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Landmark Victory For Zoo Animals In Endangered Species Lawsuit



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Leave Your Legacy of Love



THE ANIMALS'

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ADVOCATE



CC BRYCE BRADFORD



Victory: No New Orcas

SeaWorld announces no additional orcas will be added to parks — via breeding or wild capture

BY CARNEY ANNE NASSER
Senior Counsel, Wildlife and Regulatory Affairs

On March 17, 2016, SeaWorld Entertainment rocked the animal protection world—announcing that the orcas “currently in the company’s care will be the last generation of orcas at SeaWorld.” This announcement came after years of pressure from conservationists, animal advocacy organizations, and numerous former SeaWorld trainers. But it was a surprise, as the announcement came fewer than three months after the entertainment company filed a lawsuit to challenge conditions imposed on SeaWorld by the California Coastal Commission—thanks to lobbying by the Animal Legal Defense Fund—that conditioned approval of the company’s

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**LETTER FROM THE
EXECUTIVE DIRECTOR**

Valuing Animals



Stephen Wells
with Eve

The landscape of animals in entertainment is changing. In the past two years alone, two of the largest exploiters in animal entertainment made (long overdue) announcements. First, Ringling Bros. would be retiring their elephants from their traveling circus, and second, SeaWorld would cease breeding or importing orcas into captivity.

Both companies cited ‘animal welfare concerns from the public’ for their decisions. As an advocate, you hold significant power. Businesses care what you think. They care about what you say about them, and to whom. They respond when you take action.

It’s one of the reasons we make a great team. We urge you to take action, and to support us in using the legal system to force those not influenced by public pressure alone. You see, Ringling Bros. was impacted by new laws banning bullhooks, sharp tools used to “train” elephants by inflicting pain, making it virtually impossible for businesses with elephant acts to perform without breaking the law.

In SeaWorld’s case, the Animal Legal Defense Fund, leading a coalition, successfully petitioned the California Coastal Commission to impose a strict requirement to SeaWorld’s San Diego facility expansion, making the park agree not to add orcas to their existing inventory. Continued pressure from the Animal Legal Defense Fund to retire orcas and the public’s vocal disdain for the orcas’ inhumane conditions made SeaWorld’s decision inevitable.

The Animal Legal Defense Fund is uniquely positioned, with our staff of legal experts and strategists to create lasting, positive legal impact for animals. In this issue of *The Animals’ Advocate* you will read about our landmark victory lawsuit against Cricket Hollow Zoo. The court agreed with us that the terrible conditions for the zoo’s endangered animals were illegal under the Endangered Species Act. Now three tigers and four lemurs will be released to facilities with more naturalistic habitats. This case will have a positive influence on similar cases involving captive animals moving forward—potentially including our cases to free Lolita the orca and Candy the chimpanzee.

Thank you for being the voice for the voiceless and supporting our lifesaving legal work.

Stephen Wells, Executive Director



Stephen Wells
Executive Director

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TRIUMPH FOR ZOO'S ANIMALS

Judge orders endangered tigers and lemurs removed from zoo

BY JESSICA BLOME | Senior Staff Attorney

In February 2016, the Animal Legal Defense Fund won a victory requiring Pam and Tom Sellner, owners of Manchester, Iowa's notorious Cricket Hollow Zoo, to transfer its four endangered tigers, two ring tailed lemurs, and solitary red ruffed lemur to federally regulated facilities capable of meeting their needs and providing appropriate care. The case marks the first time the Endangered Species Act (ESA), which prohibits the unlawful harming or harassing of endangered wildlife, has been successfully applied to private individuals exhibiting endangered animals in inhumane conditions.

For years the Sellners failed to provide adequate and humane care for the zoo's animals, including the protected tigers and lemurs. During a four-day trial last October, the Animal Legal Defense Fund attorneys introduced evidence of deplorable living conditions, such as feces-encrusted enclosures; dirt, grime, excessive flies, rodents, debris, and cobwebs; contaminated food and water; brick-hard, pea gravel flooring; poor enrichment programs; and inadequate exercise. In addition, the Animal Legal Defense Fund proved that the zoo owners caused the death of three tigers known as Casper, Luna, and Miraj, because they failed to correctly diagnose and treat their illnesses, obtain advice and treatment from a qualified veterinarian, and solicit necropsy analysis after the tigers died from contagious infections.

