

# EXHIBIT 10

ORIGINAL

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RE: ASPCA v. FELD

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Transcription of DVD/Audio Recording of a

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Videotaped Statement of TOM RIDER, taken March

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25, 2000.

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Present:

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Sharon Simms, Esq.

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Mark Douglas Bradford,  
Videographer and Notary Public

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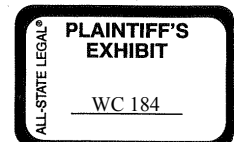
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(Transcriber's note: Phonetic spellings used where necessary.)

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P R O C E E D I N G S

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THE VIDEOTAPE OPERATOR: Today is March 25, year 2000. My name is Mark Douglas Bradford. I am a Notary Public in the State of California and I am going to administer the oath to the witness.

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Would the witness please identify yourself?

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THE WITNESS: Tom Eugene Rider. Thereupon,

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TOM RIDER was called for examination by counsel and, after having been duly sworn by the Notary, was examined and testified as follows:

19

EXAMINATION BY MS. SIMMS

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Q. Good evening. My name is Sharon Simms. I am an attorney in the State of California. I am here to talk to you about

1 some of your experiences.

2 We are going to go over a lot of  
3 information. So any time you would like to  
4 take a break, please let me know and we'll be  
5 happy to stop and come back, resume later.

6 The first thing is could you  
7 state, again, your full name?

8 A. Tom Eugene Rider.

9 Q. And your date of birth?

10 A. 10/27/50.

11 Q. Where were you born?

12 A. Chicago, Illinois.

13 Q. What was the highest grade of  
14 school that you completed?

15 A. 12th.

16 Q. Can you give me a little bit of  
17 your professional experience? First starting  
18 after high school and just kind of working up  
19 briefly.

20 A. Let's see. After high school -- I  
21 started work at Caterpillar Tractor Company.  
22 I went in service. After I got out of the

1 service in 1970 I went to work for Caterpillar  
2 Tractor company. Got married, went on and to  
3 sold shoes for a while.

4 No, I went in the service. After  
5 I got out of the service in 1970 I went to  
6 work for Caterpillar Tractor Company. Got  
7 married. Went on and to sold shoes for a  
8 while. Let's see. (Pause). A lot of odd  
9 jobs as far as like working in a truck stop in  
10 Southern Florida. Worked in a commercial  
11 laundry for a while. '70s was an extra in a  
12 few movies and miniseries. It was in the late  
13 '70s, '78. Went in to driving a truck from  
14 1980 to 1985. Owned it with my father. Used  
15 to work on a garbage route in my home town.  
16 My father used to own a garbage route. Then  
17 this other person that bought it didn't know  
18 the route so they hired me for it. Worked at  
19 Walt Disney World for a while. Worked there  
20 twice. Once in '73. Once in '88 or '89.

21 In the '90s basically I was -- I  
22 was unemployed for a few years. Because I was

1 married and my wife was working at Disney  
2 World part of the time and I wasn't working.

3 Then 1996 I started with elephants  
4 in the Clyde-Beatty Cole Brothers Circus. It  
5 would have been Easter Sunday, 1996. No, I  
6 take that back, '97. 1997 Easter Sunday. I  
7 only worked there for -- it was 42 towns  
8 before I went on to Ringling Brothers, joining  
9 Ringling Brothers June 3, 1997.

10 And that pretty well brings me up  
11 to now. There is a few little places in my  
12 past that it would take a while to think about  
13 what I was doing.

14 Q. That's fine. Thank you for going  
15 over all that.

16 Let's start with, since you  
17 mentioned Ringling Brothers, June 3, 1999,  
18 what were the first responsibilities that you  
19 had when you started --

20 A. It would have been '97, not '99.

21 Q. I am sorry, '97.

22 A. My responsibility -- when I first



1 started out, Graham Thomas Chipperfield hired  
2 me in Austin, Texas to, well, just basically  
3 help the barn man. A barn man is the person  
4 who was basically in charge of the barn on  
5 three different shifts during the day.

6 I did that -- actually, his name  
7 was Murphy. He was the afternoon barn man.  
8 No, he was the morning barn man. The  
9 afternoon barn man was named John Wiesenhow.  
10 It is a hard name. I can't pronounce his last  
11 name.

12 So, basically, I started 8:00  
13 o'clock in the morning until 11:00. I was  
14 helping the morning barn man. Then we would  
15 come back for a show in the afternoon. I  
16 would be helping them.

17 I never had to walk the elephants  
18 inside for performances or anything. I stayed  
19 in the barn, help feed out, stuff like that.

20 That went on until, well, Houston,  
21 which I believe would have been the same --  
22 yes, Houston, Texas. Actually, I started

1 July 30th as the afternoon barn man in Dallas  
2 Texas. So '97.

3 Q. So you started as the afternoon  
4 barn man July 30, '97?

5 A. Yes. We arrived in Dallas so  
6 maybe it was a couple of days before that.  
7 According to our card, that's our opening day  
8 was the 30th so it was probably like the 27th  
9 or 28th of that month. I took over for  
10 Murphy.

11 Q. Okay. And --

12 A. I became the -- excuse me. I  
13 became the afternoon, the afternoon barn man  
14 from 3:30 to 10:30.

15 Q. What were your responsibilities  
16 there?

17 A. Staying with the girls, staying in  
18 the barn. Never leaving the barn. Taking  
19 care, making sure they had enough hay.  
20 Cleaning up after them, of course. Then at  
21 night my job was feed-out. I was the one  
22 responsible to make sure they got the proper

1 amount of feed, whatever.

2 At that time it was Graham.  
3 Whatever Graham said, feed them so much,  
4 that's how much I had to do was feed them.  
5 And then stayed with them until 10:30. After  
6 everybody goes home with the show, I stayed on  
7 until 10:30 at night.

8 Q. How many elephants were those that  
9 you were responsible for?

10 A. I started out with -- there was 14  
11 when we started. Before the end of that year,  
12 (unintelligible) New Orleans, we sent Roma  
13 back to the farm which left us with the 13  
14 elephants.

15 Q. So you worked for Ringling  
16 Brothers for a total of how many years or  
17 months?

18 A. Well, the whole tour which was two  
19 years. I started out on the Ariana tour so it  
20 would have been from June 3rd until -- well,  
21 it would have been June 3rd until November 9th  
22 when we went to Saint Louis. That would have

1       been the first part of that. Then we went  
2       into winter quarters, so -- it would have been  
3       six months. Two and-a-half years, yes.

4               Q.       What was the name or number of the  
5       unit you were in?

6               A.       There was the blue unit.

7               Q.       Can you, off the top of your  
8       head -- take a few seconds if you need to --  
9       name the elephants you were responsible for?

10              A.       I closed my eyes because I am  
11       picturing them. Meena, Letchmee, Kamela,  
12       Zyna, Lootsie, Susan, Rebecca, Jewel, Sophie,  
13       Karen, Marsore, Mini, Nicole. And Roma was in  
14       there somewhere.

15              Q.       That's pretty darn good.

16                               Did you ever see what you would  
17       consider those elephants, or any other  
18       elephants, improperly handled, such as beaten  
19       or excessively hooked or anything that you  
20       felt uncomfortable with?

21              A.       Yes.

22              Q.       In terms of treatment. What kind



1 of things did you see?

2 A. I will say, just starting at the  
3 beginning -- actually, you know, I would say  
4 in Austin, my first week there, you know, I  
5 was so new, I really wasn't catching a lot of  
6 it. I saw -- the thing that bothered me, the  
7 first thing I noticed of (unintelligible) was  
8 when they do the walk, warming  
9 (unintelligible) before they go into the show.  
10 They would hit him on the back of the -- their  
11 back heels to make them move faster. And it  
12 would sometimes be one, and sometimes they  
13 would double up like a baseball bat and hit  
14 them on the back of the heels when they are  
15 trying to move them. This I've seen right  
16 from the beginning. I saw that. That sticks  
17 in my mind.

18 Q. Would you consider that a regular  
19 practice?

20 A. Yes. On a daily basis.

21 Q. And it was by everyone -- would  
22 you ever see a supervisor do that?

1           A.       Graham -- (unintelligible) --  
2       Graham Thomas Chipperfield was the one that  
3       was doing the act. Usually those three were  
4       in the dressing room, wouldn't come out, would  
5       already be exercising them. At that time  
6       there was really no one in the tent that was  
7       of any kind of authority other than a Sonny  
8       which is Robert Ridley. Last name. I am sure  
9       it is Robert Ridley. We call him Sonny. He  
10      would have been the one. He has been there  
11      for 30 some years.

12                   In that period of time there  
13      wasn't anybody really in charge until Graham  
14      and them came back to the tent. There was  
15      Daniel Roffo, Alex Vargas and Graham Thomas  
16      Chipperfield. But when they are in the  
17      dressing room they will come in in the last  
18      few minutes. At that point I was already  
19      doing something else, infants in Austin. We  
20      will start with the first town. I would be  
21      doing something else. That's what caught my  
22      eye from the get-go, was hitting them on the

1 heels, because I thought it would have to  
2 hurt. It would hurt a human if you did it.  
3 Break you to ground. And you would see the  
4 girls kind of miss a step when they do it,  
5 too. They hit them, they kind of jerked a  
6 little. So --

7 Q. Excuse me. What were they hitting  
8 them with?

9 A. The bull hooks.

10 Q. Which part of the bull hook?

11 A. The handle part, but, you know,  
12 there was times, you know, sometimes they  
13 wouldn't bother to turn it over so they could  
14 actually hit them with the hook park. They  
15 try not to. It could break the hook. They  
16 tried to hit them with the handle part.

17 Q. And you said that this is -- you  
18 would -- I just want to make sure I  
19 understand. You consider this a regular  
20 practice? You saw this on a daily basis?

21 A. I saw that every time there was a  
22 performance.

1 Q. And --

2 A. With very few exceptions. With  
3 Meena, who was usually in the back, it was  
4 never that exception. It was always, you  
5 know, hit Meena on the back of the heel.

6 After Austin I started kind of  
7 picking up and seeing different -- I wasn't  
8 the barn man at the time so I was doing a lot  
9 of other things. But I would catch 'em  
10 hooking them to make them go faster. Hitting  
11 them around the front leg and hooking behind  
12 the -- I guess it would be the shoulders, or  
13 walking, and hooking them on the back part,  
14 yanking them like that. I would see that  
15 quite frequently.

16 Q. Did you see the staff turn over  
17 when you were working for the circus?

18 A. I saw a lot of staff turn over but  
19 not in the beginning. Not the first -- I  
20 would say there was probably five or six the  
21 first six months under Graham Chipperfield,  
22 right up to the point when the accident with



1 Richard Chipperfield happened and Randy  
2 Peterson came along. At that time, yes, I  
3 believe, when we counted, there were 69 people  
4 in two years. I was number 69.

5 We were running a score card on  
6 me.

7 Q. Was it your impression, then, that  
8 nearly everybody or a vast majority or a large  
9 number of the 69 people did engage in that  
10 behavior? Or was it only a few people?

11 A. It was a majority of the 69 but I  
12 would have to sit down with a list of the 69  
13 to figure out who was handling, because we had  
14 some that basically were there for maybe one  
15 or two days, three days, or a week. All they  
16 did was help me in the barn at the time. It  
17 is usually you are there five, six, seven days  
18 and Randy would be saying do the hook.

19 One thing that I pride myself on,  
20 from day one when I got my job from Graham, I  
21 said, "Graham," I said, "Do I need a hook?"  
22 He said, "Do you think you need one?" I said,

1 "No." I, from that point, never had a hook at  
2 Ringling Brothers. I was the only one. And I  
3 was very well noted for not having a hook.  
4 And being very outspoken about it, too. I did  
5 yell at them quite a bit.

