

**CITIZEN PETITION BEFORE THE  
UNITED STATES DEPARTMENT OF AGRICULTURE**

IN DEFENSE OF ANIMALS	)
	)
Petitioner,	)
	)
v.	)
	)
MIKE JOHANNNS	)
Secretary of Agriculture	)
	)
Respondent	)
	)

**DECLARATION OF JOYCE POOLE**

I, Dr. Joyce Poole, hereby declare:

1. I have studied the behaviour of African elephants and worked for their conservation and welfare since 1975.
  
2. I studied elephants in Amboseli National Park as a member of the Amboseli Elephant Research Project (“**AERP**”) as an undergraduate research assistant between 1975 and 1979 and as a doctoral candidate at Cambridge University from 1980-1982.
  
3. Between 1984-1989 I was a postdoctoral research fellow of Princeton University studying elephant behaviour and communication in Amboseli.
  
4. In 1989 I carried out surveys on the impact of ivory poaching on the age structure and reproductive patterns of four East African elephant populations (Amboseli,

Tsavo, Queen Elizabeth and Mikumi) for a report to Convention on International Trade in Endangered Species (CITES).

5. In 1989 I co-authored the successful Tanzanian proposal to CITES to move the African elephant from Appendix II to Appendix I of the Convention.

6. I worked as Elephant Programme Coordinator for Kenya Wildlife Service between 1990-1994, where I was responsible for the conservation and management of the country's 25,000 elephants and for training a team of 11 Kenyan graduates.

7. Since 1998 I have studied the communication and social behaviour of elephants in the Laikipia, Mara and Amboseli populations. Since 1975 I have been a member of the AERP, since 2000 I have been a Director of ElephantVoices and since 2002 I have been the Director of Research of AERP.

8. I have observed Asian elephants in the wild in India and in Sri Lanka including recording their vocalizations and behaviour.

9. I am on the Scientific Advisory Board of the Captive Elephant Management Coalition, I am on the Scientific Advisory Panel for the Amboseli Trust for Elephants and I am a member of Ethologists for the Ethical treatment of Animals.

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

11. In August 2005 I testified in Chicago at a City Council hearing regarding the proposed Elephant Protection Ordinance that proposes to increase the space allotted for elephants in the city of Chicago.

12. I have taken elephant back safaris in Botswana and in India; I have observed working, tourist, ceremonial and temple elephants in India. I have visited and recorded the vocalizations of elephants at orphanages in Kenya and in Sri Lanka; I have visited and closely observed the behaviour of the captured Tuli infants in South Africa. I have watched numerous hours of film material depicting the behaviour of captive elephants.

13. A copy of my curriculum vitae, which includes my educational background, is included with this affidavit.

14. In Amboseli, where I have worked since 1975, elephants roam, walking, moving while feeding, or interacting, for almost three quarters of every 24-hour day, only stopping to stand and rest, or lie down, for a couple of hours.

15. In Amboseli, elephants inhabit what is regarded as a relatively small area for wild elephants. Members of this elephant population range over approximately 5,000km<sup>2</sup>. Each elephant and its family have a core area of use encompassing at least 194km<sup>2</sup>. Elephants travel 8 to 20 kilometres a day, frequently walking further in areas of lower resource availability, or when a male is searching for females. Figures for Asian elephants are similar with home ranges averaging 350 km<sup>2</sup> for males and 100 to 115km<sup>2</sup> for females and daily movements ranging between 8 to 22 km.

16. Zoos often argue that elephants only 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 walk so far. While it is true that elephants walk straight lines when moving from point A to point B, and that they will cover less area in habitats with high resource availability, it is a fallacy to argue that because elephants have food, water, security and semen presented “on a plate” or “in a tube” in captivity they, therefore, don’t need more than 2,200 sq ft of space. This is the amount that the American Zoo and Aquarium Association (AZA) currently recommend.

17. The AZA and other members of the zoo community maintain that there is no scientific evidence that elephants require ample space in captivity and suggest that elephants only move in the wild because they have to. I am stunned by this conclusion because the empirical evidence consistently shows that elephants need much more space than what is currently allotted to them in zoo settings.

18. Elephants in zoos currently face numerous health, reproductive and behavioral problems requiring enormous costs and frequent interventions for veterinary treatment, hormone sampling, electro-ejaculation and artificial insemination. In the form of the routine problems that captive elephant managers face every day, the empirical evidence that elephants need more space is unmistakable: foot diseases, arthritis, weight related diseases, infertility, heightened aggression, and other neurotic behavior to name but a few.

19. Based upon many years of field research, it is my professional opinion that wild elephants do not suffer the same ailments, such as foot disease, arthritis, and weight related diseases, as elephants in captivity. By comparison, in Amboseli, where the life histories of over 2,000 free-ranging elephants have been followed for 34 years and 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 zoos.

