

Communication from Public

Name:

Date Submitted: 10/02/2019 09:04 PM

Council File No: 16-1357

Comments for Public Posting: I am in support of item 16-1357, to ban wild and exotic performing animal acts in the city. This measure extends protections to animals and citizens beyond the pending state bill by prohibiting these cruel and dangerous acts at parties and performing animal shows. Please do right by these animals and protect from cruelty of people. The greatness of a nation and its moral progress can be judged by the way its animals are treated...I hold that, the more helpless a creature, the more entitled it is to protection by [people] from the cruelty of [human kind]"—Mahatma Gandhi "Until we extend our circle of compassion to all living things, humanity will not find peace." - Albert Schweitzer "Let us remember that animals are not mere resources for human consumption. They are splendid beings in their own right, who have evolved alongside us as co-inheritors of all the beauty and abundance of life on this planet"-- Marc Bekoff "Compassion for animals is intimately associated with goodness of character, and it may be confidently asserted that he who is cruel to animals cannot be a good man." - Arthur Schopenhauer "We can judge the heart of a man by his treatment of animals." Immanuel Kant "Animals have hearts that feel, eyes that see, families to care for, just like you and me." Anthony Douglas Williams "Life is as dear to a mute creature as it is to man. Just as one wants happiness and fears pain, just as one wants to live and not die, so do other creatures." -His Holiness, The Dalai Lama. "The reason why so many people have devoted their lives to protecting the likes of rhinos, parakeets, elephants, and dolphins is simply this: the world would be a poorer, darker, lonelier place without them." - Mark Carwardine. "We should have respect for animals because it makes better human beings of us all." Jane Goodall You cannot get through a single day without having an impact on the world around you. What you do makes a difference, and you have to decide what kind of difference you want to make." Jane Goodall

Communication from Public

Name: Christina Scaringe, for Animal Defenders International

Date Submitted: 10/01/2019 10:42 AM

Council File No: 16-1357

Comments for Public Posting: Christina Scaringe, for Animal Defenders International, from our US headquarters here in LA, and for our thousands of California members, offers the attached statement in support of Item 16-1357, to ban wild and exotic performing animal acts in the City, with thanks to the Committee and to the sponsor, Councilman Ryu. Thanks as well to the full Council, which supported similar state action earlier this summer; that bill (SB313) now sits with the governor. This measure shows LA's leadership once again, extending protections to animals and citizens beyond the pending state bill by prohibiting these cruel and dangerous acts at parties and performing animal shows. The Council unanimously approved a Motion to draft this action more than 2 years ago, in 2017. ADI was honored to join the stakeholders' consultation. We provided you extensive data demonstrating these acts are inherently inhumane and unsafe; they also perpetuate misconceptions which endanger humans, the individual animal, and wild populations generally. Prevailing science makes clear these animals cannot tolerate this business model; it is, as one study concludes, 'no life worth living.' And we know little to nothing about how or how many animals are sourced, bred, traded, how they die, or what happens to them afterwards. Federal oversight is complex & costly and, by the agencies' own admission - it's just not working. USDA license renewal does not evaluate or require current compliance; OSHA relies upon self-reporting; and public safety is left to you. >46 nations and >95 state & local US jurisdictions have addressed this issue; many think LA has already done so – please vote YES to to protect animals and the citizens of Los Angeles. Thank you.



Animal Defenders International

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RE: ADI statement in strong support of LA City Council File Item No. 16-1357, to prohibit the exhibition of wild and exotic animals at parties, in circuses, and in performing animal shows.

Good afternoon to the esteemed members of the Los Angeles City Council Personnel and Animal Welfare Committee ~ Chair Koretz, and Members Lee and Price:

Animal Defenders International (ADI)¹ offers the following in strong support of Council File Item No. 16-1357, to prohibit the exhibition of wild and exotic animals at parties, in circuses, and in performing animal shows. Our many thanks to the Committee for its consideration, to the sponsors, Council Members Ryu, Blumenfield, Bonin, Huizar, Krekorian, and O'Farrell, for their leadership on this issue. Our thanks to the full Council as well, for its demonstrated support of similar state action (SB313), now awaiting the Governor's signature.

