

# LOS ANGELES PUBLIC SAFETY AND WILD ANIMAL PERFORMANCES ORDINANCE – FAQs

## Council Motion and Letters of Support

### Council Motion

[http://clkrep.lacity.org/online/docs/2016/16-1357\\_mot\\_11-30-2016.pdf](http://clkrep.lacity.org/online/docs/2016/16-1357_mot_11-30-2016.pdf)

### Letters of Support

<http://bit.ly/exoticsletters>

## Overview

### **Where in the process are we?**

The City Council will be voting on Tuesday, April 25<sup>th</sup> to request that the City Attorney draft an ordinance (law) that restricts wild or exotic animal performances in the City of Los Angeles. Many of the details on what is included or excluded in that definition will be determined by the City as part of the ordinance writing process. The rest of this FAQ helps answer questions about what likely will or will not be included in the future ordinance.

### **What would the ordinance achieve?**

This ordinance would prohibit the exhibition of wild or exotic animals for entertainment or amusement, including circuses, other wild or exotic animal shows, displays in public areas such as on sidewalks or parks, and rentals for house parties or events.

### **Who is exempted from the ordinance?**

Zoos accredited by the Association of Zoos and Aquariums (AZA), research facilities, legitimate conservation-related programs or presentations, and legitimate film productions.

### **What about petting zoos and rescues that charge visitors to help fund their operations?**

### **What about conservation presentations to schools and education groups?**

Los Angeles will likely look towards San Francisco, the largest City in California to enact a similar ordinance, as a model. San Francisco bars public showing in which wild or exotic animals "are required to perform tricks, fight or participate as accompaniments for the entertainment, amusement or benefit of an audience." An ordinance modeled after this will likely not affect legitimate petting zoos, conservation presentations, or rescues.

### **Why is this ordinance necessary?**

Public safety and animal welfare are at great risk when wild or exotic animals are used for entertainment. The public, particularly children, also learn the wrong lessons about wild or exotic animals when required to perform tricks, fight or participate as accompaniments for the entertainment, amusement or benefit of an audience. (See sections on public safety and animal welfare below.)

**Why introduce this ordinance now?**

The times are changing and the public is increasingly concerned about the use of wild or exotic animals for entertainment. A 2015 Gallup poll found that 69% of Americans are concerned about the use of wild animals in circuses, and according to a November 2016 article in *Forbes* magazine, circus attendance in the U.S. has dropped an estimated 30 to 50 percent over the last 20 years and gross revenue from circuses fell almost 9 percent between 2007 and 2012. The City of Los Angeles has been a leader in animal protection, including passing a ban on the use of elephant bullhooks in 2014. The proposed ordinance responds to valid concerns about animal welfare and public safety problems inherent in the use of wild animals for entertainment.

**Are there other municipalities that regulate the use of performing wild animals?**

The states of Rhode Island and California, and more than 125 jurisdictions in the U.S., regulate the use of performing wild animals in circuses and traveling shows. At least 17 cities or counties in California, including Los Angeles, have passed restrictions, including Corona, Dinuba, Encinitas, Hanford, Huntington Beach, Irvine, Marin County, Newport Beach, Oakland, Orinda, Pasadena, Rohnert Park, Rolling Hills Estates, San Francisco, Santa Ana, and West Hollywood.

**What is the largest U.S. city to prohibit performing wild animals?**

San Francisco is the largest US city to enact a performing wild animal prohibition.

**Are other major U.S. cities considering similar legislation?**

New York City is currently considering a ban on the use of wild or exotic animals in performances.

**Performing Animals in Los Angeles****Who uses wild or exotic animals for performances or amusement in Los Angeles?**

Circuses, film and television productions, and businesses that provide animals for parties, events and exhibition.

**What circuses visit Los Angeles?**

Currently, the Ramos Bros. Circus. With the recent announcement that the Ringling Bros. and Barnum & Bailey Circus, which has performed annually in Los Angeles for decades, is closing and will have its final performances this May, other circuses that use wild animals may try to enter the Los Angeles market.

**Doesn't the Los Angeles Zoo travel and show their animals?**

AZA-accredited facilities, such as the Los Angeles Zoo, do not take large, wild animals off-site for performances and do not force elephants, tigers or other wild species to do tricks. The smaller species that the Los Angeles Zoo uses in its mobile educational outreach program are not subjected to repeated or extended travel – they are typically used only occasionally and are away from the facility for a short amount of time – and are also not trained and forced to perform during these appearances. The Zoo's program is considered a legitimate conservation-related activity, abiding by standards set by the AZA.

