

IN SUPPORT OF RAISED H.B. No. 6555
An Act concerning The Treatment Of Elephants

To the Environment Committee

March 9, 2009

Circuses like to make the claim that the bullhook, aka ankus, is used merely as a guide for the elephants. Eyewitness accounts* dispute that, describing prolonged beatings, elephants screaming in pain, elephants bleeding from bullhook cuts, several handlers beating one elephant, daily beatings, and wonder dust rubbed into the wounds to hide them from the public. Underground videos show trainers striking an elephant for no reason, or for a trivial one like stretching out her trunk. It has to be apparent that the guide, aka ankus, aka bullhook causes harm and pain even when used in its most benign manner. It also must be apparent that it is regularly used far beyond that, as an instrument of pain and extreme punishment.

Chains are an instrument of immobility. The elephant is a creature of motion. Due to their bulk and weight, the health of their muscles and bones and of the pads on the bottoms of their feet depend heavily on roaming and walking, ideally at least ten miles a day. Chronic immobility, especially for an animal of such bulk and weight, causes atrophy, muscle and bone disease, painful arthritis and foot rot. However, elephants are chained while traveling and chained or tightly corralled between shows. They literally live their lives in chains.

All of these conditions are in violation of the Endangered Species Act and of the intent of our own state law which prohibits worrying and harassing an animal for the sake of entertainment. But Connecticut state law fails due to lack of specific guidelines, requirements or enforcement which would address the special needs of elephants in traveling shows.** Without specific legislation, assailants can describe whips, electric prods, bullhooks, and chains as lawful and standard industry practice, and erroneously categorize the barbaric bullhook as a "guide".

State and local authorities are sometimes reluctant to intervene and enforce their own laws in cases where violators operate under a USDA license, deferring, instead to the overburdened federal agency. However, the AWA does not preempt the authority of local governments to enact laws to protect animals in their area. The USDA states, "A person mistreating an animal could be prosecuted both under the AWA for mishandling and under local cruelty and mistreatment laws." The AWA expressly states that it "shall not prohibit any state from promulgating standards in addition to those standards promulgated by the Secretary....." Neither the AWA nor the limited inspection services provided by the USDA were intended to replace state and local oversight of animals used in entertainment. One federal court stated "plain reading of the Act demonstrates that its goals are intended to be realized in part through state and local participation." Traditionally the obligation to care for and control animals has fallen to local governments and nothing in the Act changed this. Without a specific ban on bullhooks and other cruel devices by our own state law, elephants will continue to be the recipients of abusive and cruel treatment.

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*From testimonies of Tom Rider, Archele Hundley, Kelly Tansy, Bob Tom

**Title 53 chapter 945; section 53-247 (a); 53-249, 250 (specifically exempts circuses) 247, 248, 251 (all have no guidelines for elephants)