriction on use of bullhooks and similar devices
FL, Miami Beach	All	Restriction on use of bullhooks and similar devices
FL, Pompano Beach	All	Restriction on display for entertainment or amusement
FL, Tallahassee	All	Use of pain causing substances and devices for performance
FL, Weston	Wild	Keeping, confinement, display
GA, Fulton County	Elephants	Restriction on use of bullhooks and similar devices
HI, Maui county	Cetaceans	Exhibition
ID, Blaine County	Wildlife	Exhibition, display
ID, Ketchum	Wild, exotic	Traveling animal act
IL, Collinsville	All	Train to participate in unnatural behavior
IN, Fort Wayne	All	Use of pain causing substances and devices for performance
IN, St John	All	Use of pain causing substances and devices for performance
KS, Douglas County	Dangerous, exotic	Restriction on keeping in certain areas
MA, Braintree	Non-domesticated	Entertainment
MA, Cambridge	Wild, exotic	Traveling show or circus
MA, Pittsfield	Non-domesticated	Entertainment, amusement
MA, Plymouth	Wild, exotic	Exhibition, show
MA, Provincetown	Exotic	Entertainment
MA, Quincy	Non-domesticated	Entertainment
MA, Revere	Non-domesticated	Entertainment, amusement
MA, Somerville	Non-domesticated	Display
MA, Weymouth	Non-domesticated	Display, entertainment

MN, Minneapolis	Elephant	Restriction on use of bullhooks and similar devices
MO, Richmond	Wild, exotic	Display
MT, Missoula	Wild, exotic	Display, performance
NJ, Bergen County	Wild, exotic	Circus, traveling show
NJ, Jersey City	Exotic	Performance
NY, Greenburg	Wild, exotic	Display
NY, Plattsburg	All	Performance
NY, Southampton	Wild, exotic	Display
NC, Asheville	Wild	Restriction on keeping
NC, Orange County	Wild, exotic	Display
Ohio State	All	Use of electric prods
OR, Clatsop County	All	Restriction on use of bullhooks and similar devices
Rhode Island State	Elephants	Restriction on use of bullhooks and similar devices
SC, Aiken County	All	Use of pain causing substances and devices for performance
SC, Chester	Dangerous	Display, exhibition
TX, Austin	Elephant	Restriction on use of bullhooks and similar devices
TX, Simonton	Wild	Restriction on keeping
VT, Burlington	Non-domesticated	Display
VA, Richmond	Elephant	Restriction on use of bullhooks and similar devices
WA, Port Townsend	Wild, exotic	Display
WA, Redmond	Wild, exotic	Display
WI, Green Bay	Wild, exotic	Traveling shows, circuses
WI, Dane County	Elephants	Restriction for amusement and entertainment
WI, Madison	Cougars, bears	Display

Samuel S. Coe, Esq. 254 South Main Street, Suite 500 New City, NY 10956 email: sam@samcoelaw.com phone: (845) 393-4263

October 20, 2016

Testimony Presented to the New York City Council, Health Committee

Re: Int. 1233-2016: Prohibiting the display of wild or exotic animals for public entertainment or amusement

Dear Members of the Health Committee, New York City Council:

My name is Sam Coe. I am a former prosecutor at the Manhattan DA's Office where I spearheaded the Office's animal cruelty prosecution efforts, as well as investigating and prosecuting countless other criminal cases.

I am in favor of Introduction 1233-2016 sponsored by Council Members Rosie Mendez and Corey D. Johnson - Prohibiting the display of wild or exotic animals for public entertainment or amusement.

During my time prosecuting animal cruelty cases here in Manhattan, what was most shocking was not overt acts of abuse, such as striking a misbehaving pet, but rather the pervasive and intense suffering and cruelty caused by the improper care, confinement and housing of animals.

One dog owner, for example, had allowed her pet's health and hygiene to deteriorate to an extreme point at which the dog's coat and skin were infested with maggots. The dog was in such pain and discomfort that it stopped eating for some time, and when the dog was finally seized and treated, and the doctors attempted to provide food and nutrition, the shock and strain on the dog's digestive system was too great and she passed away a few days later. It's all too easy for simple neglect to have serious consequences.

Most pet owners have strong incentives to prevent their pet's health from reaching this kind of low, both selfinterested and altruistic. However, these kinds of considerations immediately fall away in contexts where the animal is merely an economic tool for the owner. This is exactly the situation for wild and exotic animals used for entertainment or public amusement. It is obvious to everyone that the owner of a tiger who uses that animal for a public performance is not engaging in this business for the benefit of the tiger. He is driven by an economic incentive – to spend as little on the well-being of the tiger as is necessary to attract the maximum number of paying customers. This inevitably leads to the kinds of negligence and suffering I have already described, to say nothing of the psychological and emotional condition of the wild animals being unnecessarily held in captivity.

In situations like this, regulation is often tasked with counter-balancing these undesirable economic incentives. While there are city agencies assigned to enforce rules and regulations previously promulgated by the City Council to address problems associated with the use of animals in commercial enterprise, there was never any indication during the course of any of my investigations as a prosecutor here in Manhattan that any defendants or suspects had ever been evaluated or even approached by regulators.

While these animals, whether the neglected domesticated dog or the captive wild tiger, may not have the capacity to fully understand the unfortunate conditions they find themselves in, what they all no doubt share with everyone in this room is the capacity to suffer. We cannot ignore it, and we cannot pass the buck to regulatory agencies. It is up to us to take responsibility for preventing the suffering that would take place in our city. I respectfully urge you to give Introduction 1233-2016 all due attention and consideration.