### **Why are legitimate film productions exempt from the ordinance?**

The ordinance is primarily focused on transient entertainment activities that are widely recognized as causing abuse, suffering and endangering the public. While there are some concerns about the use of wild animals in film productions, film production using animals in Los Angeles is substantially better regulated and overseen than locations where animal film production would move if no longer allowed in Los Angeles. This concern is not the same with other animal exhibitions whose profits are made from local audiences. Further, more and more productions are using computer generated rather than live animals. Blockbuster films using computer-generated wildlife include *Rise of the Planet of the Apes*, *Dawn of the Planet of the Apes*, *The Revenant*, *Noah*, and *Jungle Book*.

### **Aren't animal performances educational?**

Animal performances do not have educational or conservation value. These displays distort the public's understanding of wild animals and mislead the public into believing that the animals are living an acceptable life when evidence for the opposite is overwhelming. For example, scientific research has found that seeing a wild animal like the chimpanzee in an entertainment context can actually hamper conservation efforts for this endangered animal. Animal performances or their exhibition at parties send the message that it is acceptable to treat wild or exotic animals as objects or toys.

### **Public Safety Issues**

#### **Are wild animals used for entertainment a threat to public safety?**

Even when born in captivity and hand-raised, wild animals always retain their natural instincts, making them dangerous and unpredictable and putting the public at risk. There have been numerous instances of tigers escaping, elephants rampaging, and even zebras bolting through traffic. Some examples are:

- In 2016 a tiger knocked down and dragged a trainer across a pen as she screamed for help at a Pensacola, Florida, fair during a performance for a children's field trip. The trainer required surgery for her injuries.
- In 2015 a tiger got loose in the Packard Automotive Plant in Detroit, Michigan, during a photo shoot. Trainers used an electric weed whacker to get the animal out of a stairwell and eventually back into a cage.
- In 2014 three elephants escaped from a circus in St. Charles, Missouri, and ran uncontrolled in a parking lot for 45 minutes, damaging multiple vehicles. The elephants, allegedly spooked by loud noises, were also used to give children rides.
- In 2013 a tiger escaped during a crowded Isis Shrine Circus performance in Salina, Kansas. A woman narrowly escaped harm after coming face to face with the tiger after she entered an arena restroom.
- In 2010 an animal handler with the Hamid Circus in Pennsylvania was kicked and thrown 20 feet by an elephant, and died at the scene.
- In 2008 a grizzly bear attacked and killed one of three men working with the animal at *Predators in Action* in Big Bear City, Calif., a facility that trains animals for use in film and television. The bear had recently been featured in the movie, *Semi-Pro*.

- In 2004 a tiger used in the film industry escaped from his compound in Indio Hills, setting off a search by the California Dept. of Fish and Wildlife and the Riverside Sheriff's Dept. The tiger was eventually captured.
- In 2002 television star Elisha Cuthbert was treated at a hospital for deep puncture wounds to her hand after being bitten by a cougar while shooting a scene for the TV show "24" in Malibu Hills, Calif.
- In 2002 a declawed 150-pound tiger was being walked on a leash by Zoo to You at a school assembly of 150 children in Scotts Valley, Calif., when the cat lunged and grabbed a six-year-old boy's head in her jaws. The child was airlifted to a medical center where he received 55 stitches for two cuts to his scalp.
- In 2001 a Ventura County Animal Bite Record showed that a young chimpanzee belonging to Sid Yost's Amazing Animal Actors was ordered into quarantine for 30 days after lunging at and biting a 12-year-old boy on the hand.

### **Are wild animals used for entertainment a threat to public health?**

Most wild animals used for entertainment are separated prematurely from their mothers and subjected to the stresses of excessive handling, inhumane training, travel, and performances. Stress weakens the immune system and poses a risk of disease to the animals and the people who come into contact with them. Elephants are known to carry a strain of tuberculosis that is transmissible to humans.

