





## ANIMAL WELFARE INSTITUTE

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### Press Advisory:

*The circus and whistleblower Tom Rider come to town*

Ringling Bros. and Barnum & Bailey Circus is charged with abusing endangered Asian elephants, and former employee Tom Rider has new videotape evidence – obtained from Ringling Bros. itself – to prove his case. Rider, who quit the circus in 1999 to speak out against its cruelty, is protesting the circus's performances around the country.

Some of the gruesome footage shows the birth of Riccardo, an elephant who died at the age of 8-months last August, after he fractured both hind legs when he fell off a circus pedestal. Riccardo's mother, Shirley, was only 6-years-old – less than half the age at which elephants normally begin to breed – and was not able to care for him properly.

"Ringling Bros. said the mother rejected him," Rider said, describing how animal handlers pulled Riccardo away from Shirley shortly after his birth. "Ringling tortures a baby elephant from the second it's born."

Sadly, there have been several casualties in recent years. One baby elephant was killed after disavowing his handler's commands, and another died after being forced to perform, despite obvious illness and rectal bleeding.

Elephants, hauled around the country by Ringling Bros., are beaten with sharp metal bullhooks. A majority of these social, loving, intelligent animals were captured in the wild and now suffer from being mistreated in captivity and confined in chains; many exhibit stereotypic behavior such as chronic swaying.

Tom Rider, the Animal Welfare Institute (AWI), the American Society for the Prevention of Cruelty to Animals (ASPCA) and the Fund for Animals (which has now merged with the Humane Society of the United States) are suing Ringling Bros. because its appalling treatment of elephants is a violation of the Endangered Species Act.

*To speak with Tom Rider or view the footage, please call (202) 374-1503, or contact AWI at (703) 836-4300. Rider will be available for interviews.*

*I have a video of Ringling  
Killing a Baby Elephant  
and U.S.D.A. DOCUMENTS TO  
Back it up.*

## Get The Facts: | | | |

### API's Litigation against Ringling Bros. and Barnum & Bailey Circus

API has joined the American Society for the Prevention of Cruelty to Animals (ASPCA), Fund for Animals (FFA), and Animal Welfare Institute (AWI) in litigating a case under the Endangered Species Act against Ringling Bros. and Barnum & Bailey Circus (Ringling Bros.) and its parent company, Feld Entertainment, regarding their mistreatment of Asian elephants. The groups are joined in the lawsuit by former Ringling Bros. employee Tom Rider, who worked as a barn man for Ringling Bros. for two and a half years.

The lawsuit is before the Honorable Emmet J. Sullivan in federal district court in the District of Columbia and is being handled on behalf of the nonprofit groups and Tom Rider by Meyer Glitzenstein & Crystal, one of the country's preeminent environmental law firms.

The Asian elephant is currently listed as an endangered species under the Endangered Species Act (ESA), meaning that any acts that would "harm, wound, injure, harass, or kill" an Asian elephant in the wild or in captivity are prohibited. The lawsuit alleges that a number of Ringling Bros.' routine practices violate the ESA, including: 1) the forceful use of bullhooks — large clubs with sharp, curved points — to train and control the animals, 2) the chaining of elephants for most of the day and night, and 3) the forcible removal of baby elephants from their mothers at Ringling Bros.' "Center for Elephant Conservation," where it breeds elephants for use in the circus.

The plaintiffs have amassed a wealth of evidence to support their claims against Ringling Bros., including video footage, eyewitness accounts, and reports from the U.S. Department of Agriculture (USDA), which has jurisdiction under the Animal Welfare Act over all entities that use animals in entertainment. In addition, former Ringling Bros. employees will be testifying about the mistreatment of the Ringling Bros. elephants. Videotaped sworn testimony of another Ringling Bros. employee also corroborates the mistreatment of elephants and graphically demonstrates how the bullhook is used on the animals.

The videotape and DVD evidence the plaintiffs have amassed includes the following:

- elephants, including babies, being hit with bullhooks and other instruments;
- elephants, including babies, chained and exhibiting psychotic repetitive behavior;
- an elephant giving birth on concrete while chained, and the baby being snatched away from her immediately;
- baby elephants with large, visible lesions on their legs caused by rope burns when they were dragged away from their mothers at Ringling Bros.' "Center for Elephant Conservation"; and
- a baby elephant named Benjamin dying in a pond, and an eyewitness describing how, just prior to Benjamin's death, a Ringling Bros. trainer had jabbed him with a bullhook to get him to come out of the water.

The plaintiffs also have numerous USDA records, including:

- eyewitness accounts by state humane agents concerning elephants with "lacerations" from bullhooks.

