

## Communication from Public

**Name:** Christina Scaringe, for Animal Defenders International

**Date Submitted:** 02/04/2020 07:43 AM

**Council File No:** 16-1357

**Comments for Public Posting:** Good morning to the esteemed PAW Committee Chair Koretz, and Committee Members Lee and Price: Animal Defenders International offers the attached statement in support of local action in Los Angeles to prohibit (not "limit" or permit) the exhibition of wild, exotic, and dangerous animals at parties, circuses, and performing animal shows. Our many thanks to the Item 16-1357 sponsors - Council Members Ryu, Blumenfield, Bonin, Huizar, Krekorian, and O'Farrell – for their leadership here. Unfortunately, however, the proposed Item 16-1357 language continues to fall far short of the declarations and commitments made so long ago in the 2017 Motion passed by the Council. According to that 2017 Motion, Item 16-1357 would go beyond the recent state action banning circus animal acts (now law in the state of CA), to also “prohibit the exhibition of wild or exotic animals for entertainment or amusement [for] other wild or exotic animal shows, and rentals for house parties”, with certain exceptions, including “legitimate conservation-related programs or presentations”. Almost three years have passed since the 2017 Motion was unanimously adopted by the Council and, while various media credit Los Angeles as having already acted here, the City has yet to finalize and adopt the ordinance or the commitments described therein. On October 10, 2019, ADI joined other interested stakeholders in a meeting at the City Attorney’s office, called by this Committee after its last consideration/continuation of this item (October 2, 2019), to confer and consider various concerns related to the Item 16-1357 proposed draft language. ADI has long supported this effort, and has participated as an interested stakeholder throughout the multi-year process. Unfortunately, certain discussions at the October 10 meeting appeared to regress to substantively revisiting and reconsidering the directives contained in the 2017 Motion itself. We note the proposed language now describes its purpose is to "limit" such acts - that's quite a throw from the language of the 2017 Motion. We are increasingly disturbed by this apparent regression, and indications the proposed ordinance draft appears to be moving further away from the principles and directives embodied in the 2017 Motion adopted by this Council. Over the years, our support has been buoyed by the City’s assurances of meaningful oversight related to the several, limited exemptions.

Yet, almost three years later, the draft language remains primarily a permitting scheme, with vague, ambiguous terms and various loopholes that threaten to undermine any meaningful, actual impact, action, or oversight here. Put simply, a ban is not a ban where it permits or exempts the very acts it purports to restrict. The 2017 Motion requested a draft ordinance to prohibit (not limit or permit) the exhibition of wild or exotic animals for entertainment or amusement, including circuses, other wild or exotic animal shows, and rentals for house parties. A revised permitting scheme that still allows dangerous species, including predators, to be petted and paraded at parties on leashes, undermines its purpose, as represented to the City of Los Angeles and its citizens. National media credits Los Angeles as leading on this issue for having instituted this measure, though it remains as yet undone and, now, its key purpose and substance appear in question. It's not surprising that the media and local city residents may have certain expectations given the declarations of and around the 2017 Motion adopted long ago. The 2017 Motion either meant something or it did not. We include here as well a more detailed response in the attached document, first communicated to the Committee in October 2019, after the stakeholder meeting that month, relaying once again our concerns and answering the specific requests related to various undefined terms. Today we underscore those concerns, and yet again ask the Committee and the Council - will it finally make good on its promises made almost three years ago? It's time to make good on the 2017 Motion. It's time to draft and adopt an ordinance that reflects and performs its express purpose - to protect animals and the citizens of Los Angeles from cruel and dangerous performing animal shows and party acts. Best regards, Christina Scaringe, General Counsel Animal Defenders International  
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RE: **[LA City Council File Item No. 16-1357](#)** (proposal to prohibit the exhibition of wild, exotic, and dangerous animals at parties, circuses, and other performing animal shows)

Good morning to the esteemed PAW Committee Chair Koretz, Committee Members Lee and Price, Mayor Garcetti, Council Member Ryu, and Assistant City Attorney Lesel:

[Animal Defenders International](#) (ADI) <sup>1</sup> offers the following in support of local action in Los Angeles to prohibit the exhibition of wild, exotic, and dangerous animals at parties, circuses, and performing animal shows. Our many thanks to the Item 16-1357 sponsors - Council Members Ryu, Blumenfield, Bonin, Huizar, Krekorian, and O'Farrell – for their leadership here.

According to the related motion, passed in 2017 to request an ordinance be drafted, Item 16-1357 would go beyond the recent state action banning circus animal acts, to also “*prohibit the exhibition of wild or exotic animals for entertainment or amusement [for] other wild or exotic animal shows, and rentals for house parties*”, with certain exceptions, including “*legitimate conservation-related programs or presentations*” (“2017 Motion”). More than two years have passed since the 2017 Motion was unanimously adopted by the Council and, while various media credit Los Angeles as having already acted here, the City has yet to finalize and adopt the described ordinance.

On October 10, 2019, ADI joined other interested stakeholders in a meeting at the City Attorney’s office, apparently called to confer and consider various concerns related to the Item 16-1357 proposed ordinance draft. ADI has long supported this effort, and has participated as an interested stakeholder throughout the multi-year process. Unfortunately however, certain discussions at the October 10 meeting appeared to regress to substantively revisiting the 2017 Motion itself. We are increasingly disturbed by this apparent regression, and indications the proposed ordinance draft may be straying away from the principles and requests embodied in the 2017 Motion adopted by this Council so long ago. Over the years, our support has been buoyed by the City’s assurances of meaningful oversight related to the several, limited exemptions. However, if the October 10 discussion was an accurate representation, then we are losing confidence in whether the City intends meaningful action or oversight here. Put simply, a ban is not a ban where it exempts the very acts it purports to restrict.