Notably, the Iowa court also found—for the first time ever—that housing the lemurs Chuki, Zaboo, and Lucy in isolation caused the lemurs' severe psychological distress, which manifested in physical ailments such as increased heart rate, depression, and catatonic state. Chuki, Zaboo, and Lucy, the judge said, are

highly social non-human primates who have a right to be housed with peer groups appropriate for their species. In other words, non-human primates have a right to socialization, or a right to family. The court's acknowledgement of the lemurs' basic needs will have immeasurable beneficial impacts to litigants across the country seeking to alleviate the suffering of social animals living in isolation.

Just two months after the trial concluded, the U.S. Fish and Wildlife Service added African Lions to the list of threatened species under the ESA, bringing them under ESA jurisdiction. Responding quickly, the Animal Legal Defense Fund has already sent the Sellners notice of its intent to sue to liberate their three African Lions. In addition the Animal Legal Defense Fund continues two additional litigation strategies to liberate all of the remaining animals suffering at the Cricket Hollow Zoo who do not fall under the ESA. We have filed separate cases against the United States Department of Agriculture and the Iowa Department of Agriculture and Land Stewardship, both for failing to comply with their respective federal and state laws that should have limited the Sellners' ability to acquire the more than 300 animals currently suffering there. The Sellners' are appealing the decision, but with your support we will continue to fight for a lasting and far-reaching precedent, and for the animals at Cricket Hollow Zoo.



The Animal Legal Defense Fund proved that the zoo owners caused the death of three tigers known as Casper, Luna, and Miraj

LEGACY OF LOVE



Ensure your legacy and provide a lifetime of loving care for your pets.

BY ERICA MATTHEWS
Officer of Philanthropic Gifts

Have you thought about what would happen to your companion animal(s) if you passed away? It's not pleasant to think about, but being prepared is a must and the Animal Legal Defense Fund is here to help through our Legacy of Love program. The Legacy of Love program guarantees that your companion animal(s) will have a loving adoptive home for life when you leave \$25,000 or more to the Animal Legal Defense Fund in your will. In addition to providing a stable, happy environment for them, your \$25,000 assists us in our efforts to protect animals everywhere. You can specify that bonded animals be adopted together and we're happy to handle any other special requests. The Animal Legal Defense Fund will also ensure that your pets receive the best care with annual check-ins with their adoptive family. For more information or if you would like to



Rebecca Knaster
and Farfel

be a temporary foster parent of a Legacy of Love animal, please visit aldf.org/foster.

Rebecca Knaster from New York City has enrolled her dog Farfel in ALDF's Legacy of Love Program. Knaster writes, "This program insures that should my dog outlive me, I know he will be cared for. Sadly there are times when a person passes away and arrangements were not made for an animal's future care. They wind up in a shelter in unfortunate circumstances. It is very comforting to know the Legacy of Love program insures this will never happen to my dog. The Animal Legal Defense Fund will find him a loving home."



You can turn your used car, truck, RV, or boat into a charitable donation!

Any vehicle, from any location... the Animal Legal Defense Fund will use the proceeds of the sale to help protect the lives and advance the interests of animals through the legal system.

Your vehicle donation will qualify you for a charitable tax deduction while giving animals a voice in courtrooms across America. To make a donation, please visit aldf.org/car.

Cash Reward Helps Bring Justice

Tipster ensures guilty verdict for abuser who burned puppy to death in crate

BY LORA DUNN | Interim Director
and Staff Attorney, Criminal Justice Program

What happens when law enforcement can't get a lead on who committed a violent act of animal cruelty?

