

February 24, 2021

Robert Gibbens, DVM
 Director, Animal Welfare Operations
 USDA/APHIS/Animal Care

Via e-mail: [REDACTED]; animalcare@usda.gov

Re: Request for Investigation of Apparent Animal Welfare Act Violations at
 Barry Kirshner Wildlife Foundation (License No. 93-C-0504)

Dear Dr. Gibbens,

I am writing on behalf of PETA to request that the U.S. Department of Agriculture (USDA) immediately investigate Roberta A. Kirshner, dba the "Barry R. Kirshner Wildlife Foundation" ("Kirshner," license number 93-C-0504), for apparent violations of the Animal Welfare Act (AWA) involving improper handling that resulted in an Amur leopard attacking a volunteer and then escaping his primary enclosure on February 20, 2021.

According to Roberta Kirshner and other staff who were [interviewed](#) by local media on February 20, a volunteer entered the 100-lb. leopard's cage to feed him, and the leopard jumped on her, [causing](#) five puncture wounds in her neck and a bruised eye. The leopard subsequently escaped his primary enclosure and was loose in the fenced-in area outside of it for a period of time until he was recaptured. The volunteer was hospitalized for two days. Guests were also present on the property at the time of this dangerous event, as stated in the [interview](#) at 8:18.

The USDA considers volunteers to be members of the public [in some cases](#). Allowing them to come into direct contact with dangerous animals is an apparent violation of 9 C.F.R. § 2.131(c)(1) and (d)(3), which require that "[d]uring public exhibition, any animal must be handled so there is minimal risk of harm to the animal and to the public, with sufficient distance and/or barriers between the animal and the general viewing public so as to assure the safety of animals and the public" and that "dangerous animals ... must be under the *direct control* and supervision of a knowledgeable and experienced animal handler" [*emphasis added*].

In the [original reports](#), Kirshner staff claimed a "small" cat had escaped and that there were no human injuries. As you know, an Amur leopard is classified as a great cat in the same *Panthera* genus as lions, tigers, and jaguars, and Kirshner's claim to the contrary reveals a startling lack of knowledge of the species in their care. This 100-lb leopard's danger is apparent from the serious injuries he caused the volunteer. A leopard this size has the strength to carry prey three times his own body weight into a tree, making him an incredibly strong and powerful predator who can easily overpower a human, and who is capable of inflicting fatal injuries with his claws and teeth. According to [the most recent news report](#), the male Amur leopard involved in the attack is Royal, who is three years old, and therefore fully grown.

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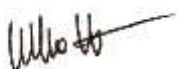
Other comments in the [interview](#) with Action News Now further demonstrate Kirshner staff's lack of knowledge regarding big cat biology and husbandry. A worker claims at 7:39 that all of the cats are "trained" to stay away from the electrified perimeter fence; in case they escape, they "[know] they're gonna get shocked." It is unclear how this training would be possible unless the cats were allowed to approach the perimeter fence, which is outside their primary enclosures, and shock themselves. The same worker states at 8:41 that all of the cats are also trained with the commands "down, back and stay" so they remain in one place when the workers are entering the enclosures for daily care duties. Both statements infer a reliance on training that would need to be foolproof, which is not possible with big cats, who are known for their unreliability. These statements describe practices that don't appear to comply with the mandate of 9 C.F.R. § 2.131(a), requiring that "[a]ll licensees who maintain wild or exotic animals must demonstrate adequate experience and knowledge of the species they maintain."

It appears that Kirshner workers, including the victim, routinely enter enclosures confining dangerous cats to perform husbandry duties (as stated [here](#) at 8:41 and demonstrated [here](#)), putting themselves at risk of attack and providing opportunities for cats to escape on a regular basis. Roberta Kirshner states in the same interview [video](#) at 4:28 that the leopard was moved to "an enclosure with a lockout" after the attack. It can be inferred that prior to the attack, the leopard was confined in an enclosure without a lockout, in apparent violation of 9 C.F.R. § 3.125(a), which requires that "[t]he indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and *to contain the animals*" [*emphasis added*].

Please inspect Kirshner and ensure that all animals are being handled in accordance with the AWA, and that all applicable safety measures are being followed. Please also hold Roberta Kirshner and any and all responsible parties accountable to the fullest extent of the law for any violations that your investigation reveals.

Thank you for your attention to this important matter. Please inform me of the complaint number that your agency assigns to this correspondence.

Very truly yours,



Willow Hecht, M.Sc.
Captive Wildlife Specialist
Captive Animal Law Enforcement

cc: Dr. Laurie Gage, Big Cat and Marine Mammal Specialist