ADI has worked on this issue for years throughout the US, Europe, and Latin America, including here in California, home to our US headquarters and thousands of ADI supporters. We remain available to provide additional data or testimony, and to answer any questions or concerns. To that end, we offer this introduction to just a bit of the extensive data that traveling wild animal acts are inherently inhumane, and a known public health and safety risk. For your reference, we also include links to one prior submission by [ADI to USDA](#),² 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](#),³ and [ADI's submission opposing USDA's rubber-stamp license renewal process](#),⁴ outlining currently ineffective, costly oversight and inherent dangers associated with various wild animal acts. Please let us know if you might like further information about any of the data or hyperlinks included here. We begin with a brief introduction as to who we are, so you may better understand us as a source of information on this topic:

ADI is a non-profit organization, headquartered in Los Angeles, that works around the world to make change for animals. We have worked at all levels of government on animal issues - from initial investigations to crafting legislation and implementing rescue efforts. ADI's award-winning documentary [Lion Ark](#)⁵ depicts the triumphant rescue and rehoming of 25 circus lions after our campaigns succeeded in Bolivia's nationwide ban; ADI also [rehomed four lions to PAWS, a sanctuary in northern California](#) as part of the Bolivian rescue.⁶ In Peru and Colombia, following successful campaigns to pass national measures to ban traveling wild animal acts there, we rescued more than [110 animals](#),⁷ including 27 lions who now live in peaceful retirement at the [ADI Wildlife Sanctuary](#) in Africa. Our team is now in Guatemala, providing support to authorities there to rescue and rehome former circus animals now that its national ban has gone into effect. ADI works on many US legislative campaigns, including recent successes in NJ and HI, a bipartisan federal bill ([TEAPSPA/ HR2863](#)), and ongoing state campaigns in CA, CO, CT, MA, NY, OR, and PA.

As you likely know, the Feld organization ("FEI", parent company to Ringling) closed down the largest animal-act based circus tour in the US; FEI attributed its decision to decreasing ticket sales over the last decade, admitting "**It isn't relevant to people in the same way**" — we'd certainly agree. Public opposition to traveling animal acts is growing; [>2/3 of Americans say they're concerned about the](#)

[use of animals in circuses](#);⁸ [forty-six diverse nations have banned such acts, and >95 US jurisdictions](#)⁹ have passed some similar form of ban or restriction, including **Corona, Encinitas, Huntington Beach, Irvine, Marin County, Oakland, Pasadena, Rohnert Park, San Francisco, Santa Ana, Santa Monica, and West Hollywood, California.**

There is substantial and growing evidence that even with the best intentions these shows simply cannot provide what these animals need, and unfortunately, there is a good deal of evidence that physical abuse and deprivation are all too common. The *World Association of Zoos and Aquariums* opposes the “keeping and transporting of animals under inadequate conditions, e.g. roadside zoos or circuses/ entertainment.”¹⁰ Two University of Bristol studies on the welfare of animals in circuses examined peer-reviewed scientific literature on the subject and **concluded circus animals are “inevitably impoverished” and stressed.**¹¹ 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.”](#)¹² A 2016 comprehensive global analysis examined [>650 experts and organizations \(including animal trainers\) and the prevailing science on this issue around the world,](#) to conclude that “by their very nature, circuses are unable to provide species of wild animals with conditions that meet their species-specific physical, psychological and behavioural needs.”¹³ The 2016 report described this life for animals as one that 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.”¹⁴

- “... 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. ...**
- **Restraint is often used in circuses and can cause injury and distress in both domestic and nondomestic animals and limits opportunities to perform species-typical behaviors such as socialising, which will impact psychological welfare in social species such as elephants, equids and camelids, and can cause health problems by limiting exercise opportunities. ...**
- **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 ...**¹⁵

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

[“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.”](#)¹⁶

In 2015, the *American Bar Association* passed [Resolution 105](#),¹⁷ urging local, state, and federal prohibitions against possession and import of wild animals; in so doing, they flatly rejected a proposed circus exemption.