Our comments here begin first with the specific inquiry directed to stakeholders at that October 10 meeting, which was the narrow request for textual recommendations to clarify the definition of two terms only: (a) *dangerous animal* and (b) *performing animal show*. In addition however, we also recommend and urge two fairly simple, but important, textual additions (Items (c) and (d) following), in hopes this action may return to the original intent described in and adopted via the 2017 Motion. Item (c) attempts to clarify what is meant by *legitimate conservation-related programs*, pulling from various, similar federal and state law. Item (d) recommends additional language, consistent with the 2017 Motion, to (i) ban public contact, photographic opportunities, and the use of *dangerous animals* in

traveling or offsite programs, including *conservation-related programs*; and (ii) to respond to known safety risks by requiring certain quantifiable distance and barriers between the public and *dangerous animals*.

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**In sum, ADI recommends the following (discussed further below):**

**a) RE *Dangerous animal***

*Dangerous animal means the following orders and families, whether wild-borne or captive-bred, and including all hybrids: Camelidae (excluding alpacas, llamas, vicunas); Canidae (excluding domestic dogs); Cetacea; Crocodylia; Elephantidae; Felidae (excluding domestic cats); Non-human primates; Perissodactyla (excluding horses, donkeys, ponies, mules); Pinnipedia; Ursidae.*

**b) RE *Performing animal show***

(otherwise described in the 2017 Motion as ***other wild or exotic animal shows***)

*Performing animal show means any exhibition, fair, act, ride, petting or photographic opportunity, 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, whether or not a fee is charged. The term does not include such shows at permanent facilities, but only those performing animal shows where animals are transported to, from, or between locations for the purpose of a performing animal show.*

**c) RE *Legitimate conservation-related programs or presentations* (or as the term reads in the current draft ordinance: ***Conservation or Educational Presentation***)**

*Legitimate conservation-related programs or presentations [or, as the term reads in the current draft, *Conservation or Educational Presentation*] means a program, which may include an animal exhibition, that is professionally-designed to impart knowledge or information for educational or conservation purposes about that animal's natural behavior, habitat, life cycle, or similar pedagogical information, conducted by an individual qualified to impart such information, which does not include any performance of behavior that does not naturally occur for that animal in the wild state.*

**d) *Recommended Restrictions for Dangerous Animals.***

- *No person shall exhibit, and the Department shall not issue a permit for the exhibition of a Dangerous Animal in connection with a traveling or off-site Legitimate conservation-related program or presentation*
    - *or, using the term from the current draft ordinance: No person shall exhibit, and the Department shall not issue a permit for the exhibition of a Dangerous Animal in connection with a traveling or off-site Conservation or Educational Presentation*
  - *No person shall allow public contact or photographic opportunities with a Dangerous Animal; sufficient distance (at least 15 feet) and protective barriers, meeting federal and state standards, shall be maintained between the public and a Dangerous Animal at all times.*
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## Discussion ~ Items a-d

### a) **RE Dangerous animal**

*Dangerous animal includes the following orders and families, whether wild-borne or captive-bred, and all hybrids of such species: Camelidae (excluding alpacas, llamas, vicunas); Canidae (excluding domestic dogs); Cetacea; Crocodylia; Elephantidae; Felidae (excluding domestic cats); Non-human primates; Perissodactyla (excluding horses, donkeys, ponies, mules); Pinnipedia; Ursidae.*

Many states include all carnivora, felidae (except domestic cats), canidae (except domestic dogs), crocodylia, and/or ursidae as *dangerous species* requiring greater restrictions and oversight. Others include reptilia, though reptilia <6ft. in length are often exempted. California bans private possession of certain wild animals, including all non-domestic felidae. (CAL. CODE REGS. Tit. 14, §671 and §671.1). The California Fish and Game Code restricts primates, elephants, perissodactyla, and all carnivora, without limitation to particular species or subspecies (apart from exempting domestic dogs and domestic cats). Hybrids are typically included in state and federal definitions of *wild animal*. Current LA City code references *dangerous animals*, without further species distinction.

*Mammals of the orders **Primates**, **Edentata**, **Dermoptera**, **Monotremata**, **Pholidota**, **Tubulidentata**, **Proboscidea**, **Perissodactyla**, **Hyracoidea**, **Sirenia** and **Carnivora** are **restricted for the welfare of the animals**, except animals of the families **Viverridae** and **Mustelidae** in the order **Carnivora** are **restricted because such animals are undesirable and a menace to native wildlife, the agricultural interests of the state, or to the public health or safety**. CA FGC [§ Div.3. Ch.2. Art.1 sec2118](#) (emphasis added). See also §2189(a)*

*No person shall have, keep or maintain any wild, exotic, dangerous or non-domestic animal or reptile without first applying to and receiving from the Department a permit so to do. Provided, however, that the keeping or maintenance of such animals shall conform to the zoning regulations set forth in Article 2, Chapter 1 of this Code.*

...  
*The Department is hereby invested with the authority to issue permits to any person for the keeping or maintaining of any wild, exotic, dangerous or non-domestic animal or reptile when, in the opinion of the General Manager, any such animal ... **may be kept or maintained without menacing the safety of any person or property** ... [LA Code 53.38-53.39](#) (emphasis added).*