6 I would say that at one point, I  
7 don't know, in my two and-a-half year tenure  
8 there, they came up and they were saying  
9 something about they wanted -- Randy wanted to  
10 get rid of me. It was in Greensboro,  
11 North Carolina. And Randy said, "I'm going to  
12 get you out of the circus completely." And I  
13 said, "Well, I would be careful because I got  
14 16 rolls of film of abuse." So I was kind of  
15 noted -- I never had the 16 rolls of film but  
16 it was nice. It put a little bit of scare in  
17 at the time. They thought, maybe he does.  
18 And for some reason I was never bothered  
19 again.

20 I was asked the day before I left  
21 to go to Europe, did I have that film, by one  
22 of the girls, Jamie, that works on the --

1 (unintelligible.) "Do you really have the  
2 film?" I said, "Jamie, if I did, I would have  
3 used it a long, long time ago." I said, no, I  
4 didn't. But it didn't help my job a couple of  
5 times.

6 Q. It is interesting that he didn't  
7 argue with you. Did that strike you?

8 A. That Graham didn't argue about the  
9 hook?

10 Q. No, about the fact that you might  
11 have 16 rolls of film of abuse.

12 A. It wasn't the point of arguing.  
13 It was always a thing that I was the one -- I  
14 did a lot of yelling at people when they were  
15 hitting -- I got to a point sometimes, I threw  
16 my broom down, started yelling at them, going,  
17 "Why are you doing that to the elephant, why  
18 are you hooking the elephant?" One of these  
19 new guys would get the hook, we would call  
20 them hook happy. Then right away they would  
21 start, I would say, trying to make Zyna lay  
22 down, for instance, they would start hooking

1 her in the back. And I would say, "Why are  
2 you doing that? You don't have to hook that  
3 elephant to make her lay down." Because when  
4 I first started I was laying Zyna down when --  
5 (unintelligible.) I would walk up with the  
6 thing, say, "Come on, Zyna, lay down." She  
7 would lay down. There would never be a hook  
8 on her. All of a sudden when I wasn't doing  
9 it, when Randy took over, it was grab a hook  
10 and make her lay down. Of course, she didn't  
11 want to lay down when he had the hook.

12 One case in particular, in  
13 Richmond, Virginia, that would have been the  
14 first year with Randy Peterson, Zyna and  
15 Rebecca, Zyna had -- it was either 23 or 28.  
16 I can't remember the exact number but it was  
17 between 23 and 28, that one of them had 23 and  
18 one of them had 28 hook marks on them, between  
19 Rebecca and Zyna, on each one. I think Zyna  
20 had 23 and Rebecca had 28.

21 We counted them one day. We said  
22 this is after, what is the -- Jeff Pettigrew



1 and Andy Weller got done with them. And John,  
2 the barn man, he was day barn man. I can't  
3 remember why he was there but he was working.  
4 He was in on that trying to say, oh, this is  
5 how you have to lay Zyna down. She came out  
6 with all them hook marks on her. I got very  
7 upset that night.

8 In fact, Feld showed up that night  
9 but never, ever came back to the elephants.  
10 In all the time (unintelligible) I never seen  
11 that man back there. If he had been back  
12 there that night I believe I would have said,  
13 "Excuse me, come here." And I could have  
14 showed you some bloody hook marks that night.

15 With Ringling it is a known fact,  
16 if you start screaming and yelling about  
17 somebody doing hooking, this and that, you are  
18 going to lose your job eventually. If you  
19 want to keep your job, you kind of kept it  
20 quiet.

21 I was probably the most outspoken  
22 one in the bunch. I would wake people up. Me

1 and my night barn man, Philly, he would come  
2 off from work in the morning. I would be up.  
3 Of course somebody would be talking about who  
4 hit who or who hooked what. I keep saying,  
5 there was (unintelligible). I would like to  
6 get Feld out here, tell him right to his face,  
7 look what's going on.

8 We were quite -- I was very verbal  
9 about it at Ringling. I just never went  
10 anywhere with it because, you know, you are  
11 afraid you don't want to lose your job and end  
12 up on the street, because that's what would  
13 have happened if you open your mouth too much.  
14 They start going on, he is a troublemaker.  
15 You lose your job.

16 Q. So, as I understand from your  
17 testimony, Randy was well aware of the kinds  
18 of --

19 A. Randy was doing it.

20 Q. He was doing it?

21 A. Yes. He was one of the -- I saw  
22 him hook Nicole. He worked -- I can't

1 remember the elephants. I know he had Nicole.  
2 He had like four of them in the ring. He was  
3 doing the ring after Graham resigned. Or we  
4 will get to that later.

5 Randy took over and, at that  
6 point, I've seen him hook them repeatedly. If  
7 he got upset with one of them that didn't do  
8 right in the ring, he would come back and make  
9 them -- just, both hands, hook them underneath  
10 the knee and start ripping at them like that  
11 to make them get their foot in the air and  
12 stuff. Hit him on the forehead.

13 And I couldn't say anything to him  
14 because he is just going to explode. Of  
15 course, he is my supervisor. But -- that's  
16 one thing me and Robert Curry -- we call him  
17 Philly. We talked about Randy constantly.  
18 Randy went in, was beating on Rebecca or he  
19 was beating on Nicole, or Karen was rattling  
20 her chain and got, you know, smacked around.  
21 When an elephant would rattle their chain, to  
22 me that was a signal to give them some more

1 hay. Especially the English, when they don't  
2 have their hay they bang their chain. Well, I  
3 was the only barn man it didn't bother.  
4 Everybody else seemed frustrated by it.

5 They would come in. They would  
6 yell at me for not yelling at the elephants to  
7 stop banging the chain. It didn't bother me.  
8 Banging the chain, I know they need hay. It  
9 was like them saying what they need. If they  
10 kept it up sometimes they would get severely  
11 beaten for it. In one case was with Robert --  
12 not Robert. Patrick. I can't pronounce his  
13 name. Hernan, Harnan. He was in charge of  
14 the babies. He also did a big elephant --  
15 worked the big elephants, too.

16 And I remember one case in  
17 Richmond, Virginia -- I mean, New Haven,  
18 Connecticut, that I just came by the other day  
19 to make sure that was the building. New  
20 Haven, Connecticut. Karen was rattling her  
21 chain and she kept it up for a bit and pretty  
22 soon he came out. We happened to glance at



1 our watches. We had 23 minutes he hooked, he  
2 beat on Karen. He was going from the front to  
3 the back. I remember that, almost violently,  
4 like he was just really frustrated. He would  
5 be yanking on the front and then he would run  
6 to the back and hook her, and hit her on the  
7 back, hit her on the head and then start  
8 hooking her again. This went on for 23  
9 minutes. We timed it before he finally quit,  
10 and went back in his trailer. 23 minutes  
11 inside the arena. 16 wagon was there. It was  
12 two or three hours before the show. 16 wagon  
13 was there. There was a security guard at the  
14 top of the walkway, ramp coming in. They  
15 stood there and watched it, didn't do a thing  
16 about it. What could we do? We couldn't stop  
17 him. He would have just turned his hook on  
18 you.

19 Actually, there was one case that  
20 I can document, and I know -- the other person  
21 that saw, his name was Robert. I can't think  
22 of Robert's last name. Him and this cat on

1 the training crew, they quit together in  
2 Fayetteville, South Carolina. And I have his  
3 address, I believe, somewhere, his phone  
4 number. I was thinking of trying to get a  
5 hold of him. Because I know he would verify  
6 that story because that's one that is stuck in  
7 both of our heads. We talked about it. That  
8 was talk on the train for a while.

9 Pat is the same one that Benjamin  
10 died under his care. That could be a well  
11 documented case with him hitting Karen that  
12 time.

13 Q. Actually, you just raised another  
14 issue I wanted to get to anyway. Why don't we  
15 just go there, if that's okay.

16 A. (Unintelligible.)

17 Q. Can we talk about Benjamin?

18 A. Uh-huh. We hooked Benjamin up,  
19 started in -- must have been the winter  
20 quarters in -- for the -- it was a side show  
21 tour when we had Benjamin. Because Benjamin  
22 came down to winter quarters. They were

1 separated. I was on the far side at winter  
2 quarters. That is me in some of the pictures  
3 I have. We were on the far side. The babies,  
4 Benjamin, Shirley were up by the arena with  
5 Gary, Gary Jacobson, and it was Pat and Vica,  
6 Victoria. I don't know her last name, either.  
7 But she was just the girl that was like -- she  
8 didn't -- I rarely seen her do anything until  
9 a later date. Let's put it that way. She is  
10 no longer with the show. She is back in  
11 Moscow.

12 Those three had the baby camp and  
13 so I didn't get up there too much and still we  
14 actually started on the road. But I do  
15 remember a couple of times when you could  
16 hear -- we would always hear off in the  
17 distance a baby screaming. We were just  
18 looking at each other. Pat is getting  
19 Benjamin. You could tell Benjamin's scream  
20 different from Shirley. It seemed to me Pat  
21 would always pick on Benjamin.

22 I don't know if Shirley -- well,

1 Shirley wasn't quite as -- we call him ornery.  
2 Well, how can I -- ornery. He wasn't as  
3 ornery as Benjamin was. Benjamin was getting  
4 into more stuff, which is natural, more  
5 natural for a male to do. He was getting into  
6 a lot of stuff. We would hear off in the  
7 distance. We would just hear the screams  
8 until we actually went over and got closer to  
9 Benjamin and Shirley.

10 From that point on, I seen, I seen  
11 Benjamin get it a lot more. I would see  
12 Benjamin get hit on the hid. Shirley once in  
13 a while but it was never like Benjamin.  
14 Benjamin, I would be sometimes in the arena  
15 and you would hear the screams of the babies  
16 and it was always Patrick and the babies.  
17 Just a very well known thing.

18 I also seen Gary Jacobson, I would  
19 say maybe the five or six times that I ever  
20 ran into Gary Jacobson in those particular  
21 times, I seen him using the hook on the babies  
22 repeatedly. He was quite, you know, I look in



1 and thought, now, he is a trainer of babies.  
2 But the man, the way he was using a hook on  
3 the babies, I don't see how they learned  
4 anything.

5 But Benjamin, between Benjamin and  
6 Shirley, I would say it went on on at least  
7 every other day, four to five times a week at  
8 least, that Benjamin was getting hit. And I  
9 know there were a couple of times I remember  
10 Randy going over to Pat and actually jumping  
11 on Pat's case because the screams were  
12 carrying out into the crowd as they were  
13 coming in. I am sure somebody could have  
14 heard it. You would hear these outrageous  
15 wails of the baby getting it.

16 On our travels, the babies  
17 traveled in their own trailer. They didn't  
18 travel on the train. Whatever happened, as  
19 they were going from venue to venue, was  
20 anybody's idea. You know, Pat was never on  
21 the train. We never did have the babies on  
22 the train.

1 Q. So who traveled? Was it just Pat  
2 who traveled with them?

3 A. It was usually Pat. Randy, Randy  
4 and his wife was pulling his trailer and then  
5 it would have been -- whoever was driving. I  
6 don't know who drove. We always had different  
7 drivers that drove the truck that carried  
8 Benjamin and Shirley. Well, I think it was  
9 King Tussell trailer. But I know Pat always  
10 road in there. And then somebody else drove  
11 Pat's truck. But it was always Pat following  
12 Randy. So Randy was always in the lead with  
13 Pat and the babies following him. Except on  
14 the occasion when Benjamin died.

15 We were in Houston. We left  
16 Houston -- I know Randy and Pat left together  
17 from Houston. We didn't hear about it until  
18 we got to Dallas. I can't remember -- when we  
19 unload in Dallas, we were right across the  
20 treat from the Union Arena. But I heard about  
21 it when I came to work. I think I heard about  
22 it from Philly came over, told me Benjamin is

1 dead. We said, "What happened?" He said,  
2 "Well, he was swimming and he drowned."

3 And I even looked at Philly and  
4 said, "Well, babies don't drown. Elephants  
5 swim, swim like fish." Even according to Doc  
6 Lindsay, our veterinarian at Ringling, he said  
7 babies swim from birth on.