[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.”¹⁸

The *American Veterinary Medical Association* is currently reconsidering its policy regarding wild animal acts. The *New York City Bar Animal Law Committee* supports the [proposed federal bill](#),¹⁹ as well as [state and local parallels](#).²⁰ The *Wildlife Conservation Society* (which includes the *Bronx Zoo*) also opposes the use of wild animals in traveling acts: [“Many circus animals are forced to perform unnatural or dangerous behaviors and have a substandard quality of life due to traveling and housing conditions.”](#)²¹

These shows are not only cruel, they’re dangerous. In 2014, an apparently well-regarded and experienced trainer was [killed by an elephant](#)²² while working in close physical contact. The trainer reportedly had a 30-year relationship with “his girls” - Opal and Rosie - two *Carson & Barnes* elephants in their forties who lived in the circus from the time they were taken from the wild in 1969 and 1970. His many years of experience training circus elephants, his later knowledge as a veterinarian working with elephants at the *Bronx Zoo* and as head elephant trainer at an Oregon safari park, and his reportedly close-knit bond and long-term relationship with Opal and Rosie were not enough to prevent his being crushed to death.

There are numerous reports of worker deaths despite years working and familiarity with the animals, including, among far too many others: a [tiger that killed its trainer \(2018\) \(China\)](#)²³; a [‘severely stressed circus camel’ that attacked and killed its American caretaker \(2014\) \(Mexico\)](#)²⁴; an [elephant that killed its trainer \(2010\) \(Pennsylvania\)](#)²⁵; and a [tiger that killed its trainer in front of 200 “horrified” schoolchildren \(1997\) \(Pennsylvania\)](#)²⁶. These incidents are not rare or singular, but rather occur with alarming regularity, impacting circus workers, bystanders, other animals, and the public at large. Earlier this year, [a lion attacked its trainer](#) in Ukraine.²⁷ The public is largely unaware how often these tragic incidents occur; even a small sampling makes their frequency all too clear. For example, in 2015, **a tiger attacked its trainer** during [Pages White Tigers’ performance](#)²⁸ in Florida; another trainer entered the flimsy cage to assist, leaving the cage door open, which, lacking any lockout space or other similar protections, **exposed patrons and the entire fairgrounds to deadly harm. The video**²⁹ **shows teachers attempting to turn shocked schoolchildren away; a patron yelling ‘close the door! close the door!’ and the sound of fear rising in the trainer’s voice** as she attempted to fight off the tiger - exposing her knowledge of the truth, that is, they don’t really have control. (This fair welcomed the same licensee back several months later, publicly accepting and disseminating the exhibitor’s false claim that it was an unrelated separate entity, though a simple review of its federal licensure revealed their misrepresentation.) This [exhibitor later made the same false claim again elsewhere. Remarkably, the federal inspector reportedly stated that the open cage door wasn’t significant, claiming tigers are ‘conditioned to remain within their enclosure until commanded to exit.’](#)³⁰ This stunning occurrence is just a sample of widespread issues in oversight and accountability (discussed further below). In 2017, [another tiger escaped in Florida, causing panic. A witness recounted: “One man locked 20 people he didn’t even know into a horse trailer at that moment, because everyone was running and screaming in fear ... It was not thought out, it was not planned well, it could’ve been avoided.”](#)³¹ [In May 2017, a lion tore into its trainer’s throat \(France\), a woman was seriously injured by an elephant \(Czechoslovakia\), a bear jumped out of the circus ring, into the audience, attacking a patron \(Ukraine\), and an escaped zebra crashed into a truck \(FL\).](#)³² In August, a [kangaroo escaped \(NY\)](#)³³ and [a tiger mauled its trainer \(China\)](#).³⁴ That September, [another tiger escaped and was shot as it roamed residential backyards, threatening family pets \(GA\)](#).³⁵ FEI (Ringling) - who was transporting the escaped tiger for owner Alex Lacey - reportedly **wasn’t aware of the tiger’s disappearance until Atlanta police tracked them down.** In October 2017, [2 tiger cubs killed their keeper \(India\)](#),³⁶ [a tiger escaped \(China\)](#),³⁷ [a herd of zebras escaped \(Hungary\)](#),³⁸ [a lion bit a patron’s hand \(South Africa\)](#),³⁹ and [a bear attacked its handler \(Russia\)](#).⁴⁰ In November 2017, [an elephant killed its handler \(Thailand\)](#),⁴¹ [tigers escaped in France](#)⁴² and [China](#),⁴³ and [another tiger attacked its keeper \(Russia\)](#).⁴⁴ In December 2017, an [elephant rampage killed one and injured 12 persons \(India\)](#).⁴⁵