***The Legislature finds and declares that wild animals are being captured for importation and resale in California; that some populations of wild animals are being depleted; that many animals die in captivity or transit; that some keepers of wild animals lack sufficient knowledge or facilities for the proper care of wild animals; that some wild animals are a threat to the native wildlife or agricultural interests of this state; and that some wild animals are a threat to public health and safety. It is the intention of the Legislature that the importation, transportation, and possession of wild animals shall be regulated to protect the health and welfare of wild animals captured, imported, transported, or possessed, to reduce the depletion of wildlife populations, to protect the native wildlife and agricultural interests of this state against damage from the existence at large of certain wild animals, and to protect the public health and safety in this state.** [CA Fish and Game Code Div.3 Ch.2. Art.1 sec.2116.5](#) (emphasis added)*

In 2015, the *American Bar Association* passed [Resolution 105](#),<sup>2</sup> urging local, state, and federal prohibitions against possession and import of wild animals:

*[urging] all federal, state, territorial, and local legislative bodies and/or governmental agencies to enact comprehensive laws that prohibit, unless otherwise exempted, the private possession, sale, breeding, import, or transfer of dangerous wild animals, such as big cats, bears, wolves, primates, and dangerous reptiles, in order to protect public safety and health, and to ensure the humane treatment and welfare of such animals.*<sup>3</sup>

The *National Association of Public Health Veterinarians* described certain public health risks and recommended against any exhibition involving public contact with nonhuman primates and certain carnivores:

- ***No US federal laws address pathogen transmission risk at venues where the public has contact with animals...***
- ***Direct contact with dangerous animals (nonhuman primates, certain carnivores) should be completely prohibited. ...***
- *Certain domestic, exotic, or wild animals should be prohibited from exhibition settings where a reasonable possibility of animal contact exists, especially nonhuman primates and certain carnivores*<sup>4</sup>

A 2017 report presented evidence of the public safety risks associated with wild animal acts, concluding that [“Incidents involving animals in circuses occur regularly and frequently, causing varying degrees of public disorder or even the injury or the death of people.”](#)<sup>5</sup> For your reference, we also include links to one prior submission by [ADI to USDA](#),<sup>6</sup> supporting a petition against public contact with big cats, bears, and nonhuman primates; [ADI’s statement in support of the Big Cat and Public Safety Act](#);<sup>7</sup> and [ADI’s submission opposing USDA’s rubber-stamp license renewal process](#),<sup>8</sup> outlining currently ineffective, costly oversight and inherent dangers associated with various wild animal acts.

We strongly disagree with, and the science does not support, certain claims posited at the October 10 stakeholder meeting, including that:

- ‘baby’ lions are somehow ‘safer’ or otherwise appropriate for public contact
- tigers are in any way comparable to domestic dogs from a public safety perspective (It is simply a ludicrous comparison.)
- presenting big cats, including cheetahs, on a leash at fundraisers, parties, or schools for petting and public contact enables conservation or appropriately or accurately reflects current best conservation science, especially where the primary threats to such species’ survival is a rampant pet trade.

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**b) *RE Performing animal show***

(otherwise described in the 2017 Motion as *other wild or exotic animal shows*)

*Performing animal show means any exhibition, fair, act, ride, petting or photographic opportunity, 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, whether or not a fee is charged. The term does not include such shows at permanent facilities, but only those performing animal shows where animals are transported to, from, or between locations for the purpose of a performing animal show.*

We do not agree that the distinction proffered in certain prior communications, requesting this definition be revised “to help clarify the difference between unnatural tricks and mere presence at an event”, accurately reflects the 2017 Motion. Rather, the 2017 Motion expressly requests an ordinance that prohibits *exhibition* of certain species:

*I THEREFORE MOVE that the City Attorney be requested to prepare and present an ordinance which would **prohibit the exhibition** of wild or exotic **animals for entertainment or amusement, including circuses, other wild or exotic animal shows, and rentals for house parties**, with exceptions for accredited zoos accredited by the Association of Zoos and Aquariums, legitimate filming purposes, research facilities, and **legitimate conservation-related programs or presentations**. 2017 Motion (emphasis added)*9

*REQUEST the City Attorney to prepare and present an Ordinance that would **prohibit the exhibition of wild or exotic animals for entertainment or amusement, including circuses, other wild or exotic animal shows, and rentals for house parties**, with exceptions for accredited zoos accredited by the Association of Zoos and Aquariums, legitimate filming purposes, research facilities, and **legitimate conservation-related programs or presentations**. 2017 April PAW Committee Report (emphasis added)*

According to the 2017 Motion, the relevant distinction is not between *animals performing unnatural tricks* and their *mere presence at an event* (i.e. exhibition), but rather between what is *entertainment or amusement*, as in a *circus, other wild or exotic animal shows, or parties*, versus the activities under the proposed permitted exceptions, that include *legitimate filming or legitimate conservation-related programs or presentations*.

Nor do we agree that *mere presence at an event* is necessarily more humane or safe for either the animal or the public. A bear can attack whether he is on a lead merely standing near the public or doing some inane trick. [In this bear attack last week](#) for example, the wheelbarrow trick had little to do with the attack; more consequential was the close proximity and the lack of protections between the bear and the public.<sup>10</sup> The problem was not just the trick itself, but the failure to protect the animal, workers, or the public from a known danger, caused by a wild and dangerous animal, chronically stressed by unnatural confinement, deprivation, and brutal training.