Sincerely, Samuel Coe



10/19/16

To Whom It May Concern,

This letter is in regards to Int. No. 1233. As a fully licensed and inspected not-for-profit wildlife center we <u>oppose</u> this ban and the hidden agenda behind it. Hawk Creek Wildlife Center has dedicated the last 29 years to helping wildlife through our rehabilitation, education and conservation propagation programs. We have presented our programs throughout New York including at the Bronx Zoo, World Science Festival, Intrepid Museum, American Museum of Natural History and numerous programs with the Urban Park Rangers. We fully support legislation that improves animal <u>welfare</u>, we do not support legislation that is meant to further the animal <u>rights</u> movement which seeks to remove ALL animals from human care, this includes your dog, cat, horse, fish, service animal etc. We would like to address the following points of concern with the proposed ban:

- There are already regulations in place to monitor the use of wildlife/exotic animals in NYC. Anyone wishing to bring animals to the city must apply for a permit to do so, making this ban unnecessary. Through these permits DOH can already monitor what species are being brought in, how they are being transported, how long they are in transport, and what measures are being taken to ensure the wellbeing of the animals and the safety of the public. Instead of a ban, enforce these permits and the regulations attached to them.
- There are already regulations in place by New York State Department of Conservation, USDA, and in many cases US Fish and Wildlife Service. USDA makes unannounced inspections of exhibitors both at their facility and while they are on the road, hence why itineraries must be submitted to USDA.
- This proposed ban has arbitrarily granted special privilege to two <u>private</u>, <u>non-governmental</u> organizations. Neither of these organizations are uniquely qualified to present offsite education programs.

- AZA primarily exhibits non-indigenous animals in static exhibits. Many organizations choose not to become members of AZA due to it being expensive (would rather focus on our mission), it is exclusive, it places unnecessary restrictions on organizations and it is the minority. It is controlled by a small handful of minds instead of global intelligence. While AZA facilities do some great work, they are not the determining factor on if an organization is reputable or qualified. ZAA is another accreditation that shows high standards are being met.

- GFAS is a small and relatively new (incorporated in 2007) organization that focuses on rescuing animals, a wonderful mission. However, this organization was founded by members of Born Free USA and HSUS— organizations that are known for pushing the animals rights agenda, not animal welfare. This organization does not allow animals (with some limited exceptions for certain species such as horses) to be utilized for education meaning there is no reason for them to be granted an exclusion from this ban. What qualifications does this organization have to grant them immunity when it does not allow animals to leave enclosures unless medically necessary?

-Again, as AZA and GFAS are NOT government agencies, why are they being granted immunity from a ban? GFAS does not allow offsite education programs and only permits extremely limited onsite tours. Few AZA facilities have extensive offsite education options, some do, but many do not.

- In today's society, it is more important than EVER to connect people with wildlife and nature in any way possible, especially in NYC. As schools struggle financially, field trips are one of the first things to get cut. It is often much more feasible to bring a wildlife presentation to a classroom than to bus around a classroom of students. When it comes to transport in NYC, it is safer to bring trained animal ambassadors to a classroom than it is to move students!
- This ban would cause many people, especially underprivileged children, to lose any opportunity to learn about wildlife. This means that as adults they will not know or understand how they effect wildlife every day, and why would they want to conserve something they don't know about?
- Looking at the proposed regulations in the ban, the travel regulations are not clear and should include USDA regulations. These restrictions are not preventing abuse.
- This ban would practically eliminate the use of animals on shows taped in NYC. Utilizing animals on popular shows is an amazing opportunity to reach and inspire people that normally would not think twice about wildlife or their impact on the environment.
- An additional concern with this is the economical impact it will have on the city as the Film Industry, which has vets and trainers on set constantly and is highly regulated, would not be able to film any animal segments in the city.

We propose that instead of a ban on the use of animals, which would be detrimental to the people of NYC and wildlife worldwide, that the existing permitting process be utilized to manage animal exhibitors and that the existing regulations be enforced. This will allow the people of New York City to still have the opportunity to learn about wildlife and be inspired to conserve our planet through meeting trained, vetted wildlife up-close. We wish we could have made it to the hearing and put more into this testimony, however we were given less than one week notice regarding this ban. Thank you for your time and for considering our above points of concern in opposition of this ban.

Soar with the Eagles, Tanya C. Lowe Director of Wildlife Education Hawk Creek Wildlife Center Inc.



RAINFOREST REPTILE SHOWS INC CONSERVATION THRU EDUCATION

10/17/16

Dear Council Members,

I am writing to you today on behalf of Rainforest Reptile Shows, Inc an educational program and RRS OASIS, inc. a 501 c 3 Sanctuary (Reptile and animal Refuge and Sanctuary-Offering Animal Support Inspiring Survival) concerning the local law # 1233-2016.

Rainforest Reptiles Shows has been presenting educational presentations in the City of NY for over 23 years within the schools and fine institutions like the American Museum of Natural History.

Although we are not accredited by AZA we do follow all zoo protocol and do work with many AZA and ZAA (Not recognized in the legislative proposal) institutions. All of our animals come to us through confiscations and seizures from Fish and Wildlife Services both US and state and also conservation and environmental officers throughout the northeast. This service is provided at no cost to these municipalities. Many would have been euthanized and are now receiving a second lease on life. The animals always come first at Rainforest Reptile Shows and RRS OASIS.

We are training instructors for the above institutions in the proper handling and capture of potentially dangerous animals both nationally and internationally again at no cost to these states or countries. As part of this we also transport a variety of animals to zoos and similar institutions.

We follow the letter to the law, acquiring the proper permits whenever attending an event in the City of New York as our record shows also carrying a two million dollars insurance policy.

With this being said we are firm believers in regulation. But, that said this proposal is very broad, bias and excludes qualified responsible institutions.

It is of great concern that we will no longer be able to educate the public in NYC about these magnificent animals and their habitats, in great need of our conservation efforts. NYC has a lengthy and highly regulating permitting process and we feel that the proposed legislation is not needed. We are firmly opposed to this unnecessary over reach driven by HSUS to fulfill their agenda.

When animals are only seen in books a connection to the natural world is lost. Some of our greatest accomplishments have been working with the inner city children of NYC. Having been providing this service in NYC for over 23 years we instilled this great love of animals and have seen many children now adults pursue a career in the animal sciences.