In January 2018, [a lion and tiger attacked a horse in a cruel \(but not uncommon\) act featuring both predators and prey \(China\)](#).⁴⁶ In February, [a circus worker had both arms torn from his body by tigers \(Guatemala\)](#).⁴⁷ In March, [a truck transporting elephants careened across a highway, killing one elephant, injuring four others, and putting everyone at risk](#) (Spain).⁴⁸ The authorities' investigation there reportedly indicated the elephants' movement inside the truck destabilized it as the driver switched lanes to pass, stating that ["With five unpredictable animals, each one of them weighing three to four tons, accidents can happen no matter how much care has been taken."](#)⁴⁹ In June 2018, a [circus elephant escaped](#) (Germany),⁵⁰ a [frightened circus bear attacked its trainer](#) and, like so many others, received a vicious beating in response (Russia).⁵¹ That July, [two circus elephants attacked a third, slamming her to the ground and into the audience, throwing one rider, and placing the elephants, riders, and spectators at great risk](#) (Germany).⁵² In August, a [baby elephant escaped in southern Italy](#).⁵³ In September, [zebras escaped \(for at least the fourth time from UniverSoul Circus\) in New Orleans](#),⁵⁴ [at least 7 were injured when a camel ran amok in Pittsburgh](#),⁵⁵ and [a tiger was beaten and dragged back into the ring as she suffered a seizure \(Russia\)](#).⁵⁶ In October, [a 4-year old lay in a coma, fighting for her life after a lioness dragged her into a circus ring; as noted in various media, the "lioness did nothing unexpected"](#) (Russia).⁵⁷ Also that October, reflecting common misperceptions perpetuated by this industry about what it means to be wild, [an Indiana mom allowed her toddler to pet a serval, which featured as 'entertainment' for a birthday party, and which subsequently attacked and bit the young child](#).⁵⁸ In November, [yet another young child was attacked by a circus animal](#), this time a leopard (Russia).⁵⁹

Traveling shows' collapsible and temporary facilities raise serious public and worker safety and health concerns. Workers and the public are often in close proximity to these wild animals with limited, if any, protections. In 2014, the *US Court of Appeals DC Circuit* upheld a decision that an animal exhibitor employer violated the (general duty clause under the) *Occupational Safety & Health Act* by exposing animal trainers to recognized hazards despite the employer's arguments its trainers were qualified, trained in safety procedures, and familiar with the mammal.⁶⁰ In a similar case examining an employer's general duties, OSHA settled with the *Knoxville Zoo* after the [elephant trampling death](#) of a trainer.⁶¹ OSHA also required the *Knoxville Zoo* to replace its free contact management system with protective containment as part of the settlement agreement. AZA subsequently required its members to do the same; thereafter, a number of those in the circus industry dropped out of the AZA, choosing membership instead in groups such as ZAA (*Zoological Association of America*), CFA (*Circus Fans Assn. of America*) or EMA (*Elephant Managers Association*), which promote free and direct contact between elephants (or other animals), workers, and the public. (AZA's 2012 Lion Care Manual also strongly recommends against free contact with adult lions "under any circumstances.")

Circus workers typically have limited if any species-specific training (save perhaps that related to circus tricks), and the local venue operators/workers may have no knowledge of the animals' innate needs or history. **Parents purchasing tickets for their children to take photos with tigers or to ride on an elephant's back have no way of knowing the animal's history, training, escape risk, stressors, anxiety level, triggers, injury, illness, or aggression.** ADI released [video of one elephant pushing another into the stands and swiping at her trainers during rehearsal](#) for a *Jordan Circus* event.⁶² This *Carson & Barnes* elephant (Isa) **was giving rides to children later the same week; she also later escaped along with 2 other *Carson & Barnes* elephants (Kelly & Viola) at a shrine circus event, while still wearing their ride saddles.** Isa, Viola, and Kelly have a history of **repeated escapes, but continue to give rides to children.** ADI [filmed them in Pennsylvania last year](#), during a *Garden Brothers* tour, demonstrating stereotypic rocking as they tried to endure blaring noise.⁶³ *Garden Brothers* is touring this year with *Carden* elephants – Betty and Bo. Recent videos show [Betty so lethargic she drags her trunk along the ground](#),⁶⁴ **and Bo's alarmingly significant swaying and rocking stereotypes;** Betty appears on the verge of collapse, while Bo may be sending dangerous warning signs.

