

PLAINTIFFS' EXHIBIT 3

To Plaintiffs' Opposition To Defendants'
Motion To Compel Discovery From The
Organizational Plaintiffs and API
Civ. No. 03-2006 (EGS/JMF)

From: Jacobson, Gary
Sent: Wednesday, May 29, 2002 11:01 PM
To: Froemming, Richard
Subject: FW: Tom Rider Info

-----Original Message-----

From: Kari Johnson [mailto:havetrunkwilltravel@earthlink.net]
Sent: Wednesday, May 29, 2002 11:34 AM
To: Jacobson, Gary
Subject: Fw: Tom Rider Info

In case yu hadn't seen this.

Kari

----- Original Message -----

From: Circusvern@aol.com
To: ACMACK235@aol.com
Sent: Wednesday, May 29, 2002 6:39 AM
Subject: Tom Rider Info

----- Forwarded message -----

Date: Tue, 28 May 2002 19:06:47 EDT
From: sandniss@earthlink.net
Reply-to: Mackaymktg@aol.com
To: Mackaymktg@aol.com
Subject: Fwd: FW: Tom Rider info

I thought this may be useful.

In a message dated 5/28/02 10:31:42 AM Eastern Daylight Time, TWillens@feldinc.com writes:

I thought you could this around so everyone has it for future hearings.

These are the notes from the Rhode Island hearing. Also, can you get it

Clyde Beatty so they have it while in Greenburgh. Thanks.

> -----Original Message-----

> **From:** Kelly, Mary Lou

> **Sent:** Tuesday, May 28, 2002 10:14 AM

> **To:** Willens, Todd

> **Cc: Folk, Cassie**

> **Subject: Tom Rider info**

>

> **Todd, when you and I talked after the Greenburg hearing last week, you**

> **said Tom Rider claimed he was covering all his own expenses – and you**

> **asked me to look up quotes refuting that, since up until last week, he has**

> **admitted to ASPCA paying his way. At the bottom of this e-mail is a**

> **recent article from the Philadelphia Daily News where the reporter says**

> **the ASPCA pays his expenses. In addition, I pasted a copy of my notes**

> **from the Providence hearing below. Rider was asked about the expense**

> **issue in the follow-up questions & answers (see text in bold). My notes**

> **are not quoting him verbatim, but I was careful to get as much as I could**

> **while he was speaking.**

> **Hope this helps!**

> **ML**

> _____

>

> **Witness #15 (BILL SUPPORTER): Tom Rider. Tom is a former Ringling Bros.**

> **(22 months) and Clyde Beatty Cole Bros. (3 months) circus employee. Said**

> **there was abuse at Ringling Bros. from the day he started. (Note: Tom**

> **proceeded to talk about a number of "incidents" that occurred at Ringling**

> **Bros., but the way he rambled and jumped from one topic to another, it**

> **made it hard to follow - unless you worked at Ringling Bros. and knew the**

> **incidents and people he was referring to. He refers to certain animals by**

> **name but fails to clarify when he's talking about elephants - so he**

- > confuses his audience when relaying stories, they don't know that Rebecca,
- > Shirley, and others are elephants unless they get some clue from the
- > context of his stories.) He talked about Graham Thomas Chipperfield and
- > Arnie the tiger - that he couldn't blame the guy, but shooting a tiger is
- > no way to euthanize it. He accused Randy Peterson of "systematic daily
- > abuse," and that Adam Hill made the bullhooks longer. Elephants are
- > beaten on the head and Ringling covers up the scars. USDA is a joke, and
- > that they always call Ringling before they come to inspect. Mr. Feld
- > doesn't come in back to look at the animals, the only time Mr. Feld talked
- > to Tom was once when he asked him to throw out some garbage for him from
- > his limo. He said Patrick Harned beat Benjamin "all the time." Tom also
- > had a stack of documents that he said were just obtained from USDA through
- > a FOIA request, and that USDA needs to be better about enforcing the laws.
- > He said no one truly knows what goes on at the Ringling training
- > facilities, but he did admit that he never saw electric prods being used.
- >
- > Q&A: Chairman Kennedy asked if he thought all circuses should be shut
- > down? Tom said no, but all the animals should be removed from them. He
- > went on to say that he filmed video showing a camel being hit at Ringling,
- > and that he was giving it to Channel 6, because the girl that hit the
- > camel still works for Ringling. He also said that before NBC's Dateline
- > came to film a story, Jeff Steele told the animal crew to make sure you
- > don't get caught on camera hitting an animal.
- >
- > Chairman Kennedy followed up by asking why Tom had never reported

> any of this while he was employed at Ringling. Tom said his life and job
> was threatened if he said anything. He said he was not rich enough to
> talk to Kenneth Feld directly. Tom wonders what Ringling Bros. is afraid
> of, why don't they really show how they use the bullhooks, why hide it?
> People should not be fooled by Ringling Bros.