- from numerous,
- sworn testimony from a Ringling Bros. employee that he sees “hook boils twice a week” caused by bullhooks used on elephants;
  - an investigator’s finding that a trainer’s use of the bullhook “precipitated in the physical harm and ultimate death” of four-year-old Benjamin;
  - the USDA’s conclusion that Ringling Bros.’ routine, forcible removal of babies from their mothers causes “trauma, behavioral stress, [and] physical harm”; and
  - a finding that, against the advice of the attending veterinarian, Ringling forced an extremely ill baby elephant to perform three times in one day. The elephant then “died acutely” during the night of severe intestinal problems.

The plaintiffs also have evidence that many of Ringling Bros.’ elephants have tested positive for tuberculosis — a highly contagious disease that can be transmitted from animals to humans — as well as sworn testimony provided to the USDA that Ringling Bros. has used elephants infected with tuberculosis in public performances.

Largely in response to this lawsuit, Ringling Bros. has recently undertaken a major public relations effort claiming that the circus benefits the endangered Asian elephant by “conserving” it for future generations. In a current souvenir program, Ringling Bros. features its “Center for Elephant Conservation” with photographs of the elephants who have been produced there in recent years, “creating a wondrous living legacy for many generations to come.”

However, what Ringling Bros. does not tell the public is that none of these animals are being produced for reintroduction into the wild — rather, they are all being created as stock for the extremely profitable circus. In addition, at least three of the baby elephants featured in the program are dead — including Benjamin, who died when his trainer came after him with a bullhook; three-year-old Kenny, who was made to perform in three shows although he was extremely ill; and eight-month-old Riccardo who, in August 2004, mysteriously broke both of his hind legs while “climbing on a round platform 19 inches high,” and was then euthanized.

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# Asian Elephants

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## Lawsuit Against Ringling Bros. to Protect Asian Elephants Moves Forward

Endangered Species Handbook

Asian Elephants

Wild Horses and Burros

Bison in Yellowstone

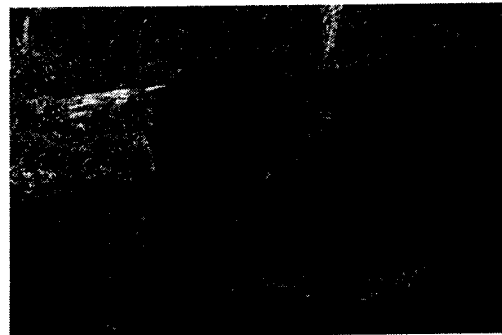
Cruel Trapping

Wildlife Trade

On June 8, 2000, the Animal Welfare Institute (AWI), American Society for the Prevention of Animal Cruelty (ASPCA), the Fund for Animals (FFA) and Ringling Bros. employee, Tom Rider\* brought a lawsuit under the Endangered Species Act (ESA) against Ringling Bros. for its mistreatment of Asian elephants. The suit alleges that Ringling Bros.' routine beating of elephants with bullhooks and its forcible separation of baby elephants from their mothers, and its confinement of elephants for long periods of time constitute the unlawful "take" of the endangered animals in violation of the ESA. In February 2002, the U.S. Appeals for the D.C. Circuit unanimously held that plaintiffs had Article III standing to bring the case. See ASPCA v. Ringling Bros., 317 F.3d 334 (2003).

Recently, the Animal Protection Institute (API) joined forces with us as an additional plaintiff. Currently, all parties are partaking in the discovery phase of the litigation whereby both sides are exchanging documents and other information, which may be used at trial. We are hopeful that the case will go to trial sometime next year.

### Facts About Asian Elephants

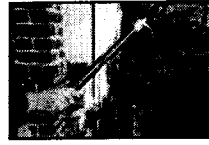


Asian Elephants, the only elephant species used by Ringling Bros., are endangered in the wild, due to poaching, hunting, and the destruction of their natural habitat. They are listed as "endangered" under the Endangered Species Act, which prohibits anyone from "killing," "harming," or "harassing" them.

Asian elephants are extremely intelligent and social animals. Adults weigh between 6,000-10,000 pounds and live to be approximately 65 years old. In the wild, elephants maintain strong family bonds — baby elephants are not weaned until they are at least 4 years old, and young elephants stay with their mothers for many years to learn important social and survival skills. Females remain with their mothers and other members of their herds for their entire lives.

