

Stop the abuse of captive elephants

Legislative history

SB 1062 would end the use of cruel bullhooks on elephants. The bill follows from last year's SB 716, which passed the Senate by a vote of 28-8 and the Assembly 69-8 but was ultimately vetoed by Governor Brown. SB 1062 has been drafted to address the Governor's concerns. Rather than amending an existing Penal Code statute, SB 1062 proposes to create a new Fish and Game Code section to explicitly prohibit the use of bullhooks. In addition, violation of the code will be classified as a civil penalty with a fine and restricted species permit approach.

What is a bullhook?

A bullhook is a steel-pointed rod resembling a fireplace poker that is used to prod, pull, hook, and strike elephants during training, performing, and handling. The sharp tip and hook are applied with varying degrees of pressure to the most sensitive parts of their bodies, causing the elephant to recoil from the source of pain. The handle is used as a club, inflicting substantial pain by striking areas where little tissue separates skin and bone. Those who use bullhooks euphemistically refer to the device as a "guide."

How are elephants trained with a bullhook?

Elephant calves are forcibly separated from their mothers (females elephants naturally remain with their mothers for life) and taught to associate the bullhook with pain and fear. While the elephant is restrained, handlers repeatedly administer sharp jabs and hooks with the bullhook, and strike sensitive parts of their bodies with the handle or metal hook. Thereafter, the elephant responds to the bullhook out of fear of pain (moving away from the device) and will be expected to perform a behavior on cue or suffer painful consequences. Without this fear-based training, the elephant would not respond to this otherwise meaningless device. The very sight of a bullhook is a threatening reminder of the painful punishment that can be delivered at any time.

Why are elephants trained with a bullhook?

Elephants are highly intelligent, powerful, and dangerous wild animals; there is no such thing as a "domesticated" elephant. Elephants in direct contact with humans present a serious risk and must be kept under strict control at all times. An elephant is not allowed to step out of line – not even for a moment – or she will be physically punished with the bullhook. Elephants would not voluntarily perform the grueling routines required in a typical circus act—these physically difficult tricks are only performed to avoid punishment.

Don't elephants have thick skin?

Though thick, an elephant's skin is rich in nerve endings and is so sensitive they can feel an insect bite. The bullhook is typically embedded into the most sensitive areas of an elephant: behind the ears, under the chin, inside the mouth, on the back of the legs, in the anus, and sensitive areas around the face. It can cause puncture wounds, abrasions and lacerations of the skin. Circuses use a gray powder called Wonderdust to conceal bloody bullhook wounds.

Do bullhooks keep trainers, veterinarians and the public safe?

No. Elephant trainers cannot protect themselves, let alone the general public, when an elephant decides to rebel against a trainer. Elephant attacks typically occur in situations where humans and elephants share the same space, bullhooks are used, and where elephants are subjected to human dominance. Since 1990, at least 16 human deaths and 135 injuries in the U.S. have been attributed to elephants, primarily in circus-related incidents.

FAQs: SB 1062 (Lara)

What is the alternative?

Protected Contact management uses positive reinforcement training paired with food treats and praise and a protective barrier between elephant and trainer; the bullhook is not used. With Protected Contact the elephant has a choice of whether to participate in training sessions. If they choose not to, then they may simply walk away from the trainer with no repercussions for doing so. Progressive facilities, including every California zoo accredited by the Association of Zoos and Aquariums (AZA), and legitimate sanctuaries including the Performing Animal Welfare Society in San Andreas, California, utilize this method. They are able to effectively provide husbandry and veterinary care to elephants in a way that is safer for keepers and veterinarians, as well as psychologically and physically humane for elephants.

What is the policy of the Association of Zoos and Aquariums (AZA)?

The AZA policy prohibits keepers from sharing unrestricted space with elephants, because of the great risk to keepers. The policy was instituted after incidents in which elephants attacked and killed or grievously injured keepers. All the keepers involved in dangerous incidents used bullhooks, which did not prevent, and may have aggravated, these tragedies. **The California Association of Zoos and Aquariums supports SB 1062.**

Who opposes the use of bullhooks?