8 But that particular time I asked  
9 Philly, I said, well, -- oh, I remember in  
10 Dallas -- in Houston some friends came out to  
11 see Pat, as Kottia's girlfriend. They were  
12 from Houston, just outside Houston. I know  
13 what Pat said because I was very close to Pat.  
14 Pat said that they have a farm out there. As  
15 word leaked back to us, because we never did  
16 see Pat get to Boston that year, but it was  
17 always told us that it happened on a scheduled  
18 water stop.

19 Well, there is no water stop for  
20 the babies. It is not like a train where you  
21 have scheduled stops. But on a short run like  
22 that there is no water stop at all.

1                   What it basically was is, I found  
2 out later, through Kottia, that Randy had  
3 told, you know -- Pat told Randy, Randy told  
4 Pat, one of them, said, "I'm going out to my  
5 friend's house."

6                   This also could be -- his friend  
7 could have been -- there is a farm out there  
8 that has elephants. But that part I don't  
9 know because it was just -- Kottia said they  
10 went out to Pat's friends, which had a lake.  
11 Now, if that would be the identifying way,  
12 there was a small lake involved.

13                   So Kottia told me. She goes, Pat  
14 took him down swimming. Said Benjamin went  
15 into the water, immediately went down, and  
16 came up squirting blood. And I told Kottia, I  
17 said, "What do you mean, squirting blood?"  
18 Says, "Yeah, he went under and he just reared  
19 up and threw his head back, and his trunk went  
20 up, and a bunch of blood came out of the  
21 trunk."

22                   I said, "Well, Kottia, the only



1 way blood is going to come out of the trunk  
2 that fast....," I said, "Was Pat beating on  
3 him?" She didn't answer me. I didn't push it  
4 any further because I knew at that time it was  
5 a pretty touchy situation. I knew Ringling  
6 was going to try to cover it up regardless of  
7 what happened.

8 So we heard that afternoon  
9 everybody was going, "Yeah, Benjamin drowned."  
10 And we kept asking -- I believe we even asked  
11 Randy, "What about this blood thing?" He  
12 said, "Oh, well, we don't know anything about  
13 that." That's about the last we heard of  
14 blood coming out of the trunk.

15 But the official report that was  
16 hung on the bulletin board at Ringling stated  
17 that Benjamin passed away at a scheduled water  
18 stop and that a neotopsy, or whatever they do  
19 for animals, an autopsy for humans, would be  
20 performed and the results would be posted  
21 later.

22 When the posting finally came

1 down, well, I never seen it because I was in  
2 the barn. So I asked Doc Lindsay. I said,  
3 "Well, Doc, what happened?"

4 "Drowned."

5 He walked off. That's all he said  
6 was drowned. I could tell the look on his  
7 face. Why are you lying to me?

8 He said, "Drowned." I looked.  
9 They say drowned. I may be able to get Pat's  
10 confession one of these days here soon. All  
11 of us around the inside, shall we say, have  
12 our strong doubts.

13 The way I seen Pat beating on  
14 Benjamin, it would be theory but I actually  
15 think that he beat her before she ever went in  
16 the water and that's where her blood came  
17 from. Because I don't (unintelligible) that  
18 blood. I am not a doctor of that. But it  
19 makes no sense.

20 There was a cover-up on it. Let's  
21 put it that way. It was never a scheduled --  
22 I know, for one, that nobody at Ringling

1 Brothers, including Jeff Steele or anybody,  
2 would have authorized Pat to take the  
3 elephants for a swim at his friend's house.  
4 That is not going to happen.

5 In fact, I did hear Jeff Steele  
6 say to Randy, "We just don't do that. We  
7 don't take them to a friend's house." That  
8 was a big discussion about this friend's  
9 house. I don't know, again, what friend it  
10 was. I know he has got a relation up there.  
11 He has a sister. So if you want to  
12 investigate it a little bit and find out if  
13 the sister has got a lake, or if this other  
14 animal training facility, I guess you would  
15 call it, if they have a lake. That is the key  
16 to it, it is a lake. That's what we call a  
17 wading pond.

18 When I did see Pat in Boston, it  
19 was touchy to talk to him about it. He said  
20 "Yes, she got stuck in the mud." I thought,  
21 "Well, here is a seven or 800-pound elephant,  
22 he is going to walk in and immediately gets

1 stuck in the mud when he plays in the mud is a  
2 natural thing. I didn't see how it could just  
3 get stuck in the mud.

4 I probably could say that Pat was  
5 really worked up. He said, when Benjamin came  
6 up and squirted the blood, he went back down  
7 in the water and Pat couldn't, at that point,  
8 tried to get Benjamin up out of the water.  
9 Well, you are not going to raise a baby  
10 elephant out of the water by yourself unless  
11 the water was really deep. And pat wouldn't  
12 have been standing in it if it was that deep.  
13 He was trying to get his head above water.  
14 She said he was really worked up. Well, I  
15 expect he was. If it is a situation as proven  
16 true, which I believe I can get facts on it,  
17 if he went to his friend's house, of course he  
18 is going to be in a real scared position  
19 knowing he is sitting there with a Ringling  
20 animal at a friend's house when he wasn't  
21 supposed to be and that elephant had drowned.  
22 I mean, he is going to get worked up, too.



1                   We did not see Pat again. He was  
2 immediately put into media seclusion by  
3 Ringling Brothers. We kept saying, "Where is  
4 Pat? What's going on?"

5                   "Well, Pat is at the farm."  
6 Expect him on the farm knowing that it is  
7 pretty well closed to anybody down there.

8                   Q.       Where is the farm?

9                   A.       Williston? I would have to think  
10 for a minute. Florida.

11                   See, I've heard Palmetto and  
12 Williston. So I'm kind of confused. I am  
13 sure it is Williston is where it is at. I  
14 think Palmetto will be our training yard, if I  
15 am not mistaken. Williston -- oh, yes, one of  
16 the guys came from the farm, said Williston,  
17 too. Or he lived in Williston. It was the  
18 breeding farm, whole conservation facility for  
19 Ringling. Conservation.

20                   Q.       Is it your sense that Pat is still  
21 training elephants?

22                   A.       No. Pat quit. Pat quit in about

1       January. I was in Europe at the time and  
2       Andrea, well Daniel Roffo's wife, Andrea, said  
3       her sister is still on the unit. Said Pat and  
4       his wife quit. Pat went up to, he said,  
5       Lexington with Frito-Lay. I just talked to my  
6       daughter today. She is going to check that  
7       for me.

8                   But he quit over it because Gary  
9       Jacobson and Randy were treating him like you  
10      know what. And he was -- he got upset and  
11      quit, walked off the show because of the way  
12      he was getting treated.

13                   I think the only -- my feeling,  
14      strictly my feeling on it, from what I could  
15      see when I was there, when Pat came back in  
16      Boston it was very tense because Gary Jacobson  
17      was constantly there with his wife. They had  
18      the four baby elephants, Romeo, Juliette and  
19      Shirley, and two that I still can't remember.  
20      And you could see it was pretty tense right  
21      then from the get-go. Pat wasn't the same  
22      person that left. He came back and he was

1 like constantly second on the list. Gary was  
2 the one doing most of the hooking at the time.  
3 Although, a few times I seen Pat do it again.  
4 But Pat was not quite as aggressive from  
5 Boston to winter quarters, which is only two  
6 or three towns, two towns, something like  
7 that, maybe three. I think we went Boston  
8 straight to -- Boston to, oh, Pittsburgh.  
9 Boston, Pittsburgh, then to Saint Louis.

10 In Pittsburgh it was the babies  
11 were -- babies were in the same camp with me  
12 in Pittsburgh. I could see the change in Pat  
13 as far as he was being watched a lot harder.  
14 And I think the only reason he was around was  
15 because if they would have canned him for it  
16 he may have actually come out and talked. So  
17 it is my goal right now to see if I could get  
18 a hold of Pat. See, just as a friend, if he  
19 will talk to me and let me know what really  
20 happened there, because I would like to know,  
21 myself.

22 You know, I just -- I know how Pat

1 is. I know that, you know, I got my feelings  
2 on what happened with Benjamin but I do know  
3 the circumstances. His wife told me what  
4 happened.

5 Q. So what happened after -- Benjamin  
6 and Shirley were pretty much together all the  
7 time?

8 A. Shirley went back to the farm.  
9 They put her in there with the other two  
10 little ones. Romeo and Juliette were always  
11 together. Then Shirley hooked up with the  
12 other two. I can't remember the -- one was a  
13 real small one. It may come to me before  
14 long. They were kind of -- Shirley was the  
15 big one in the group. She would sit there and  
16 kind of watch over the other two, the real  
17 little one. That's when she came back to the  
18 show.

19 Q. And she came, you said she came  
20 back to the show?

21 A. Yes, in Boston.

22 Q. Shirley came back?



1 A. Yes.

2 Q. Did you see any difference in  
3 treatment or the same treatment when she came  
4 back?

5 A. I saw the same treatment from Gary  
6 Jacobson as far as repeatedly hooking them.  
7 His wife was there a lot, too. She wasn't  
8 near as rough as Gary was. But it seemed  
9 like, it seemed like they would flinch every  
10 time Gary came around, too. I noticed that.  
11 You would see them close their eyes and kind  
12 of tip a little bit to the side, when Gary or  
13 Patty -- especially in Benjamin's case.  
14 That's one thing I noticed with Benjamin.  
15 Whenever Pat went near Benjamin she would  
16 cower, just back up in fear. Of course, I see  
17 that in every one of my big elephants. When I  
18 walk past them, I look in, "Come on girls, it  
19 is okay, it is just me." They would actually  
20 close their eyes. If I walk by them with a  
21 broom, they would have their eyes closed in  
22 fear something was going to happen. That's a

1 bad feeling. I wasn't doing anything but  
2 sweeping. To watch them show fear of a broom.

3 Q. Do you know any elephants named or  
4 did you work with any elephants named Doc and  
5 Angelica? I think those were the two babies.  
6 I can't remember the names. Doc and Angelica,  
7 two little ones? Does that sound --

8 A. Again, I am lost on the two little  
9 ones. Because it was Romeo and Juliette. And  
10 then Shirley. That's where I lose it because  
11 those three I've known from before. I didn't  
12 work with Romeo and Juliette. I just knew the  
13 Romeo and Juliette tour. Of course, I worked  
14 with Shirley. So the other two, they weren't  
15 there long enough for me to familiarize myself  
16 with them. When I first heard the name of  
17 Doc -- Doc would have had to have been the  
18 little one. He would have had to have been a  
19 boy. That kind of sticks in my mind. There  
20 was a boy on the end. Then it was Shirley.  
21 Then the other one I can't remember. Then you  
22 have Romeo and Juliette. Romeo on the other

1 end, were the two males, that I remember in  
2 Boston. I remember asking Pat. He said two  
3 males and three females.

4 It is just those last two names.  
5 I wasn't around them enough other than being  
6 right next to them and seeing them. I didn't  
7 physically go over to them because my job, I  
8 never left my girls, the elephants. I call  
9 them my girls.

10 Q. I wanted to just, for a minute,  
11 sort of go through the itinerary you have for  
12 all of the tours that you have been on. And  
13 kind of walk through, see what your experience  
14 was at different locations.

15 First of all, I have the  
16 chronological.

17 A. This --

18 Q. Is this chronological?

19 A. Yes.

20 Q. So you started in May of '97?

21 A. Yes. I will go by this here.

22 Number three, four. One, two, three, four.

1 That's the easiest way to throw them together.  
2 If I had to have the dates I would be here for  
3 two hours. I just throw them together by  
4 numbers.

5 Q. You mentioned that some of the  
6 conduct that you have seen in beatings and  
7 hookings and so forth, throughout the two and  
8 a half years. But I would like to kind of get  
9 specific about where you might have seen those  
10 happening.

