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DECLARATION OF DR. JOYCE H. POOLE

Dr. Joyce H. Poole declares:

1. I am the Director of Elephant Voices and I am a member of the Scientific Advisory Committee for the Amboseli Elephant Research Project. A copy of my curriculum vitae, which includes my educational background and publications, is attached hereto as Exhibit K.

2. As an overview, I have spent the last 32 years of my life studying the social behavior and communication of free-ranging, wild elephants in East Africa. I have worked primarily in Amboseli National Park, Kenya but also among the elephants of Maasai Mara, Tsavo, Laikipia, in Kenya, Mikumi in Tanzania and Queen Elizabeth in Uganda. In addition, I have observed and recorded the voices and behaviors of wild elephants in Uda Walawe and Minneryia National Parks, Sri Lanka. I have observed wild and captive elephants in India and semi-wild elephants in Thailand. I have visited tourist camps and I have observed working, tourist, and ceremonial elephants in India. I have taken elephant back safaris in Botswana and in India.

3. I have visited and closely observed the behavior of the captured Tuli elephant calves in South Africa. I have watched numerous hours of film material depicting the behavior of captive elephants.

4. I have visited numerous captive elephant sites including zoos in Europe and the United States (e.g. Disney's Wild Kingdom, National Zoo, Bronx Zoo, Minneapolis Zoo, Portland Zoo, London Zoo, the Lincoln Park Zoo and the Brookfield Zoo).

5. The facts set forth herein are known to me of my own personal knowledge.

If called as a witness, I could and would competently testify to each fact set forth herein.

6. I have been informed that the Los Angeles Zoo is in the process of building an elephant exhibit so that four to six or more elephants can be kept in a 3 (plus or minus) acre area. I have examined schematics of the proposed facilities at the Los Angeles Zoo and am familiar with their expansion plans. These elephants are apparently to be used for exhibition and breeding. I have also been informed that there is currently one elephant at the Los Angeles Zoo, Billy, a 22-year-old male Asian elephant. The photographs of his enclosure areas are attached hereto as exhibit F and G. It is my understanding that each area is approximately fifty feet square. Visitors to this exhibit and Zoo Director, Mr. Lewis, report that Billy repeatedly bobs his head up and down and back and forth daily.

7. Without adequate space, no zoo can suitably manage and care for elephants. I agree with the testimony of Mr. Lewis, the current director of the Los Angeles Zoo, insofar as he acknowledges that suitable care of any captive elephant requires proper attention to their physical, social and emotional needs. The space available in the Los Angeles facility, even if expanded as proposed, is grossly inadequate to address and satisfy their needs in any of these vital areas.

8. There are multiple reasons for this conclusion. However, foremost among the considerations is the fact that elephants require large areas to travel. In the space available in the Los Angeles Zoo environment, even one elephant will undoubtedly suffer leg and foot problems. In a small space, the risk and probability of abuse increases dramatically due to the degree of human manipulation required in such a limited area. Life in such a small area removes all autonomy from the elephants, destroys any semblance of their ordinary social structure and with it, removes most of their emotional support.

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9. For this reason, I was not surprised to learn that elephants at the L.A. Zoo have had no autonomy; they have lived under the control of keepers who manage their every movement and make almost every decision on their behalf. Dominance in elephant society is based primarily on body size. To overcome the obvious discrepancy in size between keeper and elephant and to maintain the uneasy balance of power necessary in direct contact management, requires continuous reinforcement of keeper dominance through the imposed lack of autonomy, vocal and physical bullying and, as confirmed by zoo records, physical abuse.

10. Elephants need sufficient space and social and environmental enrichment to maintain agility and good physical and mental health. It is simply not possible to meet an elephant's physical, social and emotional needs in a few acres. This is only one further reason why expansion of the L.A. Zoo will cost many millions of dollars, but will not even come close to addressing and resolving the spatial and social needs of their elephants.

11. Over the last two decades western society has witnessed an important shift in consciousness concerning the welfare of non-human animals. Much of the impetus for this swing in opinion has been driven by scientific studies, including my own, which have shown many species to be capable of experiencing not only pain and suffering, but multifaceted emotions and reasoning within complex social and cognitive settings. Through a wealth of scientific publications, popular essays, books and documentary films, studies of elephant behavior have contributed substantially to this change in outlook, challenging assumptions previously made with regard to elephant social, communicative, cognitive, and emotional abilities.

12. We now know that elephants, like humans, live in multifaceted fission-fusion societies. They are highly intelligent, possessing complex emotions and

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exceptional memories, individual personalities, and are unusually long-lived. They can remember other individuals after more than a decade of separation, and are capable of emotions such as joy, anger, grief, sympathy, playfulness and revenge.

13. Elephants communicate specific information and emotions to reinforce bonds, care for youngsters, reconcile differences between friends, form coalitions against aggressors, coordinate group movement, and keep in contact over long distances. Like human beings, elephants suffer long-term psychological effects of trauma and abuse. This may be expressed in the form of inappropriate and hostile behavior. Taken together, these scientific discoveries indicate that we need to greatly improve the way we care for elephants, and demand that we err on the side of caution when the health and well being of elephants are being considered.