10 ELEANOR AVENUE BEVERLY, MASSACHUSETTS 01915 (978)922-5107 WWW.RAINFORESTREPTILESHOWS.COM

We ask that when reviewing this proposed law that you consider all organizations that are affected. This is not only the lively hood of many people but, also the survival of many animals. Many great efforts are being made by small institutions throughout the country. To exclude them would leave all decisions in the hands of only few large entities with their own specific agendas.

Thank you for taking the time to review this matter.

Sincere Regards,

~ Mally

Joan M. Gallagher

President /Director

Rainforest Reptile Shows, Inc. /RRS OASIS

978-922-5107 office

www.rainforestreptileshows.com

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Michael K. Ralbovsky

Herpetologist/General Curator

Rainforest Reptile Shows Inc.

(978)922-5107 Office

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To New York City Council Health Committee Members,

My name is William P. Rives VMD and I am the Director and Chief Veterinary Officer for Six Flags Great Adventure and Safari Park in Jackson New Jersey. On a number of occasions over the last ten years we have brought animals into the city to help increase public awareness about the plight and frankly dire situations animals are facing in the wild. Major media network shows happen to be located in your great city. They have tremendous global reach and provide a platform to educate millions of people about the impacts habitat destruction, human encroachment and disease have upon wild animals. It would be irresponsible for us as stewards of the earth's natural resources to not maintain healthy populations of animals in captivity. It is an essential component to conservation as we do not live in a perfect world. The USDA is the only regulatory and enforcement agency responsible for ensuring the proper care of wild animals in accordance with the Animal Welfare Act. The agency and its inspectors do a tremendous job to that end and their commitment and expertise should not be dismissed by any individual or private organization.

My concern is the proposed Law Int. No. 1233. This Law does not recognize facilities that are permitted and regulated by the United States Department of Agriculture. In essence this Law dismisses the USDA altogether and the Animal Welfare Act. This is truly concerning especially when exceptions are given to facilities that belong to selected private organizations that require a payment in exchange for membership. While USDA permitted facilities are subject to unannounced yearly inspections and the results of said inspections are public information, animal sanctuaries are not subject to governmental oversight as they are not purportedly participating in interstate commerce. Hence they are not regulated, permitted or inspected by the USDA. The council in effect wants to provide exceptions for organizations that require payment for affiliation, are self-policing and above all not transparent to the public. Fortunately with respect to the AZA and other zoological organizations they cannot operate without an USDA issued permit. However just because a facility does not belong to certain organizations does not determine the quality and expertise of their facility or staff. This is the responsibility of the USDA. I urge the members of the council to remove the exceptions of the private organizations such as AZA and global federation of animal sanctuaries and replace them with regulated USDA permitted facilities. This will be consistent, transparent, impartial and of course without the cloud of special interest groups.