It is foolish to expect that animals living under severe chronic stress, confinement, and abuse will never lash out or try to escape. In 2015, **two zebras escaped** from *UniverSoul Circus* in Philadelphia, costing local dollars and distracting local authorities; **these zebras escaped again** in Oakland a few months later, **then again later in Florida (where one crashed into a truck), and yet again last year** in New Orleans. A subsequent USDA report regarding the zebras' escape in Philadelphia revealed one zebra was injured, but did not receive veterinary care until the circus moved on to Charlotte, NC. The USDA directed *UniverSoul* to implement policies to prevent further escape; however, **the zebras have escaped at least 3 times since**, highlighting the failure of the circus and the USDA to adequately address the issue. Unfortunately, there are numerous videos of rampages that did not end well, including:

- Janet, in [Palm Bay, FL: 17 spectators were injured; a mother and 5 children were still riding the elephant when this rampage began](#).⁶⁵ The police officer reportedly broke down and cried afterwards for having to shoot such a beautiful animal; he testified before Congress to end the use of wild animals in circuses, noting that **local law enforcement is not prepared to deal with a rampaging elephant**. Another witness recounted to ADI that, with all the bullets flying, it "was like a war zone." The trainer (Tim Frisco) reportedly testified later that he saw Janet throw local police officer Doyle, then very nearly stomp his head.

"I have never seen a situation as frightening - or one I was less capable of controlling - than that day the elephant ran wild. The greatest shock to me as a police officer was when I discovered that the owner and trainer ... had absolutely no control over her He had no plan for such an emergency and his only strategy was to keep yelling at me to shoot her. I have discovered that, once an elephant goes out of control, nothing can be done. It is not a predictable or preventable accident. The only thing that can be done - and even this is a danger to the public - is to get a battery of police officers in with heavy weapons and gun the elephant down." Police officer Blayne Doyle, transcript testimony to Congress, noting that local law enforcement is incapable of handling an elephant rampage.

- Tyke, in Honolulu, HI: [this was Tyke's third rampage after suffering years of abuse. The Hawaii rampage ended with one dead, 13 injured, and Tyke being shot at least 87 times](#).⁶⁶ The police officer who killed Tyke later became an advocate for ending the use of wild animals in circuses. This incident remains a strong memory for locals even 20 years later, and is the subject of the documentary [Tyke: Elephant Outlaw](#).⁶⁷ **Last December, HI became the second US state to ban traveling wild animal acts.**
- The video of this elephant turning over a car went viral; what's striking however is that, just moments earlier, [note the stunning proximity between these three nervous and agitated elephants \(including the elephant who subsequently overturned a car\), and two baby carriages and an elderly gentleman on a scooter](#).⁶⁸
- [Reportedly, 2 died and 24 were injured at an incident in a schoolyard, where one elephant threw his rider and another threw four riders; their trainers - men who raised them - missed or ignored certain precursors](#).⁶⁹
- Smith, a [circus lion, attacked a patron \(school teacher\) in front of her students](#).⁷⁰ Earlier that week, the circus rebuffed authorities seeking to confiscate the illegal circus act, and a court action was filed. Remarkably, just two days later, **the circus brought a patron into the ring, assured her it was safe, and placed her in a prey position before a predator**; she was hospitalized, but thankfully survived. Smith was later rescued by ADI.

These animals did not 'go berserk' or 'wild' or 'rogue.' They were and remain wild animals. Domestication cannot be trained into an individual animal; it takes certain genotypes and many generations of breeding an entire population of animals, and even then some species cannot be domesticated.⁷¹ **There is no conclusive evidence that wild animals habituate to travel and there's no evidence that familiarity equates to security.**⁷² According to self-proclaimed "circus historian"

LaVahn Hoh: "[No one can actually tame a wild beast no matter how gifted they are, or how much time they spend with their animal.](#)"⁷³

