

MD - traveling acts - SB 0547 - support.pdf

Uploaded by: Alicia Prygoski

Position: FAV



February 12, 2024

Memorandum of Support – SB 0547

An Act concerning Wildlife – Traveling Animal Acts – Prohibition

Dear Chair Feldman and Members of the Committee:

The Animal Legal Defense Fund, the nation’s preeminent legal advocacy organization for animals, strongly supports SB 0547, proposed legislation that would prohibit the participation of certain animals in a certain traveling animal act. The Animal Legal Defense Fund stands firmly against traveling animal acts because of the immense suffering involved in the training, transportation, and exhibition of wild animals. We respectfully request your support of this bill to help put an end to this cruel industry.

Protecting animals from abuse and neglect

Wild animals in circuses and traveling shows spend most of their days in cramped, barren cages, sometimes 24 hours a day, deprived of the ability to engage in their natural behaviors. They are typically denied anything that might satisfy their complex physical, behavioral, and emotional needs. Trainers force wild animals to perform frightening and sometimes painful tricks often by using physical violence or by withholding food and water. When they are not performing, they are being 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, and are rarely provided adequate exercise or social enrichment.

Public safety risks

Forcing wild animals into close proximity to humans creates a serious public safety risk. There have been numerous incidents of animals escaping, injuring, or even killing circus staff or members of the public. 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. Further, 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.

Lack of regulation at the federal level

Circuses and traveling shows are regulated by the Animal Welfare Act (AWA). But the AWA only establishes minimal standards of care for licensees in terms of housing, food, and sanitation and

permits the use of cruel bullhooks, electrical shocks, and whips. Further, enforcement is extremely lax with roughly 120 U.S. Department of Agriculture (USDA) inspectors overseeing the thousands of facilities regulated by the AWA, including puppy mills, zoos, and research laboratories.

A growing trend across the country

Since 2016, eight states have banned or restricted the use of wild animals in traveling exhibitions. Additionally, more than 150 cities and counties across 37 states have likewise restricted or banned the use of wild animals in circuses and traveling shows, with more localities considering these types of ordinances every year. By prohibiting the transportation of animals for these cruel travelling acts, Maryland would join in becoming a leader in wild animal protection in the United States.

For these reasons, we strongly urge you to support SB 0547. Thank you for your time and consideration.

Sincerely,



Alicia Prygoski
Strategic Legislative Affairs Manager
Animal Legal Defense Fund

SB547_fav_AD.pdf

Uploaded by: Alyssa Dangel

Position: FAV

Testimony for End Cruel Circus Acts in Maryland
Alyssa Dangel

Education, Energy and the Environment Committee
SB547
SUPPORT

Good Evening Chair, Vice Chair, and members of the Committee,

My name is Alyssa Dangel and I am here to testify in support of Senate Bill 547.

Circus acts can be amazing. There can be acrobats, there can be ribbons, and exotic animals as well! However, those animals can be kept in inhumane conditions no creature should ever be put in. This is so cruel towards the poor animals and can also endanger humans. These circus acts don't always follow rules to stop public safety risks and have hurt people because of this. This bill will protect both animals and humans.

Most exotic animal exhibitors have violated the federal Animal Welfare Act. This means that they haven't given animals either proper veterinary care, food, or decent shelter. Often in these circus acts animals have none of those. The animals eat, and sleep; they live, in horrible, cramped conditions. Signs of extreme stress are often seen on these animals that barely see other creatures like them, forced to live with no social interactions, unable to live like they should, without expressing natural, and normal behaviors for them. They also live in unsanitary conditions, and without proper veterinary care, they often fall prone to illness. These animals are also impossible to return to the wild, as they have no idea how to act, or survive in nature. The best thing to do is to stop this cruelty before Circus acts harm and destroy the lives of more animals. This bill will stop that.

While these circus acts are obviously harmful and cruel to animals, they can also harm people. Animals like Elephants, Big Cats, and Primates can, and have run loose and injured people, especially children. Due to lack of proper spaces for these animals, and poor training, not to even mention the abuse, and trauma these animals face at the hands of humans, the animals will try to either escape from their handlers or escape from their cages. Once they escape they often hurt people, and themselves. The animals also can spread many diseases, like tuberculosis, and herpes b, because of the lack of veterinary care.

When so many animals are suffering, and dying, and humans are also being hurt this bill is necessary. Please vote in support of SB547. Thank you.

MD_SB0547_TWA_Senate_PAWS support 2.24.pdf

Uploaded by: Catherine Doyle

Position: FAV

*The Nation's First
Elephant Sanctuary*



PAWS
PERFORMING ANIMAL
WELFARE SOCIETY

Founded in 1984
PROTECTION
EDUCATION
ADVOCACY
SANCTUARY
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February 12, 2024

Senate Education, Energy and the Environment Committee
2 West
Miller State Office Building
Annapolis, MD 21401

Re: Support for SB 0547, Wildlife - Traveling Animal Acts - Prohibition

To Chair Brian Feldman, Vice Chair Cheryl Kagan, and Committee Members:

On behalf of the Performing Animal Welfare Society (PAWS) – which directly cares for elephants, tigers, monkeys, and other wildlife – I strongly urge your support for Senate Bill 0547 to prohibit the use of certain wild animals in traveling shows.

Since 1984, PAWS has been rescuing and providing sanctuary for abused, neglected, and retired captive wildlife. We currently provide refuge for elephants, tigers, bears, monkeys, and other wild animals at our 2,300-acre ARK 2000 sanctuary in Northern California.

To enhance the quality of life for our animals, PAWS provides spacious and environmentally complex areas, with shady trees, native vegetation, pools and lakes. These settings offer more autonomy and control – elements essential to animal welfare – and promote natural behaviors. The animals have social partners where appropriate, and we provide individualized husbandry and veterinary care. PAWS exclusively uses a reward-based animal management method, fostering cooperation and trust.

By their very nature, it is impossible for traveling shows to provide a good quality of life for wild animals. The problems are many: grueling travel from city to city, intensive confinement in cramped cages and transport vehicles, abusive training methods, sterile environments, and inappropriate social groupings. There is absolutely no element of choice for the animals.

During our 40 years of operation we have cared for animals from traveling shows, and we have seen, firsthand, the effects on them:

- Fear of punishment was clearly evident in elephants when they first arrived at the sanctuary. One 10,000-pound male Asian elephant would recoil if you moved your hand too quickly, expecting to be hit.

It is well documented that handlers in traveling shows employ harmful methods to train and manage wild animals, including the use of whips, rods, elephant bullhooks, and electric shock devices.

- Lions were hyper-aggressive, as compared to those from other backgrounds. We attributed this behavior to the long-term stress of travel, intensive confinement, inhumane training, and exposure to noisy crowds.

Unnatural conditions for animals in traveling shows contribute to serious physical and psychological problems.

- Elephants stand for hours on hard surfaces and are immobilized in chains. Lack of movement and standing on unyielding surfaces cause foot and musculoskeletal disorders that can be fatal to them. Strenuous tricks such as sitting or standing upright degenerate the joints, causing years of pain and premature death.
- Big cats frequently suffer foot disorders and may become obese, compromising their health and welfare.
- Abnormal repetitive behaviors (e.g., pacing, rocking, bar biting, and head bobbing) are ubiquitous in traveling shows and evident in various species, including elephants, big cats, and nonhuman primates. These behaviors are widely recognized as a sign of poor welfare.

