



# PROHIBITING CIRCUSES AND TRAVELING SHOWS THAT USE WILD ANIMALS

## FAQs

### WHAT IS WRONG WITH HAVING ANIMALS PERFORM IN CIRCUSES?

Wild animals in circuses and traveling shows spend most of their days in cramped, barren cages, deprived of the ability to engage in their natural behaviors. Forced to perform frightening and sometimes painful tricks, they are typically denied anything that might satisfy their complex physical, behavioral, and emotional needs.

These needs are difficult to meet in captivity — let alone in a traveling circus where animals are confined in small cages, sometimes 24 hours a day, and hauled back and forth across the country in poorly ventilated trailers that may not be temperature-controlled. African lions may be exposed to the freezing cold while brown bears may endure desert temperatures. Elephants are usually chained or held in small pens and big cats are kept in tiny cages. These animals are often forced to defecate and urinate in the same small space where they eat and sleep. They are rarely provided adequate exercise or social enrichment.

Our growing recognition of animals' emotional capacities and physical needs, coupled with increased awareness of the abuse and neglect that animals used in traveling shows suffer, has resulted in a shift away from using animals. Consumers are opting for animal-free circuses, and businesses are adjusting their models.

### HAVE ANY STATES RESTRICTED OR BANNED THE USE OF WILD ANIMALS IN CIRCUSES AND TRAVELING ACTS?

Yes — Hawaii and New Jersey have banned the use of wild animals in circuses and traveling acts, while California has banned the use of almost all animals in circuses only. Other states have banned or restricted the use of elephants in traveling acts.

In 2018, New Jersey became the first state to enact a ban on traveling wild animal acts with the passage of “Nosey’s Law,” named in honor of Nosey, an African elephant who was exploited for years by an Orlando-based traveling circus. Upon signing “Nosey’s Law,” Governor Phil Murphy stated, “These animals belong in their natural habitats or in wildlife sanctuaries, not in performances where their safety and the safety of others is at risk.”

Hawaii soon followed New Jersey and banned the use of potentially dangerous wild animals, such as tigers, primates, crocodiles, and elephants, from being transported into the state to perform in public exhibitions like circuses and carnivals. The rule effectively ended traveling wild animal acts in the state. In 2019, California passed the *Circus Cruelty Prevention Act*, prohibiting the use of any animal in a circus except for dogs, cats, and domesticated horses.

Additionally, New York and Illinois have statewide bans on the use of elephants in traveling acts — both signed into law in 2017. Finally, Rhode Island banned the use of bullhooks — fire poker-like devices used to jab elephants in the most sensitive parts of their bodies — in 2016. Bullhooks inflict serious injuries ranging from lacerations to abscesses to wounds. In 2019, the Association of Zoos and Aquariums (AZA) voted to prohibit the use of bullhooks in elephant care and training by 2021 — a significant step forward for an organization that previously defended their use. The AZA



also signed a statement of intent to extend the prohibition to “emergencies and non-routine medical care” by 2023.<sup>1</sup> Because virtually all circuses that use elephants use bullhooks to control them, banning bullhooks is a de facto ban on using elephants in circuses.

Finally, multiple countries and major international cities prohibit the use of wild animals in circuses and traveling shows including England, Greece, Italy, Madrid, and Paris.

### **HAVE ANY CITIES OR COUNTIES RESTRICTED OR BANNED THE USE OF WILD ANIMALS IN CIRCUSES?**

Yes. More than 150 cities and counties across 37 states have restricted or banned the use of wild animals in circuses and traveling shows with more than 1/3 of those laws passing since 2014. These communities range from small towns to major metropolises, and include Eureka Springs, Arkansas<sup>2</sup>, Boulder, Colorado<sup>3</sup>, Somerville, Massachusetts<sup>4</sup>; Missoula, Montana<sup>5</sup>; and New York City.<sup>6</sup>

San Francisco has extended its ban even further than circuses or traveling shows. In 2015, the city and county enacted an ordinance banning the use of wild animals in performances generally, including circuses, traveling acts, movies, television shows, and commercials.<sup>7</sup>

### **WHAT ABOUT THE ECONOMIC IMPACT OF THESE BANS?**

Fewer and fewer people are patronizing circuses and traveling shows that rely on animals. A 2016 Forbes article noted that over two decades, the attendance at animal-based circuses dropped between 30% - 50%.<sup>8</sup> In 2017, the most famous circus in the United States, Ringling Bros. and Barnum & Bailey Circus, closed, citing declining ticket sales.

It’s important to note that these laws *only* impact circuses and traveling shows that use animals, rather than brick and mortar facilities like zoos. Today, circuses are moving away from this outdated model. Circuses that do not rely on animals, such as Cirque du Soleil, which uses dance, music, and acrobatics, are thriving. While the word “circus” is often associated with animal acts, circus actually means a traveling show with performances designed to entertain large crowds. Circuses and other types of live entertainment that do not use animals will continue to flourish.

Finally, these companies are, by their nature, not based in a single location. These traveling shows generate money for themselves, not the community, leaving an area after a few days.

1 Brulliard, Karin. [“Some of America’s Top Zoos Still Use Bullhooks on Elephants. That’s About to Change.”](#) Washington Post, August 21, 2019.

2 [Eureka Springs, AR Ordinance](#)

3 [Boulder, CO Ordinance](#)

4 [Somerville, MA Ordinance](#)

5 [Missoula, MT Ordinance](#)

6 [New York, NY Ordinance](#)

7 [“San Francisco Board Approves Wild Animal Performance Ban.”](#) Reuters, April 15, 2015.

8 Kate Vinton. [“Ringmaster Of The Universe: How Billionaire Kenneth Feld Keeps Ringling Bros. Circus Alive.”](#) Forbes, December 20, 2016.