11 A. Without naming every town?

12 Q. Yes. Without naming -- well, if  
13 it is every --

14 A. That's the point. It is every  
15 town.

16 Q. If it is every town --

17 A. I can sit here and say every town.  
18 Listening to some specific, bigger towns.  
19 This is what you had in every single town at  
20 Ringling Brothers from the time I started  
21 employment there. You always had the  
22 excessive ringer. You always had excessive



1 hooking. If I started naming names, I can do  
2 that. But all your, quote, handlers were the  
3 ones, they were constantly hooking. From day  
4 one, you had Jeff Pettigrew and Randy Peterson  
5 when he came. You had Daniel Roffo hook 'em.  
6 You had Alex Vargas hook 'em. You had Graham  
7 hooking them.

8 And this started from day one. On  
9 a daily basis when they were walking them,  
10 hitting them on the back of the heels or  
11 hooking them to make them go faster. It would  
12 be like if they were going to say, "Move up,"  
13 it would be, "Move up" as they were hooking  
14 and be giving the command. Instead of give  
15 them the command, wait for the elephant to  
16 respond, they would, "Move up, move up,"  
17 hooking as they are saying it. The elephant  
18 is going, "Ow," had no time to think. They  
19 really weren't giving the elephant. That was  
20 on a daily basis.

21 (Unintelligible) every other day.  
22 But every town, there is not a town on here

1 where no incidents of anything never happened.  
2 As far as that goes. The bigger problems I  
3 would have to stop and think. Okay, Tupelo,  
4 Mississippi, July of '97 one of them comes to  
5 mind. We were doing a load-out and we got  
6 down to the stock cars and there was a  
7 dumpster sitting in front of the door. Graham  
8 was impatient and, instead of waiting to get  
9 one of the harns to come over, one of the  
10 harlums that pull the truck, wagons around  
11 with, to move the dumpster, he went and got  
12 Karen and was making Karen push it. Karen was  
13 trying to push it. Of course, she wasn't  
14 trying hard enough. He hooked her and yanked  
15 her back and he screamed at her. He said,  
16 "Karen, move the dumpster." And Karen rammed  
17 the dumpster because he put the hook right  
18 behind her leg and yanked like that. She hit  
19 the dumpster and sunk about a 3-foot hole in  
20 that brand new dumpster and flipped it over  
21 sideways. I don't know if Karen  
22 (unintelligible) but, I mean, she sunk a big

1 hole in it.

2 You might be able to verify the  
3 record with the people in the (unintelligible)  
4 company. Just ask them if they got a dumpster  
5 that has a big ol' elephant hole hit in the  
6 side where it dented it. That was Tupelo,  
7 Mississippi. That was early on in my travels  
8 with them. And I remember that very  
9 specifically.

10 Jackson, Mississippi. There I  
11 remember having them out, and one thing I felt  
12 was very cruel, it started raining and we got  
13 a very, very cold breeze and they were outside  
14 underneath an awning. But the wind was  
15 blowing so hard, the water was coming in on  
16 them. It was a very cold rain. We basically  
17 had to put our coats on. This was, what,  
18 July? There was a chill to the cold wind.

19 I felt, myself, I said, these  
20 girls got to be getting cold in there. I  
21 remember the babies being down on the other  
22 end there. No, we didn't have the babies yet.

1 The other end was Karen, Karen and Sophie --  
2 let's see, there was Karen and Sophie. Myso,  
3 and Mini and Nicole were on the far end. And  
4 they were catching the brunt of the rain  
5 coming in on them.

6 They were finally -- it seemed to  
7 me there we should have moved them someplace  
8 either inside the horse arena or got them  
9 somewhere out of that weather for a minute,  
10 even when it was blowing like that and being  
11 cold. To me it didn't seem right.

12 Q. Was it your sense that no one  
13 considered that besides you?

14 A. It was my sense nobody bothered.  
15 It was like the electricity went out.  
16 Somebody was saying, "Oh, we got Kenny on the  
17 phone. We are going to see if we can cancel  
18 the show." I think more people were worried  
19 about us closing down (unintelligible) that  
20 day. I remember that. We were hoping we  
21 could just load out and go because of the  
22 chill that was in the air. It wasn't ice cold



1 but it was cold enough, it was uncomfortably  
2 cold for a person. And I know, if it was  
3 uncomfortable for me, it has got to be  
4 uncomfortable for them. Because the rule of  
5 thumb is, if you could see your breath, it is  
6 too cold for them. We couldn't see our breath  
7 but we were cold.

8 The only thing I remember about  
9 Houston, the summer, how hot it was. They  
10 were inside. We would take them outside, wash  
11 them off. It was extremely hot. We didn't  
12 have a lot of cold air downstairs. But the  
13 heat is not going to hurt them all that bad.  
14 That's where, Houston, Texas, basically, was  
15 still Graham Chipperfield. That's when he  
16 talked to me about wanting to be barn man. I  
17 really wanted to at that point because I  
18 wanted to get in there and start taking care  
19 of the girls.

20 I took over in Dallas of that  
21 year.

22 I'd say about Dallas, it was

1 Dallas or shortly after that I started  
2 complaining a lot about people hooking the  
3 elephants and stuff, and kind of got this  
4 feeling that I better watch my mouth because I  
5 haven't been here very long. I started  
6 getting a little upset about that stuff and  
7 (unintelligible) mentioning it to them.

8 But that portion, the first year  
9 was really just seeing the stuff going on and  
10 not really opening my mouth too much about it  
11 and stuff because of fear of what could happen  
12 to me.

13 Only thing I can remember about  
14 Wichita, Kansas in '97. I remember that was a  
15 (unintelligible) walk-out when we left. It  
16 was like a three and-a-half to four-mile walk  
17 that we do. It had to be 95 or 100 degrees  
18 out. We took off walking across -- the  
19 pavement was -- I remember it being so hot,  
20 that Graham wanted to water down the pavement  
21 on the road, to see if you could get water  
22 trucks through the blacktop between the arena

1 and where we load them in this little town.

2 It didn't happen, of course. But  
3 I remember that walk in particular was very --  
4 we stopped maybe halfway just to rest them for  
5 a minute. The heat was outrageous that day  
6 walking them.

7 At the pace they walked, they  
8 drank a lot of water that day when I watered  
9 them right after the stocks. They drank a lot  
10 of water. They should have been watered  
11 halfway. That was my feeling. It is only a  
12 three and-a-half mile walk but, still, when  
13 the girls are in that kind of heat and walking  
14 like that, they should at least stop and have  
15 some water. A water truck or somebody come  
16 along, hose them or something. It was very  
17 hot out that day.

18 Q. They are in chains when they are  
19 walking. Correct?

20 A. No.

21 Q. They are not in chains?

22 A. No. That's when they were hooked

1 all the time. When they are walking, usually  
2 once they get on the walk, and you get up a  
3 pace, there is not too much hooking unless one  
4 of them slows down and he gets on the back of  
5 the ankle. Most of your hooking is when you  
6 first take off on the walk, like, come on, go,  
7 you know. Especially with Daniel Roffo, he  
8 would hook them very hard. He was always  
9 walking -- Mini was always in the front. I  
10 know that you can go up to any one of those  
11 elephants on a daily basis right now and feel  
12 the scars and scabs behind them from where  
13 they had been hooked so much.

14 Nicole is no longer -- she is at  
15 the farm, quote. She was the one that Randy  
16 used to (unintelligible) get into and hook  
17 her. I know she was developing arthritis from  
18 it. Her leg was getting awful bad, have  
19 infected and swelled up. They said, well,  
20 they took her to the farm. I don't know what  
21 happened to her after that. I would like to  
22 know because that is Kenneth Feld's daughter's



1 elephant.

2 Detroit, Detroit Michigan. That  
3 was a walk where -- Graham used to walk so  
4 fast. He would walk the elephants fast. That  
5 was the one time we got him to slow down a  
6 little bit.

7 We had extremely long walks for  
8 the elephants. That is something that amazed  
9 me. Sure, elephants walk a long way, but we  
10 had them -- never did we ever stop off and  
11 water them between like a three and-a-half  
12 mile walk or something. We never stopped. We  
13 just did the whole walk.

14 That was one time we stopped in  
15 Detroit, I remember, because I was walking  
16 miniature horses. We were getting a block  
17 behind. Graham stopped, said, "What's wrong?"  
18 Said, "We can't run. We have to run to keep  
19 up with you. You are up there running."  
20 Because he has long legs. He has got them  
21 elephants just going. We said, "Hey, we can't  
22 keep up the pace." And it wasn't good for the

1 miniature horses because of the pavement.  
2 They can break a leg if they hit the wrong  
3 step. We got onto him about that there and we  
4 started walking a little slower.

5 Other than that, the daily stuff,  
6 for the menu that year, we were just  
7 constantly seeing more and more figuring out  
8 who, at that point, it came to me, who was  
9 hook happier than the other person. Who was  
10 doing a lot of -- the beating at that time, it  
11 was Jeff Pettigrew, some of your older guys  
12 there, Sonny and (unintelligible) quote, acts,  
13 the presenters. (unintelligible), Alex. Alex  
14 wasn't too bad. He would have his days. He  
15 was probably one of the very few supervisor  
16 types that I seen. He is still with -- he is  
17 with the tent show now. He is one of the very  
18 few that I have seen that didn't really like  
19 using the hook too much. He would get kind of  
20 upset at Roffo and a few others when they  
21 overused the hook. That became quite a big --  
22 that was a very big thing on an everyday basis

1 yelling at somebody because they are hooking  
2 somebody too much. The problem was they just  
3 kept hooking. They wouldn't stop. They are  
4 pretty bad.

5 We get down to Hampton, Saint  
6 Petersburg, just after winter quarters.  
7 Winter quarters, winter quarters in Tampa that  
8 year, we were on the far side. Again, that is  
9 when the babies showed up. They were on the  
10 other side of the camp. That's when I first  
11 met Pat. That was just prior to the accident  
12 with Richard Chipperfield.

13 I took, I remember taking pictures  
14 of the cats down there. Those are some of the  
15 pictures I have, the cats in the cages. I  
16 kept thinking, you know, they kept these lions  
17 in these little bitty cages day in and day  
18 out. You know, it just seemed funny to me so  
19 I started taking pictures of it.

20 I always thought that they would  
21 put them in some open divider or something  
22 between them but they never did. Took some

1 pictures of those.

2 We never did a lot. Mostly in  
3 winter quarters it is pretty kick back. The  
4 girls are outside in the electric fences  
5 walking around. So you didn't do a lot up  
6 until towards the end when you got ready to do  
7 rehearsals. And being the afternoon barn man,  
8 I usually caught the last two rehearsals of  
9 the day and then it was right back to the same  
10 repetitious thing of hook them, hit them, hook  
11 them, hit them.

12 I did see Graham Chipperfield  
13 trying to train some of them to stand up  
14 outside. They were doing some form of a new  
15 pyramid they wanted to do. That's the first  
16 time I really seen him get really aggressive  
17 with the hook. I don't know which elephant it  
18 was but I seen him start jabbing her  
19 underneath part of her chin to make her get up  
20 higher.

21 I hadn't seen that out of Graham  
22 in a while. It was something kind of new to



1 me. Because I seen Graham -- Graham was such  
2 a quiet type of person that you never, you  
3 didn't see the hooking. Once in a while you  
4 would see him hook when he was getting ready  
5 to walk them or something, but I never seen  
6 that violent outbreak that was there. This  
7 was prior to the shooting of the cat in the  
8 cage.

9 That's probably the biggest thing  
10 that happened in winter quarters, when Richard  
11 got attacked in Saint Pete. That was -- it  
12 couldn't get hushed up by the media. There  
13 was no way. Feld wasn't going to keep that  
14 quiet.

15 I wasn't even there yet. I was  
16 outside the train and about ten minutes after  
17 the accident happened we heard about it in  
18 Tampa on the train. That's how fast word of  
19 mouth went from Saint Petersburg to Tampa in  
20 like ten minutes with no phone calls made.  
21 They were home, boom, bang, hey, and the  
22 accident happened. We started hearing about

1 it. That's when I first -- actually, Randy  
2 was introduced to me in Baltimore, prior to  
3 going to winter quarters. I found out he came  
4 to winter quarters. That's when Randy, I  
5 first got in with Randy Peterson. Shortly  
6 after the accident we were told that  
7 (unintelligible) and stuff, and he was going  
8 to resign and all this. Never really got a  
9 chance to speak to Graham there, other than  
10 give my condolences for his brother. I am  
11 sorry to hear about your brother being hurt.