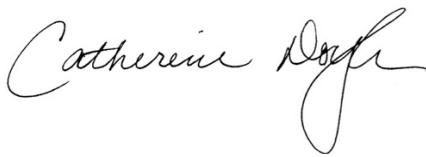
The wild animals displayed in traveling shows are not domesticated. Even those born in captivity retain their natural instincts, which they may act on when threatened or frightened, or sometimes with no warning at all. These animals are already under the immense stress of intensive confinement, harsh training, and the continual presence of spectators. Altogether, this makes them unpredictable and dangerous – and a serious threat to the public and first responders.

Nevertheless, dangerous wild animals are frequently exhibited in unsafe conditions, close to the public. There are numerous accounts of incidents concerning elephants, nonhuman primates, and big cats. These animals have been involved in escapes, attacks, caused injuries and fatalities among trainers, harm to members of the public, and property damage.

Animal acts lack both conservation and education value. Instead, they misrepresent wild animals and undermine public awareness of their imperiled status in the wild. Studies indicate that the presentation of wild animals for entertainment hinders genuine conservation initiatives. This is troubling because traveling shows often showcase endangered species such as Asian elephants and tigers.

Public attitudes toward the use of wild animals in traveling shows have changed, making this the right time for Maryland to join the seven other states that now prohibit certain wild species in circuses and traveling shows. I strongly urge you to support this important measure to protect the public and the animals.

Sincerely,

A handwritten signature in cursive script that reads "Catherine Doyle". The signature is written in black ink and is positioned above the typed name and title.

Catherine Doyle, M.S.
Director of Science, Research and Public Policy
Performing Animal Welfare Society (PAWS)
cdoyle@pawsweb.org

www.PAWSweb.org

MD SB0547_favorable_NAPSA.pdf

Uploaded by: Erika Fleury

Position: FAV



February 5, 2024

Chair Brian Feldman
Vice Chair Cheryl Kagan
Senate Education, Energy, and the Environment Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

Re: SB0547 (Wildlife - Traveling Animal Acts – Prohibition)

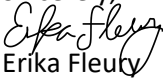
Dear Chair Feldman, Vice Chair Kagan, and members of the Senate Education, Energy, and the Environment Committee,

The North American Primate Sanctuary Alliance (NAPSA) is a coalition of eight of the leading primate sanctuaries on the continent. Amongst its other functions, NAPSA serves as a central point of contact and expertise for issues relating to captive primates. NAPSA member sanctuaries collectively provide exceptional care to close to 800 nonhuman primates retired from laboratory research, private ownership, and the entertainment industry. Each full member sanctuary is licensed and inspected by the United States Department of Agriculture (USDA) or its Canadian equivalent, licensed by relevant state and county authorities, and accredited by the Global Federation of Animal Sanctuaries.

We write to you today in support of SB0547, as it would prohibit the use of exotic species including nonhuman primates in traveling animal acts. While exotic animal performances may seem amusing on the surface, primates used in these spectacles are poorly treated. Although the records of many animal rental operators are generally less than stellar, and training and housing conditions can be incredibly stressful (and often abusive), the simple fact that primates are forced to dress up and perform on cue in a terribly unnatural situation is reason enough to avoid such events and keep them out of your community.

Though our expertise pertains to primate species, note that many of the ways that primates suffer due to their use in entertainment is not species-specific. Experts agree that the use of exotic animals in entertainment is very problematic; NAPSA's position statement on the topic (attached) includes more details and supporting references. We strongly urge your Committee members to make the right choice and encourage increased public safety, higher standards of animal welfare, and a stronger commitment to end this archaic industry so that captive animals may lead more species-appropriate lives.

We urge Maryland to vote YES on SB0547.

Sincerely,

Erika Fleury
Director

NAPSA is a fiscally sponsored project of Community Initiatives, an Oakland, CA-based 501(c)(3) nonprofit organization.
1000 Broadway • Suite 480 • Oakland, CA 94607

Visit our website at www.PrimateSanctuaries.org



Advocacy Position Statement Performing Primates

The North American Primate Sanctuary Alliance (NAPSA) is opposed to the use of trained primates for entertainment. As experts in the field of primate care, we respectfully ask the public not to support public events featuring trained monkeys and apes.

While such performances may seem amusing on the surface, the primates used in these spectacles are poorly treated. Although the records of many animal rental operators are generally less than stellar, and training and housing conditions can be incredibly stressful (and often abusive), the simple fact that primates are forced to dress up and perform on cue in a terribly unnatural situation is reason enough to avoid such events.

The entire lifetime of a primate is negatively affected when they are exploited for entertainment. As infants, they are removed from their mothers at a very early age – years before they would naturally separate. They are trained using methods that intimidate and inhibit their innate behaviors. Even then, the intelligence and unpredictable nature of these wild animals means that they often can only be used for a short time as actors before they become too independent, unmanageable, and dangerous. Primates are then deemed useless to the entertainment industry, and sold into situations that range from uncomfortable to downright harmful. The lucky ones are able to spend the remaining years of their life in a primate sanctuary.

NAPSA is a coalition of the leading primate sanctuaries on the continent. In our member sanctuaries, we care for close to 800 primates, many of whom were formerly used in entertainment. We see how primates are forever damaged by the work forced upon them, and we look forward to the day when such archaic practices are no longer permitted.

For more information:

["The Use of Primate "Actors" in Feature Films 1990–2013," Brooke Catherine Aldrich](#)

["Primate Portrayals: Narratives and Perceptions of Primates in Entertainment," B.C. Aldrich et al.](#)

["Apes in Media and Commercial Performances," Association of Zoos & Aquariums](#)

["Bengals Shocking Half-Time 'Cowboy Monkey' Has a Cruel History," The Dodo](#)

["Chimpanzees in Media," ChimpCARE](#)

["Opposition to the Use of Nonhuman Primates in the Media," International Primatological Society](#)

["Atypical Experiences of Captive Chimpanzees \(Pan Troglodytes\) Are Associated with Higher Hair Cortisol Concentrations as Adults," S.L. Jacobson et al.](#)

["Impact of Visual Context on Public Perceptions of Non-Human Primate Performers," K. A. Leighty et al.](#)