Like many child victims, animal victims cannot articulate who abused them, when, or how. This can make it difficult for law enforcement to identify a perpetrator of animal cruelty. Other evidence like a necropsy (an autopsy for animals) can help explain *how* an animal was injured or died, but even the best investigators can reach a dead end when trying to identify a suspect: a lack of forthcoming eyewitnesses and uncertainty about who last saw the animal victim can leave the question of *who* committed the crime unanswered.

Reward offers have long helped law enforcement identify suspects in these types of “whodunit” cases—and animal cruelty cases are no exception. The Animal Legal Defense Fund frequently offers rewards for information leading to the arrest and conviction of the perpetrator of violence against animals to encourage anyone with information to come forward. We offer rewards in all types of cases—abuse, neglect, and abandonment—involving a wide range of animal victims—from cats and dogs to horses and wildlife, including a Great Blue Heron and even a raccoon.

In 2014, the Animal Legal Defense Fund was able to pay a reward to tipsters who were essential in the successful prosecution of an offender who set fire to an orange tabby cat in New York City in the case of *People v. Oglesby*. Thanks to the great work of law enforcement and the district attorney's office in Kings County, New York, defendant Denzell Oglesby pled guilty to aggravated animal abuse, for which he was sentenced to one year in jail.

In April, the Animal Legal Defense Fund paid another reward in the California case of *People v. Turner*, when the Sacramento County District Attorney's office secured a guilty verdict in a horrific dog torture case. A jury convicted defendant Willie Turner of maliciously killing a Chihuahua puppy by setting her on fire and leaving her trapped in a crate, in which she burned to death, and Turner was sentenced to 3 years, 8 months prison time.

We applaud the great work of Deputy District Attorney Hilary Bagley and the Sacramento District Attorney's office for prosecuting this case to the fullest extent. We also profoundly thank our donors, who give us the ability to offer these rewards. It is imperative that we continue to support the investigation efforts of hard-working law enforcement to catch the perpetrators of such unspeakable crimes against these voiceless victims.



Reward offers have long helped law enforcement identify suspects

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You can protect dogs from the dangers of hot cars by displaying this message wherever you park. The text warns passersby that leaving a dog in a hot car can be lethal, and urges anyone who sees a trapped dog to call 911.

Available at aldf.org/sunshade for only \$20.00





The work to advance the interests of captive orcas and other marine mammals who are used for human amusement is far from over.

planned tank expansion on a de facto phase-out of the captive orca program at its Southern California facility. As of April 20, 2016, SeaWorld has withdrawn the lawsuit challenging the order.

SeaWorld's announcement—while a victory—does nothing to help the orcas currently confined in barren concrete tanks at its amusement parks in San Diego, San Antonio, and Orlando.

SeaWorld has refused to entertain the possibility of sea pen sanctuaries to give captive orcas who are not suitable for release into the wild the opportunity of living the rest of their lives in a more naturalistic setting that would at least give them some measure of the sensory experience they would have in the wild. This refusal comes despite a \$1 million offer from the founder and CEO of Munchkin, Inc., a baby gear company, to kick start an orca ocean sanctuary for SeaWorld. While phasing out the use of orcas was likely a necessary move for SeaWorld to rebrand a business model that was circling the drain, the entertainment company will likely continue to profit off of the exploitation of orcas and other marine animals at its three parks for decades to come.

The Animal Legal Defense Fund is hopeful that SeaWorld will keep its publicly-stated commitment to ensure the current generation of captive orcas will be the last. That being said, the work to advance

the interests of captive orcas and other marine mammals who are used for human amusement at parks like SeaWorld and Miami Seaquarium is far from over.

SeaWorld's March 2016 announcement was coupled with an announcement the same week that the orca Tilikum, only 35 years old, is dying. Tilikum has lived in captivity for over three decades—the past two decades at SeaWorld's Orlando park. He has been the victim of aggression by other orcas and has been housed in virtual isolation since trainer Dawn Brancheau's tragic death in 2010—the third human death in which Tilikum has been involved. Tilikum's heartbreaking life—after being ripped from his family off the coast of Iceland in 1983—and impending premature death are reminders that our work will not be over until the tanks are actually empty and the use of all captive wildlife for entertainment is a relic of the past.