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**Items c) and d)**

Various discussions at the October 10 stakeholder meeting made clear that widely divergent views remain as to the precise definitions of “*other wild or exotic animal shows*” and “*legitimate conservation-related programs or presentations*.” Therefore, we also recommend and urge the Council to clarify the definition for “*legitimate conservation-related programs or presentations*” in a way that meaningfully relates to the intent and express language of the 2017 Motion, with some reference or basis in existing standards and frameworks, and, following in that regard, to prohibit the use of *Dangerous animals* in offsite conservation or education programs.

**c) RE: *Legitimate conservation-related programs or presentations* (or as the term reads in the current draft ordinance: *Conservation or Educational Presentation*)**

*Legitimate conservation-related programs or presentations* [or, as the term reads in the current draft, *Conservation or Educational Presentation*] means a program, which may include an animal exhibition, that is professionally-designed to impart knowledge or information for educational or conservation purposes about that animal's natural behavior, habitat, life cycle, or similar pedagogical information, conducted by an individual qualified to impart such information, which does not include any performance of behavior that does not naturally occur for that animal in the wild state.

**d) Recommended Restrictions for *Dangerous Animals*.**

- *No person shall exhibit, and the Department shall not issue a permit for the exhibition of a Dangerous Animal in connection with a traveling or off-site legitimate conservation-related program or presentation*

Or, using the term from the current draft ordinance: *No person shall exhibit, and the Department shall not issue a permit for the exhibition of a Dangerous Animal in connection with a traveling or off-site Conservation or Educational Presentation*

- *No person shall allow public contact or photographic opportunities with a Dangerous Animal; sufficient distance (at least 15 feet) and protective barriers, meeting federal and state standards, shall be maintained between the public and a Dangerous Animal at all times.*

Discussions over the years since the unanimous adoption of the 2017 Motion included various City representatives repeating assurances for meaningful oversight in permitting *conservation-related or education programs*, consistent with current best conservation science. We have previously provided, and present excerpts here again (in Appendix A) of, various conservation education references and frameworks used elsewhere, including here in California, to assist in the City's determination of what *legitimate conservation-related program or presentation* might mean, for the purposes of this exemption.

Certain discussions at the October 10 stakeholder meeting appeared to indicate that *dangerous species* (a term not yet defined) would be exempt or otherwise permitted to be used, for example, at parties as a prop for fundraising. Some at the meeting declared that having an animal, such as a cheetah, present at a party on a chain or a leash, and allowing the public to pet and/or take photos with such animal, raises the possibility and amount of donations. The use of animals as props to entertain humans and to potentially increase monies generated does not serve or reflect, but actually undermines, the core purpose of the 2017 Motion. The 2017 Motion was not just about public safety; its stated purpose included the City's consideration to protect the public and wild and exotic animals, as well as the City's commitment to lead on compassion and conservation.

A 2016 comprehensive global analysis examined  [>650 experts and organizations \(including animal trainers\) and the prevailing science on this issue around the world](#), and concluded that, for animals, this is *'not a good life'* or even a life *'worth living'*; **it also found that any education or conservation role would likely be marginal, and "outweighed by the negative impression generated by using wild animals for entertainment."**<sup>11</sup>

- "... we were unable to find where or how the animals in mobile zoos are sourced, or the extent of the trade in the animals ... **significant turn-over in stock. It is unclear what happens to wild animals that are no longer used ... an extensive trade in many of these species to the public. This is based on misconceptions about the animals** ... and is a particular problem for smaller species such as meerkats. ...
- **Adequate space is particularly important for wide-ranging species such as large cats, bears and elephants, but also has a significant impact on the welfare of smaller species of mammal, birds and reptiles.** ...
- **Two-thirds of studies into the effects of human or visitor presence on a diversity of non-domesticated species, including a study of circus tigers, found evidence of visitor-induced stress.** ...
- **we could find no scientific evidence to suggest that some species of wild animals (vertebrates or invertebrates) are more suited to life in a travelling circus ..."**<sup>12</sup>



The *Federation of Veterinarians of Europe* also recommend wild animals cannot tolerate and do not belong in traveling acts:

**["There is little or no educational, conservational, research or economic benefit derived from the use of wild mammals in travelling circuses that might justify their use. In addition to the welfare considerations, the use of wild mammals in circuses can represent serious animal health and public health and safety risks."](#)**<sup>13</sup>

It's not just that a cheetah on a leash is dangerous - it is - but also that the idea that a cheetah must be present at a fundraiser party or other event, on a leash or chain available for petting and photos so as to increase fundraising, puts fundraising at the forefront, not the interests or the protection of animal or the public. Petting a cheetah is not natural for the animal; it is a known stressor, as is the unnatural confinement necessary for travel to these events. To present wild animals on a leash and to allow the public to pet wild animals not meant for petting perpetuates misconceptions that endanger humans, the individual animal, and wild populations generally.