Captive Wildlife Before and After.pdf

Uploaded by: Jennifer Bevan-Dangel

Position: FAV

Alaska the Polar Bear

Alaska's life as a circus bear



Alaska rescued and cared for at the Maryland Zoo



Sammi the Black Bear

**Circus bear, Sammi or Tibor,
used as photo prop**

**Sammi, rescued and cared for at
Black Beauty Ranch Sanctuary**



Tigers

**Ryan Easley's tigers, used in circuses,
in travel containers**

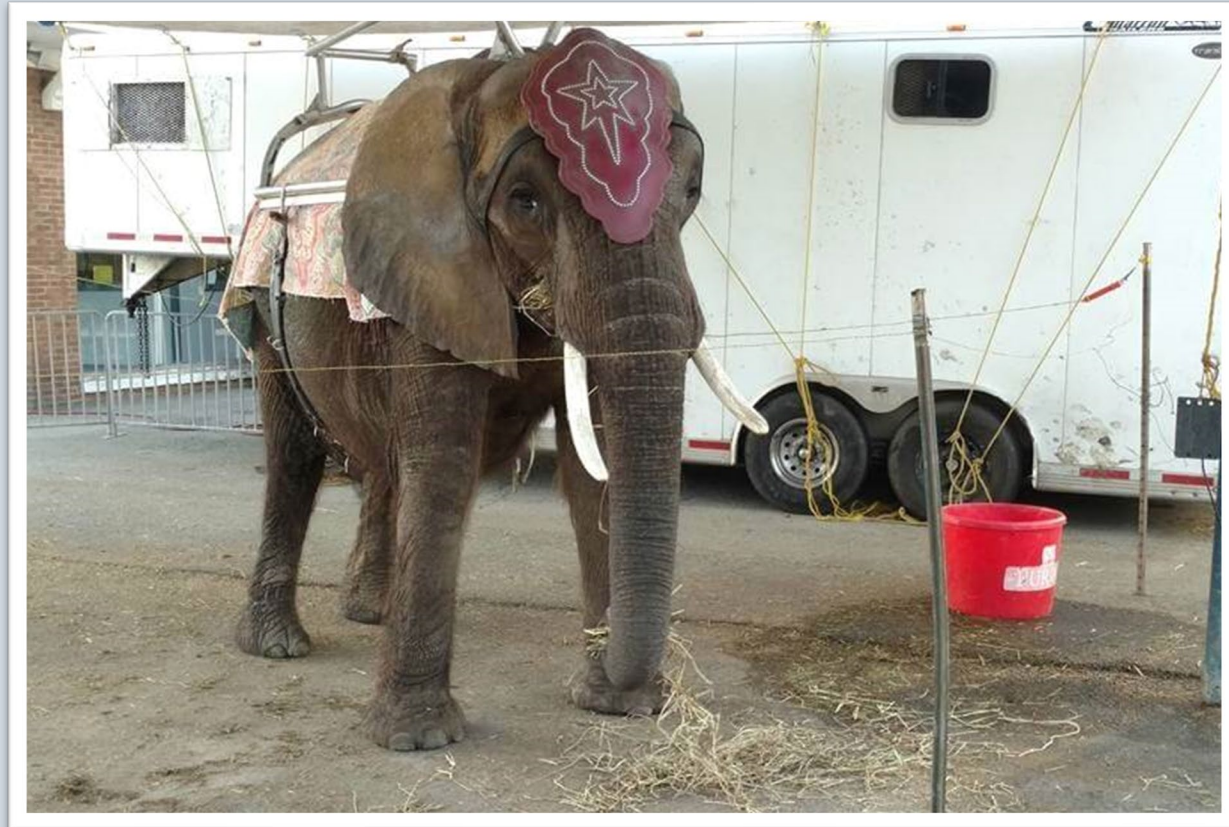


**Tigers Serenity and Theodora rescued and
cared for at Black Beauty Ranch Sanctuary**



Nosey the Elephant

Nosey's life as a circus elephant



Nosey rescued and cared for at The Elephant Sanctuary in Tennessee



Capuchin Monkey

Whiplash, a capuchin monkey used in the Cowboy Monkey show



Wild capuchin monkey



SB547_fav_HSUS.pdf

Uploaded by: Jennifer Bevan-Dangel

Position: FAV



**THE HUMANE SOCIETY
OF THE UNITED STATES**

Bill: SB 547

Committee: Education, Energy, and the Environment

Position: Support

Date: February 12, 2024

Chair Feldman, Vice Chair Kagan, and members of the Education, Energy, and the Environment Committee:

On behalf of the Humane Society of the United States and our Maryland members, we respectfully request that the Environment and Transportation Committee support HB 379 which would prevent circuses and other traveling wild animal acts from using bears, big cats, elephants, and primates in traveling acts in Maryland. This legislation is consistent with laws passed in eight states as well as almost 200 U.S. localities, including Gaithersburg and Montgomery County. With growing public awareness about the miserable lives endured by animals used in traveling shows, animal-based circuses have been dwindling in popularity. While some circuses, such as Ringling Bros. and Barnum & Bailey Circus and UniverSoul Circus have eliminated animal acts, others still use these sensitive—and still very much wild—animals and force them to perform, including here in Maryland. Please see appendix for more information about the traveling shows that have recently brought wild animal acts to Maryland.

Cruel treatment

These inhumane and outdated acts force wild animals into unnatural displays and grueling performances that involve often-hidden abusive training methods. Training tools commonly used by circuses include bullhooks, whips, sticks, ropes, and electric prods to force animals to perform confusing tricks on command. These archaic training tools can result in trauma, suffering, lacerations, puncture wounds, and abscesses. Many wild animal exhibitors have histories of poor animal care and violations of the federal Animal Welfare Act. For example, shows that travel to Maryland have been cited by the U.S. Department of Agriculture for failure to provide animals with adequate veterinary care, shelter, and minimum space as well as unsafe handling.

Prolonged confinement

Wild animals used in traveling shows endure months of prolonged confinement while being hauled from city to city, including stops in Maryland. Animals such as bears, big cats, and primates are confined to the same small transport cages that they eat, sleep, defecate, and urinate in. Elephants are kept chained by two legs, barely able to take a step. Deprived of adequate exercise and appropriate social groupings and with no opportunities to express natural behaviors, wild animals often exhibit signs of severe and chronic stress. Life in an unhealthy environment on the road also means that sick animals may not have access to immediate and expert veterinary care.

Public health and safety concerns

Traveling shows bring stressed, unpredictable wild animals dangerously close to the public. Animal trainers have been attacked, and sometimes killed, in front of horrified audiences. Elephants have rampaged during rides with frightened children clinging to their backs. Primates have run amok at fairs, injuring fair goers. In Landover Hills, a tiger escaped from a circus with elementary schoolchildren

nearby. Wild animal escapes also endanger first responders who are not trained to deal with a bear, big cat, primate, or elephant running loose in the community.

Wild animals can also spread viral, bacterial, parasitic, and fungal infections that pose serious health risks to people. For example, approximately 12.4 percent of captive elephants in the U.S. have tested positive for *Mycobacterium tuberculosis* (a human strain of TB), but many more may actually be infected with this deadly bacterial lung disease since TB testing on elephants is not required and unreliable. Captive big cats and primates in the U.S. have contracted SARS-CoV-2, the virus that causes COVID, but again, testing is not required, even when an animal is showing symptoms of the disease.

No impact on zoos or the local economy

Many forms of family entertainment, including former animal-based circuses, deliver quality amusement without the suffering inherent in wild animal acts. HB 379 does not impact exhibits at zoos or other non-mobile, permanent institutions, so long as animals are not transported offsite or to the facility for a performance. If a traveling show that continues to use wild animals chooses not to perform in Maryland, residents will simply spend their entertainment budget on something else in the community, such as a ballgame, miniature golf, live theater, or amusement park.

In light of the overwhelming public health and safety and animal welfare concerns associated with using bears, big cats, elephants, and primates in traveling shows, we urge you to support HB 379

Thank you for your consideration.

Sincerely,

Jennifer Bevan-Dangle
Maryland State Director, State Affairs
jbevandangle@humanesociety.org
c 410-303-7954

APPENDIX

Brian Franzen/Loomis Bros.

Loomis Bros. Circus, which continues to make stops in Maryland, frequently contracts with Brian Franzen to provide big cat acts for its tours. Franzen—a notorious animal exhibitor—has a long history of abysmal animal care including failing to provide tigers with sufficient space and adequate shelter. He was cited by the U.S. Department of Agriculture (USDA) after he kept five adult tigers—which can range from six to ten feet long and weigh between 220 to 660 pounds—each in a 5-foot by 6-foot pen for three days. One of these small pens contained two tigers. On a separate occasion, the USDA cited Franzen for failing to provide adequate shelter to tigers held outside in traveling pens in the rain and temperatures in the upper 50s. The weather rendered the pens wet and left the tigers with no dry space to rest.

Frazen has also admitted to spraying cayenne pepper in tigers' eyes and noses when they refuse to obey.

The USDA also issued an official warning to Franzen for mishandling an elephant named Kosti, who was struck forcefully with a bullhook multiple times around the eyes and ears to “teach” her not to take another elephant’s food. Franzen freely admitted to officials that the incident occurred and defended the actions of the employee who hit Kosti. That same year, Indiana Animal Care and Control received a complaint from a witness observing an elephant being beaten repeatedly with a baton. The agency confirmed the incident with Franzen, who reported that the elephant had been struck with a bullhook in the face and trunk because she lunged at the handler.