Federal oversight of traveling animal acts is costly, problematic, and unmanageable. [Nominal licensing fees and minimal, inconsistent monetary penalties don't cover oversight costs; they are largely borne by taxpayers.](#)⁷⁴ Moreover, federal oversight occurs, if at all, via the *Animal Welfare Act* (which presumes to deal with the humane treatment of animals) and the *Occupational Safety and Health Act* (to address worker safety). As the agencies are quick to say, **neither has public safety under their mandate.** Oversight is complicated by the limited number of inspectors and the events' transitory nature. (In 2009, APHIS/USDA had just 97 inspectors who performed over 4300 inspections of more than 2700 exhibitors.) APHIS' Office of Inspector General (OIG) **repeatedly reports numerous inspector deficiencies, including limited to no follow-up to noncompliance citations and failure to consult animal experts to determine if enclosures or barriers are sufficient to protect the public.**⁷⁵ **USDA licensure renewal does not evaluate or require current compliance with the law. USDA renews a license, even if it recently cited that exhibitor for violating federal law/regulations.**⁷⁶ OIG concluded that APHIS needs to strengthen the inspection process, citing, among other issues:

- Safety conditions questioned at 48% of licensed exhibitors observed
- Periodic supervision lacking
- Failure to identify safety-related deficiencies during inspections
- Failure to document conditions & require corrective action
- Lack of consistency in safety determinations
- Inspectors did not regularly consult with agency animal expert to determine if an enclosure or barrier was sufficient
- Inspectors not always aware of incidents - exhibitor reporting not required
- Lacked a process to ensure inspectors were aware of details of incidents at exhibitors' facilities nationwide
- Inspectors could not locate traveling exhibitors to conduct critical re-inspections

and declaring that, without clear & consistent standards, APHIS can't adequately ensure the safety of the animals or the public.⁷⁷ OIG has repeatedly criticized agency oversight here, citing vague standards that are consistently challenged in the field and in the courtroom, and **overworked, underperforming agencies, which frustrate inspectors and regulated entities, and leave animals and humans unprotected.** "USDA faces a challenge in coordinating the efforts of various agencies and programs within its purview."⁷⁸ USDA has now removed inspection and animal welfare reports from its website, further shielding exhibitors from review.

OSHA inspections generally rely upon self-reporting alone and often by the time a complaint or inspection request is made, the show has moved on to another jurisdiction. It is not uncommon for the agencies to report their hands are tied once the show leaves town.

Regional, state, and local agencies don't typically have the benefit of cross-jurisdictional communications or authority. Local authorities often lack the funding, familiarity, or facilities to deal with exotic species, and largely rely upon federal licensing or otherwise defer upstream to federal agencies, who nevertheless maintain public safety is not their mandate. Local law enforcement is not expecting or trained to handle wild animal escapes; too often they are surprised to learn that there is no back-up plan, and that the responsibility has been dropped in their laps. Sheriff Lutz, of Zanesville, Ohio, speaks [in this video](#) in support of the federal *Big Cat & Public Protection Safety Act*, on the challenges for law enforcement with wild animal escapes.

Many animal exhibitors lease their animal acts, which further complicates oversight, as exhibitors can claim they're not responsible for or mislead the public regarding violations related to animals they exhibit, but don't actually own.

A 2015 Philadelphia (UniverSoul) circus event **featured three elephants who were barred from performing by New York City and the city of Dallas, citing concerns regarding positive tuberculosis testing**, a disease that is transmissible to humans. (Actually, NYC also barred their tiger act, citing inadequate caging.) While these same elephants were performing in Philadelphia, [UniverSoul Circus took action against Dallas over its decision to bar them, and the judge sided with the city health officials](#).⁷⁹ **Despite increasing concern regarding the issue of tuberculosis in captive elephants, and contrary to USAHA recommendations,**⁸⁰ **USDA subsequently announced it would no longer require annual tuberculosis blood tests.**⁸¹ Wisconsin (*Carden Circus* - elephants) and Indiana (*Ringling* workers) also denied entry to certain exhibitors, citing tuberculosis concerns. From the *National Association of Public Health Veterinarians*:

- **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**⁸²

To ban wild animal acts altogether is cleaner, less costly, and more easily enforced than the current, costly, admittedly problematic and ineffective regulatory oversight. As it stands, reported violations often devolve into expensive 'battles of the experts' over the question or level of harm, even where illegal acts may be documented. These battles are expensive for both the taxpayers and the industry, much more so than simple, objective determinations as to whether a prohibited animal may be present.