### The Bullhook as a Training Tool

A "bullhook," or "ankus," is a 2-3 foot long club with a metal hook attached at the top. It is used repeatedly to hit, poke, prod or stab the animals, especially when they are in pain or fear.




young, to "train" and "break" them, and to make sure perform as required. Although elephants are thought strong hides, their skin is extremely sensitive, particularly behind the ears, on the trunk, and on the head — places they are most often struck with the bullhook. The elephant is so sensitive that they often throw dust or mud on their backs to protect their skin from sunburn. Once the animals have been hit repeatedly throughout their lives, just showing them the bullhook will often be enough to get them to perform as required.

## Recent Accounts of Elephant Mistreatment and Death Ringling's Care

**March 2000:** Tom Rider, who worked as a "barn man" for Ringling Bros. for 2-1/2 years, left the circus. In sworn testimony presented to the USDA and the Fish and Wildlife Service, Mr. Rider reported that the elephants were chained for as long as 23 hours a day, and that Ringling Bros. routinely beats and hits the elephants, including the babies, with bullhooks. Mr. Rider reported that, at one point, he counted more than a dozen bullhook wounds on each of two older elephants, "Zeena" and "Rebecca." Mr. Rider also witnessed particularly severe beatings of the baby Benjamin.

**February 1999:** While conducting an unannounced inspection at a Ringling Bros.' "Center for Elephant Conservation" in Florida, inspectors for the U.S. Department of Agriculture, which has jurisdiction under the Animal Welfare Act over all animals used in entertainment, observed "large visible lesions" on the rear legs of two baby elephants, Doc and Angelica. These lesions were approximately 6 inches long and an inch wide. When the inspectors inquired about these wounds, they were informed by Ringling Bros. employees that they were caused by rope burns during the "routine" process of separating babies from their mothers. They were further informed that the babies, who were only 18 months old, had been forcibly pulled away from their mothers a month earlier, with the use of ropes around each leg and a chain around their necks. After convening a panel of elephant experts, the USDA informed Ringling Bros. in November 1999 that this treatment violates the Animal Welfare Act's regulations and causes the animals "trauma, behavioral stress, physical harm and unnecessary discomfort."







**July 1999:** A baby elephant named "Benjamin," who eyewitnesses say was repeatedly beaten by Ringling Bros. trainers, died while purportedly swimming in a pond. He was only 4 years old. Video footage shows he preferred to remain in deep water to going to shallower water because his trainer was standing there holding a bullhook. 

**December 1998:** Two Ringling Bros.' employees, Glenn Ewell and James Strechon, quit Ringling Bros. In sworn testimony provided to the USDA and the U.S. Fish and Wildlife Service, they reported that the elephants were left chained for most of the day, and that Ringling Bros.' handlers and trainers severely beat and hook elephants with bullhooks on the head, ears, ankles, and other parts of their bodies and that they often draw blood. Both men also testified that they

the baby "Benjamin" severely beaten many times. The men also reported that at least one particularly severe beating of an older elephant took place in front of a high-level Ringling Bros. manager who did nothing to stop it.

**January 1998:** A baby elephant named "Kenny" died while traveling with the Ringling Bros. circus. Kenny, who was only 3-1/2 years old, was made to perform on the day he died, even though he was extremely ill. According to the USDA, Ringling Bros. violated the Animal Welfare Act by making him perform "after determining that the elephant was ill and needed to be examined by a veterinarian."

#### **Additional Information:**

- Ringling Bros. elephants' future in question - *CNN* 
- Former Ringling Bros. Employee Uncovers Elephant Abuse as the Comes to Town - *U.S. Newswire* 
- Allegations Of Severe Elephant Abuse Against Ringling Circus - *C Miami/Ft. Lauderdale* 
- Leslie Griffith Examines Ringling Brothers-Animal Rights Lawsuit *News* 
- News channel KTVU Video On Demand: Ringling Bros. Under Fire Elephant Abuse 
- Tom Rider on Fox 6 News In The Morning XETV-TV CH 6 (FOX) S 
- USDA Ignores Ringling Bros.' Elephant Abuse - *AWI Quarterly*
- Performing Elephants: Dying to Entertain Us - *AWI Quarterly*
- Report Reveals Government Routinely Ignores Violations of Animal Act by Ringling Bros.

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Should you wish to make a donation to help us with our mounting legal case, please send a check made payable to the Animal Welfare Institute and

**Animal Welfare Institute  
P.O. Box 3650  
Washington, D.C. 20027**

**Note on check: Ringling Bros. Lawsuit**

We also accept donations made by credit card (Visa or MasterCard). If you wish to make a donation in this manner, please call the Animal Welfare Institute at 703-836-4300 and ask for Tracy Silverman.

*\* The non-profit organizations and Tom Rider are being represented by the law firm of Meyer, Glitzenstein & Crystal, which is based in Washington, D.C.*

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