On more than one occasion, the Franzen family’s animal performances have turned dangerous. Brian Franzen’s own father was killed by a tiger in front of 200 horrified schoolchildren during a performance in Pennsylvania. The tiger pounced on him, grabbed him by the neck, and dragged him around the circus ring. Brian Franzen himself required stitches after he was clawed by a tiger during a performance in Nebraska.

Tarzan Zerbini/Loomis Bros.

Tarzan Zerbini Circus, operated by the Zerbini family, provides animal exhibitions for various purposes, such as rides, photo opportunities, and weddings. Loomis Bros. Circus has contracted with Zerbini for elephant shows in Maryland as recently as 2023. The USDA has repeatedly cited Zerbini for multiple violations of the Animal Welfare Act, including inadequate veterinary care and insufficient enclosures.

Tarzan Zerbini’s history is riddled with alarming incidents, including a woman encountering one of Zerbini’s loose tigers in a women’s restroom in 2013. The tiger escaped from a performance ring, ran into the concourse, and entered the women’s restroom. In 1997, a caged and muzzled bear bit off the tip of a child’s finger, as there were no safety barriers around the bear cages, and 30 other children had been petting the bear prior to the incident. One incident even proved fatal, where an animal trainer was trampled to death in 2005 after attempting to load an elephant onto a trailer in Fort Wayne, Indiana.

Zerbini has also carelessly jeopardized the safety and wellbeing of his animals. In one instance in 2011, Zerbini received a citation from the USDA for his failure to protect his elephants from TB exposure. Luke, a TB-positive male, was housed in the same building as two females. A partition was installed to separate the airflow between the elephants, but holes in the partition led to air contamination, endangering the female elephants with TB exposure.

Bruno Blaszak/Loomis Bros.

Loomis Bros. Circus, which continues to make stops in Maryland, frequently contracts with Blaszak’s Royal Bengal Tigers, a traveling show that appears at fairs and other events around the country. For six to ten months a year, Blaszak, who hails from a circus family, hauls the tigers from venue to venue to perform in shows that require them to do tricks such as roll over, sit up, jump through a hoop, walk a tightrope and “smile” for the camera.

Over the years, the USDA has cited Blaszak multiple times for failing to provide tigers with even the paltry minimum space required by the federal Animal Welfare Act, including an incident where six tigers were kept in travel cages for two days and were unable to stretch and walk.

While performing at a festival in Wisconsin, a tiger charged at Blaszak, knocked him down, and clawed him, resulting in injuries that required 30-40 stitches.

Tim Lepard/Cowboy Monkey

Tim Lepard's Cowboy Monkey act, which appeared at Harry Grove Stadium for a number of years, features one or more capuchin monkeys dressed as cowboys and tethered to a saddle on the back of border collies who dash around a field herding sheep. The dogs can reach speeds of up to 30 m.p.h. and abruptly stop, start, turn, lie down, and stand up, causing the monkey to be violently jerked forwards and backwards and slide wildly from side to side. Primate experts have condemned the Cowboy Monkey spectacle as terrifying and potentially harmful to the monkeys.

Between 2011 and 2023, the USDA cited Lepard for failure to provide four monkeys with minimum space, giving dogs heartworm preventative medication intended for horses, unsafe transport conditions for a dog, failure to provide adequate veterinary care, repeatedly being unavailable for animal welfare inspections, enclosures in disrepair, repeated lack of a safety fence for the monkeys, failure to maintain records of acquisition and disposition, and one dog tested positive for heartworm after Lepard administered less than the prescribed amount of heartworm preventative.

Frank Murray

Frank Murray's Elephant Walk has traveled around the country for years, renting elephants to perform in circuses and provide rides at fairs and other events. In 1996, the New Jersey SPCA charged Murray with four counts of animal cruelty for "inflicting unnecessary cruelty upon a living animal and not providing sustenance and proper shelter" during Murray's appearance with his elephants for the Shrine Circus. A warrant was issued for Murray's arrest, which he evaded for 16 years before he was finally arrested in May 2012.

In 2012, Murray's elephant Topsy was denied entry to the states of Maine and Wisconsin because her tuberculosis (TB) test results revealed that she had TB antibodies. That same year, Murray fled New Hampshire, fearing that his elephants would be confiscated after the state learned about Topsy's test results.

In 2014, Topsy passed away, leaving Murray with a solitary elephant named Annette (aka Essex), who, until recently, was featured yearly at the Maryland Renaissance Festival.

Commerford & Sons

Commerford & Sons, which has brought an elephant and lemurs (a type of primate) to Maryland, has been involved in numerous dangerous incidents involving its elephant rides and has been cited more than 50 times by the USDA for failing to adhere to the Animal Welfare Act.

In 2019, Commerford's elephant, Beulah, died from blood poisoning caused by a painful, chronic uterine infection while she was exhibited at a Massachusetts fair. Commerford was aware of the infection and still forced Beulah to travel to various fairs. Beulah spent the majority of her 54 years of life in chains—she was born in the wild around 1967, captured as a baby, sold to Commerford & Sons when she was 6 years old, and used in exhibits and rides until the day she died.

Minnie, another Commerford elephant, was involved in several dangerous incidents over the years. In one incident, as children were loaded onto her back, she became agitated (a witness reported an employee struck her in the face), suddenly swung her head toward the employees, shifted her weight, and pinned them against a loading ramp. In another incident, she panicked while carrying children on her back at a state fair, knocked down and stepped on the trainer, and a 3-year-old girl was injured after falling off her. While two children were riding on her in 1989, she picked up a handler with her trunk and threw him against a trailer after he struck her with a stick, breaking his shoulder and jaw and leaving the kids stranded. Commerford continued using Minnie for rides at the fair.

MD SB547_AWI letter of support.pdf

Uploaded by: Kate Dylewsky

Position: FAV



Animal Welfare Institute

900 Pennsylvania Avenue, SE, Washington, DC 20003
awionline.org phone: (202) 337-2332 fax: (202) 446-2131

February 12, 2024

Senate Committee on Education, Energy, and the Environment
Maryland General Assembly
Annapolis, MD

Re: Support for SB 547

Dear Chair Feldman, Vice Chair Kagan, and Members of the Committee:

On behalf of the Animal Welfare Institute, a national nonprofit animal advocacy organization with thousands of members in Maryland, I respectfully urge you to support SB 547. This bill would prohibit the use of certain animals – including elephants, tigers, bears, and primates – in circuses and other traveling animal acts. It builds upon a growing public concern for animals used for entertainment and follows in the footsteps of similar laws around the US. To date, eight states and nearly 200 other localities have passed legislation to address the cruel treatment of circus animals or to ban animal acts entirely, and many other areas are considering similar measures.

The tigers, elephants, and other animals used in circuses are deprived of nearly everything that is important to them. They are confined in small cages, denied the opportunity to express their physical and social needs, and forced to spend endless hours in transit inside cramped trailers and train cars. Their training often involves punishing methods, and their handlers may beat, restrain, and sedate them. These are wild animals with natural instincts and they deserve the freedom to express their natural behaviors.

Performing exotic animals are also a threat to public health and safety. Circuses and traveling shows bring people dangerously close to incredibly strong, stressed, and unpredictable wild animals, often with little or no effective barriers separating them. Scores of people have been injured (and even killed) by animals used in traveling shows when they have escaped cages, bitten, attacked, and even killed spectators and trainers.