Banning certain animal acts does not have to mean the end of the circus. There are more than 20 human-performance circuses in the US, including some who were once animal exhibitors. *Forbes Magazine*⁸³ and *The Wall Street Journal*⁸⁴ quote major players from US circuses describing diversification away from "traditional" acts and identifying the primary economic driver in today's circus as being the celebrity clown - not the animals. Ringling's closure was its own refocus on human performance divisions of parent company FEI's live shows, such as *Disney on Ice*, *Monster Jam*, and *Marvel*, whose success likely contributed to the rise in Feld's ranking on Forbes wealthiest Americans list (from #375 to #246 (worth \$1.8 billion in 2014 to \$2.7+)) in the time since they retired their elephants. Perhaps the most familiar human-performance circus to you may be *Cirque du Soleil*, which had its first show in 1990, and has since grown to a >\$800 million enterprise, appearing 8 times in the top-ranking international tours. *Lions Club International* has turned away from such acts, as has the [Wawa Shrine Circus](#), who said:

[Our moral compass doesn't point us in that direction anymore ... These animals weren't meant to be in that world and were put into that service. We just don't agree with it. So we are distancing ourselves from that and going forward with a new model.](#)⁸⁵

Unlike the noted decline in attendance at performing animal shows, human-performance shows are proliferating worldwide. Human-performance shows are popular; they require labor, create jobs, are great fundraisers, and can bring dollars to communities without exposing citizens to chronically stressed and abused animals.

We urge you to vote YES to Council File Item No. 16-1357 ~ it's time to protect animals and the citizens of Los Angeles from cruel and dangerous wild animal acts.

Thanks again for your consideration.

All my best regards,



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Assistant City Attorney Dov Lesel dov.lesel@lacity.org
Councilmember David Ryu, via staffer Orenstein justin.orenstein@lacity.org

¹ www.ad-international.org

² Available at

<https://www.dropbox.com/s/yhvi9jxb68hshq/8.31.16%20ADI%20response%20re%20USDA%20call%20for%20comments%20re%20public%20contact%20big%20cats%20bears%20nonhuman%20primates.pdf?dl=0>.

³ Available at

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

⁴ Available at

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

⁵ See <http://www.lionarkthemovie.com>.

⁶ See http://www.ad-international.org/animal_rescues/go.php?id=1849&cat=7&si=3&ssi=24.

⁷ See <https://www.youtube.com/watch?v=Bcm4tvc8G5Y>

⁸ 2015 Gallup Poll, available at <https://news.gallup.com/poll/183275/say-animals-rights-people.aspx>

⁹ See <https://www.stopcircussuffering.com/circus-bans/>

¹⁰ WAZA *Code of Ethics*, (2003).

¹¹ See Harris, Iossa, & Soulsbury, *A review of the welfare of wild animals in circuses*, School of Biological Sciences, University of Bristol (2006), and *Circus Captivity is beastly for wild animals*, Andy Coghlan, New Scientist (May 2009).

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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.”

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Communication from Public

Name: Alyssa Ganezer

Date Submitted: 10/02/2019 11:05 AM

Council File No: 16-1357

Comments for Public Posting: Dear Personnel and Animal Welfare Committee and Los Angeles City Council Members, I oppose the proposed Animal Exhibition Ordinance. I am a member and the legislative chair of the Southwestern Herpetologists Society, LA Chapter. Since 1954, the SWHS has worked to educate the general public about the roles of reptiles and amphibians in the natural world and to promote conservation of reptiles and wildlife in general. We hold that the more people understand reptiles and wildlife, and their role in the ecosystem, the more humanity will work to honor and preserve these animals and the environment. The best way we have found to educate people and bring them to an immediate appreciation of these animals is to bring them to public events where they can be seen and even touched. I personally have seen countless individuals change their minds completely about the benefits of our reptile cohabitants of the planet through the magic of this real-life experience. However, the draft proposal (file number 16-1357) will make these important outreach events impossible for us. While we support the proper treatment of animals - part of our outreach is to help responsible pet ownership - we find this ordinance as written to be overbroad and rife with unintended consequences. We are a small nonprofit and could not possibly afford the proposed permit fees - particularly if they apply to every event we attend. This is only one of several issues I have with this proposed legislation as an experienced animal owner and responsible educator. Please work with the affected stakeholders and qualified animal keepers to resolve the issues with this proposal. The expertise and knowledge of people who actually work with these animals and understand their needs should be heard and valued before this legislation proceeds any further. Thank you for your time. Sincerely, Alyssa Ganezer