12 I do know exactly what happened  
13 there because Graham -- I don't think anybody  
14 ever -- Richard was kind of going  
15 pppppppppppppp, that like. It is his little  
16 way of getting Arnie, because he had raised  
17 him from a cub. It was like his little  
18 affection thing. But he did the number one  
19 rule you never do with a pinkle. He turned  
20 his back instantly on her. That was it. It  
21 was that quick.

22 Q. What exactly did you hear

1 happened?

2 A. Arnie (unintelligible) or one of  
3 the other cats. I don't know which. I know  
4 before it was either Gold, Platinum, Jewel or  
5 -- or Gold, Platinum, Bronze, I don't know  
6 which one -- beat him on the leg. Arnie, beat  
7 him on the head. Another cat, beat him on the  
8 leg. That we know as fact.

9 Graham went out, finally got Arnie  
10 into the cage, went out to his truck, grabbed  
11 his shotgun, went back in and pumped five  
12 rounds into Arnie. The last one blowing his  
13 head off. At that point the cops pulled their  
14 guns on Graham and told him, don't do it,  
15 don't shoot again.

16 That is immediately what went  
17 around from that point. We kept hearing, oh,  
18 he is going to get arrested. Then it was  
19 Richard is dead. Then we finally heard  
20 that -- I think this is before we left Saint  
21 Pete, that they weren't going to prosecute  
22 Graham because, basically, they couldn't find

1 a judge or a prosecutor that would say, "I  
2 wouldn't do it, myself." They blamed it on --  
3 what would you call that? How did they put  
4 that? He was -- it was his brother and the,  
5 like, spur of the moment, in the heat of  
6 anger.

7 Q. Heat of passion?

8 A. Yes, heat of passion. That's what  
9 I am looking for. Heat of anger, heat of  
10 passion.

11 He immediately got the gun and  
12 shot the cat. That's why they wouldn't  
13 prosecute him.

14 I would have to believe it. I  
15 mean, the papers kind of hammered around with  
16 that. I really tend to think -- that's what  
17 we heard and I believe that's what they were  
18 doing. I don't think they could find anybody  
19 that wanted to prosecute.

20 The next, maybe, a day after  
21 Graham said he was going to resign, that's  
22 when Randy was appointed superintendent of



1 animals.

2 And that's a good time. We are  
3 getting into Randy. That's a whole new  
4 ballgame.

5 I'm getting a sore throat.

6 Q. We need to get you, you know,  
7 water. Like those elephants you are talking  
8 about.

9 A. Walk around --

10 Q. Walk around for a minute.

11 THE VIDEOTAPE OPERATOR: Off the  
12 record.

13 (Discussion off the record.)

14 BY MS. SIMMS:

15 Q. We are now back on the record  
16 after a short break.

17 When we broke you started to talk  
18 a little bit about a trainer, Randy?

19 A. Randy Peterson. Randy Peterson  
20 came down. Graham hired him. I first met him  
21 up in Boston. He was going to be like our --  
22 in charge of the barn. And after the accident

1 Richard Fremming and John Jamieson came down  
2 and said Randy is going to be taking over as  
3 in charge, superintendent of all animals.

4 I call it my little -- it is  
5 really the downfall of the Ringling elephant  
6 herd because he became, from, literally,  
7 working as a barn man, working around the barn  
8 four years before to superintendent of  
9 animals. Then it just deteriorated down to a  
10 point where it became Randy and his handlers  
11 becoming very hook happy and constantly  
12 beating on the elephants, especially Nicole,  
13 especially the elephants that Randy had.

14 And his process of like when he  
15 would work on their feet and stuff, if they  
16 wouldn't put their foot in this little stirrup  
17 thing we had, if they wouldn't put their foot  
18 backwards, he would be yanking on them real  
19 hard to get them to put their foot up. This  
20 thing is up high enough, I mean, the elephant  
21 can't see where he is going. It takes a while  
22 to get his foot up there, and if he is not

1 fast enough, Randy would be yanking on him.  
2 Especially with Nicole, if she wouldn't do  
3 something, he would be really hooking her and  
4 stuff. I've seen him wail into Karen and a  
5 lot of the animals.

6 Two years from the time he took  
7 over, a lot of the problems with the 69 people  
8 that we went through on the animal crew was a  
9 fact of the way Randy treats his people and  
10 treated the elephants. We have had quite a  
11 few people quit just because of the way Randy  
12 treats elephants. It is quite a -- to me, you  
13 know, I could never say anything to him  
14 because, of course, he was my boss and he was  
15 always right. He felt if he did it it is  
16 right.

17 I've seen several instances where  
18 it would be like Randy would just lose his  
19 temper. His wife, they would be arguing about  
20 something and he would take it out on the  
21 elephants. If he come in, if he was mad at  
22 somebody, if an elephant rattled the chain, it

1 would get hit on the head. I have seen him  
2 severely beat them about the head. I have  
3 seen him wail into Karen with not just one  
4 hand on the hook but both hands, and just bam,  
5 bam back and forth on the top of the head, the  
6 trunk and wherever else. Basically, he was a  
7 miniature Pat. Between him and Pat, I am  
8 surprised some of them lived through it. He  
9 was a very rough individual who, supposedly,  
10 his whole life had been with elephants.

11 Q. Did any of the employees that you  
12 said left, some of them left because of being  
13 around the elephant beating, did any of them  
14 talk to you about that, and tell you  
15 personally that --

16 A. I think one, his name was Neil.  
17 In New York City, Madison Square Garden. Neil  
18 was a young kid. He was, I think, 19. That  
19 very day we had four people quit. That was  
20 Randy's record day. But Neil came up to me  
21 after work. One got fired, rehired and then  
22 quit. No, he quit, got rehired and he got



1 fired. Another one Randy fired. Another one  
2 walked off, named Horie. Horie is working --  
3 I know where Horie is. Might be able to get a  
4 hold of Horie. He is down in Florida.

5 There is Neil came up to me that  
6 night and said, do I know where the bus  
7 station is? I said, "Yes, it is over here a  
8 couple of blocks away." He said, well --  
9 after work he was staying home with Neil. I  
10 figured, "Are you going to the bus?" He said,  
11 "Yeah. Would you walk down with me after we  
12 get off work?" I said, "Yeah, I will show you  
13 where it is at."

14 When we walked out of the building  
15 I said, "What is really going on?" You know?  
16 He said, "Well, I'm tired the way these  
17 animals are being treated. I've seen them  
18 hit, beat, everything else." He said, "I'm  
19 quitting." I said, "When?" He goes, "Now."  
20 I said, "What?" He said, "I'm going to get my  
21 bus ticket and I'm going right out to the  
22 train and pack my stuff."

1 I said, "I don't believe you." I  
2 said, okay. I said, "You need some help?" So  
3 I walked down there with him and he bought a  
4 bus ticket and we went straight out to the  
5 train and packed his bags. He said goodbye to  
6 people. I even went back to the train, bus  
7 station with him to see if he was really doing  
8 this, or if it was just a joke or something.

9 All the way back we talked about  
10 his main thing was the way Randy would hit the  
11 elephants and the way Pat was beating on the  
12 elephants and the way Jeff Pettigrew did it.  
13 Just so many people involved in -- all the  
14 handlers were just constantly hooking and  
15 hitting the elephants and he couldn't tolerate  
16 it.

17 He walked out that night and  
18 actually went back and got on the bus. I was  
19 there when he left. I followed him to the bus  
20 station. He was one that said he quit because  
21 of Randy and the way they treated the  
22 elephants. Other than Horie. Well, it was

1 George but it was Horie in Puerto Rican. He  
2 was one of the four Puerto Rican boys they  
3 brought up from Puerto Rico. They went down  
4 there and hired some and brought them up. On  
5 the bus I ran into the guy who works with him  
6 in Florida. Because we had a bunch of friends  
7 (unintelligible) we got talking. Horie works  
8 in Florida. He puts furnitures into motels.  
9 So we might be able to find him. I know he  
10 quit because of -- it wasn't so much Randy.  
11 It was treatment of the elephants, again.

12 During the two years and the 69  
13 people, I would seriously have to sit and  
14 think for hours just to remember some of them.  
15 I would say, out of 69, at least 20 to 25 of  
16 them quit personally because of elephants and  
17 the treatment they would receive. Beating.  
18 Hookings. Hitting on head. When I say  
19 beating, I'm talking about both hands on the  
20 hook and severely beat them three or four  
21 times on the head. Not just thumping them one  
22 time, well, that was their discipline. That's

1 their, quote, discipline for the elephants, is  
2 smack them on the head.

3 I would say about 20 people, at  
4 least.

5 Q. Who told you?

6 A. That have told me.

7 Q. Told you personally?

8 A. Right. Said, "I'm leaving." What  
9 they do is they say it and then they quit a  
10 few days later.

11 I know at least 20 I talked to --  
12 it could even be more than that. Even today  
13 there are people there at the circus who know  
14 this is going on and who disagree with it.  
15 But they can't come out and say it. You know,  
16 they said it to me. Whether they are going to  
17 come out on record and say it. No, they are  
18 working for Ringling. They can't come out on  
19 record and say it. Because Jeff Steele and  
20 the rest of them would just cover it up. Jeff  
21 Steele covers up all this abuse from Feld. I  
22 know that. Kenneth -- I doubt seriously he



1 knows anything. They keep it hidden from him,  
2 because if he finds out, and he has to admit  
3 to it some day, he would have a guilty  
4 conscience. They keep his record clean. So  
5 they personally hide this stuff up from Jeff  
6 Steele. You can't go to Jeff Steele and say,  
7 "Hey, look, they are over here beating the  
8 animals."

9 Just prior to when I left in  
10 November, Jeff Steele was kind of coming down  
11 on all the hook marks. He would get mad,  
12 saying, "If I see any more hook marks on these  
13 elephants, somebody is going to pay." Well,  
14 what is he going to pay? He is going to do it  
15 again. Of course, nobody ever stops, if he  
16 heard Jeff Steele say he didn't want to see no  
17 more hook marks. He just didn't want to see  
18 them. He knew they would be there. He just  
19 didn't want to see it.

20 Q. What were the circumstances that  
21 Jeff Steele made that statement?

22 A. Let me think of the elephant for a

1 second. (Pause.)

2 It would seem to me -- it was  
3 Mini -- no, it was Sophie. Sophie and Mini  
4 both had big hook marks on their trunk. These  
5 were cuts, gashes, that had to be covered up  
6 before the show. I think he actually seen  
7 them before they are going in the curtain.  
8 That's what brought that on. I know one of  
9 them was on Mini, because she had a baby. She  
10 got in a head butting with -- I forget whether  
11 it was Myso or something. She got in a head  
12 butting contest and got a big mark on the  
13 head.

14 When you see the big cuts, those  
15 are just from head butting. That's not a  
16 hook. Then you look down, on the top there is  
17 a big slice from a hook. That's when he came  
18 out and told us off. (Unintelligible) right  
19 out of his mouth. He actually came out of the  
20 tent and said he didn't want to see any more  
21 hook marks like that. I'm thinking, myself,  
22 that day, I thought, well, you are a little

1 late. It is two years into the game here.  
2 You know? This was in -- it was about two  
3 weeks before we were finished up around  
4 Boston.

5 Q. Was it your sense that he was  
6 concerned about the elephants or he was  
7 concerned about --

8 A. He was concerned about being  
9 caught. There was no concern about the  
10 elephants.

11 What was his -- (unintelligible.)  
12 I got (unintelligible) up on my birthday. He  
13 told me, he said, "This is a business." And I  
14 think that's his attitude was it is strictly  
15 business. It is not the care of the  
16 elephants. He doesn't worry about -- he  
17 doesn't want the hook marks to be seen by the  
18 public. Because if they are seen, he has to  
19 answer for it, eventually. And he has to  
20 answer to somebody higher up, which is Richard  
21 Fremming. Richard knows what goes on there,  
22 too.