Traveling wild animal acts are dwindling in popularity and economic viability, and some have closed while others have successfully shifted away from an animal-centered business model. Permitting only animal-free shows is an economically sound, public safety-minded, and thoroughly commonsense move that aligns with the compassionate values of Maryland citizens.

Unlike human entertainers, exotic animals do not choose to perform. Laws at the state level are crucial to end this exploitation, which is why I respectfully request for your support for SB 547.

Sincerely,

Kate Dylewsky
Assistant Director, Government Affairs
Animal Welfare Institute
(202) 446-2142
kate@awionline.org

SB0547_Favorable_BigCatSanctuaryAlliance.pdf

Uploaded by: Kathy Blachowski

Position: FAV



Steering Committee

Kathryn Bertok, Chair
Carolina Tiger Rescue

Catherine Doyle, M.S., Vice Chair
Performing Animal Welfare Society

John Madigan,
Secretary/Treasurer
Crown Ridge Tiger Sanctuary

Carson Barylak
International Fund for Animal Welfare

Bobbi Brink
Lions, Tigers and Bears

Christi Gilbreth
Black Beauty Ranch

Kristin Leppert
Global Federation of Animal Sanctuaries

Emily McCormack
Turpentine Creek Wildlife Refuge

Letrecia "Trish" Nichols
Black Pine Animal Sanctuary

Lynda Sugasa
Safe Haven Wildlife Sanctuary

Tammy Thies
The Wildcat Sanctuary

Staff

Kathy Blachowski,
Program Manager

The Big Cat Sanctuary Alliance (BCSA) is a non-profit organization that works to end the private ownership and commercial exploitation of big cats and other wild cats, while providing expert resources to its sanctuary members aimed at improving the health and welfare of rescued captive wild cats.

February 12, 2024

Senate Education, Energy and the Environment Committee
2 West
Miller State Office Building
Annapolis, Maryland 21401

Re: Support for SB 0547, Wildlife - Traveling Animal Acts - Prohibition

To Chair Brian Feldman, Vice Chair Cheryl Kagan, and Members of the Committee:

The Big Cat Sanctuary Alliance (BCSA), which is comprised of reputable sanctuaries and highly regarded national and international partner organizations, strongly supports SB 0547 to prohibit the use of certain wild animals in traveling shows.

The BCSA's 14 sanctuary members care for nearly 500 wild cats, including animals who were once exploited for "entertainment."

Through experience, we know just how challenging it is – even under the best conditions – to provide captive big cats with a rich and fulfilling life. Certainly, it is impossible to provide a good life for these animals when they are forced to travel and perform.

Big cat sanctuaries offer specially designed enclosures that promote mental and physical well-being. Providing stimulating, environmentally complex environments is critical to ensuring the health and welfare of large felids. Traveling shows cannot replicate these conditions due to the constraints of close confinement, constant travel, and their transient nature.

To be clear, big cats exhibited in traveling shows are not domesticated animals. They are biologically the same as their wild counterparts, instinctively averse to human activity. As such, they are under constant stress due to travel, loading and unloading, training, and exhibition in front of loud crowds. The adverse effects of chronic stress on animal health and welfare are widely recognized.

Despite being far-ranging animals, big cats in traveling shows spend the majority of their time confined in small cages, where they eat, sleep, and relieve themselves. The amount of time spent performing or in training is estimated at 1-9% of the day, with the remaining time spent in small enclosures or cramped transport cages.

During training, handlers exert control over big cats through brutal training methods. They may whip, strike, or use an electric shock device to force an animal to perform as desired and on cue.

Abnormal repetitive behaviors – such as pacing back and forth – are widespread in traveling shows. A response to living in impoverished environments, these behaviors are signs of psychological stress and a strong indicator of poor welfare.

Big cats are extremely dangerous wild animals. (Direct contact between caregivers and big cats is strictly forbidden at our member sanctuaries.) Traveling shows constantly move these powerful felids and hold them in makeshift cages, creating significant risk. Incidents of animals escaping, attacking and killing trainers, and endangering members of the public are not uncommon.

The BCSA further opposes the use of big cats in traveling shows because these acts rely on breeders who disregard animal health and genetic soundness. Consequently, big cats often suffer severe health issues, a problem particularly evident in white tigers. Selective breeding to produce this color variation necessitates inbreeding, which is strongly associated with genetic defects. Several BCSA sanctuary members care for rescued white tigers and other cats with disorders caused by inbreeding. Addressing these health challenges requires specialized long-term care at great expense to sanctuaries.

Wild animal acts do not educate the public or help conserve big cats. There is no educational value in displaying animals who have been denied all that is natural to them and coerced into performing inane tricks. Although scientific research indicates that the exhibition of wild animals for entertainment harms genuine conservation efforts, traveling shows display endangered and threatened species including Asian elephants, tigers, and lions.

A 2019 Monmouth University poll (<https://tinyurl.com/ytf3xduc>) found that a majority of Americans would favor a law to prohibit the use of wild animals in circuses. To date, eight states and more than 175 municipalities have passed legislation addressing this issue. It's time for Maryland to join this humane movement.

The BCSA urges you to support SB 0547 to protect the animals and the public, and to end the archaic practice of using captive wild animals for entertainment.

Thank you for your consideration of our comments. We are available to answer any questions or provide additional information.

Sincerely,



Kathryn Bertok
Chair, Steering Committee
Big Cat Sanctuary Alliance

BCSA Sanctuary Members

Black Beauty Ranch
Black Pine Animal Sanctuary
Carolina Tiger Rescue
Cedarhill Animal Sanctuary
Crown Ridge Tiger Sanctuary
Elmira's Wildlife Sanctuary
Lions, Tigers and Bears
Performing Animal Welfare Society
PrideRock Wildlife Refuge
Rustic Acres Wildcat Rescue
Safe Haven Wildlife Sanctuary

The Wildcat Sanctuary
Turpentine Creek Wildlife Refuge
WildCat Ridge Sanctuary

BCSA Partner Members

AAP Primadomus
Animal Legal Defense Fund
Bears, Etc.
Forest Animal Rescue
Four Paws
Global Federation of Animal Sanctuaries
Humane Society of the United States
International Fund for Animal Welfare
People for the Ethical Treatment of Animals
Peter Emily International Veterinary Dental Foundation
World Animal Protection

SB547_Favorable_MarylandZoo.pdf

Uploaded by: Kirby Fowler

Position: FAV



February 12, 2024

To: Sen. Brian Feldman, Chair, Education, Energy, and the Environment Committee
Del. Marc Korman, Chair, Environment and Transportation Committee

Re: SB547/HB379: Wildlife - Traveling Animal Acts - Prohibition

Dear Chair Feldman, Chair Korman, and Honorable Committee Members:

On behalf of The Maryland Zoo in Baltimore ("Maryland Zoo"), I am writing to express our enthusiastic support of HB379 and SB547. The Maryland Zoo is a proud member of the distinguished community of zoos and aquariums accredited by the Association of Zoos and Aquariums (AZA). AZA accreditation assures excellent care for animals, a great experience for visitors, and a better future for all living things. Fewer than 10% of the approximately 2,800 animal exhibitors licensed by the United States Department of Agriculture are AZA accredited. AZA-accredited zoos and aquariums undergo a thorough review that includes a detailed accreditation application as well as a multiple day on-site inspection by a team of experts from around the country.

The Maryland Zoo provides direct care for many of the species covered by HB379 and SB547, including elephants, lions, bears, and numerous species of nonhuman primates. These animals naturally lead rich and varied lives and possess complex physical, behavioral, and psychological needs. As leaders in animal care, we are familiar with the considerable resources required to adequately meet these needs in a zoological facility – needs that cannot be accommodated in a traveling environment. By definition, traveling shows cannot provide the space, substrates, climate, and social conditions necessary to meet even the basic needs of animals covered by this legislation.