- In 2018, a young toddler was injured by a serval, [when the toddler's mom let the toddler pet the wild animal, who was presented to them on a leash at a birthday party](#).<sup>14</sup> A cheetah is larger, faster, and stronger than an African serval. In this media report, the zoo irresponsibly compared the serval to a house cat; this comment further misrepresented the true nature of a wild animal, but may have been an attempt to defuse reaction to the incident.
- [Earlier this year, a zoo patron thought it reasonable to cross a barrier for a selfie with a jaguar; she was attacked](#).<sup>15</sup> This month, another zoo patron thought it reasonable [to enter a lion enclosure, and taunt a lion](#)<sup>16</sup> for an Instagram post.
- One self-described 'lion whisperer' frequently posts popular, but controversial, videos of himself cuddling with lions on his African reserve. However, [a visitor to his establishment wasn't so lucky; in 2018, she was killed](#) while taking photos in the vicinity of these free roaming supposedly "cuddly" lions.<sup>17</sup>
- Kruger National Park (near Johannesburg, South Africa), Yellowstone National Park, and Yosemite National Park have had to repeatedly warn visitors that wild animals are indeed wild, in an effort to address tragedies due to public misconceptions caused by depictions of wild animals as toys or pets. See also [this link](#)<sup>18</sup> and [this](#),<sup>19</sup> regarding humans who underestimated the power of wild and free.
- It's not just humans who can be hurt by actions due to public misconceptions. Earlier this year, [a tourist jumped in the water and attacked a pelican](#),<sup>20</sup> for a photo and a laugh. Online videos abound of tourists dragging [dolphins from the water](#)<sup>21</sup> or [riding the back of sea turtles](#)<sup>22</sup> for the sake of selfies, often at the cost of the animals' lives.
- See also [Why people risk their lives for the ultimate animal selfie](#), National Geographic (March, 2019).

These incidents are just a small sample demonstrating the impact of public miseducation, when we treat dangerous wild animals as props, toys, or pets. True conservation demands that we teach future generations what a wild animal really is, and that is not a leashed prop for photo ops or fundraising. To teach respect for wildlife, we must show respect for wildlife. The presentation of dangerous wild animals as show toys on a leash misportrays these animals as playthings; they are wild and will seek to be free and to follow their natural, predatory, instincts.

Carting cheetahs around to schools and parties on a leash perpetuates the false notion that they might be tame and might make a good pet. This is especially disturbing given that a primary problem challenging cheetah survival in the wild is the trafficking of live cheetahs for the pet trade; such trade is already exacerbated by the numerous photos and videos online showing cheetahs on leashes, in living rooms, or in the arms of a celebrity or social media influencer. No legitimate conservation education program does this; no such program should promote this.

Like many inappropriate exotic 'pets', cheetah are trafficked as a symbol of wealth and status.<sup>23</sup> **Only one in six cheetah survive the journeys associated with the illegal pet trade.** They are Africa's most endangered big cat, now found in only 9% of their historic range. All cheetah populations are on the decline; only about 7,000 remain, with most (around 2,500) in Namibia. **Approximately 300 cheetah are smuggled out of Somalia every year.**<sup>24</sup> They are extinct throughout their former Asiatic range, with the exception of about 50 individuals in Iran. Cheetah do not breed well in captivity (another sign of compromised welfare). Cub petting operations and photo ops prefer young cubs, and so risk repeat breeding at unnatural rates, as cubs are pulled from their mothers far too young. In the wild, cubs stay with their moms for ~18months.

If Los Angeles truly wants to lead on compassion and conservation, it will not exempt these animals to be used as props for fundraising. Such a step backward ignores the challenges facing wild cheetah populations; it ignores the challenges individuals endure as a wild felid compelled to unnatural circumstances for its beauty as a party favor; and it ignores the stated purpose of the 2017 Motion. The 2017 Motion spoke to the problem of public miseducation and desensitization:

- *The use of wild and exotic animals, particularly in circuses, has **desensitized generations of people and taught our children that it perfectly acceptable to treat wild and exotic animals as objects or toys.***
- ***The use and misuse of wild and exotic animals for personal or public entertainment and financial gain has a long and unfortunate history. The practice has led to tremendous pain for these animals** who often suffer from loneliness, malnutrition, and the overwhelming stress of lengthy confinements during transport.*
- *My office has also pushed for tighter rules on private displays of wild and exotic animals ... **included an elephant, lion, and a baby giraffe being rented out as props for private events in the Hollywood Hills.***
- *It is time that the City of Los Angeles take action to make clear that **exhibiting wild and exotic animals in such a way is no longer in line with our City's values.***
- *where handlers have offered photos with animals ... At times, the animal handlers are aggressive and the birds and snakes are tossed at unsuspecting visitors to force an interaction.*
- ***MOVE that the City Attorney be requested to prepare and present an ordinance which would prohibit the exhibition of wild or exotic animals for entertainment or amusement, including circuses, other wild or exotic animal shows, and rentals for house parties, with exceptions for accredited zoos accredited by the Association of Zoos and Aquariums, legitimate filming purposes, research, facilities, and legitimate conservation-related programs or presentations.***

The Englander Amendment, adopted with the 2017 Motion, demanded *legitimate conservation programs must demonstrate a primary goal to **teach respect for wildlife:***

*Educational Wildlife Presentations by **legitimate conservation organizations** here in Los Angeles **that demonstrate that the primary goal is to teach respect for wildlife and the idea of conservation by professionally inspected and monitored handlers.***  
2017 Englander Amendment, adopted with the 2017 Motion

The related April 2017 PAWS Committee Report also discussed desensitization, and references other performing animal shows and photographic opportunities with wild animals:

*... the use of wild and exotic animals, particularly in circuses, has **desensitized generations of people and taught our children that it is perfectly acceptable to treat wild and exotic animals as objects or toys.** The City has also seen displays of snakes, reptiles, birds, and non-human primates on the public sidewalk and in parks, where handlers have offered photos with animals in exchange for a monetary donation. At times, the animal handlers are aggressive and the birds and snakes are tossed at unsuspecting visitors to force an interaction. **This use and misuse of wild and exotic animals for personal or public entertainment and***