1           That particular time, I mean, the  
2 hook marks were nothing like in Richmond.  
3 They were all over the elephants. It was -- I  
4 know he wasn't concerned at elephants. He was  
5 concerned for himself more than he was the  
6 elephants. It was like, "I'm going to get in  
7 trouble," so I don't want to see this anymore.

8           Q.       Which city was this?

9           A.       Boston. Fleet Center is in  
10 Boston. That's it. You got the big ramp  
11 going up. That was Boston.

12           He came back in -- it was in Saint  
13 Louis, too. He said it twice. The first time  
14 it was said, it must have been Boston where I  
15 heard it. Just prior to Boston he jumped on  
16 everybody, too. Although it was the day  
17 before. Then he came back that next night.  
18 Because there were a couple of incidences  
19 where it happened. Because when I got to work  
20 they told me Jeff Steele was mad about all  
21 these hook marks. And then that next night.  
22 So it was Boston, twice in Boston, when he



1 said it. I remember when I came in, he came  
2 back from jumping on everybody about hook  
3 marks, again, purpose, in two days.

4 So that kind of -- show you what I  
5 mean by this day on day on process. You got  
6 two years of clouds here that -- basically,  
7 hooking and beatings, the whole two years.

8 Q. I would like to go back to some of  
9 the locations. You went through the first  
10 year pretty much.

11 A. Well, we hit the first six months.

12 Q. I don't want to go through every  
13 single city because it sounds pretty  
14 repetitious.

15 A. Yeah. Okay. Well, we talked  
16 about this one. We had one in particular on  
17 one of the walks. We walked them in about  
18 8 inches of snow.

19 Q. Could you --

20 A. Asheville. February 1st, 1998.  
21 Asheville, North Carolina. The day we got  
22 there, it was like 65, 60, 65 degrees and

1 Randy said, "Well, we are not going to walk  
2 them. We have to wait until morning to walk  
3 them." I don't think it was just Randy. I  
4 believe the police said we had to wait.

5 Well, the next morning there was  
6 8 inches of snow on the ground. We actually  
7 walked the elephants in that snow. It was a  
8 good two and-a-half miles uphill and downhill.  
9 My opinion is -- that's maybe an opinion. If  
10 I was a trainer I would have never walked them  
11 in the snow and I never would have walked them  
12 on a slippery surface because they could have  
13 slipped and hurt themselves. That's  
14 (unintelligible.) They did have trucks out  
15 there to plow the snow away but it was coming  
16 down just as fast.

17 One thing in particular happened  
18 to me. I was walking one of the miniature  
19 horses and a tree branch come down and hit me  
20 and the horse. Luckily, it wasn't a big one,  
21 but it bounced off my shoe and hit one of the  
22 miniature horses. If that could have been an

1 elephant, it would have ran. We could have  
2 had a problem tacked on. If it would have  
3 been somebody like Karen, she would have came  
4 back into the crowd and killed somebody. She  
5 is a very mean elephant.

6 We talked about Richmond. That  
7 year of '98 in February, the Richmond incident  
8 where Zyna and Rebecca had all the hook marks  
9 on them.

10 East Rutherford, New Jersey.

11 Q. Where are we now?

12 A. We are in March of '98. March of  
13 '98, number two on the rock card. Number two  
14 rock card for '98.

15 East Rutherford, New Jersey, I  
16 remember that Mini and Nicole on the end --  
17 wait a minute. No. Excuse me. It was Mia  
18 and Kamara on the far end of the pickup line  
19 and they tore some edging on a wall. They  
20 were fixing a wall and they tore down the  
21 little metal things. And Randy came in there  
22 and just wailed into both Kamara and Mia

1 because they grabbed a hold of that and tore  
2 it down. Like these lights in this room.  
3 Right above their head. Something they were  
4 playing with it. I didn't catch it in time.  
5 He yelled at me because I didn't catch it.  
6 They are so quick, once they did it, it was  
7 too late at that point.

8           Saying something to him, he wailed  
9 into him, took the bull hook to them. Of  
10 course, this was probably 20 or 30 minutes  
11 after the incident happened so the elephant,  
12 obviously, had no idea what he was getting hit  
13 for. That was East Rutherford, New Jersey.

14           New Haven, Connecticut that year,  
15 that was the incident with 23 minutes of --  
16 that was in May of '98 with Pat beating on  
17 Karen for 23 minutes. That was New Haven,  
18 Connecticut.

19           Again, Philadelphia of '98 because  
20 this guy has to be brought into the picture.  
21 In Philadelphia of '98 Adam Hill, who is now  
22 the presenter at Clyde-Beatty Cole Brothers,



1 came in as what Randy's job would have been.  
2 That's when he joined us in Philadelphia. And  
3 that's when I first met probably the third  
4 worst animal beater I've seen in my life.

5 He joined in Philadelphia. Second  
6 day there he got into it with an employee who  
7 had just got hired, too. Didn't want to  
8 listen to what Adam had to say. Him and Adam  
9 went outside and started fighting. Of course,  
10 nothing happened to either one of them. They  
11 should have both been fired for it. That's  
12 union policy.

13 Adam was another -- he was more  
14 violent than Randy, in fact. This Adam Hill,  
15 he fits in this whole two year process from  
16 Philadelphia on.

17 Q. Is he still there?

18 A. No, he is -- he is, unfortunately,  
19 with Clyde-Beatty Cole Brothers, doing the  
20 show there. The main one in charge of the  
21 elephants for the present. I know John Pugh  
22 personally, and I know, if John heard these

1 statements, Adam Hill would be gone real, real  
2 fast. Because John Pugh and his wife -- I  
3 know his wife. I don't know about John. But  
4 his wife does not tolerate anything to do with  
5 her elephants. She is very picky. She does  
6 not like to see hook marks even though --  
7 that's another show. Stay on this one.

8 Q. I would like to skip forward a bit  
9 and look at '99.

10 A. Okay.

11 Q. If we could.

12 A. Let me look real quick, make sure  
13 there is nothing important along here. That  
14 rings a bell, real fast. (Pause).

15 Los Angeles, California is when we  
16 first found out about -- that was probably the  
17 only week I can say, when we play LA,  
18 actually, Los Angeles, the sports arena,  
19 that's when stuff really dies down. Because  
20 that's when Kim's there and other people. It  
21 is real calm inside the tent. Because they  
22 can see from the parking lot in. Because they

1 have the walls up on the side. That's another  
2 trick. When the walls are half weigh down, or  
3 they shut the doors and they come in from the  
4 show and they drop the front door, that's when  
5 the elephants are going to get hit. It is  
6 always a thing to watch for.

7 Denver, Colorado. What was --  
8 Dateline?

9 Q. Dateline.

10 A. That's still in '98.

11 Q. Were you there?

12 A. Yes. I was a bar man. I am doing  
13 feed-out in the piece on Dateline.

14 We knew Dateline was coming for,  
15 well, quite a long time. Obviously, they knew  
16 for months because they ordered these nice  
17 little brown shirts. I should have wore it  
18 tonight.

19 They hand out all these shirts and  
20 they -- Jeff Steele's exact words. "We are  
21 not going to change anything. We are not  
22 going to do anything out of the ordinary."

1 "We all know what shirts haven't  
2 been brought in, so what's this, Jeff?" Just  
3 like that.

4 He goes, "This doesn't count.  
5 That is to show them that we dress right."

6 I'm going, "We dress like this  
7 every day of the week. Now you got us in  
8 this."

9 That whole thing was a cover-up.  
10 That was the biggest farce I have seen  
11 Ringling put on. It was so planned. I mean,  
12 everybody -- we were on -- everybody was at  
13 the level of don't do anything because there  
14 is a hidden camera here, there could be one  
15 over here. We actually went through looking  
16 for little red lights up in the rafters one  
17 day.

18 Randy and all them, they were on  
19 pretty good behavior in Denver. They were  
20 scared they were going to get caught for sure.  
21 That was so -- I mean, they took them exactly  
22 where they wanted them to go. They had Pat



1 sitting outside, at which time Pat said, I  
2 think, I can't remember -- did they ask him,  
3 "Have you ever hit an animal?" And his answer  
4 was, "No." And I thought, how can he sit  
5 there and say that.

6 I got to see the tape. All I got  
7 to see it once. I was in the car or in the  
8 (unintelligible.) I couldn't hear it because  
9 everybody was talking. I was standing there  
10 when Pat was doing his interview. I couldn't  
11 hear it very well. They should have had the  
12 whole thing. They should have shown with Pat.  
13 Because it was probably 15 or 20 minutes of  
14 Pat there, Pat Harney.

15 Then they came in, they did film  
16 me doing feed-out. They had Kenneth Feld come  
17 out and had the ring all set up with the  
18 banners, and that was when he said, "To the  
19 best of my knowledge, I know of no animal  
20 abuse going on at the circus."

21 I'm going to change, I am going to  
22 advise him one of these days about what goes

1 on there. That was pretty much a big farce.

2 Q. Where were everybody's bull hooks  
3 when they were there?

4 A. They were hanging up. They were  
5 around. They weren't never -- they weren't  
6 really hidden. I don't recall any place where  
7 they actually took them out and said these are  
8 the bull hooks and tried to say, look, they  
9 are not sharp, or something, because 90  
10 percent of them were very sharp bull hooks.

11 It was just -- I don't remember.  
12 We never walked the elephants. We never  
13 exercised them before going into the show  
14 because they were always around with the  
15 cameras. So the guys couldn't really get them  
16 going in a circle and start hitting on them  
17 because they would have got caught.

18 So we did not walk them. We kept  
19 them outside in pens all day and it was  
20 very -- they were so cautious there that it  
21 wasn't natural. It wasn't, by any means, not  
22 what goes on at Ringling Brothers. That is

1 what goes on at Ringling Brothers when the  
2 media is there. When they know like the USDA  
3 is coming. Well, we know 24 hours in advance.  
4 It is automatic. I have not yet to see that  
5 USDA other than San Jose that came in. I know  
6 no time. We are notified sometimes a couple  
7 of days in advance. Well, the USDA is coming  
8 Wednesday at 9:00 o'clock. Be ready.

9 (Unintelligible) They are going to be here in  
10 the afternoon. I want plenty of hay down.

11 Like I wouldn't do it  
12 (unintelligible) normally. They always just  
13 make us aware that they are coming.

14 I've yet to -- something I just  
15 thought about, I have never seen the USDA ever  
16 walk up and actually look at an elephant in my  
17 time there other than the San Jose incident.

18 And that was concentrated on Letchmee.

19 (Unintelligible) when they were filming  
20 Letchmee during a walk, that's when they quit  
21 using Letchmee, the one with the arthritis. I  
22 never did see USDA walk in, never examine an

1 elephant.

2 Q. What did they do?

3 A. Walk in, look in the tent, go,  
4 "Oh, oh, oh," like this. I was there. I  
5 would say at least six or seven times in my  
6 two years that the USDA came when I was  
7 working on my shift. And not once. They may  
8 have looked at them on other shifts. But on  
9 my shift not one time did they ever walk up --  
10 they just walk in and look around. They would  
11 go out and look out at the fence. Basically,  
12 you always had Dave Kaiser and usually Jeff  
13 Steele and somebody else walking with them, or  
14 Randy, to keep them talking so they never have  
15 time. They were just moving around like,  
16 okay, you go here, you go here, now you are  
17 done, okay, goodbye, go away.

18 I don't want to sit there and go,  
19 well, look, there is a hook mark over here,  
20 want to see it, want to see it? No. They  
21 never come in and look. They never once  
22 examined those elephants.



1 I will testify in a court of law  
2 of that even to the USDA. They don't have --  
3 those guys don't know what they are doing.  
4 (Unintelligible) just like, oh, we are going  
5 to Ringling. Well, you know, we can't get in  
6 no trouble in here because Kenneth Feld has a  
7 lot of friends in D.C. He will come down on  
8 us if we do too much.