Wild animals in human care have complex psychological and physical needs, and the very nature of traveling shows – near-constant travel and daily, prolonged restraint – subjects these animals to conditions that impact their overall well-being. Ongoing transportation, exposure to unfamiliar surroundings, and unpredictable environments contribute to stress and anxiety. The confined spaces in which they are kept for extended periods during travel and while on temporary exhibition do not provide opportunity for adequate exercise, mental stimulation, or the ability to engage in natural behaviors.

This legislation will allow elephants, bears, nonhuman primates, and big cats to be cared for and shared with the public in brick-and-mortar institutions, such as respected AZA-accredited institutions with core conservation and welfare values.

The Maryland Zoo in Baltimore's commitment to the safety and well-being of all animals is a priority, and we believe that HB379 and SB547 are aligned with that commitment.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirby Fowler".

Kirby Fowler
President & CEO, Maryland Zoo in Baltimore

Wildlife Traveling Animal Acts Prohibition SB 54

Uploaded by: Lisa Radov

Position: FAV



MARYLAND VOTES FOR ANIMALS

PO Box 10411
BALTIMORE, MD 21209

February 13, 2024

To: Senate Education, Energy, and the Environment Committee
From: Lisa Radov, President and Chair, Maryland Votes for Animals, Inc.
Re: Wildlife - Traveling Animal Acts – Prohibition – SB 547- Support

Chair Feldman, Vice Chair Kagan, members of the Education, Energy, and the Environment Committee, thank you for the opportunity to testify before you today. My name is Lisa Radov. I am the President and Chair of Maryland Votes for Animals. We champion humane legislation to improve the lives of animals in Maryland. Speaking for Maryland Votes for Animals, our Board of Directors, and our members across Maryland, I respectfully request that the Education, Energy, and the Environment Committee vote favorably for Wildlife - Traveling Animal Acts – Prohibition-SB 547.

This bill would prohibit a person from allowing for the participation of a bear, a cougar, an elephant, a jaguar, a leopard, a lion, a nonhuman primate, a tiger, or a hybrid of any of these animals in a traveling animal act.

The leaders in the circus industry have changed their models and eliminated the use of wild animals in their performances. They recognize that quality entertainment that will amuse adults and delight children of all ages does not need to depend on a system where animals are taken from their native homes and subjected to the rigors of travel confined in small cages. By passing this bill, Maryland would basically be keeping up with the market to protect elephants, bears, tigers, and other wild animals from a lifetime of performing in captivity.

As [reported by the Baltimore Sun](#), on the front page above the fold this past November, the Ringling Bros. and Barnum & Bailey Circus returned to Baltimore after a 6-year hiatus with new acts such as a robotic dog. Their goal was to charm audiences as they had for many years without the use of wild animals. One of my Maryland Votes for Animals board members took her 12-year-old to the show to see what he thought of the new format. She called as soon as the show was over from the car and said that he loved it. Since I know her son, I spoke with him right after the show. He said that the performance was incredible, especially the robotic dog!

Let's ensure that Maryland continues to be a place where our citizens can enjoy live performances without subjecting these animals to a life confined in small cages for long periods of travel and away from their fellow species.

Thanks to Senator Elfreth for sponsoring SB 547. I urge the committee for a favorable report.

SB0547_Favorable_WorldAnimalProtection.pdf

Uploaded by: Liz Cabrera Holtz

Position: FAV



Senate Education, Energy, and the Environment Committee

SB547

Wildlife - Traveling Animal Acts - Prohibition

FAVORABLE

World Animal Protection, on behalf of our Maryland supporters, strongly supports SB547 which would prohibit the use of bears, elephants, cougars, jaguars, leopards, lions, tigers, and nonhuman primates in traveling acts.

Animals in Traveling Acts Suffer

Animals used in circuses and traveling acts are deprived of the ability to engage in their natural behaviors, resulting in severe physical and psychological suffering. Wild animals are typically held in small, barren cages without appropriate enrichment or socialization with other members of their species. Animals are forced to sleep, defecate, and eat in the same small space. Decades of research has documented that wild animals living in captivity experience osteoarthritis, obesity, and dental problems. Recent research indicates that the prolonged stress of captivity results in actual physical changes in brain structure and function.¹ As a result, wild animals frequently display stereotypies—repetitive, purposeless behaviors or sounds such as pacing, head bobbing, licking of non-food objects, and gnawing on bars.

By their nature, traveling acts require animals to be transported for long distances throughout the year. Animals are sometimes transported without climate control and subjected to extreme hot and cold temperatures that they would never experience in the wild. Further, “trainers” coerce wild animals to perform unnatural tricks and stunts through abusive methods including physical violence, sedation, restraints, and the withholding of food.

Wild Animal Acts Jeopardize Public Safety

Traveling acts and circuses that use animals also pose serious risks to public health and safety. Wild animals are unpredictable and difficult to safely constrain, particularly for traveling shows that rely on collapsible and portable equipment. Year after year, captive wild animals injure and even kill members of the public, traveling act employees, and law enforcement officials. For example, in 2016, an animal trainer was attacked and dragged by a tiger in front of a school field trip at the Pensacola Interstate Fair in Florida.²

¹Bob Jacobs. [The neural cruelty of captivity: Keeping large mammals in zoos and aquariums damages their brains](#). The Conversation, September 24, 2020.

²Troy Moon. [Fair tiger show canceled after trainer injured](#). Pensacola News Journal, October 25, 2016.



Wild animals in captivity are also a zoonotic disease risk. Species such as nonhuman primates can spread deadly infections to humans including tuberculosis, Herpes B, and campylobacteriosis. Elephants can spread tuberculosis, and humans have tested positive for tuberculosis after interacting with infected captive elephants. In 2015, the Dallas County Health and Human Services Department barred two elephants with the UniverSoul Circus from entering after the elephants were exposed to the extremely contagious virus.³

Lack of Meaningful Federal Regulation

Action at the state level is urgently needed. The federal Animal Welfare Act (AWA), which regulates wild animal exhibitors such as zoos and circuses, sets out minimal requirements for animal care and is chronically underenforced. Notably, the AWA permits painful “training” methods such as bullhooks (fire poker-like devices used to jab elephants in the most sensitive parts of their bodies), whips, and electrical shocks.

Wild animals in traveling acts spend most of their days in tiny cages, hauled from city to city where they’re forced to perform unnatural—and even painful—tricks and stunts. We urge the passage of SB547 to protect wild animals from cruelty as well as further public safety in Maryland.

³ Robert Wilonsky. [TB or not TB: Judge sides with Dallas officials banning circus elephants over health concerns](#). The Dallas Morning News, August 19, 2015.

SB0547_FAV_mgoldstein 2024.pdf

Uploaded by: Mathew Goldstein

Position: FAV



Secular Maryland

<https://secularmaryland.dorik.io> secularmaryland@tutanota.com

February 13, 2024

SB 547 - FAV

Wildlife - Traveling Animal Acts - Prohibition

Dear Chair Brian J. Feldman, Vice-Chair Cheryl C. Kagan, and Members of the Education, Energy, and the Environment Committee,

It has been known for decades that travel, confinement, and being forced to perform tricks deprive wild animals of opportunities to satisfy their complex physical, behavioral, and emotional needs. Their lives constitute abuse as entertainment. The need for stronger legal protections is clear.

We are finally seeing some momentum at the state and local level to ban the use of some wild animals in circuses. Dozens of North American cities, along with a couple of states, prohibit the use of bullhooks—which, in effect, means a ban on circuses with elephants. Others, like San Francisco and Santa Fe, New Mexico, have full bans on performing wild animals. Maryland should be among the states that ban traveling animal acts.

