

According to PAWS, the Performing Animal Welfare Society that operates a care facility in San Andreas for animals rescued from the entertainment industry, bullhooks are intentionally used and designed to inflict pain as part of an elephant's training. PAWS states that "trainers are actually required to hook, jab, or hit elephants who miss a cue, move too slowly, or display unwanted behaviors. This association between pain and fear of the bullhook is reinforced throughout an elephant's life—behind closed doors and out of view of law enforcement. Without that association, the bullhook is useless."

Moreover, supporters assert that the positive reinforcement system used at PAWS, and in all California zoos accredited by the Association of Zoos and Aquariums, relies on positive reinforcement training and use of a protective barrier between keeper and elephant. To cue behaviors, keepers utilize a "target," which is a long--handled pole with a soft tip. In contrast to the bullhook, the elephant moves toward the "target," and the behavior is reinforced with a food reward and gentle words of praise. Using this method, trainers are able to provide necessary husbandry and veterinary care, including specialized and more intensive care for our older elephants."

The supporters also point out that in California, no county fair offers elephant rides run by operators who use bull hooks, and that the Ringling Bros. and Barnum and Baily Circus has announced a phase-out this year of its elephant acts.

The Humane Society of the United States is aware of only two California-based businesses that still use bullhooks, neither of which is accredited by the AZA or the Global Federation of Animal Sanctuaries (GFAS).

It also objects to the notion that the public display of elephants that are required to perform unnatural tricks does not engender respect or appreciation for wildlife. Instead, it reinforces a message that exploitation and mistreatment is acceptable entertainment.

As for public safety, the author also points out that there have been at least 16 deaths and 135 injuries in the U.S. that have been attributed to elephants, primarily in circus-related accidents. The implication is that these accidents were caused in part when an elephant rebelled against a trainer resulting in injury to circus employees or the public.

ARGUMENTS IN OPPOSITION

Much of the opposition comes from the entertainment or circus community, although some veterinarians are also opposed. As an example, Dr. James and Dr. Linda Peddie, from Ventura, have a very different view of bullhooks than the supporters of the bill. They consider the bullhook an appropriate and effective implement that "mirrors natural interaction among elephants" who frequently touch each other. Their view is that the bullhook is akin to the pull on an elephant by another elephant's trunk. They also contend that the bullhook, when properly used, is not used in sensitive areas and never for purposes of abuse. They believe that a bullhook is necessary on occasion for the treatment of medical conditions in elephants.

Others in the opposition say that the bullhook is analogous to reins on a horse, or leashes for dogs.

The Circus Fans Association of America and some others in opposition argue that because elephants are increasingly rare in the wild, that domesticated and trained elephants enhance the survival chances of the species.

The Los Angeles Foundation for the Circus Arts says its shows often occur in disadvantaged communities and offer glimpses of wildlife that would not otherwise occur.

COMMENTS

1. In vetoing SB 716 (Lara) last year, Governor Brown objected to creating another criminal statute. This bill is drafted not to be a criminal statute. It is very clear that a person who violates the provisions of this bill is not subject to criminal penalties, but instead would be subject to civil penalties and revocation of any permits it might have from the Department of Fish and Wildlife regarding elephants.
2. Although not recommended as an amendment, presuming the bill moves forward, the author may want to consider modifying or eliminating the mandatory minimum penalty provision in order to provide more discretion with the civil penalties, especially for relatively minor or technical violations.

SUPPORT

American Society for the Prevention of Cruelty to Animals
Animal Legal Defense Fund
Best Friends Animal Society
California Association of Zoos and Aquariums
Center for Animal Protection & Education
City of Oakland
Compassion Works International
Connection Africa
Defense of Animals
Detroit Zoological Society
Earth Island Institute
East Bay Zoological Society (Oakland Zoo)
Elephant Aid International
Gavin Newsom, Lieutenant Governor
Global Sanctuary for Elephants
Humane Society Wildlife Land Trust
Lions Tigers & Bears
Laborers' International Union of North America Locals 777 & 792
March for Elephants
Marin Humane Society
Performing Animal Welfare Society
San Diego Humane Society
San Francisco SPCA
Santa Clara County Activists for Animals
Sierra Club California
The Elephant Sanctuary
The Humane Society of the United States

1013 Individuals

OPPOSITION

American Association of Zoo Veterinarians

California Fair Network

California Fairs Alliance

Circus Fans Association of America

International Elephant Foundation

Have Trunk Will Travel

Pacific Animal Productions

QE Productions

The Los Angeles Foundation for the Circus Arts

Western Fairs Association's Ag Council

Wild Wonders

75 Individuals

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