Sincerely,

William P. Rives VMD

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I intend to appear and speak on Int. No. <u>1233</u> Res. No & in favor in opposition Date: <u>1920/16</u> (PLEASE PRINT) Name: <u>Vicole 4011</u> Address: <u>417 00.4364 NU/C 10034</u> I represent: <u>Wild Animals</u> Address: THE COUNCIL THE CITY OF NEW YORK <i>Appearance Card</i> I intend to appear and speak on Int. No Res. No in favor in opposition Date: (PLEASE PRINT) Name: <u>James</u> <u>Masset EV</u> Address: THE COUNCIL THE CITY OF NEW YORK <i>Appearance Card</i> I intend to appear and speak on Int. No Res. No I represent: Address: <u>THE COUNCIL</u> THE CITY OF NEW YORK <i>Appearance Card</i> I intend to appear and speak on Int. No. <u>1233</u> Res. No I represent: Address: <u>I opposition</u> Date: Di favor in opposition Date: <i>Date:</i> Mame: <u>Job Beach appearance Card</u> Mame: <u>Job Beach appearance Card</u> Mame: <u>Job Beach appearance Card</u> Date: <u>I opposition</u> Date: <u>I oppo</u>		THE CITT OF NEW TURN
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(PLEASE PRINT) Name: 417 004804 NG/C 10034 Address: THE COUNCIL I represent: Address: (PLEASE PRINT) Name: James May Edit JAmes May Edit (PLEASE PRINT) Name: James May Edit Address: (PLEASE PRINT) Name: James May Edit Address: THE COUNCIL I http:/// Address I http:// Address		🕺 in favor 🗌 in opposition
Name: <u>Aldress:</u> Address: <u>Wid Animals</u> Address: <u>THE COUNCIL</u> THE CITY OF NEW YORK Address: <u>Address:</u> THE CITY OF NEW YORK <u>Appearance Card</u> I intend to appear and speak on Int. No. <u>Bare:</u> (PLEASE PRINT) Name: <u>James</u> <u>James</u> (PLEASE PRINT) Name: <u>James</u> Matters: THE COUNCIL THE COUNCIL Name: <u>James</u> Matters: <u>Matters</u> <u>Matters</u> Name: <u>James</u> <u>Matters</u>		
I represent: WIA MARAIS Address: THE COUNCIL THE CITY OF NEW YORK Appearance Card I intend to appear and speak on Int. No	, an an	Name: Newle Hell
I represent: WIA MARAIS Address: THE COUNCIL THE CITY OF NEW YORK Appearance Card I intend to appear and speak on Int. No		Address: 4/1 0.484 NUC 10034
THE COUNCIL THE CITY OF NEW YORK Appearance Card I intend to appear and speak on Int. No. I in favor I in favor I in favor I in opposition Date: (PLEASE PRINT) Name: JAMES Markets Markets Markets Address: THE COUNCIL THE COUNCIL THE CITY OF NEW YORK Address: I represent: Address: The cut of the opposition Decard I in opposition Decard <td>* # * * * *</td> <td>I represent: Wild Animals</td>	* # * * * *	I represent: Wild Animals
THE CITY OF NEW YORK Appearance Card		
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□ in favor ♀ in opposition Date: (PLEASE PRINT) Name: JAMES MOSELEY Address: 453 3C St Brankly I represent: Address: THE COUNCIL THE CITY OF NEW YORK Appearance Card I intend to appear and speak on Int. No. 1233 Res. No. ↓ in favor □ in opposition Date: 10,20,16 (PLEASE PRINT) Name: JOB BEACH 90 Street Rochardy Address: ↓ D. BEACH 90 Street Rochardy		Appearance Card
□ in favor ♀ in opposition Date: (PLEASE PRINT) Name: JAMES MOSELEY Address: 453 3C St Brankly I represent: Address: THE COUNCIL THE CITY OF NEW YORK Appearance Card I intend to appear and speak on Int. No. 1233 Res. No. ↓ in favor □ in opposition Date: 10,20,16 (PLEASE PRINT) Name: JOB BEACH 90 Street Rochardy Address: ↓ D. BEACH 90 Street Rochardy		I intend to appear and speak on Int. No Res. No
(PLEASE PRINT) Name: JAMES MOSELEY Address: 453 36 St BIDMUND I represent: Address: THE COUNCIL THE CITY OF NEW YORK Appearance Card I intend to appear and speak on Int. No. 123 Res. No. D in favor in opposition Date: 102016 (PLEASE PRINT) Name: JOS Deach 90 SWEET Mochany Address: 105 Deach 90 SWEET Mochany		
Name: $James Mas Eley$ Address: $453 3^{c} St Bracklywawawawawawawawawawawawawawawawawawawa$		
I represent: Address: THE COUNCIL THE CITY OF NEW YORK Appearance Card I intend to appear and speak on Int. No. 1233 Res. No. D in favor in opposition Date: 1020/16 (PLEASE PRINT) Name: Address: 10200000000000000000000000000000000000		Nome: James MOJELEY
Address: THE COUNCIL THE CITY OF NEW YORK Appearance Card I intend to appear and speak on Int. No. 1233 Res. No. D in favor D in opposition Date: I Obolic I intend to appear and speak on Int. No. 1233 Res. No. D in favor D in opposition Date: I Obolic I Obolic I oppear and speak on Int. No. 1233 I opposition D in favor D ate: I Obolic I opposition D ate: I opposition D beach 90 Yeat Address: I opposition I opposition I opposition D beach 90 Yeat Address: I opposition		Address: 453 35 St Branklyw
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THE CITY OF NEW YORK Appearance Card		Address:
Appearance Card I intend to appear and speak on Int. No. 1233 Res. No. D in favor in opposition Date: 10,20,16 (PLEASE PRINT) Name: 10, 5, 6, 0, 10, 10, 10, 10, 10, 10, 10, 10, 10,		
I intend to appear and speak on Int. No. 123 Res. No. D in favor in opposition Date: 10,00,16 (PLEASE PRINT) Name: JOB Deach 90 Street, Rochawy Address: 105 Deach 90 Street, Rochawy Address: 105 Deach 90 Street, Rochawy		THE CITY OF NEW YORK
D'in favor in opposition Date: 10,00,16 (PLEASE PRINT) Name: JOS Deach 90 Street Rochawy Address: 105 Deach 90 Street Rochawy Lill Anima Schbill Neh & Eamilies Live		Appearance Card
D'in favor in opposition Date: 10,00,16 (PLEASE PRINT) Name: JOS Deach 90 Street Rochawy Address: 105 Deach 90 Street Rochawy Lill Anima Schbill Neh & Eamilies Live		Lintend to appear and speak on Int. No. 1233 Res. No.
Name: Jill Arainage Street Rochandy Address: 105 beach 90 Street Rochandy		in favor in opposition
Name: Jill Quyi Address: 105 Beach 90 Street Rochawy 111 Diaiwaalst bill Neh & Eamilies NV	4,	
Address: 105 Beach 90 Street Rochandy 111 Animalskii Inch & Emilies		
I represent: Wild Animals Khildren & Families NK		int Anna an (tratt Rochawty
		Address:
Address:		1111 Aringole thill prepetanties il

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	Appearance Card
I intend to appear ar	ad speak on Int. No. 1733 Res. No.
	In favor 🔲 in opposition
	Date:
Name:Anr	(PLEASE PRINT) Lie Judan Shannon
Address: 216	How + St. # 216 Brooklyn Nº
1 represent:	0
Address.	
	THE COUNCIL
тис	CITY OF NEW YORK
	III UF NEW IVRA
	Appearance Card
I intend to appear an	d speak on Int. No. 1233 Res. No.
A	in favor in opposition
•	Date: 10/20/16
Name: Joan 1	(PLEASE PRINT)
Address; _//(6 -	31157 Street ApT
l represent:	n.NY 11434 ALLADE
Address :	10 4 Cl 4 30
	THE COUNCIL
THE	CITY OF NEW YORK
	Appearance Card
I intend to appear and	l speak on Int. No. <u>1273</u> Res. No in favor in opposition
	Date: 10/20/16
17	(PLEASE PRINT)
Name: <u>Mirian</u>	teintrich Reall ANY 11774
	hansas Dr. Brochlyn, NY 11234
I represent:611	1233 (pro)
Address :	· · · · · · · · · · · · · · · · · · ·

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	THE COUNCIL THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. <u>1233</u> Res. No In favor I in opposition Date: <u>10/20/(1</u>
	Name: Corinne Schiff
	Address: NMC Dept Health 125 Worth St
	I represent:
	Address :
للدارية ال الدارية الم	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. <u>1233</u> Res. No in favor in opposition
	Date: 10-20-2016
	Name: 11m Thater
	Address: 31 Changes St. MNY
	I represent: Depl it Cultural Albivs
	Address :
	THE COUNCIL
:	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 123 Res. No.
	🕅 in favor 🗌 in opposition
	Date: 10/20
	(PLEASE PRINT) Name: Jeff Dypée
	Address: 1076 253 Broadway
	I represent: Mayor's Office
	Address: <u>Cit-1 Hall</u>