>
> Rep. Caprio: asked if cattle prods were illegal? Tom said no, but
> Ringling does not use cattle prods - they just beat the elephants with
> bullhooks.

>
> Rep. Caprio: where do you live? What do you do, now that you don't
> work for Ringling? Tom said he follows Ringling around to protect "my
> girls" [the elephants], and ASPCA pays his expenses for traveling. When
> pressed by Caprio, Tom said ASPCA pays for hotels, bus fare, meals, a new
> set of luggage, and other business expenses. So Caprio asked if he has
> any living expenses at all, and Tom said no. But he said if ASPCA didn't
> pay for everything, he's still do it - "I'd hitchhike for my girls."

>
> Rep. Reilly: has anyone else banned elephants in circuses? Tom said
> none that he knew of, Rhode Island would be the first.

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>

> Philadelphia Daily News

> April 23, 2002 Tuesday

> SECTION: FE

>

> LENGTH: 598 words

>

> HEADLINE: Stu Bykofsky: 8 minutes of fun;

> ELEPHANTS PAY A PRICE FOR YOUR ENTERTAINMENT

>

> BODY:

> 'I DON'T want to see them hooked like they're hooked. I don't want to see

> them chained like they're chained. I don't want to see them jammed into

> railroad cars," says the Elephant Man. "For what? Eight minutes of the

> public's entertainment?"

>

> The Elephant Man, Tom Rider, pushes a hank of brown hair off his forehead,

> rolls another cigarette and talks passionately about what he calls "my

> girls," the performing elephants he came to love as a "barn man" employed

> by the Ringling Bros. and Barnum & Bailey Circus from 1997 to 1999. He

> hates the life his "girls" have. He travels the country, just as the

> circus does (his expenses paid by the ASPCA), to speak for his "girls,"

> who can't speak for themselves.

>

> I used to like the circus. I was taken as a kid and, later, took my own

> kids. Maybe you do, too.

>

> My favorites were the animal acts, because I like animals so much.

>

> It took a while for it to sink in that my desire to see animal acts

> resulted in misery, lifelong confinement and perhaps pain for the animals.

>

>

> So I swore off circuses. Rodeos, too.

>

> Not because they are unspeakably brutal on their face - although some

> circuses are theaters of cruelty - but because they are inhumane by their

> nature. The hooks Rider, 51, refers to are bull hooks, short poles topped

> with curved steel hooks and sharp points that are used - the circus admits

> - to "guide" the animals. The circus says they don't hurt the animal.

>

> In gentle hands, that's correct, agrees Philadelphia Zoo elephant keeper

> Michael Seeley, who adds that "a person can take a tool and abuse it."

>

> That's what was revealed in a blood-curdling hidden-camera videotape made

> by animal rights activists earlier this year at another circus. In it, an

> elephant "trainer" orders his staff to "sink that hook into 'em. When you

> hear that screaming, then you know you got their attention."

>

> That "would not be tolerated," says Ringling public relations director

> Jennifer Maninger, who says animal activists often try to tar all circuses

> with the same brush.

>
> **But you don't have to beat a beast to harm it. You can deprive it of its**

> **natural environment and behavior.**

>
> **When Rider talks about chains, he means the 22 hours a day elephants might**
> **be chained.**

>
> **Not anymore, says Maninger. For the past three years, most Ringling**
> **elephants have been kept in open pens, except for overnight, when they are**
> **chained for safety. She admits this policy is in part a response to**
> **complaints by animal activists.**

>
> **This means Ringling is listening. That's a good thing.**

>
> **When he was a Ringling "barn man," Rider later told the USDA in a sworn**
> **statement, elephants were beaten, or at least physically abused, "six out**
> **of seven days a week."**

>
> **"That is simply not true," counters Maninger, who adds that Rider never**
> **complained to management at the time.**

>
> **"I reported all the time to Randy Peterson, the superintendent of**
> **animals," replies Rider. "His response was, 'It's discipline.' That's the**
> **unit manager. Who should I go to, [circus owner] Kenneth Feld?"**