***financial gain has a long and unfortunate history. The practice has led to tremendous pain for these animals who often suffer from loneliness, malnutrition and the overwhelming stress of lengthy confinements during transport. Further, to get animals to perform “tricks” and other acts unnatural to them, handlers have been repeatedly shown to use inhumane training techniques. Wild and exotic animals hold instinctive social and physical needs specific or indigenous to their natural environments. If these animals are unable to express their normal behaviors, they can suffer from physical and mental trauma. This behavior impacts the welfare of these animals, which places the safety of the animal and the public at risk.***

Earlier this year, another report underscored the City’s commitment to lead on this issue:

*The Resolution (Koretz – Blumentfield) notes the **multitude of abusive practices used for animal performances by circuses and other traveling shows, including the use of whips, muzzles, electric prods, and bullhooks. Additionally, animals in traveling shows are frequently given improper care during transport.***

...  
*Existing law regarding circuses and other traveling animal shows is sparse. Local and state efforts to regulate transient circuses and other traveling shows featuring wild and exotic animals are hampered by a lack of specialized knowledge and training on the part of local animal control officers and inspectors, and an inclination to defer to the U.S. Department of Agriculture, whose regulations and resources often are inadequate to protect the animals.*

...  
*On April 25, 2017, Council adopted a motion, as amended, requesting the City Attorney to prepare and present an Ordinance that would **prohibit the exhibition of wild or exotic animals for entertainment or amusement. ... with exceptions for ... legitimate conservation-related programs or presentations.***

June 2019 report from Sharon Tso, Chief Legislative Analyst of the Los Angeles City Council, to the *California State Rules, Elections, and Intergovernmental Relations Committee*, recommending a Resolution to support the CA Circus Cruelty Prevention Act (now signed into law in the state).

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The 2017 Motion requested a draft ordinance to ***prohibit the exhibition of wild or exotic animals for entertainment or amusement, including circuses, other wild or exotic animal shows, and rentals for house parties.*** A revised permitting scheme that still allows *dangerous species*, including predators, to be petted and paraded at parties on leashes, undermines its represented purpose. A ban is not a ban where it permits the very acts it purports to prohibit.

Yet again last week, national media credited Los Angeles as leading on this issue for having instituted this measure, though it remains as yet undone and, now, its underlying purpose risks further challenge. It’s not surprising that the media and local city residents may have certain expectations, given the 2017 Motion adopted long ago; the 2017 Motion either meant something or it did not.

**It’s time to make good on the 2017 Motion; it’s time to draft and adopt an ordinance which reflects its express purpose - to protect animals and the citizens of Los Angeles from cruel and dangerous performing animal shows and party acts.**

Thanks for your consideration.

All my best regards,



Christina Scaringe, General Counsel  
**Animal Defenders International**  
[www.ad-international.org](http://www.ad-international.org)

cc:

Justin Orenstein ([justin.orenstein@lacity.org](mailto:justin.orenstein@lacity.org)), Director of Policy & Legislation for Item 16-1357 Sponsor & Councilmember David Ryu.

Deputy Chief of Staff David Hersch ([david.hersch@lacity.org](mailto:david.hersch@lacity.org)) and Consultant James Bickhart ([james.bickhart@lacity.org](mailto:james.bickhart@lacity.org)) for PAW Committee Chair Paul Koretz

<sup>1</sup> [www.ad-international.org](http://www.ad-international.org)

<sup>2</sup> Resolution 105, American Bar Association, available at

[https://www.americanbar.org/content/dam/aba/images/abanews/2015mm\\_hodres/105.pdf](https://www.americanbar.org/content/dam/aba/images/abanews/2015mm_hodres/105.pdf).

<sup>3</sup> Resolution 105, American Bar Association (2015) (emphasis added) is available at

[http://www.americanbar.org/content/dam/aba/images/abanews/2015mm\\_hodres/105.pdf](http://www.americanbar.org/content/dam/aba/images/abanews/2015mm_hodres/105.pdf). The Resolution limited its referenced exemptions to “non-profit wildlife sanctuaries, facilities accredited by the Association of Zoos and Aquariums, and research institutions.”

<sup>4</sup> *Compendium of Measures to Prevent Disease Associated with Animals in Public Settings*, National Association of Public Health Veterinarians (2013).

<sup>5</sup> *Wild Animals in EU Circuses* (2017), available at [http://www.eurogroupforanimals.org/wp-content/uploads/E4A-Circus\\_Report-Digital-OK-v2.pdf?utm\\_source=PDF&utm\\_campaign=CircusReport](http://www.eurogroupforanimals.org/wp-content/uploads/E4A-Circus_Report-Digital-OK-v2.pdf?utm_source=PDF&utm_campaign=CircusReport).

<sup>6</sup> Available at

<https://www.dropbox.com/s/yhvi9jxxb68hshq/8.31.16%20ADI%20response%20re%20USDA%20call%20for%20comments%20re%20public%20contact%20big%20cats%20bears%20nonhuman%20primates.pdf?dl=0>.

<sup>7</sup> Available at

<https://www.dropbox.com/s/87tbwzpj1bnfav/2019%20Mar28%20ADI%20statement%20in%20support%20of%20HR1380.pdf?dl=0>.