We tend to underestimate the harm we are doing to animals that cannot speak. Animals are not a separate category of life fundamentally different from us who were placed on earth by a deity for the benefit of humans. We are all animals. We can, and therefore we should, do better. Secular Maryland firmly supports legislation to compensate for the commercial incentives that stress the lives of animals.

Respectfully,
Mathew Goldstein
3838 Early Glow Ln
Bowie, MD 20716p

FOUR PAWS Testimony for SB547.pdf

Uploaded by: Melanie Lary

Position: FAV



Animal Welfare.
Worldwide.

January 24, 2024

Education, Energy, and the Environment Committee

SB547

An Act concerning Wildlife – Traveling Animal Acts – Prohibition

FAVORABLE

On behalf of our Maryland supporters, FOUR PAWS USA strongly supports Senate Bill 547, which would prohibit a person from allowing for the participation of certain wild animals in a traveling animal act. This bill would benefit both public safety and animal welfare.

As a global animal welfare organization with 13 sanctuaries around the world, FOUR PAWS has years of expertise concerning the rescue, rehabilitation, and sanctuary care of big cats, bears, elephants, and other wild animals rescued from terrible conditions in captivity.

FOUR PAWS supports this bill because the keeping, training, and transportation of wild animals like big cats, bears, elephants, and nonhuman primates in traveling shows involve some of the saddest forms of captivity and cruelty. Stuck in inhospitable conditions, these wild animals are brutally forced to adapt to abnormal surroundings and perform unnatural behaviors. Beyond subjecting these animals to neglect, abusive training, and prolonged confinement, these productions also put the health and safety of the public at risk.

Through our work, we've witnessed first-hand the physical and psychological trauma and extreme confinement these animals endure for entertainment. Common problems include malnutrition, cracked teeth, tooth decay and missing teeth, chronic pain from non-existent veterinary care, arthritis from ongoing repetitive movements, abnormal behavior, and psychological stress resulting in fear or aggression towards people and new environments.

FOUR PAWS has also seen the successful recovery of wild animals in our sanctuaries. When in a safe, species-appropriate environment, these animals experience dramatic improvements in their physical and mental health and display less stereotypic behaviors (like pacing and head swaying) that are indicators of stress and anxiety. These recoveries show us that it is never too late to offer these captive wild animals a better life over their continued exploitation for entertainment.

Wild animals have complex emotional, behavioral, and physical needs that cannot be satisfied by traveling shows. This is why FOUR PAWS urges the committee to vote favorably on SB547, a commonsense bill that both protects the public from dangerous wild animal encounters and provides a more humane life for wild animals in captivity.

Sincerely,

Melanie Lary
Research and Campaigns Manager

FOUR PAWS USA
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Boston, MA 02108 | USA

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fourpawsusa



SB 547 - Elfreth Testimony.docx.pdf

Uploaded by: Sarah Elfreth

Position: FAV

SENATOR SARAH ELFRETH
Legislative District 30
Anne Arundel County



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Sarah.Elfreth@senate.state.md.us

Budget and Taxation Committee

Subcommittees

Capital Budget

Pensions

Chair, Public Safety,
Transportation, and Environment

Joint Committee on the Chesapeake and
Atlantic Coastal Bays Critical Area

Chair, Joint Subcommittee on
Program Open Space/Agricultural
Land Preservation

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 13, 2024

**Testimony in Favor of SB 547
Wildlife - Traveling Animals Act - Prohibition**

Chairman Feldman, Vice-Chair Kagan, and members of the Education, Energy, and the Environment Committee,

I respectfully request a favorable report of Senate Bill 547 to protect elephants, bears, big cats, and primates from the cruel conditions of traveling shows.

Animals in traveling acts are subjected to cruel and abusive conditions for the sake of performance. They are subjected to prolonged confinement in cages where they eat, sleep, defecate, and urinate - in some instances are chained to the cage itself - leading to chronic illness as a result of high stress and limited exercise. Training practices utilized by traveling acts commonly include the use of whips, sticks, ropes, bullhooks, and electric prods, resulting in lacerations, puncture wounds, trauma, and stress. Brian Franzen of Loomis Bros. Circus has even admitted to spraying cayenne pepper in tigers' eyes and noses to compel obedience.

Traveling animal acts bring public health and safety dangers to the communities they visit. Wild animals can spread disease to human populations, including the human strain of tuberculosis with which 12.4% of captive elephants in the US have tested positive¹. Even healthy animals pose a safety risk to entire communities, as wild animals may respond to chronic stress and trauma with desperate and unpredictable behaviors. Animal trainers have been attacked and even killed in front of live audiences². Elephants have rampaged at performances, injuring audience members³. In 2004, a tiger escaped its enclosure at UniverSoul Circus in Landover, Maryland and roamed the fairgrounds where multiple elementary schools were visiting with students⁴.

While larger circuses like Ringling Bros. and Barnum & Bailey Circus have eliminated animal acts, smaller traveling acts continue to travel through Maryland. Companies including Loomis Bros. Circus, Tarzan Zerbini Circus, Carden Circus, and more continue to bring their acts to Maryland each year. Despite many of these

¹ <https://pubmed.ncbi.nlm.nih.gov/23477422/>

² <https://lasvegassun.com/news/2001/mar/26/tiger-kills-animal-trainer/>

³ <https://abcnews.go.com/International/watch-spooked-circus-elephant-attack-car-apparent-whack/story?id=32516732>

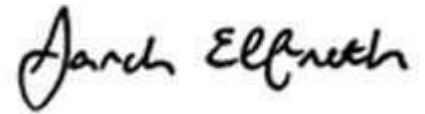
⁴ <https://www.peta.org/wp-content/uploads/2021/06/BigCatIncidentList.pdf>

companies having been repeatedly cited by the United States Department of Agriculture (USDA) for violations of the federal Animal Welfare Act, they continue to perform in Maryland. Throughout the United States, 8 states and 190 localities have established prohibitions on wild animals in traveling acts, including Montgomery County and Gaithersburg, Maryland.

The evidence is clear: traveling acts with wild animals endanger the health and safety of the animals involved and the communities they visit. Senate Bill 547 is a necessary step toward protecting Marylanders and animals from these dangerous and harmful traveling acts.

I urge a favorable report on Senate Bill 547.

Sincerely,

A handwritten signature in black ink that reads "Sarah Elfreth". The signature is written in a cursive, flowing style.

Senator Sarah Elfreth
District 30

SB0547_Favorable_GlobalFederationAnimalSanctuaries

Uploaded by: Valerie Taylor

Position: FAV



Helping Sanctuaries Help Animals

February 12, 2024

Brian Feldman, Chair
Cheryl Kagan, Vice-Chair
Senate Education, Energy, and the Environment Committee
2 West
Miller Senate Office Building
Annapolis, MD 21401

To Chair Brian Feldman, Vice Chair Cheryl Kagan, and Members of the Committee,

The Global Federation of Animal Sanctuaries (GFAS), appreciates the committee's consideration of SB.0547 to prohibit the use of elephants, nonhuman primates, big cats, and bears in traveling acts. I am writing today to express our continued support of these vital protections for the listed species and urge passage of this important legislation.

GFAS is a 501(c)(3) nonprofit founded by leaders from global animal welfare organizations to fulfill the need to differentiate and support sanctuaries that provide the highest quality of care for animals and also exhibit operational excellence in safety, financial and governance practices.