14. By attempting to mimic wild environments, zoos have made major advances and, for many species, wild biology is now the basis for exhibits. But, for elephants, with more than 4,000 years of exploitation by humans, the starting point is too often merely what has gone before. Zoos have tended to treat elephants as if they are a domesticated species and, as a result, find themselves trying to justify or adapt management methods that are really about maintaining the animal as a beast of burden in various guises. Because the human-elephant relationship is historically exploitative, tradition in this case is not a reliable guide to elephant needs and interests.

15. To make this point more clearly, the life histories, health and behavior of the over 2,200 free-ranging individuals who have been studied in Amboseli, can and should be compared with the health and behavior of elephants in captivity; specifically those of the Los Angeles Zoo.

16. Elephants in the wild roam over large areas and move considerable

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distances each day. They are intelligent, highly social animals with a complex system of communication. Led by the oldest female--the matriarch--the family is bonded by kinship, affiliation, experience, great loyalty and affection. Elephants in the wild are raised in a positive and affiliative environment.

17. In contrast, an L.A. Zoo elephant, of necessity, must be confined to a small area, on compacted soil and concrete. In such a small area, the absorbing qualities of the earth in the wild are rapidly converted to a hard, compacted surface. Concrete and compacted ground places great strain on the feet and legs of these multi-ton animals. At the same time, they are separated from their companions, and are moved about from zoo to zoo, further destroying their social and emotional bonding needs.

18. In Amboseli, members of the elephant population range over approximately 5,000 sq km. Each elephant and its family have a core area of use encompassing at least 194 sq km. Elephants travel 8 to 20 kilometers a day, frequently walking further in areas of lower resource availability, or when a male is searching for receptive females. Figures for Asian elephants are similar with home ranges averaging 350 km for males and 100 to 115 km for females and daily movements ranging between 8 and 22 km.

19. The L.A. Zoo apparently contends that elephants only need to cover these distances to search for food, water, to find mates and to avoid predators. They also say that when food is readily available to them they do not choose to or need to walk so far. It is true that elephants walk follow the easiest contours when moving from point A to point B. It is also true that they will cover less area in habitats with high resource availability.

20. However, it is a fallacy to argue that because elephants have food, water,

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security and semen presented "on a plate" or "in a tube" in captivity that they no longer need more than the 3 acres that the Los Angeles Zoo plans to provide for the four to six elephants it proposes to house at the zoo. Elephants benefit physically, socially and emotionally from their daily travel. They both need and enjoy the freedom, physical movement, strengthening, social stimulation and bonding that comes from their regular movement.

21. Moreover, elephants in a breeding program at the L.A. Zoo will face frequent interventions for invasive veterinary treatment, hormone sampling, artificial stimulation and insemination. Despite these highly specialized and modern procedures, by comparison to elephants in the wild, there is a long history of unsuccessful breeding programs in captivity.

22. The empirical evidence clearly shows that elephants need more space than the L.A. Zoo can offer. Sadly, in such a small area, foot diseases, arthritis, weight related diseases, infertility, heightened aggression, and other neurotic behaviors almost invariably develop. Again, it is therefore no surprise that the records of the L.A. Zoo confirm exactly these kinds of problems.

23. In Amboseli, elephants roam, walking, moving while feeding, or interacting, for almost three quarters of every day, only stopping to stand and rest, or lie down, for a few hours a day.

24 In the wild an elephant matriarch's strong leadership is obvious during a moment of crisis. Otherwise, any member of the family, including juveniles, can propose a course of action. Such a proposal may be followed by vocal negotiation during which members can make independent or group decisions regarding where to go and what to do. In other words, elephant society is democratic, not oppressive,

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authoritarian or despotic as life is for elephants in captivity where they are subject to the continual dominance and instruction of the keepers. Autonomy and freedom to choose is an important component of an elephant's well-being that cannot be met in a small, confined, externally controlled environment like the Los Angeles Zoo.

25. In Amboseli, male elephants live with their mothers until an average age of 14.3 years (with an age range of 9 to 18 years). Females remain with their natal families for life. Elephants in the wild are raised in a nurturing environment where they are protected, comforted, and reassured.

26. In contrast, the L.A. Zoo breeding program will separate individual elephants from their wild or captive families. Then, if they manage to create a successful breeding program, as confirmed by Mr. Lewis, the zoo plans to separate mothers and calves at a very young age. In fact, due to maternal rejection common to captive breeding programs, infants are often taken from their mothers soon after birth. The removal of infants and calves from their mothers and families is not only unethical, but it often results in psychological problems that affect the long-term physical and emotional well being of the animals.

27. The social unit planned for the elephant exhibit is extremely small. While the Los Angeles Zoo states it intends to breed the elephants, based on the very limited success of zoos elsewhere, there is very little indication that this will be successful enough to provide an increasing population. Nor is there space to accommodate one. Thus, for the foreseeable future, the Los Angeles Zoo can do nothing more than confine a very small group of unrelated and socially inept individuals, without any contact with a larger social network of elephants.