<sup>8</sup> Available at

<https://www.dropbox.com/s/6inqp3d35g23cr1/11.1.17%20ADI%20response%20re%20USDA%20rulemaking%20re%20license%20ulemaking.pdf?dl=0>

<sup>9</sup> **From the Englander Amendment** (adopted with the Motion in 2017): “the City Attorney to prepare and present an Ordinance that would **prohibit the exhibition of wild or exotic animals for entertainment or amusement, including circuses, other wild or exotic animal shows, and rentals for house parties, with exceptions for accredited zoos accredited by the Association of Zoos and Aquariums and/or the United States Department of Agriculture, the United States Fish and Wildlife Service, and the California Fish and Wildlife Service, legitimate filming purposes, research facilities, and legitimate conservation-related programs or presentations.**” (emphasis added)

**From the 2017 PAW Committee Report:** *The motion requested “the City Attorney to prepare and present an Ordinance that would prohibit the exhibition of wild or exotic animals for entertainment or amusement, including circuses, other wild or exotic animal shows, and rentals for house parties, with exceptions for accredited zoos accredited by the Association of Zoos and Aquariums and/or the United States Department of Agriculture, the United States Fish and Wildlife Service, and the California Fish and Wildlife Service, legitimate filming purposes, research facilities, and legitimate conservation-related programs or presentations.”* (emphasis added)

<sup>10</sup> As reported by NBC News, in ‘A panic started’ after bear at Russian circus attacks trainer’, video at

<https://www.nbcnews.com/news/world/panic-started-after-bear-russian-circus-attacks-trainer-n1071761> (October 25, 2019).

<sup>11</sup> Dorning, Harris, Pickett, *The welfare of wild animals in traveling circuses* (2016)(emphasis added), available at [https://www.ad-international.org/admin/downloads/adi\\_c01d3ee14f17115f6f5c51e93beb52b9.pdf](https://www.ad-international.org/admin/downloads/adi_c01d3ee14f17115f6f5c51e93beb52b9.pdf); additional information available at

<https://www.dropbox.com/home/SCS-TEAPSPA>.

<sup>12</sup> Dorning, Harris, Pickett, *The welfare of wild animals in traveling circuses* (2016)(emphasis added), available at [https://www.ad-international.org/admin/downloads/adi\\_c01d3ee14f17115f6f5c51e93beb52b9.pdf](https://www.ad-international.org/admin/downloads/adi_c01d3ee14f17115f6f5c51e93beb52b9.pdf); additional information available at

<https://www.dropbox.com/home/SCS-TEAPSPA>.

<sup>13</sup> *FVE position on the use of animals in travelling circuses*, Federation of Veterinarians of Europe (2015), available at

[https://www.stopcircussuffering.com/wp-content/uploads/2015/08/fve\\_position\\_on\\_the\\_travelling\\_circuses\\_adopted\\_final.pdf](https://www.stopcircussuffering.com/wp-content/uploads/2015/08/fve_position_on_the_travelling_circuses_adopted_final.pdf).

<sup>14</sup> As reported by T. Robinson, for 16News Now WNTU, South Bend, Indiana (October 29, 2018), video available at

<https://www.wndu.com/content/news/Popular-zoo-ambassador-pulled-off-of-rotation-after-biting-a-child-498931471.html?fbclid=IwAR1M7CFytBz9gHHR0aKBgQLKkt5416ErWLWlZNNWlI-e0--kh48Tm11tQ8>.

- <sup>15</sup> As reported by Brigit Katz, for The Smithsonian, Arizona (March 13, 2019), available at <https://www.smithsonianmag.com/smart-news/woman-attacked-jaguar-arizona-zoo-says-she-was-wrong-180971691/>.
- <sup>16</sup> As reported by Valerie Castro for CBS New York (October 1, 2019), video available at <https://newyork.cbslocal.com/2019/10/01/bronx-zoo-woman-in-lion-exhibit/>.
- <sup>17</sup> As reported by Brian Clark Howard for National Geographic (March 2, 2018), available at <https://www.nationalgeographic.com/news/2018/03/woman-mauled-death-lion-kevin-richardson-lion-whisperer-south-africa-private-reserves-lion-walks-spd/>.
- <sup>18</sup> Lulu Chang, *10 safari horror stories that will chill you to the bone* Insider Magazine (September 20, 2018), available at <https://www.insider.com/safari-horror-stories-2018-9>.
- <sup>19</sup> Katharine Lackey, *'Safety over selfie': National park visitors can't seem to stop getting too close to wildlife* USA Today (August 20, 2018), available at <https://www.usatoday.com/story/news/nation/2018/08/20/national-park-visitor-safety-wildlife-selfies/973656002/>.
- <sup>20</sup> As reported by Gwen Filosa, *Man jumps on pelican in Key West. Facebook then jumps on him*, Miami Herald (March 10, 2019), available at <https://www.miamiherald.com/news/local/community/florida-keys/article227349899.html>.
- <sup>21</sup> *Baby dolphin dies after tourists pull it out ocean for selfies*, CNN News (February 18, 2016), available at <https://www.youtube.com/watch?v=BQoQk-8zGPs>.
- <sup>22</sup> As reported in Business Insider Malaysia (January 9, 2019), available at <https://www.news.com.au/travel/travel-updates/incidents/photo-of-child-riding-endangered-turtle-goes-viral-for-all-the-wrong-reasons/news-story/5722718a53ae068c87fe05b4d5ecc886>.
- <sup>23</sup> As reported by Nick Webster, *Big cats continue to be sold in UAE via social media despite federal law*, N UAE (October 18, 2017), citing the International Cheetah Conservation Fund and CITES, available at <https://www.thenational.ae/uae/big-cats-continue-to-be-sold-in-uae-via-social-media-despite-federal-law-1.668272>.
- <sup>24</sup> As reported by Nick Webster, *Big cats continue to be sold in UAE via social media despite federal law*, N UAE (October 18, 2017), citing the International Cheetah Conservation Fund and CITES, available at <https://www.thenational.ae/uae/big-cats-continue-to-be-sold-in-uae-via-social-media-despite-federal-law-1.668272>.