Our accredited organizations are true sanctuaries that are made to bear the long-term financial burden of caring for animals once commercial operators— like traveling acts and exhibitors— use, abuse and deem them no longer profitable. These profiteers only value their bottom line, which puts animals and the public at risk. Wild animals are dangerous, and captive wild animals even more so as they've suffered intensive confinement and are broken mentally and physically. Captive animals used in traveling shows are made to endure an unnatural life of stressful containment, rigorous travel and performance rendering them highly unpredictable. As we've seen before, these animals often react in self-defense or out of frustration, which may lead to human injury or death. There is no amount of "training" or purported "bonding" that guarantees a wild animal's behavior.

Forcing wild animals into entertainment has increasingly lost public appeal and rightly so. We encourage Maryland to pass the aforementioned bill for the sake of the animals and for the safety of your state's citizens.

Regards,

A handwritten signature in blue ink that reads "Valerie Taylor". The signature is fluid and cursive, with a long, sweeping underline.

Valerie Taylor
Executive Director

ZAA Testimony re SB547 .pdf

Uploaded by: Kelly George

Position: UNF



ZOOLOGICAL ASSOCIATION
OF AMERICA

Dr. Kelly George
Executive Director
Testimony on SB 547
Prohibition on Traveling Animal Exhibitions
Education, Energy, and the Environment Committee
Maryland Senate
February 13, 2024

The Zoological Association of America (ZAA) opposes SB 547 as currently drafted and submits this written testimony to be included in the Committee's review of the bill. The bill as drafted would appear to prohibit much more than the use of the listed species in traveling circuses and could negatively impact non-traveling zoological facilities in Maryland.

This bill and its House companion would impose a prohibition on all performances of certain animals in traveling acts. While these bills are presumably targeted specifically at traveling circuses with performing animals, the language of the bill is so broad and ill-defined that it could negatively impact zoos and education and conservation programs legally doing business in Maryland. In fact as written it could be construed to prohibit any zoo in the state from bringing in any new specimens of the covered animals to be exhibited as part of their collection.

By way of background, I am the Executive Director of ZAA and I am formally trained in Anthrozoology with a focus on One Welfare, which includes non-human animal, human, and environmental wellbeing. I am a former Associate Professor Professional Practice at The Ohio State University Department of Animal Sciences, have multiple peer-reviewed publications and presentations focused on zoo animal welfare, and continue to serve as a professional consultant in the area of animal welfare.

ZAA consists of and represents zoological professionals including zoos, aquariums, conservation breeding facilities, and conservation education-based animal ambassador programs. It currently has Professional Members in more than 40 states including Maryland. With more than 60 accredited facilities across more than 30 states, ZAA is also one of the largest accrediting organizations in the zoological sector, counting among its members Plumpton Park Zoo in Rising Sun and Catocin Wildlife in Thurmont.

ZAA's accreditation process reflects a commitment to animal care and welfare, best management practices, staff, animal, and guest safety, and regulatory compliance. ZAA's accreditation standards are rooted in the widely accepted scientific based Five Domains of Animal Welfare framework. ZAA's standards focus on the safety of the animals in our care, as well as our professionals and visitors. The ZAA accreditation program sets a benchmark

for standards of operation and surpasses the standards of applicable state requirements and the federal Animal Welfare Act.

As part of ZAA's commitment to species conservation it currently has a number of Animal Management Programs (AMP) that are intended to help ensure a species' long-term survival and guard against potential collapse of wild populations through cooperatively managed propagation of wildlife including Cheetahs, Giraffes and African Lions. ZAA is currently in the process of adding additional AMPs for other critically endangered or threatened species.

Our concerns with this legislation is that it is drafted in a manner that may have unintended consequences on zoos, including ZAA members, who operate in Maryland. SB 547 uses an unreasonably broad definition of "performance" to include a broad range of conduct such as any **exhibition, public showing, presentation, display**, exposition, fair, petting zoo, carnival, parade, race. It also prohibits such activities "for the benefit of a live audience." That is problematic because "exhibition" and "display" of animals is exactly what zoos do every day. In fact under federal law zoos are defined and licensed as "exhibitors." And everything at a zoo is for the benefit for the people who are there "live" to enjoy the animals.

While the bill does include an exception for performances, as defined in the bill, that take place at a non-mobile, permanent institution or other fixed facility, again here we fear the language is too imprecise as the exception is applicable only to the extent **the covered animal is not transported to such a location "for the purpose of such performance."** However all animals are transported to a facility at some point, often more than once. New acquisitions, breeding loans, relocations, rescues and even specialized veterinary care are all examples of why an animal, including the species covered by the bill, might be transported to a zoo. Given the overly broad definition of "performance" to include exhibition, public showing, presentation, and display, this could be construed to prohibit any zoo from displaying any giraffes, bears, primates, elephants and big cats part of their collection since the animal at some time would have to be transported.

The prohibitions in the bill could also apply to a whole host of common activities including training demonstrations and educational programs. There are many quality educational programs, including some operated by zoos, that bring animals to schools, libraries, parks and other places so that both adults and children can learn about them. Those mobile educational programs will take animals to those kinds of locations and then return to a permanent facility. Such programs are also already subject to federal and state regulation and oversight. While we recognize that most of the species listed in the bills are not typically used in such programs, some big cat species, e.g, Cheetahs, are used as ambassador animals, and certain small non-human primates may be used in educational programs., Thus, enacting such an overly broad prohibition would set a troublesome precedent with serious unintended consequences.

We share the sponsors' commitment to the welfare and well-being of all animals on display whether traveling or not. Millions of people visit zoos all over the country, including here in Maryland, every year. For many of those people that is the only opportunity they may ever have to see the kinds of animals covered by SB 547 in person. Zoos play a crucial role in conservation education and awareness, one that is especially important with species that are endangered or threatened.

For all of these reasons we ask the Committee not to advance SB 547 without first amending its language to ensure that there are no unintended consequences on the zoos of Maryland. Thank you.

SB0547_DNR_LOI_EEE_2-13-24.pdf

Uploaded by: Dylan Behler

Position: INFO



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

February 14, 2024

BILL NUMBER: Senate Bill 547 - First Reader

SHORT TITLE: Wildlife - Traveling Animal Acts - Prohibition

DEPARTMENT'S POSITION: LETTER OF INFORMATION

EXPLANATION OF DEPARTMENT'S POSITION

The Department supports the intent of this legislation to further protect our native wildlife populations by limiting the movement of non-native exotic species through Maryland. However, the Department would like to provide some information on the Department's authority to oversee exotic animals, as suggested by the legislation.

The Department's current statutory responsibilities are primarily focused on native species populations and the habitats that support these populations. The Department's Wildlife and Heritage Service (WHS) staff are trained and have the experience to deal with native wildlife species. Under the proposed legislation those responsibilities would be expanded to include the regulation of other species such as jaguars, elephants, and lions. The Department has no capacity to handle the requisite seizure, capture, handling, or management of the individual animals envisioned in the proposed legislation. In addition, the Department would likely be restricted by federal rule in using existing fund sources to handle these exotic species for the purposes described in the legislation.

BACKGROUND INFORMATION

The Department's Wildlife and Heritage Service (WHS) is primarily responsible for a variety of different aspects of DNR's role in wildlife management. This includes monitoring wildlife populations, establishing hunting seasons, and protecting endangered species to name a few.

Additionally, the WHS also works with the Natural Resource Police on a variety of enforcement matters as it relates to the oversight of our laws relating to wildlife management in the State.

BILL EXPLANATION

The proposed legislation would prohibit the performance of a covered animal in a traveling animal act and also establish civil penalties for violating the provisions of the Act.

Contact: Dylan Behler, Director, Legislative and Constituent Services
dylan.behler@maryland.gov ♦ 410-260-8113 (office) ♦ 443-924-0891 (cell)