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	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No Res. No
	in favor in opposition
	$Date: \underline{0.20.16}$
	(PLEASE PRINT) Name: Savah Aucoin
	Address: 1234 FIFTH ANR NY, NY 10029
	I represent: NYC Parks/Wiblife
	Address: 1234 Fifth Ane, NY, NY 10029
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
^	I intend to appear and speak on Int. No. 2016 Res. No. 1233
	$\square \text{ in favor } \square \text{ in opposition}$
	Date:
	Name Alan Smith
	TIND IN A Rol INDO
	Address: 506 N FORKUGEWHVE DEXLEY OH 43207 I represent: Zoological Assnof America
-	
· •••	Address: <u>Some</u>
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233 Res. No.
•	$\square \text{ in favor} \qquad \square $
	Date: 10/20/16
	(PLEASE PRINT)
	Name: CHRISTING HANSEN
	Address: 677 9th AVE #35 10036
	I represent: Can'age drivers
	Address:

	THE COUNCIL THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No Res. No in favor _ in opposition Date:
,	Name: Roxanne Delgado
	Address: BRONX UN110167
	I represent:
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	Lintend to appear and speak on Int. No. 1233 Res. No
	Date: 10/20/17
	Name: Sulit Cappiello
.	Address: 31 W. BYT St #8086 BREAT
• · ·	$\frac{1 \text{ represent: } 1 \sqrt{10073}}{31 \text{ W} \cdot 307 \text{ ft} 57 \text{ ft} 8066}$
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. <u>1233</u> Res. No in favor Xin opposition
	Date:
	Name: Jane Eiselein
ي 	Address: Circus Fans of America
	I represent:
	Address:

	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233 Res. No.
	🛛 in favor 🛛 in opposition
	Date: 10/20/16
	(PLEASE PRINT) Name: Julianne Bullington'
	Address:
	I represent:
	Address:
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No Res. No
	in favor in opposition
·	Name: Lanryh My Wib
	Name: Lankth Marria
	Address:
	represent: A highly mill and with
Anti-anti-a	Address:Performer
	THE COUNCIL
	THE CITY OF NEW YORK
	· · · · · · · · · · · · · · · · · · ·
	Appearance Card
I	intend to appear and speak on Int. No Res. No
	in favor in opposition
	Date:
, N	ame: Marth Juger Jenny Vibel
A	ddress:
I	represent: Animal Traiher and
A	ddress:RPVfor

	THE COUNCIL
ſ	THE COUNCIL THE CITY OF NEW YORK
	Appearance Card
I intend to appe	ear and speak on Int. No. 1232 Res. No.
	in favor 🛛 in opposition
	Date: 10-20-16 (PLEASE PRINT)
Name: Kat	hken Dezio
Address:	
	Mance & Marme Mamal Perks
Address :	
	THE COUNCIL
	HE CITY OF NEW YORK
	Appearance Card
I intend to appear	r and speak on Int. No. 1233 Res. No.
	in favor Date: Date:
	(PLEASE PRINT)
Address:	Nik Leiden
I represent:	new york Wild
Address :	
T	IE CITY OF NEW YORK
· · · · · · · · · · · · · · · · · · ·	
	Appearance Card
I intend to appear	and speak on Int. No Res. No
	Date: 10 26/16
TX	(PLEASE PRINT)
Name: $\int A dames g X O$	3 222 the ONE US My
Address: 700	epell
Address:	Ar .
N	nplete this card and return to the Sergeant-at-Arms

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	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. $\frac{733}{123}$ Res. No.
	in favor 🗌 in opposition Date:
	Name: Brenda (PLEASE PRINT) Name: Brenda Goloman
	Name: Drewell Golomarc
a de la	Address: JYD EUST 8 TDTTECT
	I represent:
1213.00	Address :
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. <u>1235</u> Res. No in favor \$\overline{1}\$ in opposition
	Date:
	(PLEASE PRINT)
	Name: (altano Address: Teamsters Local One
	The naslater later 1
	$I \text{ represent:} _ + (-\alpha f^{-1})^{+} (-\alpha g^{-1})^{-} (-\alpha f^{-1})^{+} (-\alpha f^{$
	Address:
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233 Res. No.
	I intend to appear and spectrum [] in opposition
	Date: Colvel14
	(PLEASE PRINT)
	Name: <u>CITION THOUSE</u>
	Address: Humana Society of New York
н 	I represent: HUMANE SUCIETY OF INEW YOIN Address: 306 EAST 59R Sheet, NYCTOOL2

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	THE COUNCIL THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 233 Res. No in favor I in opposition Date: 10-20-16
	Name: MARTHA GOLAR
	Address: 150 E 56 th St NY NY
	I represent: New YCar City BAR (BSOCIATION
	Address: W. YY th ST, NY, NN
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 23 Res. No.
	🗹 in favor 🛛 in opposition
	Date: _(0/20/14
	Name: Erika Mathews
	Address: 41 Windbeam Ave Ringwood NJ
	I represent: Animal Legal Defense Fund
	Address: 526 E Cotati Ave, cotati, CA
6	THE COUNCIL
	THE COUNCIL THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No Res. No
	in favor X in opposition
	Date:
	(PLEASE PRINT)
	Name: $\underline{)}$ \underline{)} $\underline{)}$ $\underline{)}$ $\underline{)}$ $\underline{)}$ $\underline{)}$ $\underline{)}$ $\underline{)}$ $\underline{)}$ $\underline{)}$ \underline{)} $\underline{)}$ $\underline{)}$ $\underline{)}$ \underline{)} \underline{)} \underline{)} \underline{)} $\underline{)}$ \underline{)}
	Address: Duhham ahd
	I represent: JOHN DUMMYNT and Associates
	Address:

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	THE COUNCIL THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No Res. No in favor X in opposition
	Name: Paul Binder
	Address:
	I represent: Funkleh of Big Apple
	Address:
	THE COUNCIL
	THE CITY OF NEW YORK
	(Annormal Card
	Appearance Card
	I intend to appear and speak on Int. No. <u>1233</u> Res. No in favor _ in opposition
	Date:
	(PLEASE PRINT)
	Name: Michael Dolling Address: 292 7th St Brooklyn
	I represent: Our Planet Theirs Too
· · ·	Address: Los Angeles CA
	THE COUNCIL THE CHTY OF NEW YORK
-	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233 Res. No.
	\square in favor \square in opposition , γ
	Date: $\frac{10/20/16}{(PLEASE PRINT)}$
•• ••	Name: Michael Frencen
·	Address: 1867 Hinrod Street Ridgewood, NY11385
	1 represent:
•••••	