World-renowned authorities, such as Dr. Cynthia Moss and Dr. Joyce Poole, who have studied wild elephants for more than 30 years, condemn the use of the bullhook. Other elephant experts opposing bullhooks include wildlife veterinarians, conservationists, animal welfare professionals and policy makers, former and current zoo directors, and elephant keepers. No animal protection organization or bona fide conservation organization supports the use of bullhooks.

Who supports the use of bullhooks?

Circuses, businesses that provide elephant rides, and a diminishing number of zoos outside California that are still clinging to an outdated and inhumane way of managing elephants.

What are the Elephant Manager's Association (EMA) and the International Elephant Foundation (IEF)?

Both are industry organizations with close ties to circuses and elephant trainers who continue to use the bullhook. The **EMA** and the **IEF** each have a board of directors on which about half of the members represent facilities that use bullhooks, including circuses, zoos and elephant ride providers.

What government agency monitors elephant training?

No agency, including the U.S. Department of Agriculture which oversees the welfare of exhibited elephants, monitors animals during training sessions, where the most severe abuse commonly occurs. Yet, a simple Internet search will produce several behind-the-scenes videos showing elephants being abused with bullhooks.

What is the position of the U.S. Department of Agriculture on bullhooks?

Federal law does not prohibit bullhooks. However, there is no recognition that use of the bullhook is a preferred way to manage elephants, or that it is a key component of elephant care and handling. Unfortunately, federal oversight is not enough to protect elephants, as exhibitors are only subject to periodic inspections.

What is the regulatory situation in California?

Traveling circuses, for the most part, go unchecked in the state unless there is a city or county ordinance regulating such activity. California Penal Code Section 596.5 prohibits several cruel elephant training methods, but fails to expressly address the bullhook. The Department of Fish and Wildlife is responsible

FAQs: SB 1062 (Lara)

for enforcing the laws relating to restricted species as set forth in the Fish and Game Code Sections 2116 et al. and Title 14, Section 671 of the California Code of Regulations. These laws relate to the keeping of exotic animals, including elephants, for exhibition. Exhibitors must obtain a permit and comply with a series of care standards, but the law fails to expressly address the bullhook. SB 1062 proposes to create a new Fish and Game Code section to explicitly prohibit the use of bullhooks.

What municipalities and counties have passed restrictions on the use of bullhooks?

Los Angeles and Oakland, California; Margate, Miami Beach, and Pompano Beach, Florida; Richmond, Virginia; Union City and Fulton County, Georgia; Jefferson County, Kentucky; Clatsop County, Oregon; Austin, Texas; Minneapolis, Minnesota; and Spokane, Washington.

Are other states considering a bullhook ban?

The states of Massachusetts and Rhode Island.

What other actions have been taken to protect elephants?

More than 40 U.S. municipalities have passed full or partial restrictions on the use of wild animals in public displays, and/or the use of bullhooks. More than 30 countries have passed national restrictions on the use of wild animals in public displays. Mexico recently banned all performing animal acts. In California the following cities have restricted the use of wild animals in public display: West Hollywood, Corona, Encinitas, Huntington Beach, Marin County, Newport Beach, Pasadena, Rohnert Park, and Santa Ana. **The City and County of San Francisco banned all wild animal performances in April 2015.**

How have circuses dealt with local ordinances prohibiting the use of elephants or of bullhooks?

The Ringling Bros. and Barnum and Bailey Circus will no longer use elephant acts as of May 2016, citing the proliferation of local performing animal ordinances and changing public sentiment against the use of elephants in its shows. Newspapers nationwide, including the Los Angeles Times, praised the decision.

What effect will a bullhook ban have on elephants used in film and advertising?

The City of Los Angeles – the film capital of the world – voted unanimously to pass a comprehensive ban on the use of bullhooks. Only two permits for performance-related activities involving elephants were issued in 2015, indicating that elephants are not commonly used. Increasingly, computer generated graphics are replacing live animals in film and advertising.

Will a bullhook ban reduce family entertainment choices?

No. Circuses that once visited California with elephants no longer bring them, may no longer be in business, or rarely visit the state. In fact, the only traveling circus with an active permit with the CA DFW is Ringling Brothers, which will end the use of elephant acts in May 2016.

Will a bullhook ban affect county fairs?

No county fair in California offers elephant rides.

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