Two pieces of legislation—one pending on the state level in California, and one pending in the United States House of Representatives—would legally mandate the end of breeding orcas and using them for public amusement. California Assembly Bill 2305, would impose penalties of up to \$100,000 if SeaWorld accidentally doesn't keep its promise not to breed orcas anymore and U.S. House Resolution 4019, the Orca Responsibility and Care Advancement Act of 2015, would impose numerous additional protections including a nationwide ban on captive breeding of orcas.

Thank you for your continued support of the Animal Legal Defense Fund and our ongoing efforts on behalf of captive orcas—like Lolita, the solitary orca confined at the Miami Seaquarium. Please encourage your federal legislators to support pending legislation to ensure that SeaWorld's announcement is matched with a legal mandate to end captive orca breeding. You can also encourage your friends and family members to never visit SeaWorld or other marine parks. Thank you for helping to ensure that it is only a matter of when, not if, the tanks will be emptied once and for all.



UPCOMING ANIMAL LEGAL DEFENSE FUND EVENTS

For a complete list, please visit aldf.org/events

JUNE 17-20, 2016

Taking Action for Animals (TAFA) Arlington, VA

- ▶ Friday, June 17, 2016, 7:00-9:00 p.m.
Animal Legal Defense Fund Animal Law Reception

OCTOBER 17-21, 2016

Animal Legal Defense Fund's Speak Out for Farmed Animals Week Nationwide
aldf.org/speakout



JULY 7-10, 2016
Animal Rights National Conference
Los Angeles, CA

T.J. Tumasse, Manager of Investigations
Presenting: Exposing Animal Abuse Through Undercover Investigations

Lindsay Larris, Los Angeles Regional Director
Presenting: Enforcing Protective Laws

- ▶ Friday, July 8, 2016, 6:00-7:30 p.m.
Animal Legal Defense Fund Animal Law Reception

NOVEMBER 5, 2016

Cruise for a Cause: Make Waves for Animals
Marina del Rey, CA

Animal Legal Defense Fund Gala.
For tickets, go to aldf.org/gala

NOVEMBER 11-13, 2016

International Captive Wildlife Conference, San Andreas, CA

Carney Anne Nasser, Animal Legal Defense Fund Senior Counsel for Wildlife and Regulatory Affairs

Presenting: America's Captive Bear Crisis
Moderating: Big Cats Panel.

www.pawsweb.org



CC FOREST WANDER



JULY 15-17, 2016
Speak for Wolves
West Yellowstone, MT

Jessica Blome, Animal Legal Defense Fund Sr. Staff Attorney
Presenting: Aesthetic Injury: What does it mean, and how does it work

www.speakforwolves.org

JANUARY 3-7, 2017

Association of American Law Schools Annual Meeting (AALS), San Francisco, CA

- ▶ Friday, January 6, 2017: Animal Legal Defense Fund Animal Law Reception

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24th Annual Animal Law Conference

SAVE THE DATE: October 7-9, 2016 Pace University, New York, NY

The Animal Law Conference gives attorneys, law students, professors, and activists from around the world a place to share ideas, knowledge, and practical skills about advancing the interests of animals through the legal system. Today, the conference has become one of the largest and most popular of its kind, featuring some of the most respected voices in the field of animal law. We look forward to seeing you there! *The Animal Law Conference is co-presented by Animal Legal Defense Fund, the Center for Animal Law Studies at Lewis & Clark Law School, and the Lewis & Clark Student Animal Legal Defense Fund.* **TO REGISTER: WWW.ANIMALLAWCONFERENCE.ORG**

MORE EVENTS PAGE 7 ▶

THE ANIMALS' ADVOCATE A NEWSLETTER FOR THE SUPPORTERS OF THE ANIMAL LEGAL DEFENSE FUND



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Cash Reward
Helps Bring Killer
To Justice



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Run with the Pack:
Upcoming ALDF
Events