	THE COUNCIL	
	THE CITY OF NEW YORK	
	Appearance Card	
	I intend to appear and speak on Int. No. 233 Res. No.	
	☐ in favor ☐ in opposition Date: <u>10/20/20/le</u>	
	(PLEASE PRINT)	
. •	Name: <u>Elena Natale</u> Address: 1608 Beverley Rd. Booklyn, NY 11226	
	I represent: Self	
	Address :	
М	THE COUNCIL	
	THE CITY OF NEW YORK	
	Appearance Card	
	I intend to appear and speak on Int. No Res. No	
• • • • • • •	in favor 🕅 in opposition	:
	(PLEASE PRINT)	
	Address:	• •
	I represent: CUIVERPLIFIQUE DVIVER	
•	Address:	
	THE COUNCIL	
	THE CITY OF NEW YORK	
	Appearance Card	
	I intend to appear and speak on Int. No. 12.33 Res. No.	
	in favor in opposition	
	Date:	
	Name: DIALE WILLIAMS MORE	
•	Address: $145 W 7955t tt_{D}$ I represent: $561F$	
	Address :	
•	Please complete this card and return to the Sergeant-at-Arms	

THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No Res. No
in favor A in opposition
(PLEASE PRINT)
WName: TOPBELIMCKEEVER
Address:
hartepresent Carrige Florse Driver
Address:
THE COUNCIL
THE CITY OF NEW YORK
Appearance Card 1233
I intend to appear and speak on Int. No Res. No
🕅 in favor 🔲 in opposition
Date:
Name: JANNette Patterson
Address: 2,25 CPW -61 1214 NY MY
I represent:SELF
Address :
THE COUNCIL
THE COUNCIL THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No. 1233 Res. No.
in favor in opposition
Date:
Name: TELESA RUSSO
Address: 328 OGOTMON AVC, States slund, NY
I represent:
Please complete this card and return to the Sergeant-at-Arms

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	THE COUNCIL THE CITY OF NEW YORK
	Appearance Card
I inten	d to appear and speak on Int. No. <u>233</u> Res. No. <u>in favor</u> in opposition
	Date:
Name:	SHARON DISCORFAND
Addres	SENT: NYC BAR ANIMAL LAW COMMITTEE (personal)
I repre	sent: NYC BAR ANIMAL LAW COMMITTEE (personal)
Addres	
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
I intend	to appear and speak on Int. No Res. No
	in favor frin opposition
	Date:
Name:	SUSAH (Gin
Address	
I repres	ent: $DCS7$
Address	
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
T	
1 intend	to appear and speak on Int. No Res. No in favor 1 in opposition
	Date:
	Ashley Settlers, Animal
NI.	
Name: .	V alisani V alisani
Name: Address: I represe	

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I intend to appear and speak on Int. No. 1233 Res. No. I in favor I in opposition Date: 10/20/14
I intend to appear and speak on Int. No. 1233 Res. No.
🔲 in favor 🛛 💢 in opposition
Date: 16/20/14
Name: SHELLY DELA ROCCA
Address:
I represent: Community Mayors
Address:
THE COUNCIL THE CUTY OF NEW YORK
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No Res. No. 1233 in favor I in opposition
Date: 10/20/2016
(PLEASE PRINT) Name: Paul BUNDER
Address: 52 BIVERSIDE DRIVE NY 10024
I represent: BIG APPLE LIRCUS
Address: 1 METRESTERH GENER BRODKLYN
THE COUNCIL THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No Res. No in favor A in opposition
Date:
Name: Carlo SCISSUrg
Address:
I represent: BYUNKTYH Chamber of
Address: (OMMPY() Please complete this card and return to the Sergeant-at-Arms

	THE COUNCIL	
	THE COUNCIL THE CITY OF NEW YORK	
	Appearance Card	
	I intend to appear and speak on Int. No. 1233 Res. No.	
	in favor in opposition	
	Date:	
	Name: Ben Aneoli	
	Address:	
	I represent:UNIVER Soul LINCUS	
	Address :	
	THE COUNCIL	
	THE CITY OF NEW YORK	
	Appearance Card	*
• .	I intend to appear and speak on Int. No. 1233 Res. No.	
	in favor in opposition	
	Date:	
	NIEX CACCY (PLEASE PRINT) Name: 2 nimal + r sing	
	Address: NECOS to leave	
	I represent: Z + NOON For	
• • • •	Address:	í ala
		-
	THE COUNCIL	
	THE CITY OF NEW YORK	
	Appearance Card	
	I intend to appear and speak on Int. No Res. No	
	in favor in opposition	
	Date:	
	Name: Ben Juhnsch	
	Address:	
	1 represent: UNIVERSON CIVCUS	
	Address:	
	Please complete this card and return to the Sergeant-at-Arms	
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THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No Res. No
in favor in opposition Date: 10-20-16
Name: JOHN DUNHAM
Address: 135 WILLOW ST BROUGH M
I represent: GURRALLA ZCONOMIL'S UC
Address: 32 Court St #207 Brochly M
THE COUNCIL THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No. 12.32 Res. No.
in favor [] in opposition
Name: LOWIS GOIDSTU
Address: 2015 St. Puul AUC.
Bronx Denuciatic Comm
Address: 1640 Fasteh NU. Arry
THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No Res. No in favor
Date:
Name: Keith Sheldon
Address: Revised Alcelore
I represent: <u>Barclays</u> <u>Avena</u>
Address: Please complete this card and return to the Sergeant-at-Arms

