

## Problem

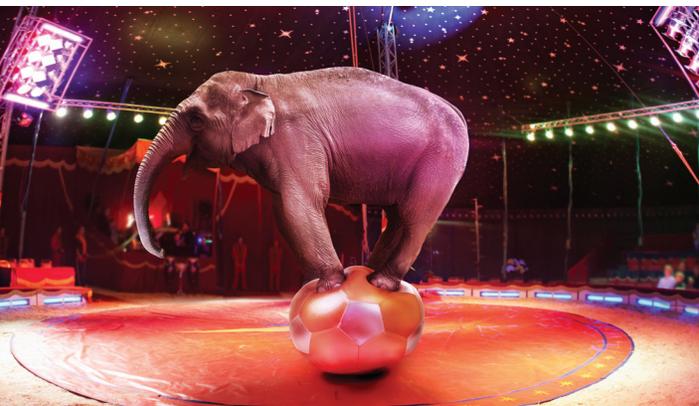
Millions of captive wild animals are suffering from extreme neglect and cruelty in roadside zoos, circuses, and other venues due to a lack of federal and state animal protection laws, and weak enforcement.

## Solution

Captive animals need stronger laws and vigorous enforcement of those laws.

More tigers live in cages in this country, than exist in all the wild. They are just some of the millions of wild animals living in captivity across the United States. Some are in aquariums, circuses, theme parks, and zoos, while others live caged at private homes.

But few federal laws protect these animals, who may be cruelly forced to perform unnatural “tricks” or simply be confined in small cages that prevent them from engaging in any of their normal behaviors causing physical and mental duress. State laws vary widely from outright bans on ownership to none at all, and enforcement is woefully inadequate as well.



## What You Can Do

### DID YOU KNOW?

Since 1990, there have been more than 123 documented attacks on humans by captive large cats in the United States.

Go to [aldf.org/captiveanimals](https://aldf.org/captiveanimals) to learn more about captive animals – and what the Animal Legal Defense Fund is doing to protect them.

Do not patronize zoos, marine parks, or circuses and boycott businesses that profit from cruelty to animals.

Help inform others by writing letters to your local newspapers and posting to social media.

Tell lawmakers you support animal-friendly legislation and local bans on using animals in entertainment.

Sign up for the Animal Legal Defense Fund eNewsletter to receive alerts about legislation and litigation taking place in your state on behalf of captive animals. Sign up at [aldf.org/signup](https://aldf.org/signup).



**ANIMAL LEGAL  
DEFENSE FUND** EST. 1979

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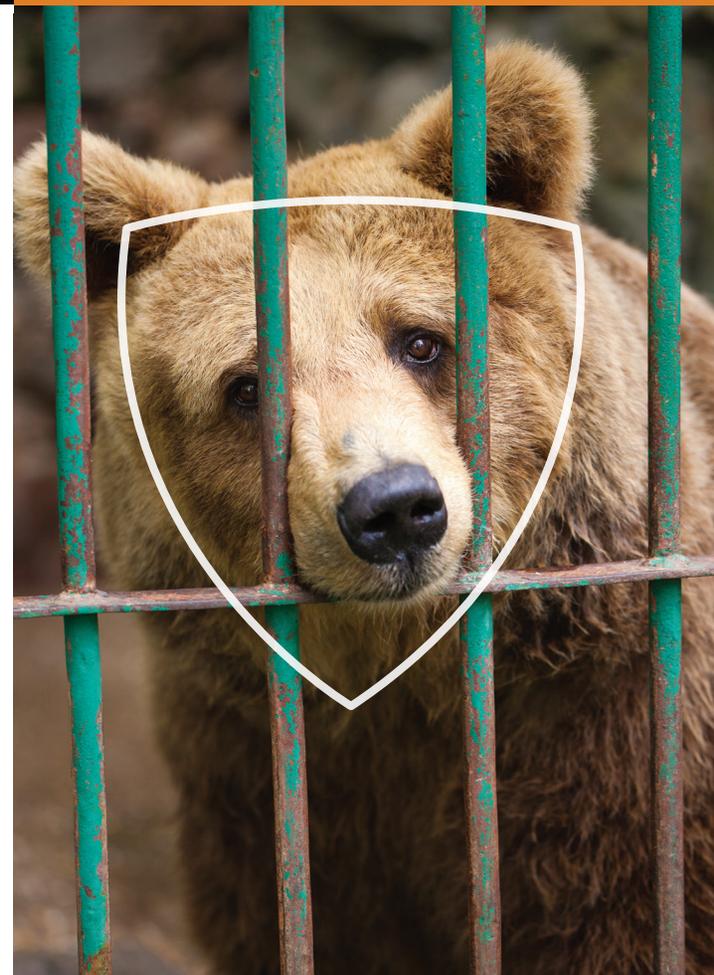
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**ANIMAL LEGAL DEFENSE FUND**