28. In Amboseli, females and calves live in an average family size of 18.7

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individuals (with a range of 2 to 52) and on average a female will, on a daily basis, experience a group size of 20 individuals (including independent males), with a range up to 550 elephants. Six per cent of groups observed over 34 years contain more than 100 individuals. Elephants are able to discriminate among the voices of at least 100 other adults. While Asian elephants live in smaller families than the elephants of Amboseli, and in generally experience smaller groups, their social network (individuals with whom they meet, interact and communicate or a regular basis) is likely to be similar to Amboseli elephants.

29. Social networking is a predominant and essential aspect of an elephant's daily life. The Los Angeles Zoo simply cannot satisfy this requirement of an elephant's well being. In fact, in captivity, elephants are frequently taken from the individuals with whom they are bonded, to be exchanged with elephants from other institutions. Director Lewis has confirmed that the Los Angeles Zoo plans to continue this practice of separating elephants from their necessary social and emotional structure.

30. Close social bonds in a normal family environment play a crucial role in social learning and normal behavior. For example, the participation of juvenile females in the care of infants both increases calf survival and provides young females with an array of care-taking experiences that persist until they give birth to their own first calf. The calves of inexperienced mothers show higher levels of distress than do calves born to experienced mothers, who appear to be more responsive to calf demands for food and protection with obvious consequences for calf growth and survival.

31. In my opinion, the high rate of infanticide and maternal rejection in captivity is a direct consequence of the lack of close social bonds and social learning available in captivity. This is due to the separation of mothers from their young and

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families from each other.

32. Regarding Billy, the sole inhabitant of the current L.A. elephant exhibit, in the wild, young adult males under 20 years old spend more than 70% of their time in association with family groups. They are observed alone less than 5% of the time. Large adult males over 35 years old spend half of their time in the company of other males, 25% in the company of females and only 25% of their time alone – most often while searching for receptive females. Billy has no ability to satisfy his normal, social and emotional needs in this regard.

33. In Amboseli, where elephants grow up in a nurturing social environment, have the freedom to move, and autonomy over their own lives, elephants do not develop foot or weight problems as they do in captivity in general, and at the L.A. Zoo in particular.

34. Of the 2,200 elephants who have lived in Amboseli over 34 years of study, not one has been observed to develop the type of foot infections and arthritic conditions so commonly observed in captivity. None have been overweight or obese.

35. In over 34,000 sightings of groups containing 1 to 550 elephants, not one elephant has been seen bobbing its head up and down or swaying rhythmically back and forth, as witnesses routinely report Billy does on a daily basis. This is not normal behavior and is among the neurotic behaviors that are uniquely developed in captivity. Confined in small spaces, without autonomy of movement and behavior, and kept in socially deprived conditions, elephants become dysfunctional, unhealthy, depressed, and aggressive.

36. In addition to these emotional issues, confinement and inactivity leads

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not only to obesity, but also to foot diseases, joint problems, and arthritis. As a result, female zoo elephants are 31-72% heavier than their wild counterparts. Infertility, maternal rejection, maternal infanticide, high infant mortality, hyper-aggression are all common problems in captivity. Degraded by a life of repression, many captive elephants have inflicted deliberate injury and even death to their keepers.

37. My behavioral research conducted in Amboseli National Park, which builds on long-term studies of these elephants, demonstrates some of the key biological and behavioral needs of elephants. It is my opinion that these needs simply cannot be met in the zoo environment at the Los Angeles Zoo. As explained above, the space at the Los Angeles Zoo is inadequate to provide for sufficient exercise, to promote social interactions or to allow for sufficient social group sizes to ensure emotional and behavioral development.

38. My long-term behavioral research on wild elephants indicates that these large, highly social and intelligent animals require ample, environmentally complex space, and a sufficient number of other elephants for social contact and learning. In the case of mothering skills, adequate social learning requires the presence of experienced females and the provision of a level of autonomy that allows juveniles and young mothers to practice and learn from their success and failures.

39. My research and the research of others at Amboseli points to the fact that the only captive environments that can adequately care for elephants are those with the space to allow individuals to choose from among a wide selection of social partners, thereby maintaining physical and psychological well-being. It indicates that all elephants, including males, should be allowed access to social partners. It recommends that males should remain in the company of their families until the age of natural dispersal, while closely related or closely bonded females should stay together for life.

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These things cannot and will not happen in the Los Angeles Zoo.

40. Elephant behavior in the wild dictates that infants and calves should never be removed from the care of their mothers and family members. It points clearly to the fact that removing females or youngsters from their social group for the purpose of exchange with other camps or zoos should not be permitted at the extreme expense of the individuals involved, and that the parallel practice of abducting infant or young elephants from their families in the wild to send to zoos or safari parks, as planned by the L.A. Zoo, should not be permitted to harm still more elephants.

41. On the basis of all these criteria, it is my opinion that the current and proposed exhibits at the Los Angeles Zoo cannot and will not be able to provide a healthy and humane environment for any of their elephants, regardless of how many millions of dollars they spend to make the area look nice to human observers.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: January 15, 2008

Dr. Joyce Poole, Ph.D.

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