### **Why is it unsafe to have wild animals at parties, special events or in public areas like parks and on the street?**

Under these conditions there is no oversight, attendees are in close proximity to or in contact with the animals, and, in the event of an animal escape, people are at risk of injury or death. At parties or special events, alcohol may lead to risk-taking behaviors with the animals, and fast evacuation during an animal escape may be impossible. In open areas, there is no protection for the greater public in the event of an animal escape.

### **What city agency would respond to a wild animal escape?**

First responders to animal escapes are often local law enforcement, which may be called on to destroy an animal if human safety is immediately endangered. Use of a tranquilizer dart is usually not considered to be an option in these cases. According to a 2012 city report, LAPD officials have expressed concerns regarding the presence of exotic and wild animals in proximity to humans, both in and outside of performances.

## **Humane Concerns**

### **Why is there concern about the welfare of wild animals used in entertainment?**

Wild animals used for entertainment are deprived of conditions necessary to meet their physical, psychological and social needs, such as room to move and appropriate social groupings. They are routinely subjected to unnatural and stressful conditions that compromise welfare, including constant confinement in cramped pens, cages, train cars and semi-trucks; extensive travel; abusive training; chaining; sterile environments; and inadequate or improper social groupings.

**How are the animals trained?**

Wild animals don't perform confusing and often physically grueling tricks because they want to – they perform because they're afraid not to. Trainers use abusive training methods, including beatings and electric shock, to force animals to perform on command. Tools of the trade include the bullhook – a steel-tipped rod resembling a fireplace poker used to control elephants (banned in Los Angeles, but still used to train animals outside of Los Angeles that then perform in Los Angeles) – as well as electric prods, goads, whips and chains.

**Don't government agencies or private organizations monitor the animals' welfare during training?**

The most severe abuses occur during training sessions, yet no agency monitors animals during these sessions.

**Why would trainers use abusive methods?**

To ensure that wild animals perform consistently and on cue trainers must have complete control of the animals. Abusive training methods and physical punishment are accepted as the industry standard.

**What about the welfare of wild animals who rock back and forth or pace in their cages?**

Abnormal repetitive behaviors (pacing, rocking and swaying) are ubiquitous in performing wild animals. These behaviors are the result of severe confinement in impoverished enclosures and the inability to express natural behaviors. Repetitive behaviors are a sign of poor welfare and have been documented in many species, including elephants, lions, tigers, bears and primates. They are behaviors that are not seen in free-living wild animals.

**Effects of the Ordinance****What effect will this ordinance have on the use of wild or exotic animals in film, television or advertising?**

Only legitimate film productions will be exempt. Film productions are encouraged to explore the use of computer-generated wildlife, in place of live animals.

**What film productions would be considered "legitimate"?**

This will be determined by the City as part of the ordinance writing process. Some options include metrics such as the size of a film budget, the number of employees on set, etc. The main goal is to ensure that a handful of people applying for a film permit cannot pretend to be filming in order to gain permission to bring a wild or exotic animal to an event or party.

**What constitutes a "legitimate" conservation or education presentation?**

The use of wild animals for display and handling at parties or events would not be considered a legitimate conservation or education presentation. Additional requirements may be determined by the City.

**Will this be the end of the circus in Los Angeles?**

No. Circuses that display only human feats of courage, ability and strength, such as Circus Vargas and Cirque du Soleil, have gained in popularity and are thrilling audiences. As the public increasingly rejects the use of wild animals for entertainment, many circuses will choose to modify their shows.

## **Regulatory Information**

### **What federal government agency monitors animals in entertainment?**

The U.S. Department of Agriculture (USDA) regulates animal exhibitors and enforces the Animal Welfare Act, which is limited in scope and provides only minimum protections for performing animals and the public. The USDA has a limited budget and is understaffed, making the effective monitoring of performing animals impossible. Agency audits confirm that the USDA is unable to effectively enforce the limited and inadequate standards of the AWA. Local laws are the most effective way to protect captive wild animals and the public.

### **What is the regulatory situation in California?**

California Penal Code Section 596.5 prohibits several cruel elephant training methods, and the recently passed California law that bans elephant bullhooks goes into effect in 2018. The Department of Fish and Wildlife is responsible for enforcing the laws relating to restricted species as set forth in the Fish and Game Code Sections 2116 et al. and Title 14, Section 671 of the California Code of Regulations. These laws relate to the keeping of exotic animals. Exhibitors must obtain a permit and comply with a series of care standards.