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	THE CITY OF NEW YORK •
	Appearance Card
] -	I intend to appear and speak on Int. No Res. No in favor [2] in opposition Date:
	Name: (PLEASE PRINT)
	Address:
	Address: $(VCMS + Cah)$
Ĺ	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
Ţ	intend to appear and speak on Int. No. 1233 Res. No.
. 1	in favor in opposition
	Date: 10/20/16
N	ame: Michelle V Magomez
	Iddress: 520 Pth Ave.
tus " I	represent: <u>ASPCA</u>
	ddress:
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
i I	intend to appear and speak on Int. No Res. No in favor
Ň	Jame: Nova (PLEASE PRINT) Mamina
	represent:Exposure Fund
	Address:

THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No. 233 Res. No.
Date: 20 00 20/6
Name: ESLIE E HENRY
Address: 664 N 63rd St. #5
I represent: <u>Self</u> , <u>constituent</u> of <u>TSI</u>
THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No. 123 Res. No.
Date:
ITI (PLEASE PRINT)
Name: LID INASSINGT 224 W St. St. JA
Address:
1 represent:
THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No. (233 Res. No in favor
Date: 10 20 10
Name: Lisbet (PLEASE PRINI) Name: Lisbet (Diribogg
Address: 45-19 205th St. Bayside, NY /13/ey
I represent: United Federation of Teachers Humane Education
Address: 50 Broadway, NY, NY Committee
Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No. 1233 Res. No. 1
in favor 🗌 in opposition
$Date: - \frac{10/30/16}{(PLEASE PRINT)}$
Name: Edita Birnkrant
Address: 64-50 B 1885t: Fresh Menderg 14
I represent: Friends of Animalf
Address: 1841 BWACWOT, SUTH SSD
THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No Res. No in favor _ in opposition
Date: 10 20 16
(PLEASE PRINT) Name: Kin berly Spanie
Address: 300 West 145th St 7C
I represent: Humane Education Learning Proga
Address: Same
THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No. <u>1233</u> Res. No in favor in opposition
Date: -10.70.1(0)
(PLEASE PRINT)
Name: JILL CARNEGIE Address: 400 W. 54 K 57 #2C, NYC 1009
Ilande
I represent: VONY
Address: <u>SAME</u>
Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No Res. No I in favor I in opposition
Date: (PLEASE PRINT) Name: NGUAH Goldhum Address: 200 west End Ave, 70st
I represent: HUMane Education, Pauth of New York City
Address: Game
 THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No. 1233 Res. No.
🗹 in favor 🔲 in opposition
Date: -10/20/16 (PLEASE PRINT)
Name: Jessicatollander
Address: <u>91MCGUINNESS Blud 11222</u>
 I represent:PETA
 Address :
THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No Res. No
In favor \Box in opposition Date: $10/20/16$
(PLEASE PRINT) Name: MARC WOOP
 Address: <u>930 PROSPECT PL, APT J, NY 11213</u>
I represent: <u>HSUS</u>
Address:

	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233 Res. No.
	I intend to appear and speak on Int. No. 1233 Res. No
	Date: 10/20/16
	(PLEASE PRINT)
	Name: DUCE Friedugo
	Address: 67-1010855
	I represent: HUMON Society of the United State
	GOTTI CT CT
	Address: <u>JUN 5151</u>
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. <u>INT 1277</u> Res. No.
	Timtend to appear and spear on m . No. <u>representation</u> m . No. <u>representation</u> m in opposition
	Date;
	(PLEASE PRINT)
	Name: BRIAN SHAPIRO
	Address: to chose 200 w. 57 5 SUIR 705 NYC
. '	I represent: THE HUMME SOCIETY OF THEV.S.
	Auures
}erd 	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233 Res. No.
	🔀 in favor 🗌 in opposition
	Date: 10/20/16
	(PLEASE PRINT)
	Name: Alisa MATLOVSKY.
	Address: 51 W 86Pst. # 805 MC 10024
	I represent: <u>Sélf</u>
	Address:
·	Please complete this card and return to the Sergeant-at-Arms

	THE COUNCIL THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233_ Res. No in favor _ in opposition
	Date: (PLEASE PRINT) Name:
· · · ·	Address: 7 Pohpli A. R. 10 Ptat 7B Brooklyn I I represent: My Self
	Address:
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233 Res. No.
	Date:
	Name: Michelle (Alvera
: 	Address: 701 Ave C #75 Brooklyn Ni
a	I represent: MYSEF
	Address: THE COUNCIL
	THE COUNCIL THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. <u>123</u> Res. No
	Date: 10-20-16
	Nema: Chari Thompson
	Address: 150 Crown St. Apt. F8
	I represent: VONY
	Address:

THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No Res. No I in favor I in opposition
Date:
Name: CARDLE RAPHAELLE DAVIS
Address: 120 (D EGST EB NY NY/DD24
1 represent: 267 Life Liberation Ahimas
Address: FRANCE
THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No Res. No
Date:
(PLEASE PRINT)
Name: Alele Devan Ho 30-44 34th A. Ho
Address:Agtonia NY: 1103
Address:
THE COUNCIL
THE CITY OF NEW YORK
Appearance Card
I intend to appear and speak on Int. No Res. No
A in favor in opposition
Date: 10/00/10
Name: Hoberticon
Address: 10-11 2410 March
Address: 150-11 24th Rogu
Please complete this card and return to the Sergeant-at-Arms

	THE COUNCIL
Т	HE CITY OF NEW YORK
	Appearance Card
I intend to appea	r and speak on Int. No. 1233_ Res. No
	in favor \Box in opposition Date: $10 1/0 1/6$
	(PLEASE PRINT)
Name:	Min Sperling Thereida D: DIB MUIDOZ
Address:	DENErside Dr. 26BNY1002 I zur 2 Cycys performer.
Address:	
	THE COUNCIL
T	HE CITY OF NEW YORK
	Appearance Card
I intend to appea	r and spreak on Int. No. 1733 Res. No.
	in favor 🔲 in opposition
	(PLEASE PRINT)
Name: Don	MY MUSS
Address:	NYC
I represent:	PETA
	THE COUNCIL
TI	IE CITY OF NEW YORK
	Appearance Card
I intend to appear	and speak on Int. No. <u>1233</u> Res. No Din favor in opposition
	Date:
N	(PLEASE PRINT) 2 dith Schriver
	Columbus Are. IIC NY NY 10025
I represent:	
Address:	