9 Basically, that's another dislike.  
10 While the media is here, USDA says  
11 (unintelligible) because they control it.  
12 They can move them around any way they want.  
13 Manipulation.

14 Q. So when you brought up, in the  
15 discussion just now, you talked about  
16 Washington, D.C. And I was just wondering,  
17 when I am looking at this itinerary, the more  
18 recent, in 1999, March, in March and April.

19 In D.C. was there -- do you  
20 remember anything, any events, any incidences  
21 that might have happened during those --  
22 during that run?

1           A.       (Pause).   Other than the daily,  
2   you know, the regular, normal stuff like  
3   during the walks, an elephant rattles a chain  
4   just out of walking.   We had them in pens  
5   there.   Only put them on the picket line  
6   during the show.   I guess I remember the  
7   (unintelligible) chaining themselves to a car.  
8   That was nothing.   We went around that.  
9   (Pause).

10                   I don't remember anything at the  
11   armory.

12                   Downtown, oh, wait a minute,  
13   downtown, the MCI Center.   We were inside  
14   there and Pat was hitting Benjamin.   No, wait  
15   a minute.   It was -- no, Benjamin was still  
16   there.   I am trying to think.   Was Benjamin  
17   still there?   Yeah, Benjamin would have still  
18   been there.   Yes.

19           Q.       March?

20           A.       Yes.   March of a year ago.   Yeah,  
21   because he didn't fire him until that June,  
22   yeah.   The MCI building, we were inside.   And

1 the babies were -- we were right inside the  
2 door as you come in. The babies were down  
3 around the corner. I remember hearing them.  
4 You could hear the echoes coming around the  
5 hallway whenever Benjamin was getting hit by  
6 Pat. It would echo through there.

7 That was the one time that Kenneth  
8 Feld showed up, walked past the elephants --  
9 he never did ever come into the tent when I  
10 was with the elephants. And that particular  
11 time he walked right by the elephants and  
12 never so much as glanced over. Just like,  
13 "Well, how are the girls doing," or something,  
14 you know. He walked right past them, stopped,  
15 while he was standing down at the end, he  
16 walks in, "Where did my mom park the car?" I  
17 just wanted to say, "Do you want to come in  
18 and see your elephants?" He just went back  
19 out. When he did come in, when he was dressed  
20 up -- this was after the show. During, before  
21 the show, when his mom and all his little  
22 guests were there, they basically walked in,

1 stood way back, and kind of looked at the  
2 elephants and walked on. I never seen Kenneth  
3 ever come and really look at his elephants.  
4 Since I have been there, I have never seen it.

5 Q. Did you see or hear Benjamin  
6 actually being beaten?

7 A. In the MCI Center. That's because  
8 we were close, at the other -- I can't  
9 remember where they were in the armory. Oh,  
10 they were on the other side of the wall at the  
11 armory. We were in another section. In U.S.  
12 Airways Arena, Benjamin was right across from  
13 us.

14 Both the MCI, I remember him  
15 getting hit more in the MCI building than he  
16 did out in (unintelligible). Again, it is an  
17 everyday thing there. It is just -- how hard  
18 Benjamin gets hit, it depends on how hard he  
19 is going to scream.

20 Again, it was never really  
21 Shirley. Shirley didn't get it much. I don't  
22 know if he was -- some people get aggressive



1 against a male pet more than a female pet.  
2 That's kind of how Pat was. He was more  
3 aggressive towards Benjamin than he was -- and  
4 he always told me, "Benjamin has got to be  
5 taught a lesson," you know.

6 I remember one time he got mad at  
7 me, came up and asked me, he said, "So I hear  
8 you are going to go to the USDA on us." I  
9 said, "No, Pat." I said, "But I got one  
10 question." I said, "Whatever happened to  
11 Domestic Rewards?" He goes, "Nah, Benjamin  
12 gets out of line, I am going to smack the hell  
13 out of him."

14 I just happened to be questioning  
15 that because he was questioning me. I come up  
16 one night in the car and I was real mad  
17 because of -- that was just after the MCI when  
18 I was yelling in the train car about Pat  
19 beating on the baby and Carl, the electrician  
20 on the train, said, "What are you going to do  
21 about it?" I said, "I'm going to go to the  
22 USDA." The very next day, of course, Pat and

1 Jeff Pettigrew and Randy, all three of them  
2 were, "I hear you are going to go to the USDA  
3 on us."

4 That's what I remember about  
5 working D.C. That's where Horie hired on.  
6 And another guy, Gary Oxidine. There is  
7 another one that doesn't really -- Robert  
8 Curry doesn't really hit the animals. Dave  
9 Oriman that is there, now, or was when I left,  
10 named Gary Oxidine, he rarely uses a hook,  
11 too. But he will use it. Not use it but he  
12 will carry it into the pen. But there is a  
13 little more fear right now because he is so  
14 knew. Gary doesn't like the way the animals  
15 are treated, either. I am thinking of looking  
16 him up, giving him a call here before too  
17 long. Especially after the story breaks out.  
18 Gary may walk away, bring everything he knows  
19 to verify what I know.

20 Q. Let's move on.

21 A. Okay.

22 Q. When you were traveling,

1 generally, between all these venues,  
2 generally, how long were the trips and how  
3 were the elephants transported? What were the  
4 conditions?

5 A. Well, at Ringling, they are hauled  
6 in stock cars, we'll call them. When I say  
7 I'm working the stocks, every day from 3:30 to  
8 10:30 on a train run, because I had every  
9 Saturday off, I was on the stocks. I ran them  
10 from there to there from 3:30 to 10:30.

11 Sometimes it was like noon to 11:00 o'clock at  
12 night, depending on when we did a water stop.  
13 I went on at the water stop and I got off at  
14 10:30 or 11:00, roughly.

15 One incident I want to bring up  
16 about the stocks. We were going from  
17 Cleveland to -- I don't know if we were going  
18 from Cleveland. We were heading to Boston.  
19 It was winter. I remember that run through  
20 Ohio. The snow was not only on the vestibules  
21 between the time -- because the windows were  
22 open, the snow was just piling in. On the

1 stock cars the gaps in the doors, there was so  
2 much snow blowing into, inside the stock cars,  
3 and of course there is no heaters in there, I  
4 was taking bales of hay and breaking up flakes  
5 and shoving in the door to keep the snow from  
6 coming inside.

7 It was the coldest I've ever seen  
8 it on those stocks. I don't know what their  
9 excuse is for not having heaters in there.  
10 What they tell us is that, well, body heat  
11 will keep it warm in there. I've seen -- my  
12 travels on the stocks because I'm there from  
13 when it gets dark until 10:30 at night -- I've  
14 seen many a night when we are traveling in the  
15 colder part of the year, the beginning of  
16 tours, and the wintertime, it gets extremely  
17 cold inside the stocks.

18 The windows are basically plastic,  
19 Plexiglas, and they only slide so you still  
20 have a gap where the air comes in, plus your  
21 doors are gapped for air. The doors in  
22 between are open all the time, between the two



1 cars. Because I only have two stock cars with  
2 elephants.

3 So you constantly had wind blowing  
4 on Rebecca. You have English, the three  
5 English in this car. And the air was coming  
6 in the door on the back side of them. I  
7 remember that one particular case it was snow  
8 blowing in. I mean, piling up in the door.  
9 It was (unintelligible) a snowstorm outside,  
10 because I didn't open the doors.

11 The other thing is, in the  
12 wintertime, the problem we have with stock  
13 cars, I would open the doors but most of the  
14 guys wouldn't open the doors to push out the  
15 stuff. They would just leave the girls stand  
16 there. Or they would push it in a pile by the  
17 door or something. And then they were picking  
18 in it.

19 I would open the doors even though  
20 I knew it was going to make the girls cold. I  
21 didn't have a choice. I didn't want them  
22 standing in their own waste. I got to shove

1 it out, and that automatically brought the  
2 temperature in the car back down every time I  
3 have open the door. So I would try to push it  
4 up by the door and wait as long as I could to  
5 push it out.

6 The stock car that we used for two  
7 years I believe is gone. It was still -- it  
8 went to winter quarters with me but that's the  
9 last I've seen of it.

10 The floor that Mia and Kamara,  
11 especially English stood on those, it would go  
12 up and down. The urine and stuff was such a  
13 black gook that it would just come up and  
14 bubble in between the holes. This has got to  
15 be years of muck and stuff down there coming  
16 up to that hole.

17 They said that car was being  
18 redone this year, which means, basically, they  
19 threw a floor over top of the old one.

20 If not, if it is still there, then  
21 I guarantee you could walk in and stand on  
22 that and watch the stuff just squish out

1 between the floor. It is a sickening thought.  
2 But that's --

3 Q. What about --

4 A. They were always checking.

5 Q. Yes. And what about the summer  
6 travel in the heat? How hot did it get?

7 A. Yuma, Arizona to Phoenix, it was  
8 125 degrees. It was about 112 outside. It  
9 had to be 125. I had every door open, every  
10 window open. And I was sitting there, could  
11 hardly breathe. All the water was hot. I  
12 couldn't water the animals. I remember that.  
13 Because all I was getting was real hot water.  
14 120 some degrees water coming out was too hot  
15 for the girls to drink.

16 So what I did -- I think you know  
17 this now -- I went and took a whole bunch of  
18 the bottled water that I knew wasn't that hot,  
19 and dumped them in there. All the girls were  
20 getting just a little sip at the time. I  
21 poured like 215 cases and I told them, I said,  
22 "Somebody stole our water." But I had about

1 15 cases of bottled water and ran it through  
2 the car, giving the girls a drink. It was so  
3 hot that day that -- I didn't have anything to  
4 drink. I know that. I give the water to the  
5 girls instead of me drinking it. The water  
6 that we have in the tanks was so hot. It was  
7 hot in the cars. That was Yuma to Phoenix.

8 The rest of the time you have  
9 mostly, when it is real hot, we open up all  
10 the doors and the windows, which gives them a  
11 breeze. But, again, there is no cooling  
12 system on the water so, if it gets real hot  
13 outside and you try to water the girls, you  
14 are literally watering them with hot water.  
15 It is not real good for them in the  
16 summertime. That's all Ringling has. In the  
17 wintertime it is ice cold water. That's just  
18 a general. They shouldn't have ice water in  
19 the winter but that's what they get on the  
20 Ringling train, is pure ice water.

21 They are chained up and they can't  
22 move. That's another thing. A couple of them



1 can lie down because they are changed by  
2 themselves. If you crate two of them side by  
3 side, they can't lie down well on the train.  
4 There is basically enough space to, if you  
5 catch them in between breathing, you can get  
6 between them, or you get caught in the middle.  
7 I've never been crushed. I have been able to  
8 slide through them. It is very cramped  
9 conditions.

10 Their excuse, I am sure, at  
11 Ringling is, well, it is the width of a train  
12 car, we can't go any bigger. Well, you can  
13 get another train car and you don't have to  
14 put them side by side. You go to  
15 (unintelligible) train cars, you get longer.  
16 You have twelve elephants, have, say, three in  
17 each car. Four. One, two, three, four.  
18 Leave them room to lay down. Get some more  
19 train cars. That would be my first thing to  
20 do. I wouldn't have them standing side by  
21 side, where they can't lay down. You get one  
22 to lay down, nobody can get to it.

1 Q. Generally, in terms of on a  
2 day-to-day basis, how long or how many hours  
3 would you say they are kept in chains?

4 A. Seven or eight minutes long. They  
5 walk them for five minutes. That is 13  
6 minutes. Unless they are put out in pens in  
7 the summertime. If it is wintertime it is 13  
8 minutes. If they want the chains. The rest  
9 of the time they are on chains. Unless they  
10 put them in pens. They did start using pens,  
11 towards the latter part of the last tour, they  
12 started using pens more inside than outside.  
13 And then they were only penned up at night and  
14 during the show. They let them walk around  
15 the rest of the time. Then you have got a pen  
16 that is, what, 20 feet by 20 feet by 20 feet.  
17 It is, you know.