## ADDENDUM A

- The [National Environmental Education Act](#) provides a framework that many states have adopted to set up state conservation education programs. The Act defines: *'environmental education' and 'environmental education and training' mean educational activities and training activities involving elementary, secondary, and postsecondary students, as such terms are defined in the State in which they reside, and environmental education personnel, but does not include technical training activities directed toward environmental management professionals or activities primarily directed toward the support of noneducational research and development*
- The USDA Forestry Service defines conservation education as *"[Conservation Education \(CE\)](#) helps people of all ages understand and appreciate our country's natural resources -- and learn how to conserve those resources for future generations. Through structured educational experiences and activities targeted to varying age groups and populations, conservation education enables people to realize how natural resources and ecosystems affect each other and how resources can be used wisely. Through conservation education, people develop the critical thinking skills they need to understand the complexities of ecological problems. Conservation Education also encourages people to act on their own to conserve natural resources and use them in a responsible manner by making informed resource decisions."*
- USDA also maintains a [National Information for Conservation Education \(NICE\) Database ... track and monitor programs and activities in conservation education across the nation. This online, searchable database of education programs is a terrific clearinghouse for finding programs and resources that connect children with nature. Program reports include goals and objectives, partners, and contact information. See also \[this link\]\(#\).](#)
- Both of these reference the [North American Association for Environmental Education](#), which forms the basis for many state programs and includes a [certification program](#). The associated group in California is the [California Association for Environmental and Outdoor Education](#).
- **California Education Code**
  - **EDC Title2 Div. Art.5 Humane Treatment of Animals.**
    - [sect. 51540](#). In the public elementary and high schools or in public elementary and high school school-sponsored activities and classes held elsewhere than on school premises, live vertebrate animals shall not, as part of a scientific experiment or any purpose whatever: (a) Be experimentally medicated or drugged in a manner to cause painful reactions or induce painful or lethal pathological conditions. (b) Be injured through any other treatments, including, but not limited to, anesthetization or electric shock. **Live animals on the premises of a public elementary or high school shall be housed and cared for in a humane and safe manner**
    - [sect. 233.5\(a\)](#) Each teacher shall endeavor to impress upon the minds of the pupils the principles of morality, truth, justice, patriotism, and a true comprehension of the rights, duties, and dignity of American citizenship, and the meaning of equality and human dignity, including the promotion of harmonious relations, kindness toward domestic pets **and the humane treatment of living creatures ...**

- **California Fish and Game Code**

- [FGC Div.3 Ch.1.5 Art.1. 2061](#). “Conserve,” “conserving,” and “conservation” mean to use, and the use of, all methods and procedures which are necessary to bring any endangered species or threatened species to the point at which the measures provided pursuant to this chapter are no longer necessary. ...
- [FGC Div.3 Ch.10. 2805 \(d\)](#) “Conserve,” “conserving,” and “conservation” mean to use, and the use of, methods and procedures within the plan area that are necessary to bring any covered species to the point at which the measures provided pursuant to Chapter 1.5 ... are not necessary, and for covered species that are not listed pursuant to Chapter 1.5 ... to maintain or enhance the condition of a species so that listing pursuant to Chapter 1.5 ... will not become necessary.
- [FGC Ch.4 Art.2 sect.1320](#) defines and provides for a state *Wildlife Conservation Board*.
- [FGC Div. 2 Ch.6](#) addresses *wildlife conservation*
  - sect. 1600. The Legislature finds and declares that the protection and conservation of the fish and wildlife resources of this state are of utmost public interest. ...

- **California Dept. of Fish and Wildlife**

- Sets forth a [Conservation Education Strategy](#). Conservation education is one of the most vital tools for enhancing public understanding and appreciation of fish and wildlife management while shaping long-term conservation and enjoyment of natural resources.

**Designed by experts from state fish and wildlife agencies, the North American Conservation Education Strategy (CE Strategy)** strengthens and unifies the conservation efforts of Association member agencies and partners through **research-based Core Concepts and messages about fish and wildlife conservation translated into K-12 academic standards** to shape students’ environmental literacy, stewardship and outdoor skills.

Conservation Education becomes an effective, dynamic means for the Association, its members and partners to achieve AFWA’s Strategic Plan **through an informed and involved citizenry** ... (emphasis added)

- [Project WILD](#)
  - “Project WILD is a **wildlife-based conservation** and environmental education program that **fosters responsible actions toward wildlife** and related natural resources. Project WILD activity guides provide curriculum specially designed for educators of kindergarten through high school youth. Professional development training and educational materials are available through workshop participation.” (emphasis added)
  - See also [this link](#). “Project WILD is an interdisciplinary conservation and environmental education program emphasizing wildlife. The goal of Project WILD is to assist learners of any age in developing awareness, knowledge, skills, and commitment resulting in **informed decisions, responsible behavior, and constructive actions concerning wildlife** and the environment. ... (emphasis added)
  - “Project WILD’s mission is to help students learn how to think, not what to think, about wildlife and the environment. All curriculum materials are backed by sound educational practices and theory and represent the work of many within the fields of education and natural resource management from across the country.”