····	THE COUNCIL THE CITY OF NEW YORK
	Appearance Card
· · · ·	
l intend i	to appear and speak on Int. No. <u>1233</u> Res. No d in favor din opposition
	Date: 10/20 16
Name:	Jennifer Kupinse
Address:	
I represen	
Address:	
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
I intend to	o appear and speak on Int. No. <u>1233</u> Res. No Ø in favor 🔲 in opposition
	Date: 10.20-20/6
	(PLEASE PRINT)
Name:	341. 10th st neet BRDULYN NY 112
Address: .	II I - STILL BACK DIVIN - I IIC
Address:	1:
Audress.	
	THE CUIVLE THE CUIV OF NEW YORK
	THE CITY OF NEW YORK
	Appearance Card
I intend to	appear and speak on Int. No. 123 Res. No.
nedar organ a	in favor in opposition
	Date:(PLEASE PRINT)
Name:	Juby Coordinan
Address:	1801 7th ave. apt GB NOW, NY, 10026 Supporting the bas (self)
-	
I represent:	: supporting the lean self

	THE COUNCIL THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. <u>1233</u> Res. No In favor I in opposition
	Date: $10 - 20 - 16$
	(PLEASE PRINT) Name: KIZMIN REEVES
	Address: 250 W 12TH St. NY NY 10014
	I represent: Tigers in America
· · · · · · · · · · · · · · · · · · ·	Address: See above
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233 Res. No.
	in favor in opposition
	Date:
	Name DAVID KAROPKIN
	Name: PAVIO KAROPKIN Address: 860 EISTHST BROOK N230
	I represent:GOOSEWATCH NYC
	Address: PO BOX Z114M, BROOKLYN
	THE COUNCIL
x	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1232 Res. No in favor
	Date:
	(PLEASE PRINT)
~	Name: SUDING MAKNdomi HUA FLANT AND BYLA 11207
	Address:AA Eldert AVL BMM 11201.
	I represent:
	Address:

	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233 Res. No I in favor I in opposition
	Date:
	Name: Undsey Kershaw
	Address: Brucklyn NY
м.,	I represent: AWAME
*	Address :
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1235 Res. No in favor
	Date: 20 021. 2016
	(PLEASE PRINT)
	Name: EPic wallow (Address 228 41, 4974 Sti NYC 10019
	Address: 530 UI 49 14 SI MIC 10019
	I represent: $\frac{1}{1}$
i I	Address:
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. <u>233</u> Res. No
	in favor in opposition
	Date: 10/20/14
	(PLEASE PRINT) Name: CHARIOHE DELOG MOORE
	Address: 501 grand St. NYC
	I represent:Child
	Address:

	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. <u>233</u> Res. No. <u>106</u> in favor in opposition Date:
	Name: RODVIN (PLEASE PRINT)
	Address: 524 gran bort AS
- 90 B	Address:
en die	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233 Res. No.
	in favor 🔲 in opposition
	Date: 10/20/16 (PLEASE PRINT) Name: Monhuman Rights Project (Schweider)
-	Address: 1 represent: on behalf of Detroit 200
	Address:
	THE COUNCIL THE CITY OF NEW YORK
	Appearance Card
-	I intend to appear and speak on Int. No. 1233 Res. No.
	in favor in opposition $Date: -10/z_0/16$
	(PLEASE PRINT)
e	Name: YUKA AZUMA Address: 162 Huntiveton St. Brozklyn NYULB
	I represent: LCA
	Address:

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	THE CITY OF N			-
E	Appearance	Card		
I intend to app	ear and speak on Int. No.	. <u> </u>	les. No	- -'
	🗹 in favor 🔲 in	n opposition	ц. Ц	
		Date:		_
Name: FRE	JA LAND	(IN I)	4. 349	
•	MNTON STREFT.	- API. 2 BRO	OKLYN, NY	
I represent:				
Address :			#	
	THE COU	NCII	and San	<u>ه در د</u> مدر در د
7			IZ .	
	THE CITY OF N	EW IUR	Λ	
	Appearance (Card		
I intend to appe	ar and speak on Int. No.	1233 B	• No	1
••		opposition	/	•
		Date:70	120/200	405-06 4 60
Name: Rach	AN MOTOPIC	NT)		•••
Address:	Front St A	10 CERTY	1/4	2.95
Langester P	ETA Foundat	100 primeries		
Address:				· .
	THE COUN		· · · · · · · · · · · · · · · · · · ·	
	THE CITY OF N	EW YOR	K	
	Appearance (Card		
Lintend to anne	ar and speak on Int. No.	1)33 B	s. No]
i intend to appe		opposition	<i>j</i>	
		Date: _10/20	5/16	
A.	(PLEASE PRI	NT)		
Name: 110	(PLEASE PRI Cander Diensta (Jashinoton sto	Q HID		
	Washington sto	TF/12	<u>- 1847 (888) (888) (888)</u> 	
Address: <u>6-90</u>				

	THE COUNCIL THE CITY OF NEW YORK
	Appéarance Card
	I intend to appear and speak on Int. No. 1233 Res. No I in favor I in opposition Date: 10/20/16
	Name: Samuel (de, ESq.
	Address: 37 Oriole St., PCGrl Pine, NY 10965
	I represent:Address:
,	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233 Res. No.
	🗹 in favor 🔲 in opposition
	Date: 10/20/16 (PLEASE PRINT)
	Name: (721) Mayer
	Address: 1410 Prospect PI #C4
	I represent: HEART- Humane Education Advocates Reaching
	Address: P.O. Box 138 Mamaroneck NY leachers
	THE COUNCIL
	THE CITY OF NEW YORK
	Appearance Card
	I intend to appear and speak on Int. No. 1233 Res. No.
	in favor \Box in opposition $\frac{10}{10}$
	Name: Michal Klein
	Address: 264 Gth Ave. New York, NY 10014
	I represent:
	Address :