18 I have seen the exercise pens here  
19 bigger to walk around in. What they have in a  
20 little pen. You might have four or five of  
21 them in a pen.

22 Q. Are you familiar with an elephant

1 named Kenny?

2 A. Uh-huh. Well, I know the name.  
3 That was on the (unintelligible). I never  
4 worked with Kenny.

5 Q. Did you ever hear anybody talk  
6 about what happened to Kenny?

7 A. Well, Ringling, they put a thing  
8 on the board, that it got an aneurysm to the  
9 stomach. That was the official release we got  
10 for the Ringling employees.

11 I never really heard anything  
12 about Kenny other than -- (unintelligible)  
13 asked, well, where did you get the bad water.  
14 It could have come out of one of the tanks. I  
15 never thought of that until just now. The  
16 water tanks there, the elephants, it is pretty  
17 nasty water sometime that comes out of the  
18 water tanks. They constantly fill them. He  
19 may have got something out of there. They say  
20 aneurysm. I don't know. That's the official  
21 result we got.

22 Q. But you don't know anything

1 personally?

2 A. No.

3 Q. I understand that the USDA has  
4 found some rope burns on two baby elephants.  
5 Do you have any idea about what might have  
6 caused rope burns on baby elephants there?

7 A. It is not an idea. I will tell  
8 you exactly how they train them. To make an  
9 elephant lay down in a circus, especially at  
10 Ringling Brothers and other ones, the ropes  
11 are used to force the babies to lay down.  
12 They will tie them and then force them to lay  
13 down as they are doing it. This is their  
14 Domestic Reward program we talked about. You  
15 tie a rope on them and you force them to lay  
16 down and you keep doing that until they  
17 actually do it without the rope. The rope  
18 burns that was told to me, I'm sure if they  
19 investigate, you will find out those are  
20 caused from the training program they use at  
21 the farm. That was told to me by Daniel  
22 Roffo. And also by Randy one time.



1                   Because when it comes up, like my  
2 instance, when many of the elephants wouldn't  
3 come out of the containers on the trip, they  
4 tied the one, that is when they first told me  
5 about -- I said, "Why do you do that?" He  
6 says, "Well, you got to do that to train them  
7 to lay down, or train them to do anything.  
8 You have got to tie a rope on them to do it."  
9 And I said, "So that's how they are trained."  
10 He says, "Yeah, that's how they do it at the  
11 farm." And that's one of the reasons the farm  
12 is not open to the general public. Because  
13 they can just block and tackle them. They can  
14 do anything they want. If they want to make  
15 them stand up, they can tie them and hoist  
16 them up in block and tackle and make them  
17 stand up.

18                   That's a pretty well known fact in  
19 the circus community. The general public  
20 doesn't know it. That's their training.

21                   Q.       It is your understanding that's  
22 the method that is used by Jacobson, by Pat,

1 by --

2 A. It is used by Gary Jacobson, Pat,  
3 by Randy. It would be used by any circus that  
4 is training their animals. It is even used in  
5 Europe. It is like this is how you train an  
6 elephant. You tie them up and you make them  
7 do it until they do it. If they don't get it  
8 the first time, you hit them.

9 Q. You have mentioned that the baby  
10 elephants you are talking about -- I just  
11 wanted to have you sort of give me a general  
12 description, kind of summarize how it was that  
13 you saw them, their experience of their being  
14 kept, as opposed to the adult elephants.

15 A. Well, the only difference between  
16 the way the babies were kept and the adults is  
17 that their chains were smaller. They are on a  
18 picket line. The chains weren't quite as big.  
19 I rarely ever saw Benjamin off the chain.  
20 Shirley was but he always would keep Benjamin  
21 chained up because Benjamin was -- he would  
22 get a little frisky with Shirley. He would

1 always keep Benjamin on the chain and let  
2 Shirley run around and, really, attack  
3 Benjamin. Sometimes Benjamin deserved it and  
4 Shirley would get him. That was two elephants  
5 playing with each other.

6 Again, if they have the babies in  
7 a line, especially the five in Boston -- I'll  
8 explain Boston. That's one I can picture in  
9 my mind the best. They had a chain. We were  
10 on this end to the left. To the right -- if  
11 you are facing them, to the right was the  
12 babies. They had their little picket chain  
13 down there. They were chained front and back.  
14 The only time they were ever taken off the  
15 chains is maybe for 10 or 15 minutes to do the  
16 show and some one time I seen them off the  
17 chain while they were feeding them, but then  
18 they chained them right back up. Because the  
19 thing is, if they are off the chain, somebody  
20 has to stay there and watch them. If they are  
21 chained up they can go watch TV and the babies  
22 are left alone then.

1 I've seen no -- it was just kind  
2 of like, there is big ones, there is little  
3 ones. Basically, they keep them the same way.  
4 I have never seen -- I notice when I would  
5 watch them do their practice and rehearsals,  
6 what little bits I could see there -- the  
7 thing was -- I seen a lot of hooking. That's  
8 when a lot of hooking happens is in  
9 rehearsals. More than in any show. If you  
10 ever get into a rehearsal, you will see them.  
11 I mean, that's when the hooking and hitting  
12 really happens a lot.

13 Q. That's not open to the public, is  
14 it?

15 A. No. Not usually. Just hidden  
16 cameras.

17 Q. I'm going to ask you, you  
18 mentioned Karen a couple of times, too. That  
19 she was considered a more, would you say a  
20 more aggressive?

21 A. Absolutely.

22 Q. Elephant?



1           A.       Karen, I don't know for a fact  
2       that Karen has ever killed anybody but I, in  
3       my two and-a-half years with Ringling  
4       Brothers, have never physically put my hand  
5       like I have the rest of them, pat them or  
6       touched them. I've never physically touched  
7       Karen in two and-a-half years because Karen  
8       just didn't like me.

9                       But she never got aggressive with  
10      me. I've seen her hit guys on several  
11      occasions. When they get too close she would  
12      reach out and smack them. She would swing at  
13      me all the time. If I would be walking by  
14      20 feet away, she would still take a swing  
15      just to be doing it. But I remember on one  
16      occasion, I was pulling -- I reached way out  
17      and grabbed the hay in front of the picket  
18      line and started pulling back so I had to  
19      clean. Two elephants over I looked at Karen  
20      and said, "Can't get me now," and turned my  
21      back. She slapped me on the back just to be  
22      playing with me. She was a very -- to me she

1 wasn't -- she never ever got aggressive with  
2 me but I know, if I ever got close enough --  
3 if I had purposely walked up, she would have  
4 killed me. But I have walked past her and  
5 forget what I am doing, she will reach over  
6 and nudge me like, hey, come on, don't get  
7 here.

8 Q. Why was she considered so  
9 dangerous?

10 A. Because -- I know one guy, they  
11 always talked about this one guy. Can't think  
12 of his name real quick. He was -- Dennis.  
13 His name was Dennis. He was with Clyde-Beatty  
14 Cole Brothers. That's where I met him. He  
15 said he got hurt at Ringling Brothers. I  
16 didn't believe it until I got to Ringling  
17 Brothers and actually seen pictures of him on  
18 the Ringling train and I found out that Karen  
19 had slammed him against the wall and hurt his  
20 back and broke a couple of ribs.

21 They talk about him and another  
22 guy. The other guy got slammed on the floor

1 and Karen was knocking him around like a ball.

2 Karen is very big. Karen should  
3 not be on the circus. Karen should be at the  
4 farm hiding out somewhere. Karen is very  
5 aggressive. They would have a very, very calm  
6 herd, the ones when I worked there. If Karen  
7 was gone I could have walked in and out of  
8 every elephant there. But being as Karen was  
9 there, I had to be always cautious. Every day  
10 I had to go third over, and don't  
11 (unintelligible) every third elephant. Which  
12 eliminated me -- a lot of times she stands in  
13 her own waste a majority of the day because  
14 nobody can get close. I could not, I couldn't  
15 get over there and clean. So I had to wait  
16 until Randy or somebody came in so I could  
17 clean up behind her.

18 On rare occasions when she wasn't  
19 looking I could reach over and grab it. I  
20 tried to keep it as clean as I could. But  
21 sometimes it would be three elephants that  
22 weren't going behind, you couldn't do

1 anything, because Karen would get you if you  
2 even went in there. Very, very aggressive  
3 animal.

4 Q. Was she beaten?

5 A. She was beat all the time. Well,  
6 Pat beat her. Sonny smacked her to keep her  
7 under control. Randy, Robert Ridley's son, he  
8 is the main one that takes her in for the show  
9 and stuff. He'll only yell at her once. If  
10 she don't do it, she gets hooked or smacked in  
11 the head. And he has been there 33 years.  
12 That man should never be touching an animal.

13 Randy. Again, Adam, Adam would  
14 lay into Sophie and Karen. They were side by  
15 side. If Sophie would do something to Karen,  
16 Karen would do something to Sophie, they both  
17 got it. It wasn't just one. They would both  
18 get hit. If you are close to them you better  
19 duck. Because I have gotten close to getting  
20 hit by a bull hook. They aren't watching,  
21 they start swinging. If you are over here,  
22 you are liable to get hit. You have to be



1 very careful at that point.

2 Karen is a dangerous elephant. If  
3 Karen ever gets loose in her rein she is going  
4 to kill somebody. Especially when they take  
5 her in. They take her in for this what they  
6 call crew show, three-ring adventure. She is  
7 the one in there with Sonny. If Sonny ever  
8 loses control of that animal, she is going to  
9 hurt somebody. Because there are all these  
10 little kids there. If Karen ever let's loose  
11 one time, there is going to be a bad accident  
12 with her, because she is a very aggressive  
13 animal.

14 Q. Do you have any idea why she is  
15 still in the circus?

16 A. They say, "Oh, she is a good  
17 elephant, she does what she is supposed to do  
18 in the ring."

19 I don't know. I've only seen the  
20 show a few times. If you are beat enough, you  
21 do what you are told so you don't get beat. I  
22 don't know if an elephant thinks that way.

1 I'll tell you what. I've seen them,  
2 especially like Karen, Karen gets it quite a  
3 bit. They keep her under their reins as much  
4 as they can, because she is a very dangerous  
5 animal.

6 Q. Do you think they beat her more  
7 than they beat the other elephants, or about  
8 the same?

9 A. Benjamin got it the most. That  
10 would be Nicole from Randy. He'll say, "I  
11 never hit Nichole. She is so nice." He told  
12 me that one time. I said, "What is all the  
13 hook marks?" Then it would be Karen. And  
14 then -- okay. Lootsie would get it. Zyna  
15 would get it heavily. Rebecca would get it.  
16 And it would be Sophie. I said Sophie. Then  
17 it would be Mini. And Marsore is the grandma.  
18 Anybody hit Marsore, I would get on their case  
19 for it. But she has been hooked a few times.  
20 Then it would be English. That's basically  
21 the order of violence. And English getting  
22 picked on because they were Graham's. Randy

1 hated Graham. So as soon as Graham was gone,  
2 it was I get to pick on the English. That's  
3 one of the reasons I -- when I left, I went to  
4 take care of, you know, with all the abuse I  
5 seen at Ringling, when I went over to Europe,  
6 I was hoping, hey, I've got my three girls  
7 away from them. You know. Mini has got cuts  
8 behind her ear that are 3 inches deep from  
9 what Ringling did to her. And I think  
10 Mr. Feld ought to see that. I've got pictures  
11 coming of those.

12 MS. SIMMS: Well, I think we are  
13 about wrapped it up for this session. Thank  
14 you very much.

15 THE WITNESS: This session.

16 You are welcome.

17 MS. SIMMS: Thank you very much  
18 for the statement.

19 (Proceedings concluded.)

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CERTIFICATE OF TRANSCRIPTIONIST

I, Zev V. Feder, do hereby certify that the above was transcribed by me from DVD videotape; that the transcript is a true transcription of the proceedings; that I am neither counsel for, related to, nor employed by any of the parties to which the proceedings were taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

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Notary Public in and for  
the District of Columbia

My Commission Expires:  
April 14, 2007