20. Of the 2,200 elephants that have lived in Amboseli over 34 years of study, not one has had foot (other than those inflicted by humans), arthritis, or problems with overweight.

21. In over 34,000 sightings of groups containing 1 to 550 elephants, not one elephant has been seen swaying rhythmically back and forth or showing other neurotic behaviour ultimately caused by lack of space.

22. At Amboseli we have only recorded two cases of infertility out of 558 females over 10 years old.

23. Out of 1,500 recorded elephant births at Amboseli, there has not been a single incident of an elephant killing its own infant. There have been no incidents of elephants attacking or killing the individuals with whom they are closely bonded.

24. In captivity, confined in small spaces, under the constant command of a trainer and kept in socially deprived conditions, elephants become dysfunctional, unhealthy, depressed, and aggressive. Inactivity leads not only to obesity, but also to foot diseases, joint problems, and arthritis. Female zoo elephants are 31-72% heavier than their wild counterparts.

25. Infertility, maternal rejection, maternal infanticide, high infant mortality, hyper-aggression are all common problems in captivity. Degraded by a life of tension and punishment, many captive elephants have inflicted deliberate injury and even death on elephant keepers.

27. The absurdity of members of the AZA's consistent argument regarding space is apparent when it is applied to humans. By AZA standards, a person, (being approximately 2% the weight of an elephant), would lead a healthy life living in 44 sq ft, if provided with food, water and breeding partners.

28. The 39-year old Asian elephant named Toni at the Smithsonian Institution's National Zoological Park (National Zoo) is a clear example of how intense zoo confinement can cause severe health problems for an elephant.

29. On January 4, 2006, I visited the zoo and observed Toni in her exhibit. The National Zoo's elephants are all Asian elephants, a species that inhabits forest and forest-edge habitats in its natural environment. The National Zoo's barren exhibit couldn't be further from tropical forest; rather the exhibit is striking in its bleak desert-like condition.

30. Prior to visiting the zoo, I was informed that 39-year-old Toni had severe arthritis, but I was not prepared for what I witnessed at the enclosure. In all my 30 years of observing wild elephants, I have never seen an elephant as crippled as Toni.

31. Almost 20 years ago, at the Scranton Zoo, Toni suffered a broken left ankle. Years of standing on concrete floors and compacted sandy soil in a small enclosure, with little exercise have exacerbated this injury, for she is now almost unable to walk. Toni shuffles along, only centimeters at a step, with her weight shifted onto her hind legs. It appears that she has compensated the pain and arthritis in her left front ankle by trying to shift her weight to her hind legs, thus giving relief to her injured front leg. Over the years of shifting her weight, the muscles on Toni's left side have atrophied, and

the curvature of her spine and pelvis appear deformed (Pictures are attached). Toni is extremely thin and zoo records document that she continues to lose weight.

32. The zoo is blaming Toni's condition on an old leg injury, but based on my professional opinion and expertise in this area, I disagree with this assessment. I have seen a substantial number of elephants with broken and/or withered legs in the wild, all able to move and keep up with their families, either by putting weight on the injured leg, and walking with a limp, or by hobbling along on three legs. One Amboseli female elephant, 43-year-old Xala, has lived with a left ankle break (similar to Toni's) since the first day she was seen on December 5, 1973. Xala (photograph attached) is still a healthy, vigorous female, who is able to keep up with her family, reproduce and successfully raise offspring.

33. Toni is unable to move like Xala. I believe that Toni's debilitating condition is caused by much more than an old leg injury. Her condition is indicative of many of the problems experienced by captive elephants and symbolizes the dismal consequences of long-term lack of space and movement. Unfortunately, Toni is yet one more statistic, adding to the overwhelming amount of empirical evidence, showing that elephants *do* need sufficient space and social and environmental enrichment to maintain agility and good physical health. We can only speculate about the inner emotional trauma this elephant has experienced in her life by suffering with severe pain on a daily basis.

34. The evidence shows that providing elephants with living conditions that consist of only a few acres with hard surfaces does not meet their needs. By keeping Toni on hard surfaces and within a small space, the National Zoo has severely

contributed to Toni's deteriorating health and thus, this zoo cannot escape responsibility for Toni's condition.

35. 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.

36. I agree that USDA needs to clarify its Animal Welfare Regulations requiring adequate space and conditions for elephants. USDA should be spearheading the effort to educate zoos on what is inadequate space and conditions for elephants. USDA also needs to regularly and consistently inspect and monitor the health of elephants at zoos. When the agency finds that elephants are not healthy due to inadequate space and conditions, USDA needs to require the zoo to either alter the space and conditions to improve the health of the animal or move the elephant from the zoo to an environment, such as a sanctuary, where the elephant's health can improve.

37. In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: \_\_\_\_\_, 2006

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Dr. Joyce Poole