## **DON'T ANIMALS PERFORM TRICKS FOR TREATS?**

The tricks and stunts that animals used in circuses routinely perform are unnatural — a tiger in the wild would not jump through a ring of fire nor would an elephant balance on a stool. Animals usually perform tricks out of fear. Circus employees rely on negative reinforcement, such as withholding food and water, and physical violence — aided by tools like bullhooks, electric shocks, and whips — to coerce animals into performing.

This abuse largely occurs during “training” sessions out of public view. Once the animal is conditioned to fear being struck or beaten if she doesn’t comply, the trainer merely needs to use verbal commands or visual cues during performances, such as flashing a bullhook.

To circusgoers, it may appear that the animal is a willing participant. Circuses go to great lengths to maintain this facade. For example, some trainers use a product called Wonder Dust™, a grey powder, to conceal bloody bullhook injuries on elephants. Others use a rubber bullhook during shows instead of the painful fire poker-like device used behind the scenes.

These stunts are not merely uncomfortable — they are oftentimes painful. Animals are made to engage in repeated, unnatural movements such as balancing on small objects or on their hindlegs. This creates serious stress on their joints and muscles, leading to permanent injuries and ailments such as osteoarthritis, a painful degenerative joint disease common in captive elephants.



## DO ANIMALS USED IN CIRCUSES POSE A SAFETY THREAT TO HUMANS?

Yes. Wild animals like big cats and elephants are dangerous and unpredictable, posing a serious safety risk to the public. Smaller animals like monkeys are just as dangerous because they can easily bite visitors who come too close. For example, in 2017, a capuchin monkey at a fair bit a teenage girl while she fed the animal apples.<sup>9</sup> Many traveling shows are ill-equipped to protect people from dangerous wild animals. Companies usually rely on collapsible, temporary, and mobile facilities that are unable to consistently contain animals.

These animals are forced into unnatural encounters with humans that would never occur in the wild. The extreme stress these wild animals endure can also exacerbate aggression. Considering children are often the target audience for these events, the risks are amplified.

Numerous incidents of animals escaping, injuring, or even killing circus staff and members of the public have been documented. For example, in 2010, an elephant kicked a trainer at the Irem Shrine Circus in Pennsylvania. He was thrown roughly 20 feet and later died from his injuries.<sup>10</sup> Finally, wild animals may carry parasites or infectious diseases that can spread to humans. For example, elephants can carry human tuberculosis, and elephants used in public exhibitions in the U.S. have transferred TB to humans in the past.<sup>11/12</sup> The National Association of State Public Health Veterinarians notes that, “Direct contact with venomous or otherwise dangerous animals (eg, venomous reptiles, nonhuman primates, or certain carnivores and other rabies reservoir species) should be completely prohibited...”<sup>13</sup>

9 Phil Demers. “[Capuchin Monkey Bites Teen Girl at Brockton Fair](#).” MassLive.com, July 7, 2017.

10 “[Circus Elephant Kills Trainer in Pa](#).” NBC News.com, April 9, 2010.

11 Centers for Disease Control and Prevention. 2016. “[Diagnosis of Tuberculosis in Three Zoo Elephants and a Human Contact — Oregon, 2013](#).” Accessed December 23, 2019.

12 Murphree, Rendi, Jon V. Warkentin, John R. Dunn, William Schaffner, and Timothy F. Jones. 2011. “[Elephant-to-Human Transmission of Tuberculosis](#).” *Emerging Infectious Diseases* 17 (3): 366-371.

13 National Association of State Public Health Veterinarians. 2017. “[Compendium of Measures to Prevent Disease Associated with Animals in Public Settings, 2017](#).” Accessed December 23, 2019.



## **AREN'T CIRCUSES AND TRAVELING SHOWS ALREADY REGULATED AT THE FEDERAL LEVEL?**

The federal government has failed to meaningfully protect animals used in circuses and traveling shows. The Animal Welfare Act (AWA) regulates animal exhibitors (such as circuses and zoos), and exhibitors are required to obtain a license. However, the AWA provides only minimal protections and even the U.S. Department of Agriculture's (USDA) own Office of Inspector General has sharply criticized the agency for failure to both effectively inspect facilities and enforce the AWA.

The standard of care mandated by the AWA is very low. The AWA only establishes nominal standards of care for licensees in terms of housing, food, and sanitation. It does not prohibit the use of bullhooks, whips, electrical shock, or other painful methods routinely employed by circuses to force animals to perform tricks.

Furthermore, the USDA has an abysmal track record when it comes to ensuring facilities meet even these minimal standards. There are roughly 120 USDA inspectors to oversee the thousands of facilities regulated by the AWA, including puppy mills, zoos, and research laboratories. As a result, inspections are conducted infrequently. And inspectors are often inadequately trained to identify signs of abuse and neglect.

Instead, when confronted with a facility with AWA violations, the USDA usually issues warnings or negligible fines, or takes no action at all. Most facilities do not lose their licenses. Circuses currently operating have been cited repeatedly for maintaining animals in filthy conditions, offering soiled or inadequate food, and failure to provide veterinary care among many other violations. For example, the Garden Brothers Circus is still touring despite an extensive record of public safety and AWA violations including irresponsible animal handling, failure to provide veterinary treatment, forcefully striking an elephant with a bullhook, repeatedly whipping a llama during a performance, and not providing elephants with a sufficient amount of water.<sup>14</sup>



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<sup>14</sup> Elizabeth Anne Brown. "[Elephants Beaten, Debts Outstanding and a Gunshot. How Does this Circus Come to Town?](#)" Citizen Times, March 18, 2019.