>

> **Maninger repeats Rider did not complain to management.**

>

> **I can't solve that, but I can tell you why I think circuses are inhumane**

> **by nature.**

>

> **Elephants are highly social and intelligent. It's inhumane to tear them**

> **from their family units, ship them around by rail on a two-year "work"**

> **schedule with only a three-week break. It's inhumane to store them in**

> **parking lots, garages, basements, whatever's available. Nothing could be**

> **farther from their natural environment.**

>

> **Are they happy?**

>

> **Would you be?**

>

> **Do you care?**

>

> **E-mail Stu Bykofsky at stubyko@phillynews.com**

> **<<mailto:stubyko@phillynews.com>>.**

>

> **LOAD-DATE: April 23, 2002**

>

>

> **Mary Lou Kelly**

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> **Government Relations**

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>


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Tamed or Tortured

ABC7 I-Team investigates elephant training

By Chuck Goudie

November 22, 2002 — The circus is in town tonight and so is the controversy about how circus elephants are trained to perform. The ABC7 I-Team reports that what happens away from the big top is not always the greatest show on earth, and what you are about to see may be disturbing. It has been almost eight years since the I-Team first exposed how pain and punishment are used to train performing elephants in an investigation called "Tamed or Tortured."

Since then, there have been congressional hearings, demands for tighter animal inspections, even calls for the banning of elephants in circuses. As the Ringling Brothers' Circus debuts weekend shows in Chicago, the controversy has not gone away.

This is a snapshot of obedience-- elephants lumbering down Damen Avenue this week and into the United Center, where the Ringling Brothers' Circus is on for 21 shows.

For many fans, the elephants make it the greatest show on earth. But to Tom Rider, a former barn hand at Ringling Brothers', elephants represent the cruelest show on earth.

"They are beaten into submission. The only way to keep an elephant under your control is to beat it," said Rider, former Ringling employee.

Rider tended elephants at Ringling for two and a half years, but says in 1999 he quit after witnessing this kind of treatment by trainers...what he claims is torture administered with an ankus or metal bull hook.

"We had a standing rule that if you could put a bull hook on your finger and hold it, it wasn't sharp enough, you have to sharpen it. It would literally penetrate the skin of an elephant," said Rider.

"Tom Rider worked for Ringling Brothers for two years and never once did he make a complaint about what he says he witnessed if what he saw was so bad. Today he works for an extremist hate organization and he gets paid to do it. He shoveled manure for us then and he shovels manure today," said John Kirtland, Ringling animal stewardship director.

John Kirtland manages animal care and training at Ringling's elephant farm in central Florida.

Kirtland admits elephant trainers carry bullhooks but claims they are used primarily to "guide" the pachyderms.

He says videotape like this shot by animal rights groups is out of context and he vigorously disputes charges of elephant torture, saying Ringling consistently passes government animal inspections.

Kirtland says radicals just don't want animals in captivity.

"They don't want people to enjoy relationships with animals. They want to take the dog out of your house and the horse out of your barn," said John Kirtland, Ringling animal stewardship director.

Ringling has even prepared a videotape featuring veteran trainer Troy Metzler explaining the intended use of a bull hook or "guide" as he calls it.

"Anytime they do something that is right, you always reward them with a pat or a carrot or apple...if a verbal command doesn't work you can use the guide to guide them where you want them to go," said Troy Metzler, Ringling animal trainer.

Friday, April 30, 2004

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But this same man Ringling puts forth touting animal care, also appears on another tape shot two years ago by animals rights advocates.

Metzler is seen backstage cracking a baby elephant across the trunk and then performing a faux-karate chop for some bystanders. Metzler tells the I-team he was reprimanded-- not for clubbing the elephant, but for doing so on camera.

"The animal was going to pull down a fence onto himself and other elephants and hurt himself. The procedure was correct but the way it was carried out was unprofessional...The mistake was in the way he acted, showing off. He pretty much knew he was on tape and was showing off for the people who are adversarial," said Kirkland.


Then, a few minutes later Metzler is seen on tape issuing a pair of uppercuts with the bull hook to an elephant's jaw.

"I want you to hear the sound on this, that's from about 75 yards away and you can hear how hard he's hit that baby and why, because that baby wouldn't raise its trunk. Wouldn't get her head up," said Rider.

Metzler-- now performing in Chicago-- admits that on seldom occasions elephants need to be hit. But he contends that 95 percent of the time elephants respond to verbal commands.

"They like to say that they don't do it, that it doesn't happen, that we're the greatest show on earth...we take such good care of our animals. But you can see on the video that doesn't happen. They are all about show," said Rider.

Last Updated: Nov 22, 2002

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