# Captive Animals & The Law

STRENGTHENING LEGAL PROTECTIONS  
AND ENFORCEMENT



**ALL OUR CLIENTS ARE INNOCENT**

## OUTLAWING ABUSE AS ENTERTAINMENT

Captive wildlife forced into the entertainment industry routinely suffer from cruelty and neglect. Travel, confinement, and being forced to perform unnatural “tricks” deprive wild animals of fundamental physical, behavioral, and emotional needs. And “training” methods for large animals commonly involve regular beatings, painful electric shocks, and other coercive methods.

## Models for improvement

There’s a burgeoning movement for the enactment of statewide bans on wild animal performances. In 2017, Illinois and New York became the first states to ban the use of elephants in performances. And in 2016, California became the first state to ban the breeding of orcas in captivity and the use of orcas in performances.

Dozens of North American cities, along with a couple of states, prohibit the use of bullhooks — a metal rod with a sharpened hook used to control elephants — which, in effect, means a ban on circuses with elephants. Others, like San Francisco, CA and Santa Fe, NM have full bans on performing wild animals.

Until every animal used in entertainment is free of harm, the Animal Legal Defense Fund will keep fighting for better and stronger laws and enforcement.



## Failing to protect animals in captivity

**Federal Laws** Very few federal laws protect captive animals. **The Animal Welfare Act (AWA)** regulates licensing, housing, exhibiting, transporting, and caring for captive wild animals. It was adopted by Congress to protect “warm-blooded” animals bred for commercial sale, used in research, transported commercially, or publicly exhibited — like tigers, lions, elephants, bears, and nonhuman primates. It establishes only minimal standards of care for licensing exhibitors.

The AWA excludes protection for birds, rats, and mice used in research, as well as farmed animals and “cold-blooded” animals.

**The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)** is an international treaty to which the U.S. is a signatory, that went into force in 1975. CITES regulates wildlife trade for all joined nations. It prohibits the trade in living or dead wildlife for some endangered species and bans the import of certain species for commercial purposes.

**The Endangered Species Act (ESA)** protects animals and plants listed as threatened or endangered in the U.S. and beyond. It outlines procedures for federal agencies to follow regarding listed species, as well as criminal and civil penalties for violations.

In 2018, Animal Legal Defense Fund obtained a precedent setting decision when the Eighth Circuit Court of Appeals affirmed a roadside zoo’s substandard care of endangered animals violated the ESA. This was the first successful citizen suit to enforce the ESA as to captive wild animals.



**State Laws** Some states offer little or no protection for captive animals, but others have passed strong laws banning private ownership of certain species such as large cats, wolves, bears, dangerous reptiles, and most nonhuman primates. Still, other states have licensing requirements to keep these animals.

Strong state anti-cruelty laws have also been used to protect captive animals in the absence of specific legislative protections, but enforcement of cruelty laws for captive wildlife is rare.

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**Most states do not keep accurate records of exotic animals and have no laws governing their captivity.**

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**Local Laws** Increasingly, local jurisdictions are adopting ordinances that ban or restrict the display of captive wild animals and some cities prohibit circuses that include wild animals. Local laws governing the private possession of exotic animals are often more effective, better enforced, and easier to pass than state or federal laws.

