

FREQUENTLY ASKED QUESTIONS:

California's Circus Cruelty Prevention Act

Why Is This Legislation Necessary?

Bears, tigers, elephants, and other wild animals exploited in traveling acts don't ride bicycles, jump through hoops, or balance on pedestals because they want to. They perform these and other difficult tricks because they're afraid of what will happen if they don't. To force animals to perform, circus trainers abuse them with whips, muzzles, electric prods, bullhooks (heavy batons with a sharp steel hook on one end that are illegal in California), and other weapons that cause them pain.

Traveling exhibitors haul animals across the country year-round—through bitter cold, sweltering heat, and all other weather extremes. While in transit, the animals are confined to trailers or trucks where they may not have access to basic necessities, such as climate control, space to move, food, water, and veterinary care. Elephants are chained, and big cats are imprisoned inside cramped, often filthy cages in which they must eat, drink, sleep, defecate, and urinate—all in the same place. And there's no relief once the animals reach a venue, as they remain caged or chained in arena back rooms and parking lots.

Wild animals also pose an inordinate danger to public safety. If they feel threatened or frightened, they will act on their natural instincts—and when a bear, a big cat, or an elephant rebels, trainers can't always protect themselves or the public. These animals have bolted from circuses, run amok through streets, damaged buildings and cars, bitten members of the public, and crushed handlers to death. They often sustain injuries, too, and some have been killed in a hail of bullets.

Why Aren't Existing Laws Sufficient to Protect Wild and Exotic Animals From Abuse?

Circuses are transient. They move quickly from city to city and easily evade law enforcement. Local animal control officers typically lack the specialized knowledge and training needed to recognize an ailing wild or exotic animal and the resources and expertise needed to take action.

Often, state and local officials defer to the U.S. Department of Agriculture (USDA), which licenses exhibitors under the federal Animal Welfare Act (AWA), whose minimal, vague standards often fail to protect wild animals. As a result, exhibitors may subject animals to extraordinarily inhumane conditions while remaining in compliance with the AWA. The law doesn't prohibit chaining, prolonged confinement, social isolation, or other abusive practices that cause physical and psychological suffering. The USDA is also notorious for rubber-stamping the license applications of abusive exhibitors and chronically under-enforcing the law. Moreover, no agency monitors animal training, which occurs out of public view.

Bans on bullhooks, such as the one in place in California, have had limited success. Some traveling exhibitors avoid jurisdictions with such bans because they rely on bullhooks to make elephants submit. However, some exhibitors do perform without bullhooks but hide a sharp prod in their pocket to use surreptitiously. Others carry an object that resembles a bullhook, such as a toy light saber often sold as a circus concession. These objects appear innocuous to the humans enforcing the law, but they symbolize a threat to the elephants who have been beaten many times with bullhooks.

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Why Does This Bill Protect Only Wild and Exotic Animals?

The Circus Cruelty Prevention Act applies to a narrowly tailored list of wild and exotic animals who are inherently unsuitable for a transient lifestyle. Wild animals are innately driven to behave as they would in their natural homes—the rich ecosystems in which their species evolved over millennia. When they're denied any semblance of a natural life, they suffer physically and psychologically.

For example, tigers evolved to be athletic, solitary hunters who roam vast, remote forest territories and love to swim in streams. In circuses, they're confined to cages barely any larger than their own bodies, they're unable to avoid conflicts with other tigers, and they can't hunt, swim, or climb. As a result, they become obese, develop sores from lying on hard surfaces, may be injured or killed from fighting, and develop abnormal types of behavior to cope with their stress and frustration—such as constant pacing or overgrooming.

The animals protected by the bill also pose a great risk to public safety. Dangerous interactions with captive wild and exotic animals have resulted in dozens of human deaths and catastrophic injuries—including amputations, broken bones, crushed pelvises, collapsed and punctured lungs, degloving injuries, head wounds, and brain injuries.

How Does This Bill Compare to the Laws Recently Passed in New Jersey and Hawaii?

Hawaii adopted a regulation that prohibits the importation of lions, bears, elephants, alligators, and other wild animals used for entertainment. This has the effect of banning the use of wild animals in traveling acts. In Honolulu in 1994, an elephant named Tyke killed her trainer and injured 13 other people, escaped from the circus, ran through the city streets, and was shot nearly 100 times before she died.

In New Jersey, “Nosey’s Law” makes it illegal to use wild and exotic animals in traveling animal acts. The bill had broad support—it passed unanimously in the Senate, and it passed in the General Assembly by a vote of 71 to 3. The Circus Cruelty Prevention Act has similar language.

How Will Animal Exhibitors in California Be Affected?

Circuses in California have already evolved to meet the public’s demand for entertainment that **doesn’t** involve a lifetime of abuse for exotic animals.

San Diego–based Circus Vargas dazzles audiences with an all-human cast. Both the Ramos Bros. Circus and Circo Hermanos Vazquez—frequent visitors to California—have stopped using wild animals, too.

The LA County Fair—which has displayed a giraffe, monkeys, kangaroos, camels, and other exotic animals in years past—will not include any wild or exotic mammals this year. The Orange County and San Diego County fairs eliminated elephant rides several years ago. Have Trunk Will Travel—an exhibitor that supplied elephants for fairs, rides, weddings, and films in California—has permanently moved out of the state.

Do Any Circuses Still Bring Wild and Exotic Animals to California?

The Oklahoma-based Culpepper & Merriweather Circus travels to California with a few big cats. The USDA previously suspended its license after finding that it “willfully failed to develop a plan of veterinary care” and “demonstrated a shockingly cavalier attitude regarding the health and safety of animals.” Three tiger cubs born while the circus was on tour were taken from their mother to be raised by a worker. Two died within weeks of their birth, and inspectors seized the third after they found him confined to a dog carrier in the hot cab of a truck.

The Georgia-based UniverSoul Circus visits California every few years. When it last visited, in 2016, it brought zebras and big cats. The zebras escaped and ran through the streets of Oakland, and officials in Los Angeles found that a tiger had developed a wound on her face from rubbing on the bars of her cage.

The Florida-based Garden Bros. Circus (also known as the Piccadilly Circus) has several tour dates in California this year. It’s expected to have camels. The USDA recently cited a Garden Bros. exhibitor for whipping a llama who refused to perform a trick onstage. It also cited circus manager Zachary Garden for failing to treat a camel’s bloody puncture wounds.

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